Kresen Kernow (formerly Cornwall Record Office), Reference: AP/T/4765 W.

The Will of William Treloar of Lezerea in the Parish of Wendron and County of Cornwall, Yeoman, written 1 Jul 1854, proved 13 Jun 1857.

This is the last Will and Testament of me William Treloar of Lezerea in the parish of Wendron in the County of Cornwall, Yeoman.

I give and bequeath unto **my dear Wife Elizabeth** All my Household Goods China and Furniture to be held and enjoyed by her during her Widhowhood only.

I also give and bequeath to my dear Wife and her assigns during her life All that Dwelling House at Lezerea occupied by Stephen Moyle or in lieu thereof as she may choose the Dwelling House at Porthhellis Bridge occupied by Charles Bottrall and John Davies And also the use and profit annually of a Cow to be grazed near such Dwelling House free of expense to her.

I give devise and bequeath all my real and personal Estate of what nature or kind soever of which I may die seized or possessed or entitled to unto William Paull Jewell of the parish of Crowan in the said County Yeoman and Thomas Treloar of the Borough of Helston in the said County Gentleman their heirs executors administrators and assigns Upon Trust in the first place that they or the survivor of them and the heirs executors administrators and assigns of such survivor hereinafter called the Trustees or Trustee shall as soon as conveniently may be sell call in and convert into money all my Farm Stock Monies on Mortgages or other securities and shall out of the money to arise therefrom and of the money of which I shall be possessed at my death pay my just debts Funeral and Testamentary expenses and invest the residue in their or his names or name at Interest upon such Security as they or he shall think proper and to alter and vary such Securities at their or his discretion and shall pay thereout and out of the rents of my real and personal estate unto my said Wife and her assigns for the maintenance education and support of herself and her children whether born before our Marriage or in due time after my decease one Annuity or clear Yearly Rent Charge of Fifty pounds Sterling and I do declare that the same is in lieu of Dower or Thirds at Common Law out of or in any of the Lands of or to which I may die seized or entitled to be paid by four even and equal quarterly payments on the twenty ninth day of September twenty fifth day of December twenty fifth day of March and twenty fourth day of June in every year without any deduction or abatement in respect of any present or future taxes the first payment thereof to be made on such of the said days as shall first happen after my decease. And in case of nonpayment for Twenty one days after the same shall have become due I hereby empower my said Wife to distrain the tenant or tenants of the said Estate in the name of my said Trustees or Trustee and to sell such distress in payment of such arrears, the Annuity aforesaid to be payable to her until **my sons William and Bennett** shall attain the age of Twenty one years provided she shall so long live unmarried but no longer and as soon as the youngest of my said sons William and Bennett shall attain that age I direct that one half of the accumulations of all monies arising out of the rents and profits of my Estate shall be paid to them in

equal moieties but in case of the death of either of them leaving no Widow or Issue lawfully begotten then his share shall go and belong to the Survivor of them his executors administrators or assigns the other half of such accumulations to remain in the hands of my Trustees or Trustee until my youngest child shall attain the age of twenty one years. And upon this further Trust that as soon as my youngest child shall attain the age of twenty one years I give devise and bequeath All my Freehold estates of Boswin and Lezerea in the said parish of Wendron subject to the Life Estate hereinbefore given to my dear Wife in part of the said tenement of Lezerea And also subject to the one annuity or yearly Rent Charge of Twelve pounds to be payable to her out of the said Estates quarterly during her Widowhood only and to be recoverable by her by distress in the same manner as the Annuity of Fifty pounds a year hereinbefore given to her is provided for unto my sons William and Bennett their heirs and assigns for ever as tenants in common and not as joint tenants. But in case either of my said sons shall die without leaving lawful Issue then the share of him so dying shall go and belong to the survivor and his heirs and in case both my sons shall die without leaving lawful Issue then my said Estates of Boswin and Lezerea shall fall into and become part of my Residuary Estate.

And I hereby further declare that my said Trustees and the Survivor of them and the heirs executors administrators and assigns of such survivor shall Stand and be possessed of the accumlated Fund, if any, which shall arise from the Income and Interest of my said real and personal estates until my youngest child whether born in my life time or in due time after my decease shall have attained the age of Twenty one years In trust to pay and divide the same between my said Wife and **Daughters Jane Ann**, **Grace** and **Elizabeth Susan** and such child to be born as aforesaid or the survivors of them in equal shares and proportions.

And I further give and bequeath unto my said Wife in case she shall be my Widow at the time of my said Sons attaining the age of Twenty one years in addition to the annuity of Twelve pounds hereinbefore given her one other annuity or Yearly Rent Charge of Twenty five pounds for the maintenance of my said Children until the youngest child shall attain the age of twenty one years. And I do hereby charge the Estates hereinafter bequeathed to my daughters with the payment of the last mentioned Annuity and I hereby empower to recover any arrears thereof by distress as aforesaid.

