

Will of John Colbourne Senior

from Newfoundland will books volume 2 pages 318-319 probate year 1858

In re John Colbourne deceased.

Part 1 - Contributed by Judy Benson as part of the wills project

In the name of God Amen . I John Colbourne Senior of Twillingate in the Northern District of Newfoundland Planter being of sound mind memory and understanding and considering the uncertainty of human life do herein make my last will and testament that is to say First I give and bequeath to Lydia my beloved wife the interest or annual produce of a certain sum of money now standing in my name in the $3\frac{1}{4}$ per ct reduced annuities, viz, about two thousand pounds in short I give her the interest of whatever sum may be standing in that security in my name at the time of my death for and during the term of her natural life, she remaining unmarried after my death, but if she shall marry then the annual interest of the above named investment shall no longer be hers but shall be paid as it becomes due in equal proportions to all my children. I also give and bequeath to her during the term of her natural life and during the time she shall continue my widow and unmarried but no longer all that dwelling house or part of dwelling house in which I now reside with all my furniture, beds, bedding, apparel and household property thereto appertaining for her own absolute use and benefit.

Secondly, I give and devise to my son Josiah all that part dwelling house or part of dwelling house which he now resides in together with all that part of my fishing room which he now occupy or shall occupy or possess at the time of my death with all the lands and gardens situate thereon for his own absolute use and benefit

Thirdly I give and bequeath to my eldest daughter Harriett the wife of James Roberts of Twillingate the sum of fifty pounds sterling for her own sole and separate use and free from the debts control or engagements of her husband to be paid one year after the death of her mother out of the above named investment in the $3\frac{1}{4}$ pr ct Reduced annuities.

Fourthly, It is further my will that as soon as convenient after the death of my beloved wife the remaining portion of money in the $3\frac{1}{4}$ pr Ct Reduced annuities together with the interest that may be due thereon shall be divided equally between my children, namely, John Colbourne, Samuel Colbourne Robert Colbourne, Josiah Colbourne (and the children of my late son James Colbourne his part equally for their own absolute use and benefit when they become of age) and to the children of my late daughter Mary Stone her part equally for their own absolute use and benefit as they shall become of age and to my daughters Harriett Roberts, Elizabeth Baird, Ann Edmonds and Fanny Blandford their portion or portions I give and bequeath to my executor hereinafter mentioned upon trust to pay the dividends thereof to them for their own sole and separate use and free from the debts control or engagements of their present or any future husbands.

Fifthly And as to the residue of my personal estate whatsoever and wheresoever and of what kind soever I give and bequeath the same as follows: to be equally divided between my sons living at the time of my decease

Lastly I hereby make constitute and appoint my sons John Colbourne and Josiah Colbourne and my sons in law Charles Edmonds and John Blandford executors to this my

last will and testament and I hereby revoke and disallow every other testament or will by me at any time heretofore made, ratifying and confirming this & no other for my last will and testament.

In witness whereof I have hereunto set my hand and seal this seventh day of May one thousand eight hundred and fifty seven.

John Colbourne (LS)

Signed sealed published pronounced and declared by the said John Colbourne as his last will and testament in the presence of us who in his presence and in the presence of each other have hereunto subscribed our names, John Peyton, J.P. James Rice, Deputy Sheriff.

Certified correct,

D. M. Browning

Registrar

Part 2 - Contributed by Merle Colbourne Amodeo (ggg granddaughter of John Colbourne)

Estate of John Colbourne of Twillingate, Planter

Probate granted September 4th, 1858.

In the name of God, I John Colbourne Senior of Twillingate in the Northern District of Newfoundland, Planter, being of sound mind, memory and understanding and considering the uncertainty of human life do herein make my last will and testament.

First, I give and bequeath to Lydia my beloved wife the interest or annual produce of a certain sum of money now standing in my name in 3 and a quarter percent reduced annuities, viz, about two thousand pounds. In short, I give her the interest on whatever sum may be standing in that security in my name at the time of my death, but if she shall marry then the annual interest of the above named investment shall no longer be hers but shall be paid as it becomes due in equal portions to all my children. I also give and bequeath to her during the term of her natural life and during the time she shall continue my widow and unmarried, but no longer, all that dwelling house or part of dwelling in which I now reside with all my furniture, beds, bedding, apparel and household property thereto appertaining for her own absolute use and benefit.

Secondly, I give and devise to my son Josiah all that dwelling house or part of dwelling house which he now resides in together with all that part of my fishing room which he now occupies or shall occupy or possess at the time of my death with all the lands and gardens situate thereon for his own absolute use and benefit.

Thirdly, I give and bequeath to my oldest daughter Harriet the wife of James Roberts of Twillingate the sum of fifty pounds sterling for her own sole and separate use and free from the debts, control or engagement of her husband, to be paid one year after the death of her mother out of the above named investment in annuities.

Fourthly, it is further my will that as soon as convenient after the death of my beloved wife the remaining portion of money in the annuities together with the interest that may be due thereon shall be divided equally between my children, namely, John Colbourne Samuel Colbourne Robert Colbourne Josiah Colbourne (and the children of my late son James Colbourne His part equally for their own absolute use and benefit when they become of age) and to the children of my late daughter Mary Stone her part equally for their own absolute use and benefit as they shall become of age and to my daughters

Harriet Roberts Ann Edmonds and Fanny Blandford their portion or portions. I give and bequeath to my executor herein after mentioned upon trust to pay the dividends thereof to them for their sole and separate use and free from the debts, control or engagement of their present or any future husbands.

Fifthly, as to the residue of my personal estate whatsoever wheresoever and of what kind soever I give and bequeath the same as follows: to be equally divided between my sons living at the time of my decease.

Lastly, I hereby make, constitute and appoint my sons John Colbourne and Josiah Colbourne and my sons in law Charles Edmonds and John Blandford executors to this my last will and testament and I hereby revoke and disallow every other testament or will by me at any time heretofore made ratifying and confirming this and no other for my last will and testament.

In witness whereof I have hereunto set my hand and seal this seventh day of May, one thousand eight hundred and fifty-seven. John Colbourne (LS).

Signed, sealed, publicly pronounced and declared by the said John Colbourne as his last will and testament in the presence of us who in his presence and in the presence of each other have hereunto subscribed our names. John Peyton, JP. James Rice, Deputy Sheriff.

Certified Correct

SM Browning

Registrar