

1852 Will of William Baker

For the Stamp Office

Copy of the Will of William Baker late of Bratton Clovelly in the County of Devon and Archdeaconry of Totnes Yeoman deceased

Executor in Trust William Tickle of Bratton Clovelly aforesaid Yeoman

Proved in the Archdeacons Court of Totnes 25th May 1852

Effects sworn under £200

Geo Farwell Dy Reg

No. 1. For Executors.

Appeared personally William Tickle of Bratton Clovelly in the County of Devon Yeoman the Executor in Trust named in the last Will and Testament of William Baker late of Bratton Clovelly aforesaid in the Archdeaconry of Totnes Yeoman deceased who died on the Ninth Day of June 1851 and made Oath that he 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 to the best of his knowledge, information, and belief, 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 Two Hundred Pounds, to the best of the Deponents knowledge, information, and belief. [signed] William Tickle

Sworn on the Twenty fifth Day of May 1852 before me R Champernonne Surrogate

This is the last Will and Testament of me William Baker of Bratton Clovelly in the County of Devon Yeoman

I give and bequeath unto my Wife out of my Personal Property the sum of One Hundred Pounds to be paid to her at the end of twelve Calendar Months next after my death. I also give to my Wife one Bed performed and a thing of a [?] of my Household Furniture of her own choosing.

I give and Bequeath unto each of my Children John Edwin Mary and Maria a bed performed to be delivered to them respectively by my Executor after my deceased

And all the rest residue and remainder of my Lands and Tenements Farming Stock Goods Chattels Monies and Securities for Money Real and Personal Estate whatsoever and wheresoever I give

devise and Bequeath unto my Friend William Tickle of Bratton Clovelly aforesaid Yeoman his Heirs Executors Administrators and Assigns Upon Trust and to and for the uses following that is to say

Upon Trust to make sale of all and every my said Real and Personal Estate by Public Auction or Private Contract and wither together or in parcels at his and their discretion and to make and execute such Conveyances and Assurances of my real Estate which shall be so sold or shall be requisite or proper for carrying into effect such Sale or Sales respectively And I do hereby declare that it shall be lawful for my said Trustee if he shall see fit to carry on my Farming Business for the space of twelve Calendar Months after my decease and that the Sum or Sums of Money arising therefrom shall become part of my Residuary Property

And I do direct and declare that the Receipt and Receipts of my said Trustee his Heirs Executors or Administrators for the Purchase or other Monies to be received by him or them by virtue of the Trusts of this my Will shall be valid and effectual discharges to the Person or Persons paying the same Monies and that such Person or Persons respectively shall not be answerable or accountable for the application of the same Monies or any part thereof

And as to for and concerning the Monies to arise from such Sale or Sales I direct and declare that my said Trustee his Heirs Executors or Administrators shall and do by with and out of the same Monies in the first place retain and pay the costs and expenses attending such Sale or Sales and all my just debts (including the Mortgage on my Estate) Funeral and Testamentary Expenses and shall and do in the next place divide the clear surplus of the proceeds of my said Residuary Property and pay the same unto all my Children share and share alike as Tenants in common and not as joint Tenants except that my son Richard shall have and receive out of such residuary Property the sum of Sixty Pounds less than my other Children as I have before partially provided for him –

And I do hereby appoint the said William Tickle Executor in Trust of this my Will – Provided always and I do hereby direct and declare that my said Trustee shall be charged and chargeable only for so much Money as he shall actually receive by virtue of this my Will and not for any involuntary loss which may happen in the execution of the said Trusts

And also that my said Executor his Heirs Executors or Administrators shall and may out of the Monies which may come to his or their Hands by virtue of this my Will retain to and reimburse himself or themselves all costs damages and expenses which he or they shall or may pay or disburse on account of or by reason of the Trusts hereby in him reposed or otherwise in reference thunto

And Lastly I do hereby revoke all former Wills by me made and do declare this only as my last Will and Testament In Witness whereof I have to this my Will contained in two sheets of paper to each sheet set my hand this twenty ninth day of March One thousand Eight hundred and Fifty-one [signed] William Baker

Signed by the said William Baker as his last Will and Testament in the presence of us being present at the same time who at his request in his presence and in the presence of each other subscribe our Names as Witnesses [signed] Walter Phear Saddler John Brock

The above and foregoing writing contains a true Copy of the original Will of William Baker deceased the same having been carefully examined therewith by us [signed] William Hannaford [?] Hannaford clerks to Geo Farwell Dy Reg of the Archdeacon Court of Totnes

Transcribed by Kim Baldacchino
8 July 2014