

Inventory of the goods and effects which belonged to the deceased Mr. John Bower, teacher in Aberdeen given up by Hugh Fullerton and Lewis Nicoll advocate in Aberdeen and the Rev'd John Bower Minister of Maryculter, executors nominated to the said defunct according to deed of settlement executed by hand upon the Fifth of July eighteen hundred and fourteen and Codicil annexed thereto dated the eighth of January eighteen hundred and eighteen and recorded in the Sheriff Court Banks of Aberdeen upon the twenty seventh of November eighteen hundred and twenty. Under protestation that the said executors shall have liberty to add or eik to said inventory as shall afterwards come to their knowledge and that they shall only be accountable for their actual intromissions, and that they shall have retention in their own hands and of the final and readiest of the inventory underwritten of all sums of money charges and expenses which they have disbursed or shall afterward disburse lay out or be put to in relation to the defunct moveable estate any manner or way under protestation

John Bower (signed)

Lewis Nicoll (signed)

Hugh Fullerton (signed)

protestation as aforesaid the said executors give up, grants and confide that that there were belonging and due the defunct at the time of his death the sum of two hundred Pounds Sterling contained in a bill granted by Thomas Black house (?) merchant and manufactures in Aberdeen dated twenty five of June eighteen hundred and sixteen.

Hence. Two hundred Pounds Sterling contained in a bill to the deceased granted by George Mose and Alexander Mose Esqrs of Aberdeen to the deceased dated twenty second June eighteen hundred and nineteen.

Hence. The sum of four hundred Pounds Sterling due to the deceased by The Commercial Banking Company of Scotland in Aberdeen according to Receipt bearing date twenty first of June eighteen hundred and twenty granted by Alexander Blaikie agent for said Banking Company.

Hence. The sum of one hundred Pounds Sterling due to the deceased by the Commercial Banking Company in Aberdeen according to receipt granted thereon by Alexander Schival cashier for said Banking Company upon the twenty second of June eighteen hundred and twenty.

John Bower (signed)

Lewis Nicoll (signed)

Hugh Fullerton (signed)

Hence. One hundred Pounds Sterling being part of a bill granted by Jas Young Junr Esgr sometime (?) Prorfast (?) of Aberdeen to the deceased for the principal sum of Three Hundred Pounds Sterling, dated twenty first of June eighteen hundred and thirteen.

Hence. Twenty Pounds Sterling being the value of One Fourth shares belonging to the deceased at the verge cutter the Heart of Oak.

Hence. One Hundred and Thirty Pounds Sterling being part of a bill for the sum of Five Hundred Pounds granted by the Bonnaccord Whale Fishing Company of Aberdeen to the deceased dated twentieth of June eighteen hundred and thirteen.

Hence the sum of Thirty Five Pounds thirteen shillings and nine pence being a balance with Interest thereon due by the Revd Oliver Angus to the deceased as upon the twenty seventh of June eighteen hundred and eighteen.

John Bower (signed)

Lewis Nicoll (signed)

Hugh Fullerton (signed)

William Dingwall Fordyce Commissary depute of Aberdeen confirms the said Hugh Fullerton, Lewis Nicoll and John Bower executors to the said deceased John Bower and grants full warrant to them to intromit with and discharge the sum of money contained in said inventory and hath received Robert Alcock Advocate in Aberdeen as Cautioner for hence according to a separate bond of Caution that the sums contained in said inventory shall be made forth coming to all parties having interest therein as accords and both the said executors and Cautioner subjects themselves to the jurisdiction of the Commissary of Aberdeen in all matters and things relative to said executors, and in case they or any of them shall at any time hereafter happen to reside without the commissariate of Aberdeen they hereby affix the Commissary Clerk's office of Aberdeen as a Domicile for laying on all citations against them or any of them relative to said executors and which citations shall be as valid and effectual as if delivered to them personally any laws or practice to the contrary notwithstanding. Given at Aberdeen the twentieth day of March in the year eighteen hundred and twenty one.

Wm D. Fordyce (signed)

John Bower (signed)

Lewis Nicoll (signed)

Hugh Fullerton (signed)

Robert Alcock (signed)

(In the margin on the left)

Testimony in terms of his deed of settlement before Mentioner. Wm D. Fordyce (signed)

Comparition due six Guineas WDF (initialled)

At Aberdeen the thirteenth day of February eighteen hundred and twenty one years. In presence of William Dingwall Fordyce of Calsh Doctor of laws Commissary of Aberdeen. Comfeared Lewis Nicol Advocate in Aberdeen as Procurator and gave in the disposition and Deed of Settlement underwritten of the after designed John Bower and vowed that the same might along with an Inventory of the Defunct Personal Estate and a Codicil annexed to said Settlement be intest and registered in the Commissary Court Books of Aberdeen in terms of the Acts 44 Geo. III Cap 98 & 48 Geo. III Cap 149; which request the Commissary foresaid finding reasonable ordained

John Bower (signed)

ordained the same to be done accordingly and which Disposition and Deed of Settlement the principal being written on stamped paper the tenor follows out. (?)

