

Staffordshire, Dioceses of Lichfield and Coventry wills and probate 1521-1860
Transcription

First name(s): Samuel
Last name: Cooper
Year: 1849
Death year: 1845
Death date: 07 Jun 1845
Will year: 1845
Probate year: 1849
Parish: Stoke upon Trent
County: Staffordshire
Country: England
Series description: Original wills, administrations, inventories
Piece description:-
Piece surname range: Brindley-C
Piece year range: 1849
Record set: Staffordshire, Dioceses of Lichfield and Coventry wills and probate 1521-1860
Category: Birth, Marriage & Death (Parish Registers)
Subcategory: Wills & probate
Collections from: United Kingdom

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Newcastle 4 May 1849
Of Saml Cooper
Stoke upon Trent
2 Ex. C Inf: £100

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This The Last Will and Testament of me Samuel Cooper of Hartshill in the Parish of Stoke upon Trent in the County of Stafford, Beer Seller made this Twenty ninth day of May in the Year of Our Lord One thousand eight hundred and forty five in mannor following (namely) I direct my just Debts (inserted above line – Except a Mortgage Debt of Two hundred and fifty pounds) Funeral and Testamentary Expenses to be fully paid and satisfied as soon as conveniently may be after my deceased. And subject thereto I give and bequeath unto my dear Wife Sarah Cooper All and singular my Household Goods and Furniture, Plates, Linen, China, Money and Securities for Money Book Debts and all and singular other my Personal Estate and Effects whatsoever and wheresoever and of what nature or kind secure? Unto my said dear Wife Sarah Cooper her executors administrators and assigns absolutely and for her and their own benefit I give and devise All those my several Copyhold Messuages (*means mortgage or property*), Dwelling houses or Tenements with the Gardens and Appurtenances thereunto belonging situate at Hartshill aforesaid occupied by me (which House was formerly in two tenements) Isaac Davis, (blank) Smith one other lately occupied by the said Isaac Davis, Thomas Weaver and a Bakehouse and Brewhouse adjoining the

Same Premises also occupied by myself unto my said Wife Sarah Cooper and Mr. George Hulme of Hartshill aforesaid and their heirs and assigns for ever Upon Trust with the consent in writing of my said Wife Sarah Cooper to sell such Copyhold Estate by public Sale or private contract together or in parcels. And upon further Trust to pay unto my said Wife Sarah Cooper or her assigns by and out of the said Trusts Money as soon as conveniently may be after such Sale the Sum of Sixty Pounds for her or their own absolute use and benefit. And upon further Trust to invest the residue of the said Trust Monies in the name or names of my said Wife Sarah Cooper and George Hulme in or on the Public Funds or Government or Real Securities in the United Kingdom. And upon further Trust to permit and empower my said Wife Sarah Cooper to receive the Annual Income of the Surplus of the said Trust Monies or the Furniture wherever the same shall be invested during her life. And I hereby direct that my Personal Estate and Effects together with the said Sum of Sixty Pounds and the Annual Income of the Surplus of the said Trust Monies so given to my said Wife Sarah Cooper as aforesaid shall be paid into her proper hands in order that the said may be enjoyed and disposed of is her separate Property free from the control of any Husband she may hereafter marry and for which Monies and Effects, her receipt alone notwithstanding her coverture shall be an effectual discharge for the same. And after the decease of my said wife and on my youngest child for the time being attaining his or her age of twenty-one years. As to one sixth part or share of the Surplus of the said Trust Monies or the Securities whereon the same shall be invested upon further Trust for my reputed Daughter Mary Ellen Mottershead otherwise Cooper but if any said Daughter shall die under the age of twenty-one years without leaving Issue the said one sixth part or share of the Surplus of the said Trust Monies shall ? Surplus or residue of my Personal Estate. As to one other sixth part or share of the Surplus of the said Trust Monies or the Securities whereon the same shall be invested Upon Trust (after the decease of my said Wife and on my youngest Child

The Mark of "X" Samuel Cooper
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? the time being attaining his or her age of twenty-one years) for my reputed Son Oswald Gilbraham Mottershead otherwise Cooper but if my said Son shall die under the age of twenty-one years without leaving Issue the said lastmentioned one sixth part or share of the Surplus of the said Trust Monies shall sink into the Surplus or Residue of my Personal Estate. And after the decease of my said Wife and on my youngest Child for the time being attaining his or her age of twenty-one years As to one other sixth part or share of the Surplus of the said Trust Monies or the Securities whereon the same shall be invested Upon further Trust for my reputed Son Samuel Goodall Mottershead (**our 3rd great-grandfather**) otherwise Cooper but if my said lastmentioned Son shall die under the age of twenty-one years without leaving Issue the said lastmentioned one sixth part or share of the Surplus of the said Trust Monies shall sink into the Surplus or Residue of my Personal Estate. And after the decease of my said Wife and on my youngest Child for the time being attaining his or her age of twenty-one years. As to one other sixth part or share of the Surplus of the said Trust Monies or the Securities

