

Presented by the
Newfoundland's Grand Banks Site
to assist you in researching your Family History

Click on the graphic below to return to the NGB Home Page



To contribute to this site, see above menu item "About".

*These transcriptions may contain human errors.
As always, confirm these, as you would any other source material.*

A Collection of Newfoundland Wills (G) George Garland

Will of George Garland
from Newfoundland will books vol 1 pages 27 to 46 probate year 1826-1830

In re George Garland deceased

This is the last will and testament of me **George Garland** of the Town and County of Poole Merchant which I make as follows

First I direct that my just debts and funeral expenses [which I particularly wish may not exceed Fifty pounds] and the charges of the Probate Court and the several pecuniary legacies and annuities hereinafter contained be paid out of my Residuary Personal Estate hereinafter bequeathed

I give and bequeath all my Silver plate and plated articles of every sort wherever it may be to be equally divided between such of my sons as may be living at my decease except my three light silver branch candlesticks

which with the branches I give to my daughter **Maria**

I give and bequeath all my Wine and spirits of every sort wherever it may be equally to be divided between such of my sons as may be living in England at my decease

I give unto my son **George** all my furniture and fixtures in and about my dwelling house in Thomas Street in Poole and in and about my Cottage at Standley Green

I give unto my son **John** all my furniture and fixtures in and about my house at Stone

I give all my linen to be equally divided between my sons **Joseph** and **George Garland**

I give my chariott and two best Coach horses to my son **Benjamin Lester Lester** I give and bequeath unto my son **Benjamin Lester Lester** Sixteen thousand pounds and further the sum of Four thousand pounds the latter sum of Four thousand pounds to be laid out in rebuilding repairing or altering or improving the dwelling house and other buildings and premises at Leeson House

I give unto my son **Augustus Lester Garland** six thousand pounds

I give unto my daughter **Maria Ursulla Garland** six thousand pounds

I give unto my son **Joseph Gulston Garland** two thousand pounds

I give unto my son **Francis Ponton Garland** two thousand pounds

I give unto my granddaughter **Amy Ann Spurrier** two thousand pounds to be paid her when she attains the age of twenty one years and the Interest in the mean time to be paid to her mother for her and her daughter's sole use

I direct that the above legacies to my said children [except that given to my grand daughter **Amy Ann Spurrier**] be paid to them within one year next after my decease with Interest at the rate of four p. cent p. annum from the time of my decease

I give to my sons **John Bingley Garland** and my son **George Garland** equally to be divided between them the Fourteen thousand pounds my

surplus capital in the Newfoundland trade and for which the said Trade allows me an Interest of four p. cent p. annum

I give to my sons **John Bingley Garland** and **Benjamin Lester Lester** the sum of Four thousand pounds of lawful British money in Trust to lay out and invest the same in their names on Government or Real Securities at Interest and I do declare that they the said **Benjamin Lester Lester** and **John Bingley Garland** their executor administrators and assigns shall stand possessed of and interested in the said sum of four thousand pounds and the stocks funds and securities in or on which the same shall be invested and the interest dividends and annual produce thereof upon the trusts and to and for the intent and purposes hereinafter expressed and declared of and concerning the same that is to say Upon Trust that they the said **Benjamin Lester Lester** and **John Bingley Garland** and the survivor of them and the executors administrators and assigns of such survivor do and shall during the lifetime of my son **Joseph Gulston Garland** pay the interest Dividends and annual produce of the said sum of Four thousand pounds to such person or persons and upon and for such intents and purposes as my said son **Joseph Gulston Garland** shall during his life by any writing or writings to be signed by him direct or appoint but so that he shall not in any wise dispose of or affect the same by way of sale mortgage charge or otherwise in the way of anticipation and in default of such direction or appointment into his own proper hands for his own use and benefit and the receipts of my said son or his appointees to be sufficient discharges for the same and from and after his decease do and shall stand and be possessed of and interested in the said sum of Four thousand pounds stocks funds and securities and the interest dividends and annual produce thereof in Trust for all and every the children and child of my said son **Joseph Gulston Garland** lawfully to be begotten who shall attain the age of twenty one years to be divided between or amongst such children if more than one in equal shares and proportions as tenants in common and if any or either of such children shall happen to die under the age of twenty one years without leaving issue of his or her or their body or bodies living at the time of his her or their decease then as to the share or shares of him her or them so dying as well original as accruing by virtue of this present clause in Trust for the survivor or survivors or others or other of such children equally to be divided between them and to become vested and payable at such time and in such manner as to hereinbefore directed concerning their original share or shares and if all such children but one shall die without issue as aforesaid or if there shall be but one such child then the whole to be in Trust for such surviving or only child at the age aforesaid and if there shall be no child of my said son **Joseph Gulston Garland** or being such and they shall all happen to die under the age of

twenty one years without issue of his her or their body or bodies living at the time of his her or their decease then the said **Benjamin Lester Lester** and **John Bingley Garland** and the survivor of them and the executors administrators and assigns of such survivor do and shall stand and be possessed of and interested in the said sum of Four thousand pounds and the stock funds and securities in or on which the same shall be invested and the interest dividends and annual produce thereof In Trust for such person or persons as by this my will shall be entitled to the general residue of my personal estate and to for or upon no other trust interest or purpose whatsoever

