

Will: Anthony Gregson 7th October 1831

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{{Original obtained as Photocopy by David Allen April 2012; transcribed word.doc file by Ellen Stoddart, May}}

THIS IS THE LAST WILL and testament of me ANTHONY GREGSON of Lowlin in the County Palatine of Durham Esquire

First I order and direct that all my just debts and testamentary expenses shall be paid off and discharged by my executors hereinafter named as soon as conveniently may be after my decease, by and out of my personal Estate and effects

Item: I give and devise All my Real Estate of which I die possessed of unto John Leithead of Alnwick in the County of Northumberland, Gentleman, The Reverend Thomas Knight of Ford Rectory in the County of Northumberland Clerk and Ralph Forster of Downham in the County of Northumberland, Farmer, And to the survivors and survivor of them and the heirs of such survivor Upon the trusts and to and for the several uses intents and purposes hereinafter mentioned and declared (that is to say) Upon Trust to receive the rents issues and profits thereof until Henry Knight the eldest son of the said Thomas Knight attains his age of twenty one years

And from and immediately after the said Henry Knight shall attain his said age of twenty one years Then To the use and behoof of the said Henry Knight and his assigns for and during the term of his natural life without impeachment of waste save wilful waste and from and after the determination of that Estate To the use and behoof of John Wilson of Tweed House within the liberties of the Borough of Berwick upon Tweed Esquire and John Laugharn of the Borough of Berwick upon Tweed aforesaid Esquire and their heirs during the natural life of the said Henry Knight Upon trust to support the contingent uses and estates hereinafter limited and for that purpose to make entries and bring actions as the case shall require Yet nevertheless to permit and suffer the said Henry Knight and his assigns to receive and take the rents issues and profits of the said Hereditaments and premises during his natural life and from and immediately after the decease of the said Henry Knight To the use and behoof of the first second third. fourth and every other son and sons of the Body of the said Henry Knight lawfully begotten and the heirs male of the body of such son and sons lawfully issuing the eldest of such son and sons and the heirs male of his Body being always preferred and to take before the younger of such son and sons and the heirs male of his Body lawfully issuing

And in default of such issue Then To the use and behoof of all and every the daughters of the said Henry Knight lawfully begotten or to be begotten to be equally divided amongst them (if more than one) share and share alike as Tenants in Common the several and respective Heirs of the Bodies of all and every such daughters lawfully issuing And in case one or more such Daughters shall happen to die without issue of her or their Body or Bodies To the use of the survivors or others of them share and Share alike as Tenants in. Common and of the several and respective heirs of their Bodies lawfully issuing And in case all such daughters but one shall happen to die without issue Then To the use of such one Daughter and the heirs of her body lawfully issuing And in default of such issue Then To the use and Behoof of the oldest Brother of the said Henry Knight and the Heirs Male of his body lawfully issuing And for default of such issue Male of such eldest Brother To the use of the second third fourth and all and every the Brother or Brothers of the said Henry Knight severally and successively one after another as they shall be in seniority of age and the heirs male of the Body and Bodies of all and every such Brother and Brothers the elder of such Brothers and the heirs Male of his and their body and bodies being always preferred and to take before the younger of such Brother and Brothers and the heirs Male of his and their body and bodies And in default of issue Male of all and every such Brother and Brothers To the use of all and every the sister and sisters of the said Henry Knight equally to be divided between or amongst them (if more than. one) share and share alike and to take as Tenants in Common and not as joint Tenants And the Heirs of the

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body of all and every such sister and sisters And in default of lawful issue, of any one or more of such sisters there being more than one Then to the part or share of such sister or sisters who shall have no issue To the use of the other or remaining sisters equally to be divided between them if more than one and share alike and to take as Tenants in Common and not as joint tenants And the Heirs of their respective Bodies And in case there shall be but one other or remaining sister Then as to the part or share of the sister or sisters so failing of lawful issue To the use of the only remaining sister

and the heirs of her body And in case there shall be only one sister of the said Henry Knight Then To the use of such one or only sister and the heirs of her body Arid in default of such issue To the use of the right heirs of the said Henry Knight for ever

PROVIDED ALWAYS and it is my will and meaning that my said Real Estate is so limited as aforesaid Upon this express condition that the several persons, respectively and their respective issue Male who are to take by virtue of and under the limitations hereinbefore contained do and shall when and as they shall respectively come into and be in the actual possession of my said real estate and during such time as he shall be in possession of the same Estate and for ever thereafter Assume and take upon himself and continue to use the Surname of Gregson only and no other Surname and bear the Coat Of Arms of that family and shall in all deeds writings letters and other instruments of writing be stiled and called by the Surname of Gregson only and set and subscribe their Surnames respectively Gregson only to all and every such deeds writings letters and other instruments And in case the said Henry Knight or such person or persons as aforesaid shall neglect or refuse so to do for the space of twelve Calendar Months next after he shall become so entitled to the said Estate as aforesaid The person or persons so neglecting or refusing shall not have or take any benefit estate or interest under or by virtue of this my Will of or in the said estate and premises And that in such case the person who is to take in remainder after the person or persons so neglecting or refusing shall enter upon have and enjoy the said Estate in as full and ample manner as if the person or persons so neglecting or refusing was or were actually dead PROVIDED that such person in remainder shall assume and take upon him and continue to use the surname of Gregson only

