

*The Last Will and Testament of
William Futcher
of Fovant
Will proved
2nd December 1849*



Probate Court of London
Original reference: Prob 11/2104
Will Dated - 25th June 1849

Testator	Futcher	William	Gentleman of Fovant
Executors			
Futcher	Aaron	Brother	Joint Executors
Futcher	James	Brother	
Futcher	James	Son	
Futcher	Robert	Son-in-law	
Lewis	Herbert	Son-in-law	

Beneficiaries		Relationship to Testator	Other Information
Surname	Given Names		
Botley	Elizabeth	Daughter	Wife of William Botley
Futcher	Aaron	Brother	
Futcher	Deyonisia	Daughter	Under 21
Futcher	Henry	Son	Under 21
Futcher	James	Son	
Futcher	Louisa	Daughter	
Futcher	Robert	Brother	
Futcher	William, Jnr.	Son	
Lewis	Mary Ann	Daughter	Wife of Robert Lewis
Smith	Sarah	Daughter	Wife of Herbert Smith
Witnesses			
Lever	George		Builder of Fovant
Nicholson	C.		Barford St. Martin
Other Names			
Bollen	William	Son in law	
Bracher	William George		Sold Panters to testator
Futcher	Thomas		Late in occupation
Galton	Charles		Occupies property of testator
Goodfellow	Thomas		Sold Cross Keys Inn to testator
Innes	John		Sold land to testator
Jay	William, Snr.		
Jay	William, Jnr.		Occupies property of testator
Lewis	Robert	Son in law	
Smith	Herbert	Son in law	
Stacy	Henry		Occupies cottage & 2 gardens
Strong	John		Occupies property of testator
Sutton	Mr.		Sold property to testator
Toomer	Henry		

This is the last will and testament of me, William Fatcher, of Fovant in the Country of Wilts, gentleman. First, I direct that all my just debts, funeral and testamentary expenses paid and satisfied. I devise unto my son William Fatcher the younger all that Messuage Tenement or Dwelling House called the Black Dog Inn with the Stables, buildings, Lands and all other Premises with the Appurtenances thereto belonging situate at Ludwell in the County of Wilts for all the Term Estate and Interest which I may have therein at the time of my decease and I bequeath to him the sum of two hundred pounds sterling in addition thereto to be paid to him at the expiration of six Months next after my decease. I devise the Messuage Tenement or Dwelling House called Panters with the Garden Orchard and Stable Outhouses Lands and Premises which I purchased of Mr. William George Bracher and situate in the several parishes of Sutton Mandeville and East Tisbury or elsewhere in the said County of Wilts Unto and to the use of my daughters Louisa Fatcher and Dyonisia Fatcher in equal moieties as tenants in common their respective Heirs and Assigns. I bequeath to the said Louisa Fatcher and Dyonisia Fatcher the Bed, Bedstead, Furniture thereto belonging, Linen, Blankets, and painted Chest of Drawers, in the room of my Dwelling House named the Turnpike Room, the best Bedstead linen and furniture in the room called the South Room my Pianoforte, Clock up Stairs mahogany Chest of Drawers in my bedroom, Half my Plate, the Couch in sitting Room and mahogany round Table in the best Parlour equally between them share and share alike. I devise the Messuage Tenement or Dwelling House Called the Cross Keys Inn with the Barn Stables Lands there Hereditaments and Premises with the Appurtenances thereto belonging which I purchased of Mr Thomas Goodfellow - the Cottage and Premises in the occupation of William Jay the younger - the Malthouse Storehouse and Stable opposite – William Fatcher - with the Gardens and all other the Premises with the Appurtenances thereto belonging now occupied therewith by my Brother Mr Aaron Fatcher - the Cottages and Gardens with the Lands and Appurtenances thereto belonging called Arneys - the Barn called Shop Barn with the yard Granary and Appurtenances thereto belonging and now in my own occupation - the House, Garden, Orchard and all other the Hereditaments and Premises with the Appurtenances thereto belonging which I purchased of Mr John Innes respectively situate and being at Fovant aforesaid Unto and To the use of my sons James and Henry Fatcher in equal moieties as tenants in common and to their respective Heirs and Assigns but subject nevertheless and Charged with the payment of an Annuity or Sum of twenty Pounds per annum by twelve even and equal monthly Payments in the year to my Brother Mr Robert Fatcher during his natural life and to commence on the day after my decease And in default of a payment I declare that my said Brother Robert shall have the same Remedies for recovery thereof as Landlords are entitled to by Law upon common Demises I devise the Leasehold Estate late Mr Thomas Fatchers and now in the occupation of Mr Aaron Fatcher or his Undertenants - the Cottage and two Gardens occupied by Henry Stacy and respectively situate at Fovant aforesaid unto my said sons James and Henry in equal moieties as tenants in common their respective Executors Administrators and Assigns for all my estate and Interest therein - I bequeath all and every my book debts and such monies as may be in my House and due to me from the Wilts and Dorset Bank and the Bank of Messieurs Everett and Smith of Salisbury at the time of my decease (if any) unto and equally between my said Sons James and Henry share and share alike I bequeath all and every the farming Stock of every kind and description as well live and growing as gathered and dead Horses Cows Cattle – William Fatcher - Sheep and Pigs Implements and Utensils of Husbandry in and upon the farm Lands and Premises now or which may be in my own occupation and situate at Fovant aforesaid or elsewhere - my tenant Right or Interest therein and also all and singular such parts of my household furniture Plate Linen China Wines Liquors Cider Beer Vessels and furniture of household of every kind and description as are not hereinbefore given or bequeathed to my said daughters Louisa and Dyonisia Unto and equally between my said sons James and Henry share and share alike but subject to the payment by them of the Rent, Rent charge in lieu of tithes due or to become due from my Estate my debts funeral and testamentary expenses and in particular to the payment pf the Legacy of two hundred Pounds hereinbefore bequeathed to my said son William - the Sum of two hundred Pounds due from me to the said William George Bracher and to such sum (if any) as I may owe to the Members of the Club at Fovant aforesaid at the time of my decease. I devise all that my Messuage Tenement or Dwelling House Barn Stable Outbuildings Garden , Orchard , Paddock of Land opposite and all other the premises with the Appurtenances which I purchased of Mr Sutton situate at Fovant aforesaid and now in the occupation of my said Brother Mr Aaron Fatcher and Henry Toomer – the House Garden and Premises with the appurtenances there to belonging situate at Fovant aforesaid and now in the occupation of Charles Galton and the House Garden and Premises with the Appurtenances thereto belonging situate at Fovant aforesaid and now in the occupation of John Strong and William Jay, Senior unto and to the use of my daughters Mary Ann, wife of Mr Robert Lewis, Elizabeth, wife of Mr William Botley, Sarah, wife of Mr Herbert Smith, Louisa Fatcher spinster and Dyonisia Fatcher spinster in equal shares as Tenants in common their respective Heirs and Assigns And as to all the Rest, Residue and Remainder of my Monies - William Fatcher - Securities for money Government Stocks or funds and all other my real and personal Estate and Effects of every find and description (including my leasehold Estate at Teffont Evias in the said county) whatsoever and wheresoever situate and being whether in possession or reversion and not hereinbefore disposed of I give devise and bequeath the same and every part thereof unto and equally between my said daughters Mary Ann Lewis, Elizabeth Botley, Sarah Smith, Louisa Fatcher, and Dyonisia Fatcher equally between them Share and Share alike as Tenants in common their respective Heirs, Executors Administrators and Assigns according to the quality thereof respectively and do direct that they shall be entitled to receive the same or the benefit thereof immediately after my decease Provided and

