

Probate for the will of John Hatton, proved in 1811

Transcription

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

Source

Public Records Office: prob 11/1524 Pgs 148 –149

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Summary

John Hatton of Widford, paper maker

To Wife Sarah

- Interest dividends & produce of stock in the Long Ann^s (amounting to £50)

Residue entrusted to Wife Sarah & Son John to carry out the following

- Property in Sheep Street Burford (in tenure and occupation of Rev^d Thomas Andrews) to be sold when convenient
- To grant his Son Richard a lease (£100 per annum) on property (including Mill Lands) at Upton near Burford until his Daughter Martha reaches age 21. Richard to pay half yearly and be responsible for keeping in good repair. When Daughter Martha reaches 21 then Son Richard may apply (in writing within a month) to exercise a preferential option to buy the Messuage or Tenement Mills Heredits & Premises at Upton. The price to be set by two arbitrators chosen by the Trustees, or if they can't agree then by an Umpire chosen by the Arbitrators. If Son Richard does not pay up within two months then the property is to be sold.
- Household Furniture Plate China & Linen to be enjoyed by his wife Sarah for her natural life, then sold.
- Stock & utensils in Trade in Widford & my Paper Making Business & rest & residue of Goods Chattels Personal Estate & Effects, all to be sold.
- The monies raised by the various sales to be divided evenly between his children when they reach age 21. Any advances (marriage portions or advances to pay for education) made to the children to be deducted from their shares (Son William & Daughter Elizabeth specifically included)

Wife Sarah & Son John appointed as Guardians for the children and Executors for the Will.

Signed: 31 May 1810

Witnessed by J J Ansell, William Hallett his Clerk, John Patrick

Proved: 11 Jul 1811

Text

This is the last will

and testament of me John Hatton of Widford in the county of Gloucester paper maker who being of sound mind Memory & ~ understanding do dispose of my worldly possessions in manner & form following this is to say First I will and ***ost that all my just Debt Funaral & Testamentary Expenses be paid and satisfied by my Exe'rs hereinafter named as soon as conveniently may be after my decease and I give & bequeath to my dear Wife Sarah the Interest Dividends & produce of my stock in the Long Ann^s / which sum amounts to the sum of fifty pounds per Annum / for her ~~~ use and benefit for and during the term of her natural life as aforesaid. I gift devise and

subject to my said Wife's enjoyment of the said Interest Dividends ~ & produce of stock for her natural life as aforesaid. I gift devise and bequeath all the rest residue and remainder of all my real and personal estate of every kind and derivation whatsoever & wheresoever unto my said wife & my son John their Heirs Exe'rs Admons & assignees for ever nevertheless upon the Trusts & for the interests & purposes ~ following that is to say / upon Trust in the first place to call in ~~

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for **** & reco** all such Sum & Sums of Money as shall be due & arising to me & discharge throughout all my just debts Funeral & Testamentary Expenses & as to my Messuage or Tenement with the Heredit & Appurts thereunto belonging in Sheep Street in Burford in the County of Oxford now in the tenure or occupation of the Rev^d Thomas Andrews in trust to sell the said as soon as conveniently may be after my decease by public auction or private contract for the best price that can or may be reasonably had & obtained for the same & to make & execute proper conveyances thereof to a purchaser accordingly & as to my Messuages or Tenements with the Mills Lands Heredit & other premises at Upton near Burford aforesaid in trust that ~~ said Trustees & the Survivor of them & the Exc'rs & Adm'ors of such Survivor shall grant a Lease thereof to my Son Richard if required as & after the **tt & c*ar Sum of one hundred pounds per Annum my said Son Richard to pay the land Tax and all other Taxes) until my Daughter Martha shall attain the age of twenty one years or case of her death during her Minority then until such day & time as she would have attained that said age and she happens to live that long provided my said son Richard shall from time to time continue to pay to my said Trustees the said rent at two equal half yearly payments in every year & also if he shall keep the said Messuages or Tenements Mills Heredit & premises at Upton afores^d in sufficient repair upon having rough timber or the Stone found & provided & subject to such other covenants to be or ~ introduced & contained in the said Lease as my said Trustees or the Survivor of them or the Exc'tr or Admons of such Survivor shall think fit & proper & my will & meaning is that on my said Da'tor Martha's attaining the said age of twenty one years or in case of her death during her Minority then at such Day and time as she would have attained the

said age Had she happened to live so long my said Trustees or the Survivor of them & the Exc'tr or Admons of such Survivor if required by my said Son Richard in writing under his hand within one Calendar Month after and I give to my said Son Richard the option & preference of purchasing the said Messuage or Tenement Mills Heredit & Premises at Upton aforesaid at a fair appraise****t & valuation then to be made by two Arbitrators ~ to be chosen by my said Trustees or the Survivor of them or the Exe'rs or Heirs of such Survivor & the other by my said Son Richard & in case of such Arbitrators not agreeing in opinion about the value thereof *f ** the price to be fixed by an umpire to be chosen by the said Arbitrators but should my said Trustees or the Survivor of them or the Exe'rs or Admons of such survivor not be required as afores^d by my said Son Richard so to do as afores^d or should my said son Richard neglect to pay the said purchase Money within two Calendar months next after appraise****t & valuation shall have been so made as afores^d then & in either of these cases I order & desire that they my said Wife & my said son John or the survivor of them or the Heirs of such survivor do & shall with all convenient speed sell & dispose of & convey all & singular the said Messuages or Tenement Mills Heredit & Premises at Upton aforesaid by public auction or private Contract unto any person or persons who shall be willing to become the purchaser or purchasers thereof for the most Money that can be reasonably had for the same & do & shall for that purpose make & execute all such Deeds conveyances & assurances as they my said Wife and my said son John or the survivor of them or their Heirs of such survivor shall think fit and I do hereby declare my will to be that as well upon payment of the Money to arise by such sale of my said Heredit & Premises at Upton aforesaid also upon payment of the money to arise by the Sale of my said Messuages or Tenement Heredit & Premises at Burford aforesaid in each