I give to my said sons **Benjamin Lester Lester** and **John Bingley Garland** the sum of Four thousand pounds of lawful British money In Trust to lay out and invest the same in their names on Government or Real securities at Interest and I do declare that the said **Benjamin Lester Lester** and **John Bingley Garland** their executors administrators and assigns shall stand possessed of and interested in the said sum of Four thousand pounds and the stocks funds or securities in or on which the same shall be invested and the Interest Dividends and Annual Produce thereof upon the trusts and to and for the intents and purposes hereinafter expressed and declared of and concerning the same that is to say Upon Trust that they the said **Benjamin Lester Lester** and **John Bingley Garland** and the survivor of them and the executors administrators and assigns of such survivor do and shall during the lifetime of my son **Francis Ponton Garland** pay the interest dividends and annual produce of the said sum of Four thousand pounds to such person or persons and upon and for such intents and purposes as my said son **Francis Ponton Garland** shall during his life by any writing or writings to be signed by him direct or appoint but so that he shall not in any wise dispose of or affect the same by way of Sale mortgage Charge or otherwise in the way of anticipation and in default of such direction or appointment into his own proper hands for his own use and benefit and the receipts of my said son or his appointees to be sufficient discharges for the same and from and after his decease do and shall stand and be possessed of and interested in the said sum of Four thousand pounds stocks funds and securities and the interest dividends and annual produce thereof in Trust for all and every the children and child of my said son **Francis Ponton Garland** lawfully to be begotten who shall attain the age of twenty one years to be divided between or among such children if more than one in equal shares and proportions as tenants in common and if any or either of such children shall happen to die under the age of twenty one years without leaving issue of his her or their body or bodies living at the time of his her or their decease then as to the share or shares of him her or them so dying as well

original as accruing by virtue of this present clause in Trust for the survivor or survivors or others or other of such children equally to be divided between them and to become vested and payable at such time and in such manner as is hereinbefore directed concerning their original share or shares and if all such children but one shall die without issue as aforesaid or if there shall be but one such child then the whole to be In Trust for such surviving or only child at the age aforesaid and if there shall be no child of my said son **Francis Ponton Garland** or being such and they shall all happen to die under the age of twenty one years without issue of his her or their body or bodies living at the time of his her or their decease then the said **Benjamin Lester Lester** and **John Bingley Garland** and the survivor of them and the executors administrators and assigns of such survivor do and shall stand and be possessed of and interested in the said sum of Four thousand pounds and the stocks funds and securities in or on which the same shall be invested and the interest dividends and annual produce thereof upon Trust that they the said **Benjamin Lester Lester** and **John Bingley Garland** and the survivor of them and the executors administrators and assigns of such survivor do and shall stand and be possessed of and interested in the said sum of Four thousand pounds and the stocks funds or securities in or on which the same shall be invested and the interest dividends and annual produce thereof in Trust for such person or person as by this my will shall be entitled to the general residue of my personal estate and to for or upon no other trust intent or purpose whatsoever

I give unto my sons **Benjamin Lester Lester** and **John Bingley Garland** the sum of Four thousand pounds of lawful British money in Trust to lay out and invest the same sum of Four thousand pounds in their names on Government or Real securities at Interest and I declare that the said **Benjamin Lester Lester** and **John Bingley Garland** their executors administrators and assigns shall stand possessed of and interested in the said sum of Four hundred pounds and the stocks funds or securities in or on which the same shall be invested and the interest dividends and annual produce thereof upon the Trusts and to and for the intents and purposes hereinafter expressed and declared of and concerning the same that is to say upon Trust that they the said **Benjamin Lester Lester** and **John Bingley Garland** the survivor of them and the executors administrators and assigns of such survivor do and shall during the lifetime of my daughter **Amy** the wife of Christopher Spurrier Esquire pay the interest dividends and annual produce of the said sum of Four thousand pounds to such person or persons and upon and for such intents and purposes as my said daughter whether covert or sole shall during her life by any writing or writings to be signed by her direct or appoint but so that she shall not in

any wise dispose of or affect the same by way of sale mortgage charge or otherwise in the way of anticipation and in default of such direction or appointment into her own proper hands for her own sole separate and peculiar use and benefit independently of her husband the said Christopher Spurrier or of any future husband or husbands with whom she may intermarry and so that the same shall not in any wise be subject or liable to his debts controul interference or engagements and the receipts of my said daughter or her appointees to be sufficient discharge for the same and after the decease of my said daughter **Amy** do and shall stand and be possessed of and interested in the said last mentioned Trust monies stocks funds and securities and the interest dividends and annual produce thereof in Trust for all and every the children and child of my said daughter **Amy** lawfully begotten or to be begotten who shall attain the age of twenty one years to be divided between or among such children if more than one in equal shares and proportions as tenants in common and if any or either of such children shall happen to die under the age of twenty one years without leaving issue of his her or their body or bodies living at the time of his her or their decease then as to the share or shares of him her or them so dying as well original as accruing by virtue of this present clause In Trust for the survivor or survivors and others or other of such children equally to be divided between them and to become vested and payable at such time and in such manner as is hereinbefore directed concerning their original share or shares and if all such children but one shall die without issue as aforesaid or if there shall be but one such child then the whole to be in trust for such surviving or only child at the age aforesaid and if there shall be no child of my said daughter **Amy** or being such and they shall all happen to die under the age of twenty one years without issue of his her or their body or bodies living at the time of his her or their decease then the said **Benjamin Lester Lester** and **John Bingley Garland** and the survivor of them and the executors administrators or assigns of such survivor do and shall stand and be possessed of and interested in the same Trust money stocks funds and securities interest dividends and annual produce In Trust for such person or persons as by this my will shall be entitled to the general residue of my personal estate and to for upon no other trust intent or purpose whatsoever and I hereby declare that the said sum of Four thousand pounds hereby bequeathed in Trust for my said daughter **Amy** and her children is by me intended in accumulation and addition to all other legacies and provisions made for my said daughter by this my will or otherwise

