

Probate for the will of Charles Hicks, Farmer and Maltster of Stansted Mountfitchet, Essex - Written in 1826, proved in 1826

Transcription

By R I Kirby (25/1/2006). Difficult text replaced by '*'. Line padding squiggles represented by '~'. References to people emboldened.

Source

Public Records Office: prob 11/1719 Pgs 216-218

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Summary

He was a Farmer and Maltster in Stanstead Mountfitchet, Essex

He left to his wife Sarah Hicks all she had inherited from her first husband John Harrison and excluded his children from any claim on this.

His sons Edward Hicks and Charles Hicks to get tenancy in common to property in Stansted Mountfitchet that had been purchased from Samuel Gains and his wife (including a Malting Office), and in return for this to provide a £20 annuity for Sarah Hicks in lieu of Dowry or Thirds. After her death £250 to go to her son John Harrison, to be divided between his heirs if he is dead.

Son Charles Hicks to get copyhold property in Stansted Mountfitchet linked to the Manor of Bentfieldbury (purchased from Sarah Day and occupied by John Stainer and Philip Enwill

Son Edward Hicks to get freehold land lying in Stansted Street (occupied by Joseph Harrington and Charles Warwick) and in Handy Field Common in Stansted Mountfitchet (two parcels in Charles' own occupation).

Wife Sarah Hicks to get two freehold cottages in Stansted Mountfitchet (purchased from Oliver? Saunders and occupied by Charles' son Henry Hicks and Mrs Walsh), provided she does not marry. After she dies or if she marries than Henry Hicks to get these. Also to get £100 and the household goods etc she brought with her into the marriage.

Henry Hicks to get £400 to make his share equivalent to that of the other brothers

Charles Hicks to get term & interest in the farm Charles occupies and an option to buy furniture, mowing & dairy equipment, and beer casks (for 200 Guineas).

Books & plate to be equally divided amongst the children.

Sons Charles & Edward Hicks to get term & interest in Joseph Heaths Malting.

Son Edward Hicks to get term & interest in a farm at Burton End.

Son Henry Hicks to get term & interest in Windmill & Malting Sheds of Henry Chaplain. Also Mill Field (owned by Mr Maintland and occupied by Charles) and

lands called Pot Ash (from Mr Jay).

Brother in Law Joseph Sterry of London to get 10 Guineas for execution of the will.

Residue to be divided between the three sons Charles, Edward and Henry.

Executors were his sons Charles Hicks and Edward Hicks, and Brother in Law Joseph Sterry

Witnessed by William Gee // And^w Barber // Thomas Ley

Signed 8th April 1826

Proved 5th December 1826

Text

This is the Last Will and testament of me

Charles Hicks of Stanstead Mountfitchet in the county of Essex farmer and

Maltster that is to say First I bequeath and confirm unto my dear wife

Sarah Hicks All the property to which she is now entitled under the will of

her late husband John Harrison and which is vested in the instructions of his

will it being my wish and desire that my Children should not claim any ~~

interest herein after my decease Now I gift and bequeath unto my sons ~~

Charles Hicks and Edward Hicks All that my leasehold Messuage or Tenement with

the Malting Office land and Appurtenances thereunto belonging situate and ~~

*** in Stanstead Mountfitchet aforesaid which & purchased of Samuel Gains

and his wife I hold the same unto the said Charles Hicks and Edward Hicks their

heirs and Administrators and Assignees as Tenants in common and not as joint

tenants subject nevertheless to and I do hereby charge and make chargeable the

said Admins with the payment of an Annuity or yearly sum of twenty ~~

pounds per Annum to be paid to my dear wife Sarah Hicks and her Assignees for

and during the term of her natural life by equal half yearly payments which

*** and bequeath to her accordingly in lieu of all dower and thirds which

she might retain in or to any part of my real estate with full power ~

and authority to enter and distrain upon the same Premises in case the

said Annuity or any part thereof shall remain in arrear the space

of thirty days after the same shall become due in the same manner as

landlords are empowered by Law to distrain for rent in arrear And from

and after the decease of my said wife I do hereby subject and charge the ~~

said Estate and Premises to and with the payment of the sum of two ~~

hundred and fifty pounds which I give and bequeath to John Harrison Son

of my said wife Sarah Hicks to be paid to him at the expiration of Six months

from the decease of my said wife if he shall be then living but if he shall

be then dead leaving heirs I give and bequeath the same to such heirs to

be equally divided between them on their attaining the Age of twenty one

years Item I give and divest unto my said son Charles Hicks All that ~~

Copyhold Messuage or Tenement and Premises situated in Stansted Mountfitchet

aforesaid hold of the Manor of Bentfieldbury which I purchased of Sarah

Day and now in the occupation of John Stainer and Philip Enwill To hold

the same unto the said Charles Hicks his heirs and Assignees Item I give and

**** unto my said Son Edward Hicks All that my freehold Messuage or ~

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situate and lying in Stansted Street with the Appurtenances ~~

