

## 1837 Will of John Hatch

No. 13 For the Stamp Office

Copy of the Will of John Hatch late of Bratton clovelly Devon Gentleman Deceased

Sole Executrix Margaret Hatch of Bratton Clovelly aforesaid Widow

Proved in the Archdeacons Court of Totnes the thirteenth day of June 1837

Effects sworn under £600

Geo Farwell Dy Reg

No. 1. For Executors.

Appeared personally Margaret Hatch of Bratton Clovelly in the County of Devon Widow sole Executrix named in the last Will and Testament of John Hatch late of Bratton Clovelly aforesaid Gentleman deceased who died on the eighth Day of April 1837 and made Oath that she has made diligent search and due enquiry after, and in respect of the Personal Estate and Effects of the said deceased, in order to ascertain the full amount and value thereof; and that the whole of the Goods, Chattels, and Credits, of which the said deceased died possessed, within the Archdeaconry of Totnes, in the Province of Canterbury, (exclusive of what the deceased may have been possessed of, or entitled to as a Trustee for any other Person or Persons, and not beneficially, but including the Leasehold Estates for years of the deceased, whether absolute or determinable on Lives, and without deducting any thing on account of the Debts due and owing from the deceased ) are under the value of Six hundred Pounds to the best of this Deponents knowledge, information, and belief. [the mark of] Margaret Hatch

Sworn on the thirteenth Day of June 1837 before me [signed] [?] Surrogate

In the Name of God Amen I John Hatch of the Parish of Bratton Clovelly in the County of Devon Gentleman being of sound mind memory and understanding do make publish and declare this my last Will and Testament in manner and form following (that is to say)

First I Give and bequeath unto my Daughter Agnes Hanns the Wife of George Hanns of Lifton in the said County Yeoman the Sum of Fifty Pounds of lawful English money to be paid her by any Executrix hereinafter named in the portions and at the times hereinafter mentioned (that is to say) The sum of five pounds part thereof at the expiration of one year next after my decease and the sum of five pounds yearly and every year from thenceforth until the legacy or sum of fifty Pounds shall be fully paid.

I give and devise unto my friends William Martin of Wrixall in the said parish of Bratton Clovelly Yeoman and William Tickle of Bannadon in the said Parish Yeoman and their Heirs All those my

messuages Tenements Lands and Hereditaments called or commonly known by the names of Baseley otherwise Bozeley Blagrove and Brockscombe otherwise Broxcoombe Tenement situate in the said Parish of Bratton Clovelly And all my other lands Tenements Hereditaments and Premises whatsoever situate in the said Parish of Bratton Clovelly or elsewhere with all and singular the appurtenances to the same respectively belonging To hold the same Messuages Tenements Lands and Hereditaments and every of them and every part thereof respectively unto them the said William Martin and William Tickle and their Heirs upon the trusts and to and for the ends intents and purposes hereinafter expressed and declared of and concerning the same (that is to say)

Upon Trust that they the said William Martin and William Tickle or the survivor of them his Heirs Executors or Administrators do and shall permit and suffer my dear wife Margaret Hatch to hold and enjoy and to farm my said several messuages Lands Tenements and Hereditaments or such of them or such part of parts thereof as she shall think proper to keep in hand for and during the term of her natural life or so long as she shall continue a widow And also to set and let such part or parts thereof as she shall and think proper not to keep in Hand at each rent at her discretion and to receive retain and apply the rents issues and profits thereof from time to time for the support and maintenance of herself and such of my Daughters hereinafter named as shall or may remain unmarried without being accountable to any person or persons whomsoever for the same rents issues and profits or any part thereof

And upon further Trust that they the said William Martin and William Tickle or the survivor of them his heirs Executors or administrators do and shall at the request and by the direction of my said wife but not otherwise sell mortgages or otherwise dispose of my said Messuages Tenements Lands and Hereditaments called Blagrove and Brockscombe otherwise Broxcoombe or any part or parts thereof at such time or times and in such manner as she my said wife shall think proper and pay and apply the monies to arise from such sole Mortgage or other disposition (after deducting thereout all costs changes and expences attending the same) In the first place in payment and discharge of all and every the debt and debts sum and sums of Money which shall or may be due and owing from me at the time of my decease to any person or persons whomsoever whether on specialty or simple Contract And in case there shall be any surplus of such Monies remaining after full payment of all such debts costs charges and expences as aforesaid Then Upon Trust that they the said Trustees or the Survivor of them or the Executors or Administrators of such Survivor do and shall place out the same at interest on good and sufficient securities in their or his own name or names And pay and apply the interest and yearly proceeds thereof from time to time unto or for the sole use and benefit of my said wife during her life or widowhood as aforesaid

And from and after her decease or second marriage Then that they the said Trustees or the Survivor of them his Executors or Administrators shall and do call in such surplus and pay over and divide the same unto and amongst all and every of my eight Daughters hereinafter named (that is to say) Elizabeth The wife of Richard Brock of Bridestowe in the said County Innholder Susanna the wife of Richard Creemer of Exbourn in the said County Yeoman Mary the wife of John Martin of Bratton Clovelly aforesaid Yeoman Peggy Hatch Sarah Hatch Jane Hatch Joanna Hatch and Alice Hatch, in equal shares and proportions share and share alike And in case any or either of my said eight Daughters last named shall happen to die in the lifetime of my said wife without leaving lawful Issue That then the share or shares of her or them so dying shall go to and be equally divided between and amongst the survivors or survivor of them as tenants in common