Also I give to the said **Benjamin Lester Lester** and **John Bingley Garland** the sum of Four thousand pounds of lawful British money in trust to lay out and invest the said sum of Four thousand pounds in their

names on Government or Real Securities at Interest and I do declare that the said **Benjamin Lester Lester** and **John Bingley Garland** their executors administrators and assigns shall stand possessed of and interested in the said sum of four thousand pounds and the stocks funds or securities in or on which the same shall be vested and the interest dividends and annual produce thereof upon the Trusts and to and for the intents and purposes hereinafter expressed and declared of and concerning the same that is to say upon Trust that they the said **Benjamin Lester Lester** and **John Bingley Garland** and the survivor of them and the executors administrators and assigns of such survivor do and shall during the lifetime of my daughter **Maria Ursulla Garland** pay the interest dividends and annual produce of the said sum of Four thousand pounds to such person or persons and upon and for such intents and purposes as my said daughter **Maria** whether covert or sole shall during her life by any writing or writings to be signed by her direct or appoint but so that she shall not in any wise dispose of or affect the same by way of sale mortgage charge or otherwise in the way of anticipation and in default of such direction or appointment into her own hands for her seperate and peculiar use and benefit independently of any husband or husbands with whom she may intermarry and so that the same shall not in anywise be subject or liable to his debts controul interference or engagements and the receipts of my said daughter **Maria** or her appointees to be sufficient discharges for the same and after the decease of my said daughter **Maria** do and shall stand possessed of and interested in the said last mentioned Trust Monies stocks funds and securities and the interest dividends and annual produce thereof in Trust for all and every the children and child of my said daughter **Maria** lawfully to be begotten who shall attain the age of twenty one years to be divided between or among such children if more than one in equal shares and proportions as tenants in common and if any or either of such children shall happen to die under the age of twenty one years without leaving issue of his her or their body or bodies living at the time of his her or their decease then as to the share or shares of him her or them so dying as well original as accruing by virtue of the present clause in Trust for the survivor or survivors and others or other of such children equally to be divided between them and to become vested and payable at such time and in such manner as is hereinbefore directed concerning their original share or shares and if all such children but one shall die without issue as aforesaid or if there shall be but one such child then the whole to be in Trust for such surviving or only child at the age aforesaid and if there shall be no child of my said daughter **Maria** or being such they shall all happen to die under the age of twenty one years without issue of his her or their body or bodies living at the time of his her or their decease then the said **Benjamin Lester Lester** and **John Bingley Garland** and the survivor of

them and the executors administrators and assigns of such survivor do and shall stand and be possessed of and interested in the said last mentioned Trust monies stocks funds and securities interest dividends and annual produce In Trust for such person or persons as by this my will shall be entitled to the general residue of this my personal estate and to for or upon no other trust intent or purpose whatsoever and I hereby declare tht the said sum of Four thousand pounds hereby bequeathed in trust for my said daughter **Maria** and her children is by me intended in accumulation and addition to all other legacies and provisions made for my said daughter **Maria** by this my will or otherwise

I give unto my son **Francis Ponton Garland** all those my messuages tenements and dwelling houses which I lately purchased of Mr. Joseph Olive and of Mr. Holland and now or late in the occupation of Captain Bonifant and others situated in Longfleet in the Parish of Great Comford in the County of Dorset To Hold the same with every part thereof with the appurtenances unto and to the use of the said **Francis Ponton Garland** his heirs executors administrators and assigns absolutely for ever or according to the nature of the estates respectively

I give devise and bequeath unto my son **George Garland** all that my Mansion House and premises in which I now live in Thomas Street Poole with the Counting House and offices also the Coachhouse Stables Store Houses Yard Cooperage and other Buildings and all appurtenances thereunto belonging and also a tenement adjoining now or late in the occupation of Mr. Robert Slade the Younger as my tenant with the respective appurtenances [except rights of common and all allotments made or to be made in lieu thereof] unto and to the use of my said son **George Garland** his heirs and assigns for ever

I give devise and bequeath unto my son **Augustus Lester Garland** all those my two Store Houses situated on the Quay in Poole aforesaid near to or adjoining the Custom House in Poole aforesaid the one now or late in the occupation of Messrs. Rands & Lintborn and the other now or late in the occupation of Messrs. John Harrison and others together with the erections now built or to be built thereon and other appurtenants thereto belonging To Hold the same unto and to the use of my said son **Augustus Lester Garland** his heirs and assigns for ever

