

BE IT KNOWN that *John Feeney of Berkswell*
in the County of Warwick, Newspaper
Proprietor

who at the time of his death had a fixed place of abode
at *Berkswell aforesaid*
within the District
of *the County of Warwick*
died on the *16th* day of *December* *1905*
at *Torquay in the County of Devon*

AND BE IT FURTHER KNOWN that at the date hereunder written
the last will and Testament *with two Codicils thereto*

of the said deceased was proved and registered in the District Probate Registry
of His Majesty's High Court of Justice at *Birmingham*
and that administration of all the estate which by law devolves to and vests
in the personal representative of the said deceased was granted by the aforesaid

Court to *John Alexander Inglis of 2 Rothsay*
Place, Edinburgh, North Britain, Advocate,
nephew of the deceased and John Robert
Smyth of 30 Vernon Road, Edgbaston in
the City of Birmingham, Newspaper Proprietor
two of the Executors

named in the said *Will*

Power being reserved of making the like
grant to *Richard Bernard Peyton* the
other Executor named in the said *Will*

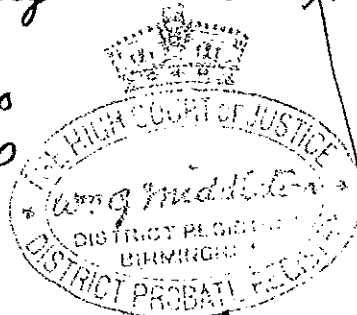
Dated the *20th* day of *January*

and £928 643-7-2
1906

Double Probate November 1906

Gross value of Estate ... *£870,996. 0. 0*
Reserve £1030. 15. 1
Net value of Personal Estate *£670,996. 0. 0*

Extracted by *Lee Musgrove & Lee*
Executors



and £1,030,743. 5. 5 and £9823. 7. 11

This is the Will of me John Feeney
of Berkswell in the County of Warwick Newspaper
Proprietor I appoint my Nephew John Alexander
Inglis my Brother in law Richard Bernard Pepton
and John Robert Smyth who now acts as my business
Manager to be Executors and Trustees of this my Will.
And I direct that my aforesaid Executors shall each
of them receive the sum of Four hundred pounds
annually from the date of my death up to the end
of the year 1912 as some remuneration for the trouble
and responsibility which they will incur in acting in
the above capacities such remuneration to continue till
the final completion of the sale of my business which
is hereinafter directed meaning by completion the receipt of the
actual cash representing the purchase money. I particularly
desire that my funeral be free from ostentation and
that only simple stonework shall mark my grave.
I wish to be buried in the North Boundary of Berkswell
Churchyard. I bequeath my horses carriages linen glass
table china wines and also all my farming stock
both live and dead to my wife Christina Elizabeth
absolutely. I devise my freehold and copyhold properties
in the Parish of Berkswell and also my furniture pictures
books and objects of art and ornamental China wheresoever
situate to my trustees upon trust to permit my wife to occupy
my residence at Berkswell and to occupy or receive the
rent of my land there and to use my said furniture
pictures books objects of art and ornamental China
during her life or until her remarriage in case that event
should occur. In case within ten years from the date
of this my Will my wife should desire to cease to occupy
and use my residence at Berkswell and the before
mentioned furniture pictures books objects of art and
ornamental china I authorise and direct my Trustees
to pay her the sum of Five thousand pounds on her
purchasing her life interest in my residence and other