whereon the same shall be invested Upon further Trust for my reputed Son Thomas Gifford Mottershead otherwise Cooper but if my said lastmentioned Son shall die under the age of twenty-one years without leaving Issue the said lastmentioned one sixth part or share of the Surplus of the said Trust Monies, shall sink into the Surplus or Residue of my Personal Estate. And after the decease of my said Wife and on my youngest Child for the time being attaining his or her age of twenty-one years As to one other sixth part or share of the Surplus of the said Trust Monies or the Securities whereon the same shall be invested Upon further Trust for my Son Henry Bamford Cooper but if my said lastmentioned Son shall die under the age of twenty-one years without leaving Issue the said lastmentioned one sixth part or share of the Surplus of the said Trust Monies shall sink into the Surplus or residue of my Personal Estate. And after the decease of my said Wife and on my youngest Child for the time being attaining his or her age of twenty-one years As to the remaining one sixth part or share of the Surplus of the said Trust Monies or the Securities whereon the same shall be invested Upon further Trust for my Son Herbert Cooper but if my said lastmentioned Son shall die under the age of twenty-one years without leaving Issue the said lastmentioned one sixth part or share of the Surplus of the said Trust Monies shall sink into the Surplus or Residue of my personal estate. And as to all the Surplus or Residue of the real and personal Property whatsoever and wheresoever which may belong to me at my decease I devise and bequeath the same (after the decease of my said Wife and on my youngest Child for the time being attaining the age of twenty-one years) unto and equally between my said Children Mary Ellen Mottershead, otherwise Cooper, Oswald Gilbraham Mottershead otherwise Cooper, Samuel Goodall Mottershead otherwise Cooper, Thomas Gifford Mottershead otherwise Cooper, Henry Bamford Cooper and Herbert Cooper and their respective heirs executors and administrators absolutely. And I hereby direct my said Trustees during the minority of my youngest Child for the time being to apply the whole or such part as they shall think fit of the Annual Income yielded by the Surplus of the said Trust Monies for the maintenance and education of such of my said Children as my said Trustees shall consider may require the same Provided always that the receipts of my said Trustees for the time being acting in the execution.

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Of the respective Trusts hereinbefore created shall be discharges for all Monies to be received by them respectively permanent to such Trusts and shall exonerate the person or persons paying the same from all liability in respect of the application thereof Provide lastly and I do hereby direct that no Sale of my Messuage (*means mortgage or property*) Dwelling house and Premises situate at Harts Hill foresaid occupied by under the ? Trust for Sale hereinbefore contained. And I give and devise the same unto my said Wife Sarah Cooper and her Assigns for and during the term of her natural life. And from and after her decease I give and devise the same unto my Daughter Elizabeth Boulton the wife of Mr. John Boulton her heirs and assigns for ever. And I appoint the said George Hulme and my said Wife Sarah Cooper Executor and Executrices of this my Will. And I hereby revoke all other Wills by me at any time heretofore made and do

declare this present Writing contained in three Sheets of Paper to be my last Will and Testament. In Witness whereof I have hereunto set my hand and seal to wit my hand to the two preceding Sheets and my hand and seal to this third and last Sheet the day and year first above written

Signed Sealed Published and Declared by the said Samuel Cooper the Testator 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 subscribed our names as Witnesses thereto (the several inter-lineation's having been first made and observed) the same having been previously read over and explained to him and he perfectly understood the same.
Richard Bell Ware House Man Hartshill
Sheratt, Clerk to Mr. George Jones Solicitor Newcastle under Lyme
The Mark and Seal of "X" Samuel Cooper

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At Newcastle 4 May 1849

Let a probate of this Will be made to George Hulme and Sarah Cooper the Executor named therein

They being first duly Sworn and also that the personal Estate will not amount to the sum of 100 pounds

Before me (signed but can't read)

Page 5 (a completed form)

WILL

In the Bishops Court of Lichfield

In the Goods of Samuel Cooper, Deceased,

Appeared Personally George Hulme of Hartshill in the parish of Stoke upon Trent in the County of Stafford Yeoman and Sarah Cooper of the same place widow the Executor named in the last Will and Testament of the said Samuel Cooper late of the parish of Stoke upon Trent in the County of Stafford, Beer Seller. Deceased; who died on or about the seventh day of June One thousand Eight Hundred and Forty five and made Oath, that the Estate and Effects of the said Deceased, for, or in respect of which, a Probate of the said Will is to be granted exclusive of what the said Deceased may have been possessed of, or entitled to, as a Trustee for any other person or persons, and not beneficially but including the Leasehold Estate or Estates for Years of the Deceased if any, whether absolute or determinable on Lives, and without deducting any thing on account of the Debts, due and owing from the said Deceased, are under the value of One Hundred Pounds, to the best of these Deponent's knowledge, information and belief.

Signed George Hulme and Sarah Cooper

Sworn on the 4th day of May 1849 before me G.H. Saw Surrogate