I give devise and bequeath unto my son **Joseph Gulston Garland** all and singular my messuages and lands tenements hereditaments and premises of what nature and kind soever situate in the Parish of Lytehott Minster in the County of Dorset with the allotment or allotments made or to be made

thereto by virtue of an Act lately passed for closing the Manor or Manors of Lytehott Minster aforesaid with the appurtenances unto and to the use of my said son **Joseph Gulston Garland** his heirs and assigns for ever

I give devise and bequeath unto my son **Benjamin Lester Lester** all that my half part or share in a storehouse situate at the Lower part of the High Street in the Town of Southampton called or known by the name of the Sugar House with all the appurtenances now or late in the occupation of Mr. Edwd Langdon Oke or his undertenants To Hold the same unto and to the use of my said son **Benjamin Lester Lester** his heirs executors administrators and assigns for ever

I also give unto my said son **Benjamin Lester Lester** all those my messuages or tenements situated in Church Street in Poole which I formerly bought of Mr. Gater and now occupied by Mr. Bye or his undertenants for a Tap-room to the old Antelope Inn with the appurtenances thereto belonging unto and to the use of my said son **Benjamin Lester Lester** his heirs executors administrators and assigns absolutely for ever or according to the nature of the estates respectively I give devise and bequeath unto my son **Benjamin Lester Lester** all those two messuages or tenements situated partly in the Old Orchard and partly in the High Street in the Town of Poole aforesaid adjoining each other occupied by Mr. Clement Barnes Taylor and Widow Polly with their appurtenances also all those my messuages lands tenements and hereditaments situated in Fish Street in Poole aforesaid which I purchased of the late James Pearce now or late in the occupation of Mr. James Seymour Mrs. Short and others and also all that piece or parcel of garden ground situated at Perry Garden in Poole aforesaid now or late in the occupation of Mrs. Blaney with their and every of their rights members and appurtenances Also I give and devise unto my son **Benjamin Lester Lester** my Mansion House messuage or tenement now or late in the occupation of Mrs. Pointer situated in the South side of High Street in the Town and County of Poole with the garden thereto belonging and the Coach house stable and kitchen garden also now or late in the occupation of Mrs. Pointer situate at Perry Garden in Poole aforesaid also my two tenements in Comptons Park in Poole aforesaid and my two messuages in perry Garden in Poole aforesaid now or late in the occupation of Lance and George Hintern with the respective appurtenances unto and to the use of my said son his heirs and assigns for ever And also that my four seventh part or other my share and interest of and in all that store house and premises situate at the lower end of High Street in Poole aforesaid which I lately purchased or agreed to purchase of Mr. Benjamin Scott and also all my allotments under the late Canford Inclosure Act in respect of my lands

and hereditaments in Poole To Hold the same and every part thereof unto and to the use of the said **Benjamin Lester Lester** his heirs and assigns for ever

I give devise and bequeath unto my son **Benjamin Lester Lester** all that my store house called Wadhams Store situate in High Street in Poole aforesaid and part of which is now or late in the occupation of Mr. Pritchard Sail Maker also all that my messuage or tenement situate in West Street in Poole now or late in the occupation of Mrs. Pimer Also all those my messuages tenements Brewhouse Malthouse Dwelling houses which I have purchased or agreed to purchase of Mrs. Walter situate in Lyland Street and Taylor's Buildings in Poole aforesaid to hold the same and every part thereof with the appurtenances unto and to the use of the said **Benjamin Lester Lester** his heirs executors administrators and assigns absolutely for ever or according to the nature of the estates respectively

I give and devise and by virtue of all powers vested in me appoint my estate situate in the Parish of Shaston Saint Jame's in the County of Dorset and the titles thereof with the hereditaments and appurtenances thereto belonging which I lately purchased of Samuel Dernford to the use of my eldest son **Benjamin Lester Lester** and his assigns for and during the term of his natural life without impeachment of or for any manner of waste and from and immediately after the determination of that estate by forfeiture or otherwise in his lifetime then to the use of my brother **Thomas Garland** and his heirs for and during the natural life of my said son **Benjamin Lester Lester** upon Trust to support and preserve the contingent uses and estates hereinafter limited from being defeated or destroyed and for that purpose to make entries and bring actions as occasion may require but nevertheless to permit my said son and his assigns during his life to receive and take the rents issues and profits thereof for his and their own use and benefit and from and immediately after his decease then to the use of the first son of the said **Benjamin Lester Lester** lawfully to be begotten and of the heirs of the body of such first son lawfully issuing and for default of such issue then to the use of the second thirds fourth and all and every other the son and sons of the said **Benjamin Lester Lester** lawfully to be begotten severally successively and in remainder one after another as they shall be in seniority of age and priority of birth and of the several and respective heirs of the body and bodies of all and every such son and sons lawfully issuing the elder of such sons and the heirs of his body always to be preferred and to take before the younger of such sons and the heirs of his and their body and bodies and for default of such issue then to the use of all and every the daughter and daughters of my said son **Benjamin Lester Lester** equally to

be divided between or amongst them if more then one share and share alike as tenants in common and of the several and respective heirs of the body and bodies of such daughter and daughters lawfully issuing and in case there shall be a failure of issue of the body or bodies of any of such daughters then as to the share or shares as well surviving or accruing as original of such of them whose issue shall so fail to the use of the survivors or survivor and others or other of them equally to be divided between or amongst such survivors and others [if more than one] share and share alike as tenants in common and of the several and respective heirs of the body and bodies of such surviving and other daughter and daughters lawfully issuing and in case all such daughters but one shall 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 of my son **Joseph Gulston Garland** and his heirs for ever

