

Lewis Cubitt ¹² of No 8 Talbot Square Hyde Park
in the County of Middlesex and of No 5 Lewes Crescent Brighton in the
County of Sussex Esquire hereby revoke all former testamentary disposi-
tions heretofore made by me and declare this to be my last will which
I make this thirtieth day of November one thousand eight hundred and
eighty-two I appoint my grandson Algernon Cunliffe Howing and my
son in law The Reverend Henry Edward Willington to be the Executors
and Trustees of my Will and they or the survivor of them or the executors
or administrators of such survivor or other the trustees or trustee for the
time being hereof are hereinafter called the trustees or trustee And I
bequeath to each of them absolutely if he shall accept the office of a
trustee and executor one equal undivided half part or share of and in
my bond or bonds to the amount of five hundred pounds of the
Hungarian Government five pounds per cent loan now deposited at my
Bankers if I shall be possessed thereof at the time of my death And
whereas by a Settlement made on the marriage of my late son Lewis
Cubitt I covenanted for the payment within twelve calendar months
after my death to the trustees or trustee of the said Settlement of the
sum of ten thousand pounds Now I direct my executors in case I do
not pay off and discharge such sum of ten thousand pounds in my
lifetime to appropriate and apply the two Policies of Assurance on my
life videlicet one for five thousand pounds in the London Assurance
Company effected in or about the year one thousand eight hundred
and forty-one and another also for five thousand pounds in the Crown
Life Assurance Company effected in or about the year one thousand eight
hundred and forty-four and the moneys and proceeds including bonuses
to arise or be paid from or in respect of the said Policies in or towards
payment and satisfaction of the said sum of ten thousand pounds and
generally of my liability under the said Covenant And I declare that
all the surplus (if any) of the said moneys and proceeds shall form
part of my residuary estate I bequeath to my daughter Ada Cubitt
absolutely all the plate linen china glass cutlery furniture and
articles of household use or ornament wines liquors and consumables
stores and other articles and effects of every kind which at my death
shall be in or about my dwelling house No 8 Talbot Square aforesaid
except money or securities for money and all the plate linen china
glass and cutlery which shall at my death be in or about my dwelling
house No 5 Lewes Crescent aforesaid And I also bequeath to her the
sum of three hundred pounds to be paid to her immediately after my death
I bequeath to my daughter Agnes Willington absolutely the following
articles which are in my dwelling house No 5 Lewes Crescent aforesaid
that is to say the two water colour views of Naples, two Arm chairs and

Lewis
Cubitt
Esq:
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a work table in the drawing room one small Pembroke table in my bedroom
 also one wainscot bookcase of medicinal design in the library and the
 drawing room table made of Walnut wood with ornamental glass panel
 top and to my three daughters Ellen Bowring Agnes Willington and Ada
 Cubitt equally all the books clocks and articles of ornament (except those
 which are hereinbefore bequeathed) in my said dwelling house No 5 Leves
 Crescent and save as aforesaid I bequeath all the furniture and articles of
 household use wines liquors and consumable stores and other articles and
 effects of every kind which at my death shall be in or about my said
 dwelling house No 5 Leves Crescent (except monies or securities for money
 to my daughter Ellen Bowring absolutely I bequeath to my coachman
 Joseph Caley the sum of one hundred pounds and to my butler William
 Tyler the sum of fifty pounds if they shall respectively be in my service at
 the time of my death and to each of my other indoor and outdoor servants
 who shall be in my service either in London or Brighton at the time of
 my death and shall have been in such service for twelve calendar months
 immediately preceding the term of twenty pounds in addition to their
 wages due at my decease. And I direct that all the aforesaid legacies
 to my servants shall be paid free of legacy duty. I devise unto and to the
 use of the trustees hereinbefore named my freehold messuage and her
 ditaments No 5 Leves Crescent aforesaid Upon trust to pay the rents
 thereof to or permit the same to be received by my said daughter El
 len Bowring during her life for her separate use without impeachment of
 waste and after her death I devise the same to the use of her sons
 Algernon Cunliffe Bowring and Victor Henry Bowring in fee simp
 as tenants in common absolutely I bequeath my leasehold messuage
 and hereditaments No 15 Tavton Street St. Pancras in the County of
 Middlesex to my said daughter Ada Cubitt absolutely but subject
 the payment of the ground rent reserved by and to the performance of
 the covenants contained in the lease under which I hold the same
 bequeath to the trustees hereinbefore named my leasehold messuage and
 hereditaments No 17 Tavton Street St. Pancras aforesaid Upon trust
 during the life of my said daughter Agnes Willington to pay the rents and
 profits thereof unto or permit the same to be received by her for her
 separate use and after her death Upon trust for her son Edward Cunliffe
 Owen absolutely but subject to the payment by them the said Agnes
 Willington and Edward Cunliffe Owen respectively of the ground rent
 reserved by and to the performance by them of all covenants contained
 in the lease under which I hold the same premises I bequeath to my
 daughter Ada Cubitt absolutely all my interest in my leasehold messuage
 and premises No 8 Talbot Square aforesaid subject to the payment by
 her of the rent reserved by and to the performance by her of all the
 covenants contained in the lease under which I hold the same premises
 I devise and bequeath all the personal estate (not hereby otherwise disposed
 of) to which at my death I shall be beneficially entitled or of which I
 shall have power to dispose beneficially by will for any purpose I may
 think proper unto the trustees hereinbefore named absolutely Upon trust
 to sell call in and convert into money such part of my personal estate
 as shall not consist of money but I empower the trustees or trustee to
 postpone such sale and conversion for such a period as the trustees or trustee
 may think proper and I request them or him but not so as to impose
 any legal obligation on them or him or to interfere in any way with the

