

and that having written such Codicil in the presence of the said testator the same was duly executed by him and was delivered to the Appearer to the testator. And the Appearer lastly made oath that previous to preparing such last mentioned Codicil he looked over the Will and former Codicils and saw the third Codicil beginning "It is my Will" but did not observe the concluding words "I publish and declare this as a third Codicial to be added to and taken as part of my Will" and therefore took it to be a mere memorandum and recollecting that the Codicil bearing date the tenth day of June one thousand eight hundred and fifty which had been so as aforesaid prepared in the Office of this Appearer was a second Codicil to the Will of the deceased. the Appearer inadvertently and through error described the Codicil bearing date the first day of November one thousand eight hundred and fifty one as a third instead of a fourth Codicil to the Will of the said testator.

*George Presswell*

*On the thirteenth day of March 1852 the said George PRESSWELL was duly sworn to the truth of this Affidavit by virtue of the annexed Commission Before me.*

*Wm B COSENS, Commissioner*

***Proved*** at London with four Codicils 23rd March 1852 before the Judge by the oaths of Thomas MICHELMORE of Sparkwell and Thomas MICHELMORE of Berry Pomeroy the nephews, the surviving Executors to whom Admon was granted having been first sworn by Com[mis]ion duly to administer.

*Signed* published and declared by the said Jeffery MICHELMORE as and for a third Codicil to 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 hereto subscribed our names as Witnesses.

John PEARSE, Ashburton, Butcher  
Geo. PRESSWELL, Solr, Totnes

*In the Prerogative Court of Canterbury, in the Aports of Jeffery MICHELMORE deceased:*

**Appeared Personally** James Mathews CHAPPLE of the parish of Ashburton in the County of Devon, Printer, and made oath that he is one of the subscribing Witnesses to the third Codicil to the last Will and Testament of Jeffery MICHELMORE late of Ashburton in the County of Devon Gentleman deceased, such Codicil bearing date the tenth day of June on thousand eight hundred and fifty and being hereunto annexed and her further made oath that on the tenth day of June aforesaid the said testator only executed his said Codicial by signing his name at the foot or end thereof in the presence of this Appearer and of Mary Ann MORTIMORE the other subscribing witness thereto, both of whom were present at the same time and this Appearer and the said Mary Ann MORTIMORE thereupon attested and subscribed the said Codicil in the presence of the said testator and of each other.

*James Mathews CHAPPLE*

On the thirteenth day of March 1852 the said James Mathews CHAPPLE was duly sworn to the truth of this Affidavit by virtue of the annexed Commission Before me.

*Wm B COSENS, Commissioner*

*In the Prerogative Court of Canterbury, in the Aports of Jeffery MICHELMORE deceased:*

**Appeared Personally** George PRESSWELL of Totnes in the County of Devon Gentleman and made other that he is the writer of and one of the subscribed witnesses to the fourth Codicial to the last Will and Testament of Jeffery MICHELMORE lat of Ashburton in the County of Devon Gentleman deceased such Codicil bearing date the twenty first day of November one thousand eight hundred and fifty one and being hereunto annexed And the deponent having referred to the said Codicil and particularly observed the same to be described as a third Codicil to the Will of the deceased, further made oath that the second Codicil of the Will of the deceased was prepared in the Office of this Appearer and forwarded to the testator in the hands of Thomas MICHELMORE of Berry Pomeroy, one of the Executors, and that the Appearer was afterwards requested to attend at the residence of the testator at Ashburton aforesaid which he accordingly did on the twenty first day of November one thousand eight hundred and fifty one and the testator then handed the Will and Codicials already executed to the Appearer and instructed him to prepare a further Codicil being the Codicil bearing date the twenty first day of November one thousand eight hundred and fifty one to his said Will

***It is my wish*** that my Executors shall give the two paintings of myself and my brother Henry to Mrs MICHELMORE of Highfield, Widow of my late Nephew Charles MICHELMORE, to be held by her during her life and after her decease to go to her son Jeffery John MICHELMORE his heirs and assigns.

I also give unto my servant Mary Ann FERRIER? in case she is living with me at my decease nineteen pounds and nineteen shillings to be paid within six calendar months after my decease.

And I publish and declare this as a third Codicil to be added and taken as part of my Will.

*Jeffery Michelmores*

*James Mathews CHAPPLE, Printer, Ashburton*

*Mary Ann MORTIMORE, wife of Edward*

*MORTIMORE, Seedsman, Ashburton*

***This is a third Codicil*** to be added to and taken as part of the last Will and Testament of me, *Jeffery MICHELMORE* of Ashburton in the County of Devon:

Whereas my niece Harriet BLACKALLER of Paignton in the County of Devon, the wife of James Bartlett BLACKALLER, has lately departed this life and it is my Will that the share and proportion of my residuary estate which would have belonged to her had she survived me shall go and belong to my great nephew Philip MICHELMORE of Beaston in the Parish of Broadhempston, Gentleman. Now therefore I do hereby will give and bequeath unto the said Philip MICHELMORE of Beaston aforesaid an equal share in all respects in my residuary estate with my nephews and nieces for his own absolute use and benefit and in case of his decease in my lifetime having lawful issue such issue to be entitled in equal shares to the shares of my residuary estate to which the said Philip MICHELMORE would have been entitled and taken in case he had been living at my decease.