thereunto belonging now in the occupation of Joseph Harrington and Charles

Warwick and also all those two parts or parcels of freehold land in Handy

Field Common in the Parish of Stansted Mountfitchet now in my own occupation To hold the same unto my said son Edward Hicks his heirs and Assigns for ever Item I give and devise unto my said Wife Sarah Hicks All these my two freehold Cottages of Tenements situated in Stansted Mountfitchet aforesaid which I purchased of ****er [Oliver?] Sauders now in the occupation of my Son Henry Hicks and Mrs Walsh To hold the same unto my said Wife and her Assigns for and during the term of her natural life if she shall so long continue unmarried she and they keeping the same in good and tenantable repair and condition And from or after the decease or marriage of my ~ said Wife Sarah Hicks I give and devise the same unto my said son Henry ~ Hicks his heirs and Assigns for ever Item I give and bequeath unto my said Wife Sarah Hicks the sum of one hundred pounds of lawful English money to be paid to her immediately after my decease I also give and bequeath unto my said Wife Sarah Hicks all such household goods and furniture plate linen China et as she brought with her on our marriage Item I give and bequeath unto my said Son Henry Hicks the sum of four hundred pounds of lawful ~ English money which I consider all equivalent to make his part or share of my Estate equivalent with those by me to his brothers Item I give and bequeath unto my said son Charles Hicks All the term and Interest which I may have at the time of my decease in the farm wherein I now reside from Michaelmas next following after my decease And I also give him that option and discretion of taking all my household furniture Mowing and Dairy Utensils and Beer Casks at the sum of two hundred Guineas /as generally ~ valued by me in my Annual Account of Stock / Item I devise all my books and Plate to be equally divided between all my children Item I give to my sons ~ Charles Hicks and Edward Hicks all my term and interest in Joseph Heaths Malting from the Michaelmas after my decease And I give to my said Son Edward Hicks all my term and interest of and in the farm at Burton End from the Michaelmas after my decease Item I give to my son Henry Hicks all my term and interest in the Windmill and Malting Sheds of etc Henry Chaplain Also in Mill Field which I occupy of Mr Maitland and the Lands called Pot Ash held of Mr Jay from Michaelmas next after my decease Item I give and bequeath unto my dear brother in Law Joseph Sterry of London the sum of ten Guineas for his care and trouble in the execution of this my Will Item as to all rest residue and remainder of my household furniture / or the sum to be paid by my said son Charles Hicks in case he shall accept the point / Stock Crops Malt Personal Estate and Effects whatsoever and wheresoever / after and subject to the payment of my just debts and funeral and Testamentary Expenses and the Legacies heretofore bequeathed / I give and bequeath the same unto and amongst my said three Sons Charles Hicks Edward Hicks and Henry Hicks to be divided equally between them share and share alike And I nominate constitute and appoint my said Son Charles Hicks and Edward Hicks and my said Brother in Law Joseph Sterry Executors in this my Will and do hereby declare that my said executors shall not be answerable or accountable for any loss which may happen in my ~ property without their wilful neglect or default nor shall the one of them be answerable for the others or other or for the Acts deeds receipts neglects or defaults of the other or others of them but each of them for his own acts deeds receipts neglects and defaults only in witness whereof I

I the said Charles Hicks the Testator have to this my last Will and Testament written on three sheets of paper to the two first sheets thereof set my hand and to this third and last sheet my hand and seal the eight day of April in the year of Our Lord one thousand eight hundred and twenty six Chas Hicks SL Signed sealed published and declared by the said Charles Hicks the
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Testator as and ~~when~~ 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 hereunto subscribed our names as Witness the word 'Seventy' in the first sheet being first written on an erasure William Gee // And^w Barber // Thomas Ley

Proved at London on 5th ~~April~~ December 1826 before the Worshipful John Danberry Doctor of Laws and Surrogate by Charles Hicks and Edward Hicks the Sons and Joseph Sterry the Executors to whom Administration was granted having ~~been~~ first ~~sworn~~ made a solemn and sincere declaration or affirmation according to Act of ~ Parliament duly to Administer.

Notes

1. Copyhold land is land held under tenure at the will of the lord of the manor
2. In 2005 there was a Pot Ash Cottage for sale in MillField, Stansted.
3. There is a marriage for Jos & An Hix. The Essex QM marriages Digest describes it as follows: They were married at Dunmow, Essex on 2 April 1799. He is described as of Great Bardfield in Essex, the son of Richard and Mary Sterry, late of Hartford; she is described as the daughter of George and Sarah Hicks, late of Saling in the county of Essex. Source <http://www.zip.com.au/~rsterry/gen/suryster/d0000/g0000088.html>
This Joseph Sterry was an Oilman and a prominent Quaker. He would appear to be the Brother in Law mentioned here as his son was the Joseph Sterry Oilman of Southwark mentioned in one of the other family wills and the family were Quakers.

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