properties at Berkswell furniture pictures books objects of art and ornamental china on the termination of the life interest of my wife in my said properties furniture books pictures works of art and ornamental china I direct my Trustees to retain the same until the 2nd January 1913 and then I devise the same to my nephew Charles Hyde in case he shall have become the purchaser of my business under the provisions hereinafter contained and I hereby express a hope that my nephew to whom the said properties will belong will take up his residence at Berkswell In the event of my said nephew not becoming entitled to the said properties and articles I direct my Trustees to sell them and treat the proceeds as part of my residuary estate I devise all my freehold and leasehold properties in Birmingham to my Trustees upon trust to receive the income arising from the said properties until the 31st of December nineteen hundred and twelve and to treat such income as part of my residuary estate At the expiration of that period I direct my Trustees to sell the said properties to my nephew Charles Hyde if he shall have become the purchaser of my business under the provisions hereinafter contained the price to be paid for the said properties to be twenty years purchase of the net rentals in the case of freeholds and in case of leaseholds the amount of a fair valuation less ten per cent bonus If my said nephew shall not have become the purchaser of my business I direct my Trustees to treat the said properties as part of my residuary estate I bequeath to all editors sub editors reporters salaried correspondents clerks (excepting my Cousin Alfred Feery and my Manager John Robert Smyth and Assistant Manager Charles Hyde) and foremen of departments who shall be in my employ at the date of my death and shall have been so employed for at least five years preceding that date a sum equal to three months salary each I bequeath to all operators machinists and other working men in my employment at the date of my

decrease and in receipt of weekly wages a sum equivalent to three weeks wages I give to the Corporation of the City of Birmingham my large Irony Tankard to form an addition to the Corporation plate of my native City I devise and bequeath the goodwill of the business carried on by me as proprietor of the Birmingham Daily Post the Birmingham Weekly Post the Birmingham Daily Mail and the Journal Printing Office and all plant machinery and fixtures stock in trade and other articles whatsoever connected with my business of a Newspaper Proprietor and Printer and all my proprietary rights in the said newspapers to the Trustees of my will upon trust to carry on my said business until the 31st December 1912 with power to discontinue or discontinue any portion of the said business if they deem it expedient to do so and to treat the income arising therefrom as part of my general estate I expressly authorize the payment as one of the expenses of carrying on my ~~business of a salary~~ to my manager John Robert Smyth at the rate at which he shall be receiving payment at the date of my death with an annual increase of One hundred pounds after the first year I mention this matter to prevent the possibility of his pecuniary position as manager being injuriously affected by his accepting the Office of an Executor and Trustee of my will I also authorize the payment as a similar expense of all travelling expenses which my trustees may think it desirable to incur in connection with the carrying on of my business I direct my trustees on the 1st January 1913 to sell and transfer the goodwill of my business and all proprietary rights therein to my nephew Charles Hyde (if he is willing to purchase the same) at the price of ~~four~~^{five} years purchase of the net profits of the business based on an average of the preceding three years and to sell to him the plant machinery stock and other articles used in connection with the business at the price at which the same shall stand in the books of the business

The Trustees shall be at liberty to accept payment of the purchase money by instalments ~~extending~~ over a period not exceeding five years secured by the promissory notes of the purchaser bearing interest at three and a half per cent per annum but I do not require them to take any further or other security. As I desire to perpetuate the name of my Father and myself in connection with the establishment and development of the before mentioned well known newspapers I make it a condition that my Nephew Charles Hyde shall not be entitled to purchase the business on the terms hereby fixed unless within six months after my decease he shall formally adopt the name of Joney as a sole surname (not to be used in conjunction with the name of Hyde as a surname) and shall continue to use such new surname thenceforwards on all occasions and for all purposes. In case my Nephew Charles Hyde should not become the purchaser of my business I direct my Trustees to sell the same for the best price obtainable and to hold the proceeds as part of my residuary estate subject to the before mentioned specific devises bequests and legacies. I devise all my property real and personal (including the whole income arising from my business until the sale thereof and the proceeds of the sale of my business and of my properties in Birmingham) unto my Trustees upon trust to convert into money such part thereof as shall not consist of money and to apply the total fund in paying the following annuities and legacies free of legacy duty that is to say: To my wife (whose settlement upon her marriage I hereby confirm) an annuity of One thousand two hundred pounds terminating on the 31st December 1917 or on her death or re-marriage if such event shall occur before that date. To my Brother Peregrine an annuity of One thousand pounds terminating on the 31st December 1917 if he shall so long live. To my Brother William an annuity of One thousand pounds terminating on the 31st December 1917.