Know all men by these presents that I John Bower Teacher of English in Aberdeen considering that by a Disposition dated the twenty ninth day of December the thousand seven hundred and ninety five years; I for the reasons therein mentioned gave granted and disposed to Ann Tough my Spouse in liferent in case she should survive me, and to John Bower my eldest son his heirs and assigned in fee that piece of Gooand (?) and dwelling house in Longacre Street belonging to and presently possessed by me; that under the real burden of fifty pounds sterling payable to each of my younger sons William and Robert at the first term of Whitsunday or Martinmas which shall happen six months after the death of the said Ann

John Bower (signed)

Ann Tough my Spouse; which Disposition I hereby satisfy and confirm with the exception herein after mentioned; and further considering that life is very uncertain and that it is a duty incumbered on me to settle my other worldly affairs in such a manner as to prevent all disputes in regard to the distribution of my property in the event of my death; and being at present of sound mind memory and understanding I do therefore make my last Will and Testament in manner following. That is to say First I bequeath my soul and all the faculties and forward of my mind & body to God, my first and best and constant benefactor, and supreme Good, in the firm hope and expectation of pardon, reconciliation and eternal salvation & happiness thro the sufferings, death, mediation and intercession of Jesus Christ his Son and my

John Bower (signed)

my Redeemer. Secondly for the reasons which induced me to grant the Disposition above recited and in consideration of her great merit and industry I give, grant, assign and bequeath to the said Ann Tough my Spouse in liferent all and sundry the household furniture, goods, sums of money and all other moveable effects of whatever description which shall happen to pertain to me at the time of my death and all debts and sums of money which shall there be resting and owing to me by Bond, Bill, Contract, Account, or any other manner of way together with all vouchers and documents relating thereto; with proven to her immediately after my death, to meddle and intromit therewith and dispose of the same,

but in such manner and under the defunct condition that the money which shall be resting and owing to me by Bond, Bill, Contract

John Bower (signed)

Accord or any other manner of way shall be settled on such security as shall be satisfactory to my eldest son the Reverend John Bower Minister of the Gospel at Maryculter and Hugh Fullerton Advocate in Aberdeen, whom (namely the said Reverend John Bower & Hugh Fullerton) along with the said Ann Tough my spouse I hereby nominate to be my Executors and I will appoint that the said Ann Tough shall enjoy the interest and life interest (?) aforesaid of my said personal Estate and effects during all the days of her lifetime after my decease and shall also have full power to test upon or bequeath Five hundred pounds Sterling thereof to such person or persons as she in her own discretion shall think proper; & that upon her death the sum

John Bower (signed)

Sum of Five hundred pounds out of my said personal Estate shall be paid to Robert Bower my youngest son to whom I hereby have and bequeath the same and that the whole free residue of my said personal Estate and Effects shall be paid over to the said Reverend John Bower my eldest son whom I hereby constitute my sole residuary legatee; and it is hereby provided and declared that in case the said Ann Tough shall not exercise the power and faculty above conferred upon her testing upon Five hundred pounds Sterling of my said Personal Estate, or shall not exercise the said power and faculty to its full extent, then and in these events, the said sum or such part thereof as shall not have been tested upon by her shall

John Bower (signed)

shall fall and belong to the said John Bower as my residuary legatee. And it is further declared that the said John Bower shall be burdened with the payment of the following Annuities which I hereby leave and bequeath to the several persons afternamed, during their respective lives vizt (?). To William Bower my second son the Sum of Twenty pounds Sterling yearly; To my Sister Margaret Bower presently residing at Fraserburgh the Sum of Five pounds Sterling yearly; and to Miss Jean Touch my Sister in law the like sum of Five pounds sterling yearly; which respective Annuities shall commence at the first term of Whitsunday or Martinmas that shall happen after the death of the said Ann Touch my Spouse & shall be payable half-yearly beginning the payment thereof at

John Bower (signed)

at such term of Whitsunday or Martinmas for the half year immediately following & so on half yearly thereafter during the respective lives of the annuitants. But declaring that in case the said Ann Touch in virtue of the aforesaid power & faculty given to her shall bequeath to my said son William Bower any sum above the hundred pounds Sterling then the aforesaid annuity devised to him shall suffer a proportionate diminution, so as that the amount thereof & the interest of the sum bequeathed shall not when added together exceed the sum of Twenty-five pounds Sterling yearly & in case the said Ann

Touch shall bequeath to the said William Bower the whole sum of Five hundred pounds Sterling, then the said annuity shall entirely cease & be no longer payable

