

The Will of Joseph Douglas Wells, OBE, MD made on 10 February 1944 makes generous provisions for his wife, two sons, step-children, god-children, executors, chauffeur, gardener and committee members of Chelmsford Golf Club but if any of these people become members of the Roman Catholic Church they get nothing with the exception of his wife who would have her annuity halved.

The clause reads:

“10. I declare that notwithstanding anything to the contrary hereinbefore contained if my said Wife or other beneficiary under this my Will shall be at my death or (as regarding said Wife only) thereafter become a Member of the Roman Catholic Church then my said Wife or other such beneficiary as aforesaid shall (subject as regards my said Wife to the provisio hereinafter mentioned) absolutely forfeit such benefit legacy or share as the case may be Provided always that as regards my said Wife that instead of the said annuity of Three hundred and fifty pound being payable to her my Trustees shall in lieu thereafter pay her from my death or the date of her reception into the said Church as the case may be a reduced annuity of One hundred and seventy five pounds during her life or Widowhood.”

This is the last Will of me Joseph Douglas Wells O.B.E. M.B. of their dayes Billericay in the County of Essex Medical Practitioner

1. I revoke all Wills and Testamentary dispositions heretofore made by me
2. I appoint my son Frederick Charles Francis Wells (hereinafter referred to as "my son Charles") my son Anthony Michael Wells (hereinafter referred to as "my son Anthony") my Brother Hugh Thompson Wells and Lieutenant Colonel Edward Derek Good (hereinafter called "my Trustees") to be the ~~Executors~~ **Trustees** of this my Will and I declare that in the interpretation of this my Will the expression "my Trustees" shall (where the context permits mean and include the Trustee or Trustee for the time being hereof whether original or substituted or if there shall be no Trustees or Trustee shall (where the context permits) include the persons or person empowered by statute to exercise or perform any power or trust hereby or by statute conferred upon the Trustees hereof and willing or bound to exercise or perform the same
3. I make the following bequests (free of duty) namely:
 - (1) To my Wife Blance Imogen Wells:
 - (a) The furniture in her bedroom at the time of my decease
 - (b) If I shall be possessed of more than one motor car at my death one of such cars to be chosen by her and
 - (c) An immediate legacy of Two hundred pounds
 - (2) To my son Charles:
 - (a) The Grandfather Clock in Oak Case now in my Dining Room by Thomas Eye of Rye
 - (b) Three of the seven Chairs in the Dining Room with tapestry seat worked by my late Wife to be shared with my son Anthony as hereinafter mentioned
 - (c) The mat in my Drawing Room also worked by my late Wife
 - (d) Such of the Silver presentation cups marked "W.B.H." and other articles presented to my late Wife as shall be selected by him in conjunction with my son Anthony as hereinafter mentioned
 - (3) To my son Anthony:
 - (a) The Grandfather Clock by J. Micklefield of Southminster now in the Drawing Room
 - (b) The remaining four of the above mentioned Chairs in the Dining Room to be shared by him with my son Charles
 - (c) Such of the articles above mentioned comprising the silver presentation cup marked "W.B.H." and other articles as he shall choose And I declare

in Russell
I. Schofield.

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J. Douglas Wells
to I. Schofield.

- that with regard to any articles the subject of choice by my said Sons that my Son Charles shall in each and every case have the first choice and my Son Anthony the second choice and that this order shall be followed until all such articles are disposed of. And further that in case any difference shall arise between my said Sons with regard to any such articles the decision of my Trustees other than my said Sons shall be final and conclusive.
4. I also bequeath to my said Wife the use and enjoyment of such portions of the remainder of my personal chattels as defined in Section 55 (1) (x) of the Administration of Estates Act 1925 as she may select during her life or whilst she remains my Widow, she keeping the same insured against loss or damage by fire and in proper repair and I direct that an inventory of the articles so selected by my said Wife shall be taken by my Trustees who shall not be responsible for the insurance or repair thereof once they have been handed over to my said Wife.
5. I bequeath the following further pecuniary legacies (free of duty) namely:-
- (a) To each of my Executors who act in the executorship other than those taking any other benefit under this my Will the sum of Fifty pounds—
 - (b) To each of my step children Mrs. Ursula Hawes, Lewis Durand Way and Mrs. Phyllida Ehret Good the sum of Fifty pounds—
 - (c) To my Godchildren Margery Jane Jervis Read Ian Thomas Ashworth and Jeremy Cameron the sum of Fifty pounds each—
 - (d) To my butler Henry Arthur Curtis the sum of Thirty pounds and to Horace Gouldsmith my Gardener if he shall have been in my service for five years immediately preceding the date of my death the sum of Ten pounds
6. I bequeath any shares belonging to me at the time of my death in the Chelmsford Golf Club Limited (whose Registered Office is at Widford Chelmsford) to such Club or to such nominee as the Committee of the Club may designate.
7. I devise and bequeath all my real and personal estate whatsoever and wheresoever of or to which I shall be seized possessed or entitled at my death or over which I shall then have a general power of appointment or disposition by Will except property hereby or by any Codicil hereto otherwise disposed of to my Trustees Upon Trust that my Trustees shall sell call in collect and convert into money the said real and personal estate (subject as to any part or parts of my estate to any option of purchase existing at my death in respect thereof under any Articles of Partnership then in operation or otherwise) as and when they shall in their absolute discretion think fit with power of postponement of sale calling in or conversion of the whole or any part or parts of the same.