I give and devise my Manor of Langton Mutravers my estate called Leason Farm and all other the hereditaments and premises late purchased by me of the Reverend John Dampier with the appurtenances thereto belonging to and to the use of my son **Benjamin Lester Lester** and his assigns for and during the term of his natural life without impeachment of waste and from and after the determination of that estate by forfeiture or otherwise in his lifetime then to the use of **Mr. Joseph Garland Junr** [son of my brother Joseph Garland] of Poole aforesaid and to **Mr. James Seager** also of Poole and their heirs during the natural life of my said son **Benjamin Lester Lester** upon Trust to support and preserve the contingent uses and estates hereinafter limited from being defeated or destroyed and for that purpose to make entries and bring actions as occasion may require but nevertheless to permit my said son and his assigns during his life to receive and take the rents issues and profits of the said Manor and other hereditaments for his and their own use and benefit and upon and immediately after his decease then to the use of the first son of the said **Benjamin Lester Lester** lawfully to be begotten and of the heirs male of the body of such son lawfully issuing and for default of such issue then to the use of the second third fourth and all and every other the son and sons of the said **Benjamin Lester Lester** lawfully to be begotten severally successively and in remainder one after another as they shall be in seniority of age and priority of birth and of the several and respective heirs male of the body and bodies of all and every such son and sons lawfully issuing the older of such sons and the heirs male of his body always to be preferred and to take before the younger of such sons and the heirs male of his or their body and bodies and in default or such issue then to and to the use of my son **Jos. Gulston Garland** and his assigns for and during the term of his natural life without impeachment for of waste and

from and immediately after the determination of that estate by forfeiture or otherwise in his lifetime then to the use of the said **Jos. Garland Junr** and **James Seager** and their heirs during the lifetime of my said son **Joseph Gulston Garland** upon trust to support and preserve the contingent uses and estates hereinafter limited from being defeated or destroyed and for that purpose to make entries and bring actions as occasion may require but nevertheless to permit my said son **Joseph Gulston Garland** and his assigns during his lifetime to receive and take the rents issues and profits of the said Manor and other hereditaments for his and their own use and benefit and from and immediately after his decease then to the use of the first son of the said **Joseph Gulston Garland** lawfully to be begotten and of the heirs male of the body of such first son lawfully issuing and for default of such issue then to the use of the second third fourth and all and every other the son and sons of the said **joseph Guslton Garland** lawfully to be begotten severally and successively and in remainder one after another as they shall be in seniority of age and priority of birth and of the several and respective heirs male of the body and bodies of all and every such son and sons lawfully issuing the elder of such sons and the heirs male of his body always to be preferred and to take before the younger of such sons and the heirs male of his and their bodies and in default of such issue then to and to the use of my son **John Bingley Garland** and his assigns for and during the term of his natural life without impeachment of waste and from and immediately after the determination of that estate by forfeiture or otherwise in his lifetime then to the use of the said **Jos. Garland Junr** and **James Seager** and their heirs during the lifetime of my said son **John Bingley Garland** upon Trust to support and preserve the contingent uses and estates hereinafter limited from being defeated or destroyed and for that purpose to make entries and bring actions as occasion may require but nevertheless to permit my said son **John Bingley Garland** and his assigns during his lifetime to receive and take the rents issues and profits of the said manor and other hereditaments for her and their own use and benefit and from and immediately after his decease then to the use of the first son of the said **John Bingley Garland** lawfully to be begotten and of the heirs male of the body of such first son lawfully issuing and for default of such issue then to the use of the second third fourth and all and every other the son and son of the said **John Bingley Garland** lawfully to be begotten severally and successively and in remainder one after another as they shall be in seniority of age and priority of birth and of the several and respective heirs male of the body and bodies of all and every such son and sons lawfully issuing the elder of such sons and the heirs male of his body always to be preferred and to take before the younger of such sons and the heirs male of his and their bodies and in default of such issue to the use of my own right heirs for ever

Also I give and bequeath to my son **Benjamin Lester Lester** all my household goods and furniture linen china and printed books and all my live and dead stock and crop whether growing or severed and also all my husbandry and garden utensils of every description which at the time of my decease shall be in and about my said Estates at Langton Matravers and leason Farm and other premises lately purchased by me of the said John Dampier to and for his own absolute use