I hereby direct and declare that the several devises and bequests to my said son Henry Futcher and daughter Dyonisia Futcher hereinbefore respectively contained shall not become an Interest vested in him my said son Henry Futcher until he shall attain the age of twenty one years nor in her my said daughter Dyonisia Futcher until she shall attain a like age or be married under that age And if either of them the said Henry Futcher and Dyonisia Futcher shall depart this life without having acquired such vested Interest as aforesaid the several devises and bequests so made to him and her respectively shall in that case become absolutely void and remain and be be In Trust for all and every my children Share and Share alike as tenants in common their respective Heirs Executors Administrators and Assigns (except my said son William Futcher) who shall be paid in the first Instance the further sum of two hundred Pounds in respect of each deceased child's devises and bequests which may not become vested in him or her the said Henry Futcher and Dyonisia Futcher respectively as aforesaid I appoint my Brothers Mr James Futcher and Aaron Futcher my sons in law the said Robert Lewis and Herbert Smith and my said son James Futcher – William Futcher - to be Executors of this my Will and Guardians of my Son Henry and daughter Dyonisia during their respective minorities I devise all the real Estate vested in me as mortgagee or Trustee to my said Executors their Heirs and Assigns subject to the trusts and equities affecting the same respectively but the monies arising from my mortgage shall be deemed to be part of my residue personal Estate and Effects I declare that it shall be lawful for my said Executors to carry on the farming business in which I may be engaged at the time of my decease and do all necessary and proper acts matters and things in relation thereto the minority of my said son Henry without being answerable for any loss that may arise therefrom I empower my said Executors to apply all or any part of the yearly Income to which under any of the Devises bequests or dispositions hereinbefore contained my Infant son and daughter shall be presumptively entitled in or towards their and each of their maintenance I empower my said Executors to give Receipts for all monies and effects to be paid or delivered to them be virtue of this my Will and declare that such Receipts shall exonerate the Persons taking the same from all liability to see to the application or disposition of the money or effects therein mentioned I also empower my executors to compound or allow time for the payment of any debt or debts or debts due to my estate and to satisfy all demands against my Estate whether supported by strictly legal evidence or not and to settle all accounts between me and any Person and Persons on such terms as they shall in their discretion think expedient and to refer any matters in difference relating to my affairs to arbitration. I exempt of my said Executors from liability for losses occurring without his own willful default and authorize them to retain and allow to other all expenses – William Futcher incidental to the Executorship In Witness thereof I have hereunder set my Hand and I have also set my Hand to each of the five preceding sheets of this my Will the twenty fifth day of June in the year of our Lord one thousand eight hundred and forty nine.

William Futcher

Signed by the said William Futcher the Testator as his last Will and Testament in the presence of us present at the who at his request in his presence, and in the presence of each other have subscribed our names as witnesses,

*George Lever, Fovant, Builder,
C Nicholson, Barford St Martin, Wilts.*

June 30th 1849 The said testator died this day and December 27th 1849 his will was proved by all the Executors named therein in the Prerogative Court of the Archbishop of Canterbury

Attestation Clause

Proved at London 2 December 1849 before the Judge by the Oaths of James Futcher and Aaron Futcher, the Brothers and Robert Lewis and Herbert Smith and James Futcher the younger the Executors to whom Admon was granted having

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