

Signed sealed published and declared by the said Testator Thomas MICHELMORE as and for his last Will and Testament in the presence of us who at his request and in the presence of him and of each other have subscribed our names as witnesses.

John Moysey

Philip Gillard

J Mabbicorn

Appeared Personally John MABBICORN of Totnes in the County of Devon Accountant and made oath that he knew and was well acquainted with Thomas MICHELMORE late of the parish of Mamhead in the County of Devon, Gentleman, deceased and is also well acquainted with Thomas MICHELMORE the son of the said deceased who is particularly mentioned in the last Will and Testament of the said deceased dated the seventeenth day of May one thousand eight hundred and thirty three and in the event of whose death in the said deceased's life time certain Executors are substituted in this said will and that the said Thomas MICHELMORE is now alive and residing at Berry Pomeroy in the County of Devon. *John Mabbicorn* on the twenty first day of March 1835 the said John MABBICORN was duly sworn to the truth of this affidavit by virtue of the annexed comm.[issi]on Before me *Joah Crossley* Minister of Totness in the County of Devon Commissioner.

Proven at London 27th March 1835 before the Judge by the oaths of Elizabeth MICHELMORE widow the relict, Philip MICHELMORE the Brother, and Charles MICHELMORE the Nephew, the Executors to whom admon was granted having been first sworn by Com[misi]on truly to admin.

purchased for answering? the annuity hereby bequeathed to her and subject to the payment of the legacies bequeathed by this my will.

I give bequeath unto my said Son Thomas MICHELMORE all my freehold copyhold and leasehold messuages tenements lands and hereditaments in the parishes of Staverton and Buckfastleigh or elsewhere in the County of Devon as hold the same unto my said son Thomas his heirs Executors admors and assigns for ever.

And I hereby appoint my said Son the residuary legatee of this my will. Provided nevertheless and it is my will that if my said Son should happen to die in my life time then it is my will and I hereby give and devise unto my Grandson Thomas MICHELMORE (the son of my said Son) and to her heirs Executors administrators and assigns all and every the freehold copyhold and leasehold Estates messuages lands tenements and hereditaments and premises which I have hereinbefore devised to my said Son Thomas.

And further if my said Son should happen to die in my life time then I give and bequeath the residue and remainder of my said personal property which I have hereinbefore bequeathed to my said Son unto and equally between the other children of my said Son whether born in his life time or in due time after his death, subject nevertheless to the payment of the legacies hereinbefore bequeathed with benefit of Survivorship amongst them in the event of any or either of them dying under 21 years of age and without having married. And in the event aforesaid I hereby nominate and appoint Agnes the wife of my said Son Thomas MICHELMORE, Thomas MAYE of Stokely, and the said Charles MICHELMORE to be the Executors in trust of this my will and I direct them to take the management and tuition of the persons and property of my said Grandchildren (by my said Son Thomas) until they shall respectively attain twenty one years of age with power in the mean time to apply a sufficient portion of the annual rents dividends and Interest for and towards their support and education.

Provided always and I hereby direct that neither of my said Executors in trust shall be answerable for the other or others of them or for involuntary losses and that they may reimburse themselves and each other all their trust charges and expenses. And lastly it is my will that if either of my said Executors in trust shall die before the trusts of this my will are fully completed then my said Son shall act as one of my Executors in trust in the place of the one so dying.

And I revoke every will made by me at any time heretofore and declare this only to be my last Will and Testament. In witness hereof I have set my hand and seal viz to the first six sheets my hand and to this last sheet my hand and seal this seventeenth day of May one thousand eight hundred and thirty three.

Thomas Michelmores

in trust for the sole use of the said Ann BOWDEN separate and apart from and exclusive of any husband and so that the same may not be under his control or liable to his debts contracts or engagements and so that the receipts of my said daughter Ann BOWDEN or any person to whom she may appoint the same dividends may be good discharges for the same.

And from and after the decease of my said daughter Ann upon trust to pay transfer and assign the said stock and also the dividends which shall become due after her decease unto and equally amongst such of the children of my said daughter Ann as shall be living at her decease, to be vested when they respectively attain twenty one years of age and to be payable as soon after the said respective ages and also after the death of my said daughter Ann as conveniently may be. But if my said daughter Ann should die without leaving issue then I give the said sum of six hundred pounds unto my other five daughters equally.

Also I give and bequeath to my dear wife one clear annuity or yearly sum of one hundred and twenty pounds during her natural life to be payable and paid by two equal half yearly payments in every year and without any deduction or abatement whatsoever to commence from my death and the first payment thereof to become due and be made at the end of six calendar months after my decease.

