

and to my Estate and mine as the said two persons shall find to be
the full value of such my one half part or share of and in the said
joint trade and business and in case the said persons do to be nominated
as aforesaid cannot agree upon a valuation then I direct that they do
and shall forthwith nominate and appoint some other fit and proper
person to be an umpire between them and whose decision shall be final
as to such valuation and I direct and declare that in case the said William
Webber and my said son Robert Sherman or either of them or any
trustee or trustees to be appointed under this present provision shall be
refuse or become unwilling or incapable or unable to act in the afore-
said trusts before the same shall be fully performed then and in every
such case it shall be lawful for the surviving or acting trustee or in
trustees for the time being of this my will or if there be none such for
the unwilling trustee or trustees or in case all the trustees shall have
departed this life then for the executors or administrators of the last a-
foresaid trustee with the consent in writing of my said wife during
her widowhood and afterwards of the proper authority of the person or
persons to whom the power is given to nominate any fit and
person or persons to supply the place or places of the trustees or trustee
so dying refusing or becoming unwilling or incapable or unable to
act as aforesaid and that immediately after every such nomination
the said trust hereditaments and premises shall be conveyed and trans-
ferred so and in such manner as that the same premises and the a-
foresaid and inheritance thereof or other estate therein may vest in the
surviving or continuing trustees or trustee and in such new trustees
or trustee or in such new trustees or trustee solely as the case may
require and such new trustees or trustee shall be entitled to all intents
and in every respect whatsoever to exercise the same powers and a-
uthorities in relation to the said trusts as if he or they had been
appointed a trustee or trustees by this my will and I hereby further
declare that the trustee and trustees for the time being of this my will
shall be charged and chargeable only with such moneys as they or
respectively shall actually receive by virtue of the trusts hereby bequeathed
in their respective notwithstanding their joining in any receipt or in
other act for the sake of conformity only and shall not be answer-
able or accountable for any banker broker or other person with
whom or in whose hands the said trust moneys or any part thereof
shall be placed for safe custody or otherwise nor for the insufficiency
of any security upon which the same shall be invested nor for
any other loss misfortune or damage which may happen in their
execution of the aforesaid trusts or any of them or in relation there-
unto unless the same shall happen by or through their or his own
wilful default and also that it shall be lawful for the said trustees
respectively by and out of the moneys which shall come to their or
his hands respectively to retain or allow to each other all costs and
charges damages and expenses which they respectively shall sustain
or expend in or about the execution of the said trusts or in relation
thereto and as to all the Rest and Residue of any goods chattels
moneys securities for money book debts rights credits and all other
my personal Estate whatsoever not heretofore specifically bequeathed
I give and bequeath the same unto the said William Webber and
my son Robert Sherman their executors administrators and assigns
upon the trusts following that is to say upon trust as soon as the
conveniently may be after my decease in the discretion and of the
absolute authority of my said trustees or the survivor of them this
executors administrators or assigns to sell or dispose of and convert
into money or moneys and such parts of my said residuary personal