And it is also my will that in case my servant Anna Maria DORRIMAN shall die in my lifetime whereby the legacy I have given her by my first Codicil will lapse then I give to her sisters Laetitia STEER now with me and Caroline DUNSFOLD of Alford the sum of nineteen pounds and nineteen shillings each the said two last mentioned to be paid within three calendar months after my decease.

In Witness whereof I the said Jeffery MICHELMORE have to this third Codicil set my hand this twenty first day of November in the year of our Lord one thousand eight hundred and fifty one.

*Jeffery Michelmores*

And whereas my nephew Charles MICHELMORE of Totnes aforesaid, Attorney at Law, has departed this life whereby the devise and bequest respectively made in his favor by my said Will have become defeated and inoperative, now I do therefore give and devise and confirm unto his son Jeffery John MICHELMORE his heirs and assigns for ever all that my dwelling house with the garden and premises thereto belonging situate at Ashburton and in which I now reside To hold the same unto the said Jeffery John MICHELMORE his heirs and assigns for ever for his absolute use and benefit.

And inasmuch as the said Jeffery John MICHELMORE is now a minor, I do hereby order and direct my executors in trust, Thomas MICHELMORE of Sparkwill and Thomas MICHELMORE of Berry Pomeroy in case the said Jeffery John MICHELMORE shall not have attained his age of twenty one years at my decease to set and let the said premises during his minority and by and out of the rents in the first place to repair maintain and uphold the said premises in all manner of needful and necessary reparations and then to pay apply and dispose of the surplus rents and profits for and towards the maintenance benefit and preferment of the said Jeffery John MICHELMORE as they my said executors in their discretion shall think proper and most advisable.

And I hereby give and bequeath unto the said Thomas MICHELMORE of Sparkwill and Thomas MICHELMORE of Berry Pomeroy all my plate linen china household goods and furniture goods and chattels of every description to hold to them, the said Thomas MICHELMORE of Sparkwill and Thomas MICHELMORE of Berry Pomeroy, their executors administrators and assigns for their own absolute use and benefit in equal shares and proportions.

And I hereby confirm and appoint the said Thomas MICHELMORE of Sparkwill and Thomas MICHELMORE of Berry Pomeroy Executors in trust of my Will.

In Witness whereof I the said Jeffery MICHELMORE have to this Codicil contained in two sheets of paper set my hand this tenth day of June in the year of our Lord one thousand eight hundred and fifty.

*Jeffery Michelmores*

*Signed* published and declared by the said testator Jeffery MICHELMORE as and for a second Codicil to his last Will and Testment in the presence of us who at his request in his presence of him and in the presence of each other have subscribed our names as Witnesses.

*James Mathews CHAPPLE, Printer, Ashburton*

*Mary Ann MORTIMORE, wife of Edward*

*MORTIMORE, Seedsman, Ashburton*

June 10th 1850

I give to my present servant Maria PERRINAN if in my service at the time of my decease the sum of two hundred pounds sterling to be paid to her within six months after my decease free of legacy duty. I also give to her a decent suit of mourning if then living with me.

Whereas in and by my Will I have given to Joseph BOWDEN four hundred pounds and if he died in my lifetime I have directed that sum to be paid to his wife and children, now by this Codicil I direct that if Joseph dies in my life time that then the said sum of four hundred pounds shall be paid to his son Thomas BOWDEN for his own use and in that event I also give to Thomas a suit of mourning.

And it is my Will that the legacies bequeathed to my brother Henry and to my cousins Ann MICHELMORE and Mary FITZ and to or in trust for Charlotte TAPRELL shall all be paid free of Legacy Duty and that the legacy of four hundred pounds shall be paid to Joseph BOWDEN or his son Thomas free of legacy duty.

Also I revoke the legacy of £150 and the suit of mourning given to Elizabeth IRISH by my said Will.

I give and bequeath to my nephew Charles MICHELMORE his executors & administrators all my right and interest of an in the leasehold houses and premises in Ashburton which I purchased of Mr ABRAHAM.

In Witness whereof I have hereunto set my hand and seal this sixth day of February 1845.

*Jeffery Michelmore*

*Signed* sealed, published and declared by Jeffery MICHELMORE as a Codicil to his Will in the presence of us who at his request in the presence of him and of each other have subscribed our names as Witnesses.