And I give and bequeath unto my said wife and unto my Brother Philip MICHELMORE and unto my Nephew Charles MICHELMORE their Executors Admons and assigns all my funded property money and securities for monies goods chattels and personal Estate whatsoever not hereinbefore disposed of upon the trusts nevertheless and for the tuds? intents and purposes hereinafter expressed and declared of and concerning the same.

And I nominate and appoint my said wife and the said Philip MICHELMORE and Charles MICHELMORE to be *Executors* in trust of this my last will and Testament and I declare it to be my will and direct that my said Executors in trust or the Survivor of them his Executors or administrators shall as soon as my decease as he she or they shall deem fit or convenient will dispose of an convert into money all my personal Estate whatsoever except what I have hereinbefore disposed of and collect and receive all money which shall be owing to me om simple contract or on securities and stand possessed thereof upon trust in the first place therewith and thereout to pay the debts which I shall owe at the time of my decease and my funeral and Testamentary expenses and the several pecuniary legacies given by this will and upon further trust to invest so much of the residue thereof in the purchase of stock in the public funds as will be sufficient by with and out of the dividends arising therefrom to pay and satisfy the annuity hereinbefore bequeathed to my said wife and upon trust to pay and transfer all the residue of the said trust money unto my Son Thomas for his one use and benefit.

Provided always and I hereby direct that when my wife departs this life then it shall be lawful for my said Executors in trust or the Survivor of them his Executors or administrators to transfer to my Son Thomas his Executors or administrators stock

Thomas BRADRIDGE and now standing in my name in the public funds is not to form part or be included in the aforesaid sum of one thousand one hundred and fifty pounds but it to be paid to them in addition thereto at my death together with the Interest then due thereon.

Also I give unto the Executors in trust of this my will the sum of six hundred pounds sterling to be by them invested in the public funds within three months after my decease upon trust to stand possessed thereof and retain and take all the dividends thereof during the life of my daughter Mary MAYE and stand possessed of the same dividends in trust for the sole use of the said Mary MAYE separate and apart from and exclusive of her present or any future husband and so that the same may not be under his control or liable to his debts contracts or engagements and so that the receipts of my said daughter Mary MAYE or any person to whom she may appoint the same dividends may be good discharges for the same.

And from and after the decease of my said daughter Mary upon trust to pay transfer and assign the said stock and also the dividends which shall become due after her decease unto and equally amongst such of the children of my said daughter Mary as shall be living at her decease, to be vested when they respectively attain twenty one years of age and to be payable as soon after the said respective ages and also after the death of my said daughter Mary as conveniently may be. But if my said daughter Mary should die without leaving issue then I give the said sum of six hundred pounds unto my other five daughters equally.

Also I give unto the Executors in trust of this my will the sum of six hundred pounds sterling to be by them invested in the public funds within three months after my decease upon trust to stand possessed thereof and retain and take all the dividends thereof in trust for the sole use of the my daughter Betsy MICHELMORE separate and apart from and exclusive of her present or any future husband and so that the same may not be under his control or liable to his debts contracts or engagements and so that the receipts of my said daughter Betsy or any person to whom she may appoint the same dividends may be good discharges for the same.

And from and after the decease of my said daughter Betsy upon trust to pay transfer and assign the said stock and also the dividends which shall become due after her decease unto and equally amongst such of the children of my said daughter Betsy as shall be living at her decease, to be vested when they respectively attain twenty one years of age and to be payable as soon after the said respective ages and also after the death of my said daughter Mary as conveniently may be. But if my said daughter Betsy should die without leaving issue then I give the said sum of six hundred pounds unto my other five daughters equally.

Also I give unto the Executors in trust of this my will the further sum of six hundred pounds sterling to be by them invested in the public funds within three months after my decease upon trust to stand possessed thereof and retain and take all the dividends thereof during the life of my daughter Ann BOWDEN and stand possessed of the same dividends

such election and shall receive the like annuity of thirty pounds during as much of their respective natural lives as they shall remain unmarried. But if my said wife should not make her election to quit the said house during her life time then my said unmarried daughters for the time being shall after the death of their mother have the like privilege of quitting the said house and receiving the before mentioned annuity. And I hereby charge my said dwelling house and premises at Chudleigh aforesaid to and with the payment of the said annuity to my said wife and daughters respectively. And in case the said annuity or any part thereof shall at any time be in arrear and unpaid, I give to my said wife and daughters as it may so happen the usual powers to enter and distrain for the same as in cases of distress for rent in arrear.