2nd sheet

should he so long live To Miss Laura Warden an annuity of Two hundred pounds terminable on the 31st December 1917 if she shall so long live To my Nephew Charles Hyde should he undertake to succeed me in my business under the aforesaid conditions and annuity of Three hundred and fifty pounds during the first years immediately following the expiration of six months from the date of my decease An annuity of Six hundred pounds during the next four years and an annuity of One thousand pounds thereafter until the 31st December 1917 after which date he shall not in any case receive any annuity I desire that the above mentioned annuities (except that given to Charles Hyde) shall commence to run from my decease and shall be a first charge on my residuary estate but I do not require my Trustees to provide for them by investment Subject to the provision of the above annuities I bequeath the following pecuniary legacies free of legacy duty that is to say To my Sister Mary Hyde or to such of her children as shall survive me if I survive her a legacy of twenty thousand pounds To my half Sister Amy Evans or to such of her children as shall survive me if I survive her a legacy of Twenty thousand pounds To my half Sister Constance Trotter or to such of her children as shall survive me if I survive her a legacy of Twenty thousand pounds I wish my Trustees to have the fullest and most absolute discretion as to the date at which these legacies are to be paid it being my intention to impose no restriction whatever on the action of my Trustees in this respect beyond the condition that the legacies are to be paid *pari passu* The legacy given to my Sister Constance Trotter shall carry interest at the rate of Three and a half per cent from the date of my decease the other legacies shall not carry interest I bequeath to the Corporation of the City of Birmingham the sum of Fifty

thousand pounds to be applied by them towards the cost of erecting a new Picture Gallery on a site provided by the Corporation if the whole legacy should not be so expended then any surplus which may arise shall be expended on buying paintings by the old English masters I bequeath to the Birmingham University the sum of Twenty thousand pounds to be invested by that body and the income thereof to be applied in maintaining a professor with suitable equipment lecturing on some one or more scientific subjects directly connected with some one or more of the trades and industries carried on in or near Birmingham I bequeath to the General Hospital the sum of Ten thousand pounds and to the following Churches and Institutions of Birmingham the sum of One thousand pounds each viz: The Queen's Hospital, The General Dispensary The Eye Hospital, The Women's Hospital, The Children's Hospital The Blind Asylum and the Saddlemore Emigration Home Also to the Worcesterhampton Infirmary and to the Coventry Hospital the sum of One thousand pounds each These latter benefactions are to be paid at a time convenient to my trustees and not till after the expiration of a period of five years from the date of my death. All these payments are to be made free of legacy duty and are not to bear interest Subject to provision being made by my Trustees for the payment of the aforesaid terminal annuities I direct that the remainder of my property shall be divided into one hundred equal parts and be apportioned as follows: I devise to my Sister Mary Hyde or to such of her children as survive me if I survive her Twenty five hundredth parts. I devise to my half sister Amy Evans or such of her children as survive me if I survive her Twenty five hundredth parts I devise to my half sister Constance Trotter or such of her children as survive me if I survive her Ten hundredth parts I devise to my nephews John Alexander Inglis

3rd Street.

and Charles Inglis each Three hundredth parts
I devise to my Cousin Alfred Feeney (who has given
life long services to my Father's or my business) or such
of his children as survives me if I survive him Fifteen
hundredth parts I devise to the brothers and sisters of
my wife or such of them as shall survive me Five hundredth
parts in equal shares I devise to my Manager John
Robert Smyth Five hundredth parts I direct my
Trustees to pay over the remaining nine hundredth parts
of my realduary estates to my wife and to my Brother
Perognone and to such others as they may mutually appoint
to be by them invested and the incomes arising therefrom
to be applied for the benefit of any one or more of the
public Churches in the City of Birmingham or for the
promotion and cultivation of art in the said City, or for the
acquisition and maintenance of parks recreation grounds
and open spaces in or near the said City or for any one or
~~more of the above objects as my said wife and brother~~
with the added Trustees may in their absolute discretion
decide But it is my particular wish that no part of such
income shall be applied to purposes which could be
possibly considered as political or denominational
In witness whereof I have set my hand this twenty
second day of June One thousand nine hundred and
three