I give and devise my freehold estate lately purchased of Mr. William Ward Wright and others situate in the Parish of Wimbourne Minster in the County of Dorset on which I have since erected a messuage and other buildings and also the Reversion of and in two closes of Meadow or Pasture land near or adjoining thereto containing by estimation four acres and lately purchased by me of the Reverend Sir James Hanham Baronet with the hereditaments and appurtenances thereto respectively belonging unto and to the use of my said son **John Bingley Garland** and his assigns for and during the term of his natural life without impeachment of waste and from and immediately after the determination of that estate by forfeiture or otherwise in the lifetime of my said son **John Bingley Garland** then to the use of the said **Joseph Garland Junr** and **James Seager** and their heirs during the natural life of my said son **John Bingley Garland** upon Trust to support the contingent uses and states hereinafter limited from being defeated or destroyed and for that purpose to make entries and bring actions as occasion may require but nevertheless to permit my said son **John Bingley Garland** and his assigns during his lifetime to receive and take the rents issues and profits of the said messuage farm and other hereditaments for his and their own use and benefit and from and immediately after his decease then to the use of the first son of the said **John Bingley Garland** lawfully to be begotten and of the heirs male of the body of such first son lawfully issuing and for default of such issue then to the use of the second third fourth and all and every other the son and sons of the said **John Bingley Garland** lawfully to be begotten severally successively and in remainder one after another as they shall be in seniority of age and priority of birth and of the several and respective heirs male of the body and bodies of all and every such son and sons lawfully issuing the elder of such sons and the heirs male of his body always to be preferred and to take before the younger of such sons and the heirs male of his and their body and bodies and in default of such issue then to the use of my son **George Garland** and his assigns for and during the term of his natural life without impeachment of waste and from and immediately after the determination of that estate by forfeiture or otherwise in the lifetime of my said son **George Garland** then to the use

of the said **Joseph Garland Junior** and **James Seager** and their heirs during the natural life of my said son **George Garland** upon trust to support the contingent uses and estates hereinafter limited from being defeated or destroyed and for that purpose to make entries and bring actions as occasion may require but nevertheless to permit my said son **George Garland** and his assigns during his lifetime to receive and take the rents issues and profits of the said Messuage Farm and other hereditaments for his and their own use and benefit and from and immediately after his decease then to the use of the first son of the said **George Garland** lawfully to be begotten and to the heirs male of the body of such first son lawfully issuing and for default of such issue then to the use of the second third fourth and all and every other the son and sons of the said **George Garland** lawfully to be begotten severally successively and in remainder one after another as they shall be in seniority of age and priority of birth and of the several and respective heirs male of the body and bodies of all and every such son and sons lawfully issuing the elder of such sons and the heirs male of his body always to be preferred and take before the younger of such sons and the heirs male of his and their body and bodies and in default of such issue then to the use of my son **Augustus Lester Garland** and his assigns for and during the term of his natural life without impeachment of waste and from and immediately after the determination of that estate by forfeiture or otherwise in the lifetime of my said son **Augustus Lester Garland** then to the use of the said **Joseph Garland Junr** and **James Seager** and their heirs during the natural life of the said son **Augustus Lester Garland** upon trust to support the contingent uses and estates hereinafter limited from being defeated or destroyed and for that purpose to make entries and bring actions as occasion may require but nevertheless to permit my said son **Augustus Lester Garland** and his assigns during his lifetime to receive and take the rents issues and profits of the said messuages Farm and other hereditaments for his and their own use and benefit and from and immediately after his decease then to the use of the first son of the said **Augustus Lester Garland** lawfully to be begotten and of the heirs male of the body of such first son lawfully issuing and for default of such issue then to the use of the second third fourth and all and every other the son and sons of the said **Augustus Lester Garland** lawfully to be begotten severally successively and in remainder one after another as they shall be in seniority of age and priority of birth and of the several and respective heirs male of the body and bodies of all and every such son and sons lawfully issuing the elder of such sons and the heirs male of his body always to be preferred and to take before the younger of such sons and the heirs male of his and their body and bodies and in default of such issue then to the use of my own right heirs for ever

I give to my said son **John Bingley Garland** all my live and dead stock and crop whether growing or severed and also my husbandry and garden utensils of every description which at the time of my decease shall be in and about my said estates in the Parish of Wimbourne Minster lately purchased by me of the said William Ward Wright and others and the said Sir James Hanham to and for his own absolute use

I give and bequeath unto my brother **Joseph Garland** for and during the term of his natural life one annuity or yearly sum of one hundred and fifty pounds the first payment to be made the first Michaelmus or Lady Day next after my decease

I give unto **Joseph Garland** son of my brother Joseph and unto **Mr. James Seager** each Fifty pounds

I give unto **Mrs. Sarah Wickous** twenty pounds

I give unto my son **Benjamin Lester Lester** my Gold Snuff Box

I give unto my son **Joseph Gulston Garland** my late wife's Gold Watch

I give unto my son **Francis P. Garland** my Silver Snuff Box

I give unto my son **Geo. Garland** my Tortoiseshell Snuff Box mounted in silver and my Silver spectacle case

I give unto my son **John B. Garland** my diamond Brooch and Mourning Ring for my late father and mother

I give unto my son **Augustus L. Garland** my Gold repeating watch Gold Chain and Seals

I give unto **Wm. Furnell** one hundred pounds an acknowledgment for his long and faithful service to me

I give unto **James Miller** **Jemima Besant** **Mary Selby** and **Ann Holloway** each Five pounds

I give unto my three men servants **John Corderoy** **John Evermy** and **Richd Scott** each twenty pounds if living with me at my decease

