

*The Last Will and Testament of
Robert Futcher
of Fovant
Will proved 10 September 1821*



Probate Court of London

Original reference: 11/1648

Court Copy reference:

Testator:	Futcher	Robert	The elder of Fovant
Executors:			
Futcher	William	Joint Executor	Son
Thomas	Shere (Share)	Joint Executor	Son-in-law

Beneficiaries		Relationship to testator	Other Information
Surname	Given Names		
Futcher	Aaron	Son	Under 21
Futcher	James	Son	Under 21
Futcher	Mary	wife	
Futcher	Moses	Son	Under 21
Futcher	Robert	Son	
Futcher	Thomas	Son	
Futcher	William	Son	
Lever	Sarah	daughter	Wife of George Lever
Share (Shere)	Thomas	Son-in -law	
WITNESSES			
Musselwhite	George		
Nicholson	William		
Nicholson	John		
OTHER NAMES			

This is the last Will and Testament of me, Robert Futcher the elder of Fovant in the County of Wilts, Gentleman. First I desire that I may be buried in a plain decent manner at the discretion of my Executors hereinafter named and that all my just debts and funeral expenses may be paid as soon as conveniently may be after my decease and I direct that my beloved wife Mary Futcher shall be at liberty to reside in the dwelling house now in my occupation during the term of her natural life or so long as she shall remain my widow and unmarried without paying any rent taxes or other charges for or in respect of such residence and that my sons James, Moses and Aaron shall have the like right to reside in my said dwelling house on the same terms until they shall severally attain their respective ages of twenty one years and subject to such right of residence by my said wife and sons for the times and in manner aforesaid. I give devise and bequeath the said dwelling house in which I now reside with the orchard and garden thereto belonging which I hold for a term of years determinable with lives and also all

that small piece of freehold land situate at the bottom of my garden on which the apple trees now stand and which I purchased of Thomas L***man(?) with the appurtenances thereto belonging unto my son Thomas Futcher to hold to him my said son Thomas Futcher his heirs Executors administrators and assigns for ever or for all the Estate and Interest which I may have therein at the time of my decease according to the nature of the same respectively I also give to my said son Thomas Futcher all my household goods plate linen and china and all my brewing utensils and casks used for cider and I likewise give and bequeath to him my said son Thomas Futcher the sum of four hundred pounds to be paid him by my Executors hereinafter named immediately after my decease

I give and bequeath unto my son William Futcher and my son in law Thomas Share the sum of six hundred pounds upon the trusts (?) (?) herein after declared that is to say upon trust that they the said trustees shall and do lay out and invest the same in Government stocks or Funds or other good and sufficient security at Interest in their or his names or name and shall and do pay the Interest, Dividends and annual proceeds thereof as the same shall from time to time become due and payable unto my said dear wife during the term of her natural life if she shall so long continue my widow and unmarried and I direct after the decease of my said wife in case she shall continue my widow till her death that my said trustees or the survivor of them his Executors or administrators shall stand possessed of the said sum of six hundred pounds upon trust to pay the same unto or between and amongst my five children Robert, Thomas, Moses, Aaron and Sarah, the wife of George Lever in such shares and proportions at such time or times and in such manner in all respects as she my said wife shall at any time or times during her life by any deed or deeds or by her last will and testament in writing or any codicil thereto to be by her respectively duly executed direct or appoint and in default of such direction or appointment or in case of any such and the same shall not be a complete disposition thereof then as to the said sum of six hundred pounds or so much thereof to which any such direction or appointment shall not extend upon trust to pay the same unto between or amongst my said five children Robert, Thomas, Moses, Aaron and Sarah, the wife of George Lever, equally between them share and share alike as tenants in common and I direct that the share of each of them in the said sum of six hundred pounds subject to the trusts herein declared shall in default of such appointment as aforesaid be considered as a vested Interest and vested Interests in him her or them respectively immediately on my death but the actual payment thereof shall be postponed till after the death of my said wife but in case my said wife shall happen again to intermarry than I direct that my said trustees or the survivor of them his Executors or administrators shall immediately after such her intermarriage pay her the sum of four hundred pounds part of the said sum of six hundred pounds for her own use and shall and do pay the sum of two hundred pounds the remainder of the said sum of six hundred pounds unto between and amongst my said five children Robert, Thomas, Moses, Aaron and Sarah, the wife of George Lever, equally between them share and share alike as tenants in common the same to be paid to them respectively as soon after such second marriage of my said wife as conveniently may be I give and bequeath to my son James Futcher the sum of seven hundred pounds, to my son Robert Futcher the sum of three hundred pounds, to my daughter Sarah Lever the sum of three hundred pounds and to my son in law Thomas Share the sum of three hundred pounds which several legacies or sums of money I direct shall be paid to them respectively immediately after my decease. I also give and bequeath unto my son Moses Futcher, the sum of one thousand and two hundred pounds and to my son Aaron Futcher the sum of one thousand and two hundred pounds to be paid to them respectively when and as they shall attain their several and respective ages of twenty one years and until they shall so attain their said ages of twenty one years my will is and I direct that the Interest and produce of their several legacies shall be paid and applied towards their maintenance and education or advancement in the World respectively in such manner as my Executors hereinafter named in their discretion think fit and all the rest, residue and remainder of my monies Securities for money Goods Chattels property Estate and Effects whatsoever and wheresoever both Real and personal which I shall be (seized?) possessed of interested in or entitled unto at the time of my decease and not hereinbefore given and disposed of I give devise and bequeath unto my said Son William Futcher to hold the same to him my said Son William Futcher his heirs Executors administrators and assigns for ever or for all my Estate and Interest therein at the time of my decease according to the nature of the same Estate and property respectively provided always and I do declare that my said trustees or the Survivor of them his heirs Executors or administrators shall not be answerable or accountable the one to the other of them but each of them only for his own Acts Receipts effects and defaults nor shall they or either of them be answerable or accountable for any involuntary loss which may happen to the said trust (premises?) or any part thereof in the execution of the trusts of this my Will or for the signing Receipts for the sake of conformity and that it shall be lawful for them and him to deduct and retain to and reimburse the (n...s?) and himself all costs charges damages and expenses of and attending the execution of the trusts hereby in them reposed and I make nominate and appoint my said Son William Futcher and my Son in

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Law Thomas Share joint Executors In trust of this my Will and do revoke all former Wills by me made and declare this only to be my last Will and Testament In Witness whereof I have hereunto set my hand and Seal the eighteenth day of November in the year of our Lord one thousand eight hundred and twenty, *Robert Futcher Senior* Signed Sealed published and declared by the said Robert Futcher as and for his last Will and Testament in the presence of us who at his request in his presence and in the presence of each other have hereunto subscribed our names as Witnesses *Geo. Mussellwhite, Wm. Nicholson, John Nicholson*

Proved at London 10th September 1821 before the Judge by the oaths of William Futcher the Son and Thomas Shere (in the Will written Share) the Executors to whom Admon was granted having been first sworn duly to admin.