*John PEARSE*  
*G PEARSE*

***This is a second Codicil*** to be added to and taken as part of the last Will and Testament of me *Jeffery MICHELMORE* of Ashburton in the County of Devon, Gentleman:

Whereas by my said Will I gave and bequeathed to my cousin Mary FITZE the sum of two hundred pounds and she has since departed this life, Therefore I do hereby give the said sum of two hundred pounds so bequeathed to her husband George FITZE of Totnes, Grocer, for his own absolute use and benefit. And I hereby will and declare that in case the said George FITZE shall die in my lifetime, then I give the said sum of two hundred pounds unto and among the children of the said George FITZE by my said cousin Mary FITZE equally between them share and share alike. And in case in case the children of the said George FITZE shall become entitled to receive such legacy the receipts of such of them as shall be daughters only shall be good discharges for the same.

dwelling house and premises unto his son Jeffery John MICHELMORE, his heirs and assigns for ever.

Also I give and bequeath unto my said nephew Charles MICHELMORE for his own use and benefit all my plate linen china household goods and furniture pictures goods and chattels of every description.

Also I give and bequeath unto my nephews Thomas MICHELMORE of Sparkwill, Thomas MICHELMORE of Berry Pomeroy and Charles MICHELMORE all my funded money and securities for money upon trust to call in and collect the same immediately after my decease and in the first place thereout to pay all such just debts as I may owe and my funeral and testamentary expences and also the expense of erecting a tomb over my grave and railing the same and in the next place to pay thereout the several legacies hereinbefore mentioned and then upon trust to divide the residue in equal shares between themselves and my other nephews and nieces who shall be living at my decease and the issue of such of my nephews and nieces as have already departed this life or shall depart this life during my lifetime leaving issue such issue to be entitled to the share which their deceased parents would have taken if living. And it is my Will and I hereby direct that the before mentioned division of my property shall take place within nine months of my decease.

Also it is my Will that my Executors in trust hereinafter named shall not be answerable or accountable for any more of the trust monies than they shall respectively actually receive nor shall one of them be answerable for the other of them nor for any loss which may happen except the same happen through his or their wilful neglect or default.

And I hereby nominate and appoint the said Thomas MICHELMORE of Sparkwill, Thomas MICHELMORE of Berry Pomeroy and Charles MICHELMORE to be the Executors in trust of this my Will, hereby revoking every other Will be me at any time heretofore made.

In Witness whereof I have hereto set my hand and seal this twenty fifth day of July in the year one thousand eight hundred and thirty eight.

*Jeffery Michelmores*

*Signed* sealed, published and declared by the said testator Jeffery MICHELMORE as and for his last Will and Testament in the presence of us who at his request and in his presence and in the presence of each other have subscribed our names as Witnesses.

*Nichs. MOYSEY*  
*Wm ELLIS*

***This is a Codicil*** to be added to my Will:

**PROB 11-2149-269**

*This is the last Will and Testament of me Jeffery Michelmore of Ashburton in the County of Devon, Gentleman.*

First I will and direct my body to be interred at Buckfastleigh and that a tomb be erected and properly railed out.

I give and bequeath to my brother Henry MICHELMORE the sum of two thousand pounds.

Also I give to my Cousin Ann MICHELMORE now residing with me the sum of one thousand two hundred pounds.

Also I give and bequeath to my Cousin Mary FITZE the sum of two hundred pounds.

Also I give to each of my other brothers and sisters and to each of my brothers in law and sisters in law the sum of ten pounds for mourning.

Also I give to my Servant Elizabeth IRISH if living with me at the time of my decease the sum of one hundred and fifty pounds. Also I give to Joseph BOWDEN my coachman the sum of four hundred pounds and if he should die in my lifetime then I give the said sum of four hundred pounds to his wife and such of his children as shall be living at my decease in equal shares. Also I give the said Joseph BOWDEN a suit of mourning and to my servant Elizabeth IRISH I also give a suit of mourning if she should be residing with me at my decease.

Also I give and bequeath to my Executors In trust hereinafter named the sum of two hundred pounds to be by them invested in the funds and the dividends thereof to be paid to Charlotte TAPRELL the daughter of Clare JACOBSON for her life for her separate use and benefit and independent of her present and any future husband and her receipt alone to be a sufficient discharge. And from and after the decease of the said Charlotte TAPRELL I give and bequeath the sum of two hundred pounds funds and securities unto and equally between the children of the said Charlotte TAPRELL that may be living at her decease. And in the event of no child surviving her then I give the said sum funds and securities unto her executors and administrators.

And it is my Will and I hereby direct all the before mentioned legacies to be paid within six calendar months after my decease.

Also I give and devise unto my nephew Charles MICHELMORE of Totnes, Attorney at Law, All that my dwelling house with the garden and premises thereto belonging situate at Ashburton and in which I now reside To hold the same unto my said nephew and his assigns during the term of his natural life. And from and after his decease I give and devise the same