in his absolute discretion not to sell the same or any part thereof and particularly any leasehold hereditaments or shares in public Companies unless they or he shall think it absolutely necessary or very advantageous so to do And I direct that the income of my personal estate however invested shall from my death be treated as income and no part thereof is to be added to capital and that until a sale of my leasehold estates the trustees or trustee may lease the same for any term not exceeding twenty-one years at the best rent to be reasonably obtained without taking a fine and that the rents and profits of my leasehold estates or so much thereof as shall for the time being remain unsold shall after payment thereof of all rates taxes costs of insurance and repairs and other outgoings be paid and applied to the persons and in the manner to whom and in which the income of the produce thereof is hereinafter directed to be paid I direct the trustees or trustee out of the moneys to arise from the sale and conversion of my said real and personal estate and out of my ready money to pay my funeral and testamentary expenses and debts and the legacies bequeathed hereby or by any Codicil hereto and to stand possessed of the residue of the said money Upon trust to invest the same in their or his names or names in or upon any of the Parliamentary stocks or public funds of Great Britain or at interest upon Government or real securities in England or Wales including the security of a term of three hundred years or upwards unexpired not liable to be determined under a proviso for reentry or in the stock of the Bank of England or Metropolitan Board of Works or in the stock or securities of the Government of India for the time being or the stock or securities not payable to bearer of the Government of any British Colony or Dependency or in the purchase of the preference or wholly or partially guaranteed stock or shares or on the security of the bonds mortgages or debentures or in the purchase of the debenture stock of any Railway Company in Great Britain incorporated by special Act of Parliament and having ^{within} one year before the date of the investment paid a dividend of not less than three pounds per cent per annum on its ordinary stock or shares or in the stock shares debentures or debenture stock of any Railway Company in India the dividends or interest whereon are or shall be wholly or partially or contingently guaranteed by the Government of India for the time being or by the Secretary of State for India on behalf of such Government with power for the trustees or trustee at discretion to change such investments for others of a like nature But I recommend the trustees or trustee before making any such investment or change of investment to consult my Bankers Messrs Smith Payne and Smiths with regard thereto and to request my said Bankers to employ their Stockbroker in making the same And I declare that the trustees or trustee shall stand possessed of all the residue of my real and personal estate and of all investments for the time being representing the same (hereinafter called the residuary trust funds) and of the income thereof Upon trust out of the income thereof to pay to each of my four grandsons Algernon Algernon Cunliffe Bowring Victor Henry Bowring Edward Cunliffe Owen and Thomas Cubitt an annuity of two hundred pounds for his life each of which annuities is to be considered as accruing from day to day but to be paid quarterly by equal quarterly payments the first payment to be made at the end of three calendar months after my death And I declare that if any of my said grandsons Algernon Cunliffe Bowring Victor Henry Bowring Edward Cunliffe Owen or Thomas Cubitt shall marry after my decease it shall