To my brothers **Jos. Garland Thos. Garland** my sister **Mary Hart Mardke Hart Esqr Moses Simonds Wm. Furnell The Revd Peter Wm Joliffa Mr. Bell and Mr. George Handcock** I give each a ring to be provided by my executors

I give devise and bequeath unto my sons **John Bingley Garland** and **George Garland** their heirs executors administrators and assigns respectively all my Newfoundland trade and all my plantations Rooms Storehouses Flakes lands and Estates with their appurtenances in the Island of Newfoundland or Coast of Labrador or elsewhere in North America and also all my ship Brigs Slopps Schooners Boats Craft Fishing implements and every other article or thing employed in the said trade or belonging thereto and all the rest residue and remainder of my real and personal estate including my mortgage and trust estates To Hold the same unto and to the use of my said sons **John Bingley Garland** and **George Garland** as tenants in common in the following proportions that is to say one half thereof and of every part thereof unto and to the use of my said son **John Bingley Garland** and to his heirs executors and administrators the other half part thereof and of every part thereof unto the use of my said son **George Garland** and to his heirs executors and administrators and Lastly revoking all former wills by me made I declare this only to be my last will and testament And I do appoint my said sons **Benjamin Lester Lester** and the said **John Bingley Garland** and **George Garland** executors hereof provided always and I do hereby order and direct that the said **Benjamin Lester Lester** and **John Bingley Garland** and the survivor of them and such new Trustee or Trustees to be appointed under the power hereinafter contained shall lay out and invest all such trust monies as shall come to their hands by virtue of this my will in or upon the stocks or funds of the United Kingdom or on Government or Real Security or Securities in the United Kingdom and to vary and transfer the same stocks funds and securities and also all such stocks funds and securities as shall be standing in my name at my decease either as occasion shall require or as shall be thought fit and also that it shall and may be lawful for them to compound any debt or debts due or to become due to the said Trust Estate and to take part or the whole and to discharge the debts or debtors and sign any Bankrupt or Bankrupts Certificate or Certificates and to submit any difference or dispute about the said Trust Monies or Estates to arbitration and perform the award or umpirage to be made in pursuance thereof provided also that in case the said **Benjamin Lester Lester** and **John Bingley Garland** or either of them or any Trustee or Trustees to be appointed by this present provision in his or their place or places shall die or become unwilling or unable to act in the Trusts of this my will before the Trusts shall be fully executed and preformed then and as often as the

same shall happen it shall be lawful for the survivor of them or in case of the death of both of them without any new nomination under this present power for the person or persons who will then be beneficially entitled to the Trust Estate and effects under this my will if of age and competent to execute the power and if not then for the executors or administrators of the survivor of them the said **Benjamin Lester Lester** and **John Bingley Garland** to nominate any fit person or persons to supply the place or places of the Trustee or Trustees so respectively dying or becoming unable or unwilling to act as aforesaid and that immediately after such appointment the said Trust Estates and effects stocks funds and securities shall be conveyed assigned assured and transferred so and in such manner as that the same may vest in such new trustee or Trustees jointly with the surviving Trustee or in such new Trustee or Trustees solely as the case may require subject as aforesaid and that such new Trustee or Trustees shall exercise all the powers and authorities whatsoever hereinbefore contained in the same manner to all intents and purposes as if he or they had been appointed a Trustee or Trustees by this my Will provided also that the said Trustees hereby appointed and also the Trustee or Trustees to be appointed by virtue of the provision lastly hereinbefore contained severally and respectively and their several and respective heirs executors and administrators shall be charged and chargeable with such sums only as the said Trustees respectively shall actually receive by virtue of the Trusts hereby reposed in them notwithstanding their joining in or signing any receipt or receipts or doing any other not for the sake of conformity and that they or either of them shall not be answerable or accountable for any misfortune loss or damage which may happen in the execution of the aforesaid trusts or in relation thereto except the same shall happen by or through his or their own wilful act neglect or default and in that case such person alone shall be answerable for such loss or damage as shall arise from his her or their own wilful act neglect or default provided also that it shall and may be lawful for the said **Benjamin Lester Lester** and **John Bingley Garland** and their respective executors and administrators and such new Trustee or Trustees as aforesaid from time to time from and out of my estate and effects to retain to and reimburse themselves respectively and also to allow and pay to each other all such costs charges damages and expenses as they or either or any of them shall pay or expend or be put unto in or about the execution of this my will or the trust herein contained

In Witness Whereof I the said **George Garland** the Testator have signed my name at the bottom of each of the preceeding sheets and have signed my name and affixed my seal to the last sheet this twenty fourth day of November one thousand eight hundred and twenty three **George Garland**
[LS]

Signed Sealed Published and Declared by the said **George Garland** the Testator as and for his last will and testament in the presence of us who have hereunto subscribed our names as witnesses attesting the same due execution thereof at his request in his presence and in the presence of each other.