Marie Russell
W. I. Schofield.

property for any such period as they shall think proper and (subject and without prejudice to the provisions of Clause 9 (1) hereof) with power to retain the same or any part thereof in its present form of investment without being responsible for loss and after payment out of the moneys arising from the sale calling in or conversion of the whole or any part of my said real and personal estate of my funeral and testamentary expenses and debts the legacies hereby or by any codicil hereto bequeathed and all duties whether payable at my death or by reason of any testamentary disposition made by me to stand possessed of the residue after providing for the annuity payable to my said Wife as hereinafter mentioned both as to capital and income in trust for all or any of my children or child living at my death and the children or child then living of any then deceased child of mine who being male attain the age of twenty four years or being female attain that age or marry if more than one in equal shares as tenants in common so that the children of any deceased child of mine shall take equally between them as tenants in common the share which their parent would have taken had he or she survived me and attained a vested interest

8. My Trustees shall pay from the investments of or forming part of my residuary estate as hereinafter mentioned an annuity of Three hundred and fifty pounds to my said Wife Clarice Imogen Wells for her life or whilst she remains my widow to commence from the date of my death and I bequeath such annuity to my said Wife accordingly

9. The following provisions shall have effect with regard to the annuity hereby made payable to my said Wife:-

(1) My Trustees may and (if so requested by or on behalf of the person beneficially interested in the property affected) shall as soon as may be after such annuity commences to accrue set apart in their names or under their control sufficient investments of the nature hereby authorised to provide a fund the income whereof will be sufficient in the opinion of my Trustees to provide the annuity payable to my said Wife as aforesaid and without prejudice to the foregoing portion of this sub-clause I direct my Trustees so to set apart and appropriate six thousand of the total holding of One pound Ordinary Share in Taylor Walker and Company Limited Brewers whose registered office is now situate at Limehouse London E. 14 or a similar proportion of such other interest in the said last mentioned Company as shall belong to me at my death for the purpose of answering the said annuity and further that if such appropriation shall be insufficient to provide by way of income the amount of such annuity I further direct that instead of appropriating any further holding

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Douglas Wells

in the same class of shares which I may possess (as I desire any balance of such holding to be vested in my said Son equally as soon as practicable after my decease provided my Son Anthony shall then have attained the age of Twenty four years) my Trustees shall appropriate such further part of my residuary estate which they shall have retained for the purpose and in particular any investments belonging to me at my death in Tube Investments Limited which I direct my Trustees to retain in their names during the life or widowhood of my said Wife further if necessary to receive the said annuity which investments so appropriated or liable so to be are hereinafter referred to as the appropriated funds and I direct that the income or if necessary the capital of the appropriated funds shall be applied in payment of such annuity. Provided always that instead of resorting to capital as authorised by this sub-clause my Trustees may if they think fit (i) make up from any surplus income derived from the appropriated funds in any one year in addition to the payment of the annuity for such year any deficiency in the annuity for the year immediately preceding or (ii) may from such surplus replace as far as may be the capital resorted to in any such preceding year in making up the full amount of the annuity.

(2) Until the appropriated funds shall have been constituted my residuary estate shall stand charged with the payment of such annuity but after such appropriation such estate shall be thereby discharged therefrom.

(3) The appropriated funds shall on cesser of such annuity fall into my residuary estate.

(4) Any surplus income of the appropriated funds shall subject to the provisions of sub-clause (1) hereof be applied in accordance with the trusts relating to my residuary estate subject to the payment of the said annuity.

(5) My Trustees may at their discretion vary generally any investments for the time being representing the appropriated funds for other authorised investments including in particular any other investment or holding in Taylor Walker and Company Limited (or in any other Brewery Company or undertaking into which the former Company may have been absorbed or with which it may have been amalgamated).

(6) In this clause the word "annuity" includes any periodical payment (not being a rent charge for life or other term or interest).

10. I declare that notwithstanding anything to the contrary hereinbefore contained if my said Wife or other beneficiary under this my Will shall be at my death or (as regards my said Wife only) thereafter become a Member of the Roman Catholic Church then my said Wife or other such beneficiary as aforesaid shall (subject as

Marie Russell.

W. I. Schofield.

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Burgess Wells

regards my said Wife, to the proviso hereinafter mentioned) absolutely forfeit such benefit, legacy, or share as the case may be. Provided always, that as regards my said Wife that instead of the said annuity of Three hundred and fifty pounds being payable to her my Trustees shall in lieu thereof pay her as from my death or the date of her reception into the said Church as the case may be a reduced annuity of One hundred and seventy five pounds during her life or Widowhood.

11. I desire to be buried in the Family Vault in the London Road Cemetery at Chelmsford in accordance with the rites of The Congregational Church of which I have become a member, but in the event of such interment as aforesaid, not being possible I desire to be buried in the Churchyard of Great Burstead and the funeral to be conducted in accordance with the rites of the Congregational Church.
- ~~My Witness~~ whereof I have to this my last Will, contained in this and the four preceding sheets of paper, set my hand to each sheet thereof this tenth day of February One thousand nine hundred and forty four

Signed by the said Joseph Douglas Wells
the Testator as and for his last Will in
the presence of us both present at the
same time who in his presence and in
the presence of each other have herunto
subscribed our names as witnesses:

Douglas Wells

Marie Rynall
Wife of Joseph R.
Buller, Esq.
Secretary.

W. I. Schofield.
Trelawney Aorndale Rd.
Exmouth.
Devon.

Witness of my Office.