

*The Last Will and Testament of  
Herbert Smith  
of Baverstock  
Will proved 21<sup>st</sup> July, 1875*



Probate Court of Salisbury

<b>Testator:</b>	Smith	Herbert	Farmer
<b>Executors:</b>			
Smith	Sarah	Joint Trustee & Executor	Wife
Smith	James	Joint Trustee & Executor	Son

Beneficiaries		Relationship to testator	Other Information
Surname	Given Names		
Smith	Sarah	Wife	
Smith	James	Son	
Cardin	Mary Elizabeth	Daughter	
Smith	Albert	Son	
<b>WITNESSES</b>			
Clay	Rob R.		Fovant (Surgeon)
Thring	Thomas		Wilton Wilts. Sobr

*This is the last Will and Testament of me Herbert Smith of Baverstock in the County of Wilts Farmer. I appoint my wife Sarah Smith and my son James Smith Trustees and Executors of this my Will.*

*I bequeath to my said wife all my Plate Linen Books pictures household goods and furniture for her own use. I bequeath to the said Sarah Smith and James Smith then Executors - Administrators and assigns all my live and dead farming stock and all the residue of my personal Estate Upon Trust to carry on my said farm and for that purpose to use such part of my personal Estate as they shall think fit And upon further trust to allow my said wife to receive the profits of my said farming business and the income of my said residuary Estate for her life so long as she shall continue my Widow And after the death or second marriage of my said Wife I direct my said Trustees or Trustee to hold my said personal Estate In Trust for my three children James Smith Mary Elizabeth Cardin and Albert Smith in equal shares and the issue of any of them who may be then dead such issue to take their parents share But I hereby declare that notwithstanding the trusts herein before declared it shall be lawful for my said Trustees at any time to have my farming stock valued by two indifferent persons one to be named by my said Wife and the other by my said Son James and that the farming stock shall be offered to my said Son James at such valuation and such security is to be given for the amount thereof by my said Son to my said Wife or to the persons beneficially interested after her death as she or they may deem sufficient . I empower my said Trustees or Trustee to invest any monies coming to their hands in their names in any of the public stocks or funds of Great Britain or upon Government or real Securities in England or in or upon the shares stocks or securities of any Company incorporated by Act of Parliament and paying a Dividend with power to vary the said Stocks funds shares and Securities at their or his discretion.*

*Lastly I revoke all former Wills In Witness whereof I have this my last Will and Testament set my hand this thirteenth day of February in the year one thousand eight hundred and seventy five. s*

*Signed by the said Herbert Smith the Testator as and for his last Will and Testament in the presence of us 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*

*Rob R. Clay Fovant (Surgeon)*

*Thomas Thring Wilton Wilts. Sobr*

*Herbert Smith*

(1874)

This is the last Will and Testament of  
 me Herbert Smith of Baverstock, in the County  
 of Wiltshire Farmer I appoint my Wife Sarah Smith  
 and my son James Smith Trustees and Executors of  
 this my Will I bequeath to my said wife all my  
 Moveable Goods Pictures household Goods and  
 furniture for her own use I bequeath to the said  
 Sarah Smith and James Smith their Executors -  
 Administrators and Assigns all my live and dead  
 farming Stock and all the residue of my personal  
 Estate Upon trust to carry on my said farm and  
 for that purpose to use such part of my personal  
 Estate as they shall think fit And upon further  
 trust to allow my said Wife to receive the profits  
 of my said farming business and the income of my said  
 residuary Estate for her life so long as she shall  
 continue my Widow And after the death or second  
 Marriage of my said Wife I direct my said Trustees  
 or Trustee to hold my said personal Estate In trust  
 for my three Children James Smith, Mary Elizabeth  
 Cardin and Albert Smith in equal Shares and the  
 issue of any of them who may be then dead such  
 issue to take their parents share But I hereby  
 declare that notwithstanding the trusts hereinbefore  
 declared it shall be lawful for my said Trustees at  
 any time to have my farming Stock valued by two  
 indifferent persons one to be named by my said  
 Wife and the other by my said Son James and that  
 the farming stock shall be appraised to my said Son  
 James at such valuation and such Security as to

be given for the amount thereof by my said Son to my  
 said Wife or to the persons respectively interested  
 after her death as she or they may deem sufficient  
 I empower my said Trustees or Trustee to invest any  
 monies coming to their hands in their names in any  
 of the public stocks or funds of Great Britain or  
 upon Government or real Securities in England or in  
 or upon the Stocks stocks or Securities of any  
 Company incorporated by Act of Parliament and  
 paying a Dividend with power to vary the said  
 Stocks funds shares and Securities at their or his  
 discretion Lastly I revoke all former Wills In  
 Witness whereof I have to this my last Will and  
 Testament set my hand this thirtieth day of  
 February in the Year One thousand eight hundred and seventy  
 four.

Signed by the said Herbert Smith  
 the Testator as and for his last  
 Will and Testament in the presence  
 of us present at the same Time  
 who are his presence at his request  
 and in the presence of each other  
 have herewith subscribed our Names  
 as Witnesses

Herbert Smith

Robt. R. Clay, Cleric (Sargson)  
 Thomas Thwing  
 William Wilks, Solr.

Effects worth £1000  
 Baverstock  
 by Sarah  
 James Smith  
 of Baverstock  
 Will was for

For larger views of the Will – please see Photo Gallery “Baverstock Farm Documents (donated by Christine Whipp)”

A death for Herbert Smith, aged 59, was registered in the district of Wilton, Wiltshire in March quarter, 1875.