John Feeney

Signed by the Testator John Feeney in the presence of
who in his presence and in the presence of each other have
hereto set our names as witnesses having previously observed
the execution of the various alterations and interlineations
against which we have placed our initials

J Grosvenor Lee

Solicitor Birmingham

W. H. Johnson

His Clerk

This is a Codicil to the Will of me John Feeney of Berkswell in the County of Warwick. Newspaper Proprietor. which will is dated the twenty second day of June. One thousand nine hundred and three.

- (1) If the life interest of my wife in my properties at Berkswell should terminate before the second day of January One thousand nine hundred and thirteen I authorize my Trustees while retaining these properties as directed by my will to let them if they think it desirable to do so and to accumulate the income arising from such letting to form part of my residuary estate
- (2) I direct that the price at which my nephew Charles Hyde shall be entitled to purchase my freehold properties in Birmingham shall be Ten years purchase of the net rentals instead of Twenty years purchase as fixed by the will
- (3) I direct that the price at which my nephew Charles Hyde shall be entitled to purchase the goodwill of my business and all my proprietary rights therein shall be three years purchase of the net profits instead of four years purchase as fixed by my will
- (4) I revoke the clause in my will making the right of the said Charles Hyde to purchase my business conditional on his adopting the name of Feeney
- (5) I revoke the gift made by my will of an annuity of One thousand two hundred pounds to my wife
- (6) I revoke the legacy of Twenty thousand pounds given by my will to Constance Trotter or her children and I substitute for it a legacy of Ten thousand pounds to the same persons (such legacy not to carry interest)
- (7) I revoke the clause in my ~~will~~ will authorising the payment of a salary to my manager John Robert Smyth as I am about to make other arrangements with him for his remuneration
- (8) I hereby declare that if my nephew Charles Hyde shall exercise his option to purchase the goodwill of my business from my Trustees but shall be unable to arrange

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the terms of a partnership between himself and John Robert Smyth from the first day of January One thousand nine hundred and thirteen my said nephew shall pay to my personal representatives as part of the purchase money of the goodwill of the business and in addition to the price fixed by my will the sum of money which under the terms of any partnership existing at the date of my decease, between myself and John Robert Smyth my Personal Representatives will be liable to pay to John Robert Smyth, on the thirty first day of December One thousand nine hundred and twelve. IN witness whereof I have hereto set my hand this 19th day of December 1904

John Feeney

Signed by the said John Feeney in the presence of us who in his presence and in the presence of each other have hereto set our names as witnesses.

Reginald H Foster

Surgeon Knowle Warwickshire

Thos Grovesnor Lee

Deputee Birmingham

This is a Codicil to the will of me John Feeney of Berkswell in the County of Warwick Newspaper Proprietor which will is dated the twenty second day of June One thousand nine hundred and three. I desire that the rate of interest to be paid by my nephew Charles Hyde upon the unpaid portion of the purchase money of the goodwill of my business and the plant and machinery connected therewith shall be three per cent instead of three and a half per cent as paid by my will. IN witness whereof I have hereto set my hand this 20th day of December One thousand nine hundred and four

John Feeney

Signed by the said John Feeney in the presence of

us who in his presence and in the presence of each other have hereto set our names as witnesses

J. Grosvenor Lee
Solicitor Birmingham
Susanna Jones
Housekeeper
Stephenson Chambers
Birmingham

On the 23rd day of January 1906 Probate of this will with two Codicils was granted at Birmingham to John Alexander Inglis and John Robert Smyth two of the Executors