or either of the instances it shall & may be lawful to & for my said Wife & my said Son John & the Survivor of then & the Heirs of such survivor to give & sign any receipt or receipts for the Money to arise by such sale or sales respectively which
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receipt & receipts shall be a good and sufficient discharge or discharges to any Purchaser or Purchasers his Heir or respective Heirs Exe'rs Admons and Assigns for so much of the said purchase Money as shall be *ierein expressed and ~ acknowledged to be received & such purchaser or purchasers his her or their respective heirs Exe'rs Admons or Assigns shall not afterwards be obliged to see to the application of such Purchase Money or accountable for any loss ~ ~ ~ misapplication or nonapplication thereof or of any part thereof respectively & as to my Household Furniture Plate China & Linen my will is that my said Wife shall enjoy the same during her natural life & that as soon as conveniently may be after her decease the same shall be sold & the ~ ~ produce thereof divided equally amongst all my children and as to my stock & utensils in Trade in Widford afors^d & my Paper Making Business these & also al the rest & residue of my Goods Chattels Personal Estate & Effects (subject to my said Wife's enjoyment of my Household Furniture Plate chine & linen for her life as afores^d) I order & direct that the said shall be sold & disposed at the best price or prices that can be reasonably obtained for the same & my Will also is & I hereby that my said Wife &

my said Son John & their survivor of them & the Exc'rs Adm'ors & Assigns of such survivor shall stand possessed of or interested in the Monies to arise by such sale or sales accordingly as aforesaid and by the sale and sales of all other my real & personal Estate (subject as above

mentioned) upon the several trusts following, that is to say, In Trust to & for my said Son John & all & every other of my Children in equal shares & proportions as Tenants in common & not as joint Tenants to be paid them respectively as & when they shall severally attain the age of twenty one years deducting from the respective shares of my Dau'r Elizabeth & of my Son William and each and every other of my Son and Sons Dau'r and Dau'rs whatsoever Sum & Sums of money I leave already advanced her him & them in such ***** **

***** respectively by way of Marriage portion & paying & applying

during the minority of any of my Children such Sum & Sums of Money ~ out of their respective as they my said Trustees & the Survivor of them & the Heirs or Admons of such Survivor shall think fit & proper for & towards the education & maintenance of such Children But in case any of my Children shall happen to die before he she or they shall attain the age of twenty one without lawful issue then

I direct the share or share of him her or they so Dying to go to & be ~ divided amongst the survivor or survivors share & share alike And I

do hereby nominate Constitute & appoint my said Wife & my said Son John joint Exe'rs of this my last Will & Testament & joint Guardians of my Children during their respective Minorities

hereby revoking & making void all former & other Will and Wills Codicil & Codicils by me at any time or times heretofore made & I ~ hereby declare this only to be my last Will & Testament Provided

always & it is my Will & meaning that my said Wife & my Son John their Heirs Exe'rs & Admons shall be charged and chargeable only for such Monies as he she or they shall respectively actually receive

by virtue of the Trusts Hereby in them reposed nor shall he she or they or either of them be answerable or accountable for any loss ~ which may happen to afors^d Trust Promises unless the same

shall happen by or through their own wilful default respectively & that one of them shall not be answerable or accountable for the other of them or for their Acts Deeds Defaults Receipts or Disbursements of

the other or others of them (notwithstanding they or either of them shall join in any Receipts for conformity) but each of them for the acts deeds defaults & disbursements of himself & herself only and

that they shall & may by & out of the Monies which shall & may ~ come to them or either of their Hands by virtue of the Trusts afores [sic]

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retain to & reimburse themselves & each other all Expenses which he she or they shall or may disburse in or about the execution of the ~

Trusts Hereby in them reposed In Witness whereof I the above named Testator John Hatton *ar** to the two first sheets of this my

will (contained on three sheets of paper) set my hand & to this the last sheet thereof my hand & seal this thirty first day of May 1810

John Hatton (LS) Signed Sealed published & declared by the

above named Test'or John Hatton as & for his last Will & Testament

in the presence of us who in his presence & at his request & in the presence of each other have subscribed our names as Witnesses write the words “and twenty” in the twenty fourth line of the first sheet having been first erased *J J Ansell W^m Hallett his Clerk John Patrick*

Proved at London the 11th Day of July 1811 before the Judge
By the oaths of Sarah Hatton Widow the Relict & John Hatton Son of the Dec’ed the Exe’rs they having both first sworn by commission duly to administer

Notes

1. J J ANSELL is probably the John Jordan Ansell who witnessed the testator’s mother’s Will
2. John Jordan ANSELL married Margaret STONE in 1790 (see IGI) and in 1796 is described as ‘of Burford’ (see Oxfordshire Record Office: Property in Banbury, Adderbury and Caversham, Kem/III/1)
3. Page 640 of the 1830 Pigots Directory for Burford lists John Jordan ANSELL as an Attorney, with premises in the High Street

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