John Bower (signed)

payable, and my said residuary Legatee shall be wholly freed and disburdened thereof in all time coming. Thirdly in consideration of the provision now made in favour of my said sons William & Robert, I do hereby in virtue of the powers reserved to me by the foresaid Disposition revoke that part thereof, whereby the said price of Ground and dwelling house thereby disponis (?) are burdened with the sum of Fifty pounds Sterling to each of my younger sons the said William & Robert Bower, & declare the said property to be freed and disburdened thereof and the said John Bower discharge of the same in all time coming; and it is hereby declared that the provisions now & formerly made by me in favour of my said spouse & children shall be in full satisfaction

John Bower (signed)

Satisfaction to them of all ?? of lands half or third of move ?? ligation portion natural or other legal or conventional claims whatsoever competent to them a spectivity by said thro my decease. As also that the bequests hereby made in favour of my said sons John and Robert shall vest in their persons respectively from the time of my death although the payment thereof be satisfied until the death of the said Ann Touch my spouse; and this I declare to be my last Will and Deed of Settlement and I hereby declare all and every relation of mine from meddling or interfering in any manner of way, with the said Ann Touch my spouse or with my children or my effects: But

John Bower

But reserving full power to me at any time in my life, even on death bed to alter, innovate or revoke these presents in whole or in part as I shall think proper Dispensing with the delivery hereof and declaring that these presents although found in my custody or in that of any other person undelivered at the time of my death shall if not revoked or cancelled be equally valid and effectual as if the same had been delivered of this date and I consent to the Registration hereof in the Books of Council & Session or any other competent Register therein to remain for preservation and to that once constitute.

My Procurators & in witness whereof I have subscribed these presents (written upon this and the two preceding pages of stamped paper by the said Hugh Fullerton at Aberdeen the

John Bower (signed)

the first day of July one thousand eight hundred & fourteen year before Witnesses Alexander Watson Tailor in Aberdeen and William Adam apprentice to the said Hugh Fullerton (Sigd John Bower Alex Watson Witness William Adam Witness

Follows Tenor of a Codicil annexed to said Settlement vozt (?)

I the before designed John Bower considering that since the date of my executing the foregoing Deed of Settlement, it has pleased God to call the therein named Ann Touch my Spouse out of this life do therefore hereby of new nominate appoint the therein named Reverend John Bower my Son and Hugh Fullerton along with Lewis Nicoll Advocate in Aberdeen and the savoivant (?) Survivor of

John Bower (signed)

Of them to be my sole Executors under my said Deed of Settlement and farther considering that since the date thereof I have made considerable pecuniary advances to the therein named Robert Bower my youngest son do therefore in respect thereof and for other reasonable causes restrict the Legacy bequeathed to him by my said Settlement to the sum of Three hundred pounds Sterling which I hereby declare shall be in full satisfaction to him of all that he can anywise ask or claim by and through my decease, and which I appoint to be paid to him by my said Executors at the first term of Whitsunday or Martinmas that shall happen after the expiration of six months from the time of my death

John Bower

death, with Interest from such term all paid. Farther I will and appoint that the Annuity of Twenty pounds Sterling bequeathed by my said Settlement to William Bower my Second Son shall be increased to Twenty five pounds sterling and in like manner that the Annuity of Five pounds sterling thereby bequeathed to Miss Jean Touch, shall be increased to Ten pounds sterling. Beginning the payment of the said respective Annuities as hereby increased and fixed and also of the Annuity of Five pounds sterling to my sister Margaret Bower at the first Term of Whitsunday or Martinmas after my death for the half year following and so on half yearly thereafter, in terms of my said Deed of Settlement and I declare and

John Bower (signed)

and appoint that my said settlement under the alterations and additions above expressed shall stand & remain in full force except as to the provisions in favour of my late spouse which have fallen and become ineffectual in consequence of her predecease; and I consent to the Registration of this Codicil along with my said Deed of Settlement in terms of the clause of Registration therein contained and constitute.

My Prons & in Witness whereof I have subscribed this Codicil together with the Marginal Note (all written by the said Hugh Fullerton) at Aberdeen the eighth day of January one thousand eight hundred and eighteen before Witnesses George Troap and Andrew Thomson both Tailors in Aberdeen (signed)
John Bower George Troap Witness Andrew

John Bower (signed)

Andw Thomson Witness. And to which Disposition & Codicil the following clause of Registration was annexed vozt. At Aberdeen the twenty seventh day of November one thousand eight hundred and twenty. In presence of Alex Moir of Scotstown Esquire Advocate Sheriff Depute of Aberdeenshire. The principal Deed of Settlement and Codicil therein wrote upon these four pages was this day presented

and duly recorded in the Register of Probative Writts kept for the Court of Aberdeen at the special desire and request of Lewis Nicoll Advocate in Aberdeen the Ingiver (?) by Sego Prot Menocson (?) Advocate upon this and fifteen preceeding pages by me Commissary Clerk.

John Bower (signed)