And I hereby further declare that my said Trustees and the survivor of them and the heirs executors administrators and assigns of such survivor shall stand possessed of my Share and Interest of and in my Freehold Estate of Carnkye and Leasehold Estates of Gweeke, Boskenwyn and Boquio in Wendron aforesaid and Kestle in the parish of Saint Hilary in the said County and all other the rest residue and remainder of my real and personal estate whatsoever and wheresoever and of what nature or kind soever of which I shall die possessed, as soon as the youngest of my said Daughters or such child to be born as aforesaid or the survivor or survivors of them shall have attained the age of Twenty one years as aforesaid Upon Trust for my Daughters and such child as may be born after my death as aforesaid their heirs executors administrators and assigns for ever according to the nature of the same premises respectively as tenants in common and not as joint tenants.

And I do hereby declare my will and mind to be that if any or either of my said Daughters or such Child to be born as aforesaid shall die without leaving any lawful Issue of her or their Body then and in every such case the Share or Shares of the Daughter or Daughters so dying shall go and belong to the Survivors of Survivor of them her and their heirs executors administrators and assigns to be divided between them if more than one in equal Shares and proportions for their sole and separate use and benefit independently of any Husband and not to be subject to his debts control contracts or engagements and the receipt or receipts in writing of them or of such person or persons as they or she shall direct shall, notwithstanding their coverture, be good and effectual releases and discharges for such monies as in such receipts shall be expressed and acknowledged to be received and in case all of my said Children shall die without leaving lawful Issue Then I give and devise the same to my right heirs for ever.

I hereby appoint William Paull Jewell Executor of this my Will and I do hereby authorize and empower my said Trustees to sell by Public Auction my estate and interest in the said Tenement of Lezerea in case they deem it expedient so to do and to Execute a Conveyance thereof to the purchaser and give a receipt and discharge for the purchase money and to do all other necessary acts in relation to such sale as may be lawfully required, and to direct that the monies arising therefrom shall be held upon the same Trusts as are hereinbefore declared respecting the said Tenement itself, to adjust settle compromise and compound all accounts reckonings matters and things which shall be depending between me and any other person or persons at my decease upon any terms they may think proper and to pay any debts claimed from my estate upon any evidence they may think proper to admit and accept any Security real or personal for any debt or debts owing to me and to allow for such time for the payment thereof as to them or him shall seem reasonable. And I do hereby declare that the receipt or receipts of the Trustees or Trustee for the time being acting in the Execution of the Trusts of this my Will for any monies payable to them or him shall effectually discharge the person or persons to whom the same shall be given from being answerable or accountable for the loss misapplication or nonapplication of the money in such receipt or receipts acknowledged to be received. Provided also that if either of the Trustees hereby appointed or to be appointed as hereinafter mentioned shall depart this life or decline to act in the Trusts hereby in them reposed then and in such case it shall be lawful for the surviving or continuing Trustee for the time being or the Executors or Administrators of such continuing Trustee to appoint one or more person or persons to be a Trustee or Trustees in the room of the Trustee so dying or declining to act and thereupon the Trust monies and premises shall be vested in the same Trustee or Trustees solely or jointly with the surviving or continuing Trustee as occasion shall require and that such new Trustee or Trustees shall have the same powers and authorities to all intents and purposes as if he or they had been originally appointed a Trustee. And I declare that the Trustees or Trustee for the time being of this my Will shall be chargeable only with such monies as they or he respectively shall actually receive and shall not be answerable the one for the other of them nor for any involuntary loss and that the said Trustees or Trustee for the time being may reimburse themselves and himself out of the monies which shall come to their or his hands under the Trusts

aforesaid all expences to be incurred in or about the Execution of the aforesaid Trusts. In Witness whereof I have to this my last Will and Testament written on Five Sheets of Paper set my hand this first day of July one thousand eight hundred and fifty four.

(Signed Wm Treloar)

Signed sealed published and declared by the said William Treloar the Testator as and for his last Will and Testament in the presence of us present at the same time who in his presence in the presence of each other and at his request have hereunto subscribed our names as Witnesses....

John Perry
C. A. Gill

I William Treloar do hereby add this Codicil to my last Will.

Whereas since the signature and execution of my Will and Testament **my son Thomas John** is born to whom I hereby give and devise the sum of One hundred pounds to be raised by my Trustees out of my farms of Lezerea and Boswin (given in my said Will unto my sons William and Bennet) and paid to him on his attaining the age of twenty one years And an equal share with his sisters of and in all and every part of Carnkye and of all accumulated monies but not to share in the Leaseholds as expressed in my Will aforesaid And also all all that Dwelling House Carpenters Shop Gardens and premises thereunto belonging in Lezerea aforesaid now occupied by William Hodge and Stephen Moyle and also all that messuag Dwelling House and premises part of Lezerea now occupied by Mary Dalley, but if he die leaving no Wife nor issue lawfully begotten then the said Dwelling House carpenters shop and premises in Lezerea shall go to the said estate And his interest in Carnkye shall go to that estate as provided respectively in my said Will. As Witness my hand this 2nd day of May 1856.

(Signed Wm Treloar)

Witness: Wm Hodge, carpenter, John Orchard, servant

On 6 Jun 1857 the Trustees William Paull Jewell of Crowan, yeoman, and Thomas Treloar of Helston, gentleman, renounced executorship of the said will, nominating in their stead Preston Wallis and Edmund Gilbert Hamley, Notaries Public.

Administration of all and singular the Goods &c. of the said deceased with the said Will annexed was granted to Elizabeth Treloar, the Widow of the said deceased and a Legatee named in the said Will.

Effects sworn under £600.

Died 3rd. May 1856.