Edward Castleman Wimborne Thos Abraham Robert Bate
Clerks to Messrs Castleman & son solrs Wimborne

This is a Codicil to the last will of me **George Garland** of the Town and County of Poole Merchant Whereas since the date and execution of my will I have purchased of my son **John Bingley Garland** the Northermost part of a Close of arable or pasture land called Home Close as the same is now divided from the south part of the said Close containing three scores and eleven parch more or less situate in the Parish of Wimborne Minster bounded by the East by the Turnpike from Wimborne to Blandford and on the North and part of the West by a Road leading out of the said Turnpike to a Cottage my present residence called Stone Cottage and the same was by Indenture of Feofment bearing date the ninth day of April 1824 conveyed by the said **John Bingley Garland** to and to the use of me and my heirs for ever Now I the said **George Garland** do hereby give and devise the said part of the said Close called Home Close so conveyed to me by my said son **John Bingley Garland** as aforesaid with the hereditaments and appurtenances thereto belonging to and to the use of the same persons and for the same estates and interests as I have by my will devised my freehold estate lately purchased by me of Mr. William Ward Wright and others situate in the Parish of Wimborne Minster aforesaid

Also I give and bequeath to my son **George Garland** my Cottage at Hanley Green in the Parish of Great Canford in the County of Dorset with the lands hereditaments and appurtenances thereto belonging and which I hold by Lease under the late Sir John Web Baronet deceased for the remainder of my estate term and interest therein also I give to my said son all the furniture fixtures and other goods and chattels which may at the time of my death be in and about my said last mentioned Cottage or the offices outhouses stable yard and garden belonging thereto I ratify and confirm my will in all other respects

In Witness whereof I have hereto set my hand and seal the twenty seventh day of April 182 four **George Garland** [LS]

Signed sealed published and declared by the said **George Garland** as and for a codicil to his will in the presence of us who in his presence and in the presence of each other have subscribed our names as witnesses

Edward Castleman Wimborne, Dorset

Robert Bate **Isaac Bryant** his Clerks.

Whereas since the execution of my will which bears date the twenty fourth day of November one thousand eight hundred and twenty three I **George Garland** have purchased certain Cottages Gardens lands and hereditaments which are now or lately were parcel of my Manor of Langton Matravers and are situate lying and being in the Isle of Purbeck and County of Dorset and the same have been by indentures of Lease and Release bearing date respectively on or about the 25th and 26th days of June 1824 the Release being of four parts and made between Edward Wright Brown late of the ancient Town of Rye but then of Northiam in the County of Sussex Esquire Weeden Dawes of Rye aforesaid Gentleman and Thomas Dawes of Angel Court Throgmorton Street in the City of London Gentleman of the first part The Reverend John Dampier late of Leason House in the Isle of Purbeck in the County of Dorset but then of Havre in the kingdom of France Clerk of the second part and the said **George Garland** of the third part and **John Bingley Garland** of the Town and County of Poole Merchant of the fourth part duly released and conveyed to me and my heirs

Now I the said **George Garland** do hereby give and devise the said several Cottages Gardens lands and hereditaments so purchased by and conveyed to me as aforesaid with the appurtenances unto and to the use of such person and persons and for such Estate and Estate interest and Interests as and to whom I have in and by my said Will devised my said Manor of Langton Matravers and I do hereby republish my said Will and the codicil thereto bearing date the twenty seventh day of April one thousand eight hundred and twenty four and declare this to be a further codicil to my said Will

In witness whereof I the said **George Garland** the Testator have hereto set my hand and seal the twenty fourth day of November 182four **George Garland** [LS]

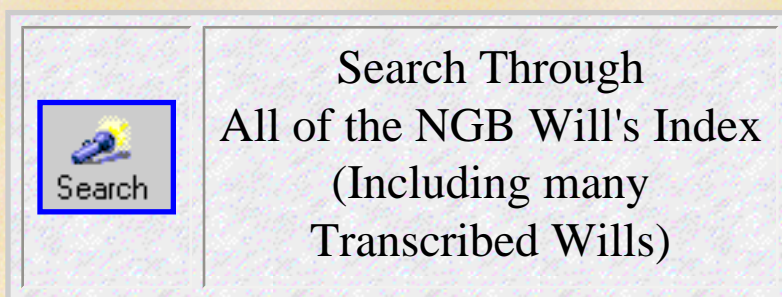
Signed sealed published and declared by the said Testator as and for a Codicil to his Will in the presence of us who in his presence and in the presence of each other have subscribed our names as Witnesses thereto
Edward Castleman **Thos. Abraham** **Robert Bate.**

Certified correct **D.M. Browning**
Registrar.

Note: The wills in those will books are **NOT** actual wills. They are hand-written copies of a, "last will and testament," written by the court clerk, after the death of the testator, when the executor presented them to the court for probate. The court clerk didn't list the signatures at the bottom, he (or she) just put them in the book in whatever order they were in, on the original document, no spacing most of the time, no punctuation. The originals were kept by the executor.

We who have typed these wills, have made every effort to include all the errors that were on the microfilm, in order to avoid destroying the integrity of the originals, where ever they may be.

Page Contributed by Judy Benson, Alana Bennett,
Wendy Weller, Eric Weller and Kristina Americo
REVISED BY: Ivy F. Benoit March 7, 2002



Newfoundland's Grand Banks is a non-profit endeavor.
No part of this project may be reproduced in any form
for any purpose other than personal use.

This page is hosted courtesy of [Chebucto Community Net](http://chebucto.org)
© Newfoundland's Grand Banks Genealogy Site

NOTE:
You can search the entire NGB site
by using the [Google] button below.