And I direct that the external parts of the said premises shall be kept in repair by and at the sole expense of my said Son Thomas MICHELMORE and the external part thereof by my said wife and daughters in case the same shall be occupied by them as aforesaid.

Also I give to such of my daughters Maria, Susan and Rebecca the sum of one hundred and fifty pounds to be vested in them respectively on their severally attaining twenty four years of age or marrying respectively, which shall first happen, but payable under the stipulation hereinafter mentioned.

And it is my will and I hereby direct that the said legacy of one thousand one hundred and fifty pounds bequeathed to each of my said daughters shall within one month after my death be invested in the purchase of Government stock in the public funds in the names of my Executors in trust or the survivors of the his or her Executors or administrators. And they shall stand possessed thereof upon trust for my said daughters and upon trust to pay the dividends arising from such stock unto my said daughters respectively for their maintenance and support.

But it is my particular wish and desire and it is my will that my said Executors in trust or the Survivor of them his or her Executors or administrators shall not pay or transfer the aforesaid legacy of one thousand one hundred and fifty pounds or the stock purchased therewith to any or either of my said daughters until their respective marriages. And prior to such marriages it is my will that the legacy of each of my said daughter so about to be married should be legally settled in such manner and form as my said Executors in trust shall direct. Provided always and notwithstanding any clause hereinafter contained it shall be lawful for my said Executors in trust to pay and transfer the aforesaid trust money to any or other of my said daughters prior to their respective marriages if my said Executors in trust should think proper so to do, it being my wish that my said daughters should be advised and guided by the advice of my said Executors in trust.

And further it is my will that in case any or other of my said daughters should depart this life under the age of twenty four years without having been married then I give the legacy of her or them so being unto my son Thomas his Executors administrators and assigns.

And I hereby declare that the sum of sixty pounds, a portion of which was heretofore bequeaths to each of my said daughters Maria Susan and Rebecca by their late uncle

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This is the last Will and Testament of me Thomas MICHELMORE of Mamhead in the County of Devon, Gentleman.

First I bequeath to my dear wife Elizabeth MICHELMORE the sum of one hundred pounds sterling to be paid to her within one months after my death.

And I also give and bequeath unto my said wife the use of all my plate linen china household goods and furniture during her natural life. And from and after her death I give the same plate linen china household goods and furniture unto and equally amongst such of my daughters as shall be unmarried at the decease of my said wife. And it is my will that if any or other of said unmarried daughters should happen to marry after the decease of my said wife, the daughter and daughters so marrying shall severally derive from the then unmarried daughters the sum of thirty pounds in lieu of the share of such of my said daughters so marrying of and in the said plate linen china household goods and furniture. But nevertheless it is my will that if the whole of my unmarried daughters for the time being should be desirous of disposing of the said plate linen china household goods and furniture instead of abiding by the arrangement just mentioned, it shall be lawful for them to do so if it also meets with the approbation of my Executors in trust hereinafter named.

I also give and bequest unto my said wife all that dwelling house garden and pleasure ground with its appurt[enance]s situate lying and being at Chudleigh in the said County which I lately purchased of Bond to hold the same unto my said wife for and during the term of her natural life. And from immediately after the death of my said wife, I give and devise the same premises unto which of my said daughters as shall be unmarried at the death of my said wife to hold the same unto them as tenants in common during their respective natural lives. If they or any or other of them shall no long continue unmarried but not longer or otherwise, it being my will and meaning that the respective Interests of my said daughters in the said house and premises shall cease on their respective marriages. And from and immediately after the death or marriage of the Survivor of my said daughters, which shall first happen, I give and devise the said premises unto my son Thomas MICHELMORE his heirs and assigns for ever.

Provided always and it is my will and I do hereby direct that in case my said wife shall at any time hereafter be minded or desirous to relinquish her Interest in my said dwelling house and premises at Chudleigh and should wish to reside elsewhere, it shall be lawful for her so to do upon giving to my said Son Thomas MICHELMORE one calendar month notice thereof in writing. And in such case I direct my said Son Thomas to pay or cause to be paid to my said wife and her assigns during her life one annuity or clear yearly rent charge of thirty pounds in lieu of her life Interest in the said dwelling house, to be payable and paid to her half yearly and to commence and begin at the expiration of such notice as aforesaid.

Provided also and it is my will that if my said wife shall make her election to quit the said house and receive the before mentioned annuity that my said daughters shall be bound by