And in case of any such sale or sales of my said Estates called Blagrove and Brockscombe otherwise Broxcoombe Tenement or either of them in any part thereof as aforesaid I do hereby declare that the receipt and receipts of them the said William Martin and William Tickle or the Survivor of them or of the Heirs Executors or administrators of such survivor shall be a good and sufficient discharge or discharges for the purchase Money thereof And that the purchaser or purchasers thereof his her or their Heirs Executors Administrators or Assigns shall not after payment of his her or their purchase Money and having such receipt or receipts be in any manner answerable or accountable for or liable to see to the application thereof or of any part thereof.

And as to for and concerning my said Messuage Tenement Lands and Hereditaments called Boseley otherwise Bozeley as aforesaid And also my said Lands and Hereditaments called Blagrove and Brockscombe otherwise Broxcoombe or such part and parts of the said last mentioned lands and Hereditaments as shall not be sold for the purposes aforesaid Upon Trust that from and after the death and Decease of my said Wife Margaret Hatch They the said William Martin and William Tickle or the Survivor of them or the Heirs Executors or Administrators of such Survivor shall and do stand seised thereof Upon Trust for my said eight Daughters (that is to say) The said Elizabeth Brock Susanna Creemer Mary Martin Peggy Hatch Sarah Hatch Jane Hatch Joanna Hatch and Alice Hatch and the Heirs of their respective Bodies lawfully begotten or to be begotten in equal shares and proportions as tenants in common and not as joint Tenants And in case any or either of my said Daughters shall happen to die without leaving lawful Issue of their or her Bodies or Body, that then the shares or share of her or them so dying shall go to and be equally divided between and amongst the Survivors or survivor of my said Daughters and the Heirs of their or her Bodies or Body in equal shares as Tenants in common

Provided always and I do hereby direct that they the said Trustees or the survivor of them or the Heirs Executors or administrators of such survivor do and shall after the death or widowhood of my said wife devise[?] set and let the said Messuages Tenements Lands and Hereditaments from time totime for any term or terms of Years at their or his discretion (but to some member of my own family in preference to any other person or persons) at the most improved yearly rent that can be obtained for the same and from time to time to pay apply and dispose of the yearly Rents Issues and profits thereof unto or for the use and benefit of my said Daughters respectively or the person and persons who for the time being shall be entitled to the same under the limitations hereinbefore contained

Provided also and I do hereby direct that it shall and may be lawful for the said Trustees hereby appointed and each of them their and each of their Heirs Executors and Administrators by and out of the Trust Monies which shall come to their hands by virtue of the Trusts hereinbefore declared and hereby vested in them to deduct and retain to themselves respectively All costs charges damages and expences which they shall respectively incur sustain expend or be put unto in or about the executiion of the said Trusts or any of them or in anywise relating thereto And that they the said Trustees or either of them their or either of their Heirs Executors or Administrators shall not be answerable or accountable for any more or other Monies than shall actually come to their respective hands by virtue of the trusts hereby in them resposed Nor shall they or either of them be answerable or accountable for any loss which may happen in or to the said trust Monies or any part thereof Nor for the Misapplication or Nonapplication thereof or of any part thereof unless the same shall happen or be occasioned by or through their own wilful neglect or default respectively And that

the one of them shall not be answerable or accountable for the other of them nor for the acts deeds receipts neglects or defaults of the other of them but each of them for his own Acts deeds receipts neglects or defaults only

All the rest residue and remainder of my Estate and effects farming Stock household furniture Money and securities for money Goods Chattles rights and credits whatsoever not hereinbefore give and disposed of I hereby give devise and bequeath unto my said wife Margaret Hatch her Executors Administrators and Assigns to and for her and their own absolute use and benefit And I do hereby constitute and appoint my said wife sole Executrix of this my last will and Testament and do revoke and make void all former wills by me made.

In Witness whereof I the said John Hatch the Testator have to this my last will and Testament written on five Sheets of Paper set my hand to the four preceding Sheets and my hand and seal to this last sheet the Twentieth day of February one thousand and eight hundred and thirty [signed] John Hatch

The Writing contained in this and the four preceding Sheets of Paper was signed and sealed by the said Testator John Hatch and by him published and declared as and for his last will and Testament in the presence of us, who at his request, in his presence, and in the presence of each other, have subscribed our names as witnesses thereto [signed] Wm[?] Lee William Bond Thos Joyce all of Okehampton

The above & foregoing writing contains a true Copy of the Original Will of John Hatch late of Bratton Clovelly in the County of Devon Gentleman deceased the same having been carefully examined therewith by us. Clerks to George Farwell Deputy Registrar of the Archdeacons Court of Totnes [signed] John Wm Hodges Frank Farwell

Transcribed by Kim Baldacchino  
10 July 2014