

Transcription of the Will of Robert Rising

ON the 13th day of February 1886 the Will of Robert Rising late of Horsey in the County of Norfolk Esquire deceased, who died on 8th day of March 1885 at Horsey aforesaid was proved in Her Majesty's High Court of Justice in the District Registry attached to the Probate Division thereof at Norwich by the Oath of Charles Compton Rising of Horsey aforesaid Esquire a Captain in Her Majesty's Royal Navy, the son of the said deceased one of the surviving Executors named (in the said Will), he having been first sworn duly to administer.

Thomas Alfred Rising the son also of the said deceased the other surviving Executor therein named having renounced the Probate and Execution thereof.

Estate gross amount £3,154 2. 8. Net nil. No leaseholds.

Extracted by Messrs. Worship Rising Solicitors, Great Yarmouth.

This is the last Will and Testament of me Robert Rising of Horsey in the County of Norfolk Esquire. I appoint Elizabeth my Wife and my sons Charles Compton Rising and Thomas Alfred Rising Executors hereof and I also appoint the said Charles Compton Rising and Thomas Alfred Rising to be the Trustees of this my Will. AND I give and bequeath to my said Wife all my wines, liquors, ? and other consumable stores and provisions together with all the carriages, horses, harness and stable effects and also all the plate, linen, china, collection of stuffed birds, coins, autographs, glass, books, prints, pictures, furniture and other household effects and chattels which shall be in or about my residence at the time of my deceased for her absolute use and benefit and I also give and bequeath to her my said Wife an immediate legacy of One hundred pounds and I give, devise and bequeath and also in exercise and execution of any person or authority whatsoever given to me by the Will of my late Father or otherwise appoint all the real and leasehold estate to which I shall be entitled at the time of my decease or which I can in anywise appoint or otherwise dispose of except estates vested in me as a Trustee or mortgagee / and also all the residual of the personal estate to which I shall then be entitled and including therein all my farming stock and husbandry effects unto the said Charles Compton Rising and Thomas Alfred Rising their heirs, executors, administrators and assigns respectively upon trust that they the said Charles Compton Rising and Thomas Alfred Rising and the survivors of them and their heirs, executors, administrators and assigns of such survivor / where I have hereinafter designated as my said Trustees or Trustee do and shall sell my real and leasehold estates together or in parcels by public auction or private contract with ? to ? any special conditions as to title or evidence of title or otherwise and with power to buy in the premises at any public sale and to rescind either in terms or gratuitously any contract and to sell without being answerable for any consequent loss And do and ? ? and assign the premises respectively

so sold to the purchaser or purchasers thereof and do any ? and get in my other residual personal estate and invest the monies to arise from the sale and commission of each real leasehold and residual personal estate in the names or name of my said Trustees or Trustee in or upon some one or more of the investments or securities following and those only that is to say the Public funds or other Government securities of the United Kingdom or and real securities in England or Wales and not elsewhere with liberty for my said Trustees or Trustee to vary and ? each investment from time to time for any other investments of the description aforesaid and upon further Trust with and out of the interest and income of the said Trust monies to pay to my old and faithful Steward Thomas Goose for and during the term of his natural life the sum of Ten shillings a week less payable and paid monthly and the first payment thereof to commence and be made on the first Saturday of the month next following my deceased And subject thereto upon trust to permit and empower my said Wife to receive the annual income of the said incomes of the stocks, funds and securities where now the same shall be invested during her life and after her death it is my Will and I desire that my said Trustees and Trustee shall stand and be possessed of the said trust incomes and the subsequent interest and income thereof in trust for each of my five children Emily Caroline Frederick; Robert Arthur Rising; Charles Compton Rising; Thomas Alfred Rising; and Henry Alexander Rising as shall survive me and the issue of such of them as shall die in my lifetime having issue each issue nevertheless taking only equally between them if more than one which would otherwise have been the parents share and their respective executors, administrators and assigns And I expressly declare that the share of my said daughter Emily Caroline Frederick shall be paid to and be received, enjoyed and disposed of by her as hers separate estate without the control or interference of her present or any future husband and that her receipts alone shall notwithstanding her ? be effectual discharges for the sums provided always and I hereby expressly declare that no sale of any of my real estate or any

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part thereof shall be made in the lifetime of my said Wife without her previous consent in writing and that after her deceased my said Trustees or Trustee may postpone the sale and conversion of any said real estate or any part or parts thereof for so long a time as they shall think fit but the unsold real estate and outstanding personal estate shall be subject to the trusts and equities herein before contained concerning the monies, stocks, funds and securities and the aforesaid rents and yearly produce thereof shall be secured annual income for the purposes of each trust and such real estate shall be transferable as personal estates under the consideration trust or license before contained And I empower my said Trustees or Trustee to ??nise any hereditaments for the time being unsold either from year to year or for any term of years not exceeding seven years in succession at such rents and subject to such covenants as they or he shall think fit and to accept surrenders of leases and tenancies and generally to manage the secure hereditaments as they or he shall think best and I hereby empower my said Trustees or Trustee under the consent of my said

Wife during her life to present their or his monies to the Vicarage of Horsey aforesaid on the first or any other avoidance thereof prior to the sale of the same provided also and I respectfully declare my mind and will to be that all such sum and sums of money as I shall have paid to any one or more of my said children for their advancement or preferment in life or in marriage and which they may have been placed to their debit in my books of account and also all such sum or sums of currency as shall be payable and paid out of my estate under any consent or other obligation in any part to discharge the same shall in according to the amount thereof be therein either in full or in part satisfaction as the case may be of his, hers or their portion or proportions under this my Will And I devise all real estates vested in me as a Trustee or Mortgagee to the said Charles Compton Rising and Thomas Alfred Rising their heirs and assigns subject to the equities affecting the issue respectfully And I empower the Executors and also the Trustees or Trustee for the time being of this my Will to give receipts in all monies and

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effects to be paid and delivered to them respectively by virtue of this my Will and declare that such receipts shall exonerate the process taking the same from all liability to see the application or disposition of the monies or effects therein ? and I declare that if my said Trustees Charles Compton Rising and Thomas Alfred Rising or either of them shall die in my lifetime or if they or either of them or any person or persons to be appointed under this clause only a Court of competent jurisdiction or otherwise according to law shall after my death lie or be unwilling, incompetent or unfit to execute the trusts of this my Will or desire to retire from the office it shall be lawful for my said Wife during her life and after her death for the competent Trustees or Trustee for the time being if any whether retiring from the office of Trustees or not or if none for the acting Executors or Executor for the time being or the administrators or administrator for that time being of the surviving Trustee to substitute by any writing under her, his or their hand or hands any fit person or persons in whom alone or as the case may be jointly with the surviving or continuing Trustees or Trustee my Trust Estate shall ? or by proper assurances be vested. And I revoke all former Wills and declare this only to be my last Will and testament. In witness whereof unto this my last Will and testament contained and written on four sheets of paper together annexed I, the above named Robert Rising the Testator have to each sheet hereof set my hand this 17th day of December 1874.

Signed and declared by the above named
Robert Rising the Testator as and for his
last Will and testament in the presence
of us persons at the same time who in
his presence at his request and in the
presence of each other have subscribed
our names as Witnesses hereto
William Worship of Great Yarmouth
?? Holme, Clerk to Mr. Worship

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