be lawful for the trustees or trustee to pay to such grandson or grandsons so or
 thereafter marrying out of the capital of the residuary trust funds the cash-
 value of his or their annuity or annuities such value to be calculated at the
 price charged by the Government Annuity office and that in case of such
 payment the annuity or annuities of such grandson or grandsons shall there-
 forth cease to be payable but I expressly declare that such last mentioned
 power of advancement of capital shall not apply to my grandson Edward
 Cunliffe Owen who is now married And subject to the payment of the said
 annuities I direct the trustees or trustee to stand possessed of the said residuary
 trust funds and the annual income thereof Upon the trusts following that is
 to say Upon trust as to one equal third part thereof to pay the income
 thereof to my daughter Ellen Dowling during her life for her separate use
 independently of any husband and without power of anticipation and after
 her death then as to the capital and income of the said equal third part
 the said trust funds In trust for all or any of the children of my said
 daughter Ellen Dowling by her present marriage who being sons or a son
 attain the age of twenty one years or being daughters or a daughter attain
 that age or marry under it and if more than one in equal shares abso-
 lutely And as to another equal third part of the said trust funds Upon
 trust to pay the income thereof to my daughter Agnes Willington during
 life for her separate use independently of any husband and without power
 of anticipation And after her death then as to the capital and income of the said
 equal third part of the said trust funds In trust for her son Edward
 Cunliffe Owen absolutely And as to the remaining equal third part of the
 said trust funds Upon trust to pay the income thereof to my daughter
 Ada Cubitt for her life for her separate use independently of any husband
 and without power of anticipation and after her death then as to the capital
 and income of the said third part of the said trust funds In trust for
 or any of the children of my said daughter Ada Cubitt who being sons
 or a son attain the age of twenty one years or being daughters or a daughter
 attain that age or marry under it and if more than one in equal shares
 absolutely And if there should not be any child of my said daughter
 Ada Cubitt who under the trust hereinbefore contained attains a vested interest
 in the last mentioned third part of the said trust funds then the trustees
 or trustee shall stand possessed of the capital and income of the said
 third part of the said trust funds In trust for my grandson Thomas
 Cubitt absolutely but I declare that if the income of the third part of
 my residuary trust funds given to my said daughter Ada Cubitt shall
 not in any year during the life of my said daughter amount to the sum of
 one thousand pounds then there shall be paid to her out of the income of
 other two thirds of my residuary trust funds in equal shares such a sum
 as together with the income of the third of such trust funds hereinbefore
 bequeathed to her shall amount to the sum of one thousand pounds And
 further that if in any year during the life of my said daughter or in
 the space of twenty one years after my death whichever shall be the
 shorter period the income of my said trust funds shall exceed the sum
 of three thousand pounds then that the whole excess over such sum of
 three thousand pounds shall be accumulated by being invested in the
 names or name of the trustees or trustee upon any investments hereinbefore
 authorised and added to the capital of my said trust funds so that there
 may be thereby provided a fund to meet any expenses or liabilities which
 may become payable on the determination of any lease of my leasehold

estates and to meet the diminution of income consequent thereon. Provided always and I declare that in the execution of any of the aforesaid trusts or powers the trustees or trustee may decide what money represents income and what represents capital and may allot or apportion any moneys investments or leasehold property the trusts whereof are hereby declared to or between the persons entitled thereto in such manner as the trustees or trustee shall deem just and reasonable according to the respective rights and interests of those persons and for the purposes aforesaid may ascertain and fix the value of the respective parts of the said investments and leasehold property and every such decision allotment apportionment setting apart and valuation shall be as binding upon the persons then or thereafter to be interested in the premises as if the same had been duly made by a Court of competent jurisdiction. In witness whereof I the said Lewis Cubitt have to this my Will contained in this and the five preceding pages set my hand the day and year first above written — Lewis Cubitt — Signed and declared by the above named Lewis Cubitt as and for his last Will and Testament in the presence of us both present at the same time who in his presence at his request and in the presence of each other have hereunto subscribed our names as witnesses — Chas^r In^r Mander, Solicitor of Lincoln's Inn London — Erskine Gerald Watson Clerk to Mr. C. J. Mander

On the 6th day of July 1883 Probate of this Will was granted to Algernon Cunliffe Bowring and the Reverend Henry Edward Wellington Clerk the Executors.