And I do hereby give and bequeath unto my Man Servant George Forsythe and his assigns for and during the term of his natural life one Annuity or Yearly sum of Twenty five Pounds of lawful British money to be yearly issuing and payable out of my said Real Estate to be paid and payable on four days or times in the Year (that is to say) on the first day of February, the first day of May, the first day of August and the first day of November in every Year by equal portions the first payment thereof to begin and be made on such of the said days as shall first happen next after my decease with a power of distress in case of nonpayment of the said Annuity

And I give and bequeath unto the said John Leithead Thomas Knight and Ralph Forster the sum of Three Hundred Guineas apiece of like lawful money in consideration of the trouble they will have in the execution of this my will And I direct the same to be paid to them free and clear of legacy duty or any other deduction

Also I give and bequeath to each of my domestic servants who shall have been one year in my service and shall be living with me at the time of my death one year's wages over and above what shall be due to them at the time of my death

And as to all my ready money and securities for money and all and singular other my goods chattles personal Estate and effects whatsoever and wheresoever and the rents issues and profits of my said real estates during the Minority of the said henry Knight over and above what shall be sufficient for the aforesaid purposes I give and bequeath the same unto the said John Leithead Thomas Knight and Ralph Forster and the survivors and survivor of them and the

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executors, or administrators of such survivor Upon the trusts and to and for the intents and purposes hereinafter mentioned (that is to say) Upon Trust to place the same out at interest either in the Government Funds or upon real security or securities and from time to time to call in alter or vary such security or securities as to them or him, shall seem meet And upon trust in the next place to pay and apply the interest dividends or produce thereof towards the Maintenance and education of the said Henry Knight together with such part of the Principal as they my said Trustees shall think necessary for and towards his advancement in life until the he attain the age of twentyone years and when and as he shall attain the age of twentyone years Upon Trust to transfer and assign over the whole of the remainder of my said personal estate and effects unto the said Henry Knight to and for his own proper use and benefit

And I do hereby name and appoint the said John Leithead Thomas Knight and Ralph Forster Trustees and Executors of this my Will and hereby revoking all other Wills by me at any time heretofore made I publish and declare this present writing to be and contain my last Will and

Testament Provided always that in the event of the death of any one or more of my said Trustees before the Trusts of my said will shall have been fully performed and executed then it is my Will and desire that the heir or heirs at Law of such deceased Trustee or Trustees shall act in concert with such surviving Trustees or Trustee in carrying into execution the aforesaid Trusts or such of them as shall be then subsisting and capable of taking effect

And in such case I give devise and bequeath unto such heir or heirs All my real and personal Estate and Effects to such heir or heirs at law Upon the same trusts and with the like privileges powers and authorities as are hereinbefore contained And as if such heir or heirs at law had been severally appointed a Trustee or Trustees by this my Will of or concerning the said Estates and premises.

And lastly I do hereby will and declare that the said Trustees and executors or any of them their or any of their heirs executors administrators or assigns shall not be answerable or accountable for any loss or damage which shall or may happen or befall any sum or sums of money which they shall respectively receive or disburse invest or lend out or place for safe custody by virtue of the Trust or Trusts hereby reposed in them respectively unless the same shall happen by their wilful default nor one of them for the others or other of them but each of them for his own acts deeds receipts and conduct only and not otherwise And that it shall be lawful for them or any of them by and out of the said Trust Estates to retain and reimburse themselves and each of them and to allow to each other for all costs expenses and trouble which they or any of them shall or may reasonably expend sustain or be put to in and about the execution of the Trusts hereby in them reposed or in anywise relating thereto

IN WITNESS whereof I have to this my last Will and Testament contained on this and the four preceding sheets of paper set my hand and seal (that is to say) my hand to the first four sheets And my hand and seal to this the fifth and last sheet hereof the seventh day of October in the year of our Lord one thousand eight hundred and thirty one.

(Signed) Anth.^Y Gregson

Signed sealed published and declared by the said Testator Anthony Gregson as and for his last Will and Testament in the presence of us who in his presence at his request and in the presence of each other have hereunto subscribed our names as Witnesses

Wm. Leithead
Wm. McDougal
Anthy. Carr

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This Will was proved at Durham on the 7th day of June 1834 by John Leithead of Alnwick in the County of Northumberland Gentleman The Reverend Thomas Knight of Ford Rectory in the same County Clerk, and Ralph Forster of Downham also in the same County Farmer, the Executors, to whom Administration was granted, they having been first duly sworn before The Reverend Joseph Barnes, Clerk, a Commissioner in this behalf lawfully appointed faithfully to execute and perform the same as usual. (Effects sworn under £9,000)

R. Burrell Joseph Davison Dep^Y Regr.