

This will document transcribed and provided by Mr. Marcus Tunaley
as a resource for researching the Tunaley family

William Tunaley 1802-1878

This is the last will and testament of me William Tunaley of Tenant Street in the borough of Derby Dyer. In the first place I direct the payment of all and singular my just debts funeral and testamentary expenses and I do hereby constitute and appoint my wife Ann Tunaley my son Henry Tunaley and my daughter Sarah Tunaley to be the executors of this my will and I give devise and bequeath unto my wife Ann Tunaley all and singular my messuage and real estate whatsoever and wheresoever and also all my moneys and securities for money and my trade and business of a dyer and all my personal estate and effects to hold the same real estate and effects to hold the same real and personal estate and effects unto my said wife Ann Tunaley for and during the term of her natural life without impeachment of waste and as to all my household goods and furniture linen china books plate pictures and other effects which may be in and about my dwellinghouse at the time of my decease and any real and personal estate not otherwise hereby by me devised and bequeathed I do give and devise the same unto my said wife Ann Tunaley her heirs executors and administrators for her own use and benefit and as to all that messuage or dwellinghouse with the yard and appurtenances thereunto belonging situate and being in Tenant Street in Derby aforesaid and now in my own occupation I give and devise the same after the decease of my said wife unto and the use of my said daughter Sarah Tunaley her heirs and assigns for ever and as to all that messuage or dwellinghouse situate in Exeter Place in Derby aforesaid now in the occupation of Emily Cash I give and devise the same after the decease of my said wife unto my said daughter Sarah Tunaley for and during the term of her natural life without impeachment of waste and from and immediately after the decease of the said Sarah Tunaley then I give and devise the said messuage or dwellinghouse with the appurtenances unto and to the use of my daughter Elizabeth Tunaley her heirs and assigns for ever and as to all that shop and room situate in Market Street in Derby aforesaid as now occupied by ____ Clay and also all that Dye House Boiler House and he rooms and the same situate at the rear of the messuage and premises in Tenant Street aforesaid which are now occupied by me with the rights and appurtenances thereto and also all the utensils, tools, plant stock in trade, dyeing utensils and other apparatus matters and effects belonging to or used in connection with my trade or business of a dyer I give an devise the same and every part thereof together with my said trade or business after the decease of my said wife unto and to the use of my said son Henry Tunaley his heirs executors and administrators for his and their own use and benefit and as to all those three messuages or dwellinghouses with shop and bakehouse, gardens and appurtenances situate and being in Elms Street and Watson Street in Derby aforesaid now in the respective occupations of my son Charles Tunaley, ____ Lee and ____ Williamson I give and devise the same after the decease of my said wife unto my son the said Charles Tunaley to hold the same to him and his assigns for and during the term of his natural life and after the decease of my said son Charles Tunaley then I give and devise the said three messuages with the appurtenances unto my said wife Ann Tunaley my daughter Sarah Tunaley and my son Henry Tunaley their executors and administrators upn trust that they or the survivors or survivors of them his or her executors administrators or assigns shall pay the rents or profits of the said three messuages or permit the same to be received by Caroline Tunaley the wife of the said Charles Tunaley for and during her life or widowhood and so that she shall not charge or anticipate the same and after the decease or second marriage of the said Caroline Tunaley then upon trust that the said Ann Tunaley Sarah Tunaley and Henry Tunaley or the survivors or survivors of them his or her executors administrators or

assigns shall sell and dispose of the same three messuages with the appurtenances when and as they she or he in their his or her absolute discretion shall deem it most advantageous so to do and I do hereby declare and direct that they she or he shall have full power and authority to make any special conditions of sale as to the title to the same hereditaments or the evidence of title or otherwise and with the full power and authority to buy in the same messuages and hereditaments at any sale by auction and to sell the same hereditaments without being answerable for any consequent loss or diminution in price and to make execute and do all such acts and assurances which may be requisite and necessary for vesting the premises sold in the purchasers and I declare that in the meantime and until such sale the said messuages and the parts thereof respectively shall be subject to the provisions hereinafter contained concerning the money to arise therefrom and concerning the income of such money and I direct the said Ann Tunaley Sarah Tunaley and Henry Tunaley and the survivors and survivors of them his her and their executors and administrators to invest the money to arise from such sale as aforesaid in their his or her names or name on Government or other good and sufficient security and to stand possessed thereof in trust for the child if only one or for the children if more than one of the said Charles Tunaley who shall be living at the time of his decease or with which his wife shall then be enceinte in equal shares and proportions and for the child or children who may then have departed this life in such proportions as aforesaid such child or children taking his her or their fathers or mothers share only and to be paid to them respectively as and when they shall respectively attain the age of twenty one years provided always that it shall be lawful for the said Ann Tunaley Sarah Tunaley and Henry Tunaley and the survivors and survivors of them their his and her executors and administrators to apply in and towards their maintenance and education and advancement in life the annual income and any part of the capital of the share or shares of any such child or children and as to all those two messuages or dwellinghouses with the shops outbuildings and other appurtenances thereto belonging situate in Tenant Street in Derby aforesaid and now respectively occupied by Job Wright and _____ Drew I give and devise the same after the decease of my said wife unto and to the use of my said daughter Elizabeth Tunaley her heirs and assigns for ever I declare that if the said Ann Tunaley Sarah Tunaley and Henry Tunaley or any of them shall disclaim or die or decline to act or become incompetent to act in the trusts hereof it shall be lawful for the survivor or survivors of them his or her executors or administrators by any instrument in writing to appoint any person or persons to be a trustee or trustees in the place of the trustee or trustees as disclaiming dying declining to act or becoming incompetent to act as aforesaid and I declare that the clauses hereinbefore contained naming or referring to my said trustees shall extend and be applied to the trustee or trustees for the time being of this my will and I declare that my trustees and executors shall not be answerable for each other nor for any loss happening without their own wilful default and they shall be at liberty to retain and allow to each other all expenses incident to the execution of the trusts of this my will and revoking all former testamentary dispositions I declare this to be my last will and testament in witness whereof I have hereunto set my hand this thirty first day of October in the year of our lord one thousand and eight hundred and seventy four _____ William Tunaley _____ signed by the said William Tunaley 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 before leaving his presence in the presence of each other have hereunto subscribed our names as witnesses _____ Job Wright, Derby _____ W Turner Shaw, Solicitor Derby.

Proved at Derby this thirteenth day of December 1878 by the oaths of Henry Tunaley the son and Sarah Tunaley, spinster the daughter the surviving executors to whom administration was granted. The testator William Tunaley was late of Tenant Street, Derby in the county of Derby,

Dyer and died on the third day of august 1878 at Tenant Street in Derby aforesaid. Personal Estate under 200 pounds. Extracted by W T Shaw, Solicitor, Derby
