

*The Last Will and Testament
Of John Orchard
of Oaksey
Will Proved
10th February 1729*



Probate Court of ?
Original reference
Will Dated 28th September 1728

Testator:	Orchard	John	Yeoman of Oaksey
Executors:			
Howard or Hewer	Jeremiah (Reverend)		Minister of Oaksey Joint Trustee and Overseer
Orchard	Mary	Wife	Sole Executor
Westley	Robert		Lord of the manor Joint Trustee and Overseer

Beneficiaries		Relationship to testator	Other Information
Surname	Given Names		
			The second poor of Oaksey
Baldwin	Mary	Niece	Daughter of Beata late sister of Mary Orchard
Fenster	Robert		Grandson of the late Robert Hawks of Ashton Keynes
Orchard	Mary	Wife	
Tippett	Jane	Niece	Daughter of Testator's late Sister Mary and wife of Abraham Tippett Cordwainer of Cirencester
Tollfree	Robert	Nephew	Son of Testator's late Sister Mary
Weeks	Beata		Wife of Thomas
Weeks	Thomas		Husband of Beata
Weeks	Thomas the younger		Son of Thomas and Beata Weeks of Ewen
Wicks	John		Of Oaksey
Wicks	John		Son of John Wicks
Wicks	Mary		Daughter of John Wicks
Wicks	Thomas		Son of John Wicks
Witnesses			
Guest	Mary		The mark of
Tailer	Ann		
Wilkins	Richard		
Other Names			

--	--	--	--

In the Name of God Amen the twenty eighth day of September in the second year of the reign of our Sovereign Lord George the second by the Grace of God of Great Brittain France and Ireland King Defender of the Faith Ex A D 1728.

I John Orchard of Oaksey in the County of Wilts Yeoman being of perfect mind and memory thanks be given unto God therefore, do make and ordain this my last Will and Testament (that is to say)

principally and First of all I give and recommend my soul into the hands of God that gave it and my body I committ to the Earth to be decently buryed And as touching such worldly Estate wherewith it hath pleased God to bless me in this life I give devise and dispose of the same in the following manner and forme

Imprimid I will that all my debts and Funeral Charges shall be all paid and discharged

Item I give and bequeath unto Mary my beloved wife for the terme of her naturall life All and Singular my moneys goods chattells and personall Estate whatsoever by Mary my said wife freely to be taken possessed and enjoyed during all the time and terme of her naturall life

And after the decease of Mary my said wife to be disposed of in such manner and forme as it is hereinafter mentioned lymitted expressed and declared (that is to say)

Item I give the sume of Fiftie shillings of lawfull money of Great Brittain unto the Second poore people of Oaksey aforesaid And I order that the money shall be given away and disposed of to and amongst the second poore att the death and decease of Mary my said wife att the discretion of my Trustees either att the time of her buryall or within one month next after the death and decease of Mary my said wife

Item I give and bequeath the use and interest of Twenty pounds of Lawfull money of Great Brittain unto the second poore of the parish of Oaksey aforesaid the principall sume of Twenty pounds of lawfull money shall be paid within six months next after the death and decease of Mary my said wife unto Robert Westley Esqr Lord of the Mannor and the Reverend Mr Jeremiah Howard the Minister of Oaksey aforesaid or to one of them or to the heirs Executors Administrators or assignes of them or one of them and the money shall be ordered and disposed of and secured for the use and benefit of the said second poor in such Manner and forme as the said Squire Westley and the said Reverend Mr Jeremiah Howard shall thinke fitt And my will is that the use and interest thereof shall be paid and disposed of to and among the second poore at Christmas or att or upon the first day of January yearly and every year forever

Item I give and bequeath the sume of Twenty pounds of lawfull money of Great Brittain unto Robert Tollfree the son of my Sister Mary deceased to be paid and satisfied unto the said Robert Tollfree his Executors Administrators or assignes out of my money and goods chattells and personall Estate within three months next after the death and decease of Mary my said wife

Item I give and bequeath unto John Wicks of Oaksey aforesaid my Couch and our Feather Bedd and Bedsteed and Bolster in the best Chamber and the Curtains and vallens and Quilt and foure Blanketts unto the same Bedd and Bedsteed belonging to the said best Chamber to be delivered to the said John Wicks or to his Executors presently after the decease of Mary my wife

Item I give and bequeath the sume of Fiftie pounds of lawfull money of Great Brittain unto the three Children of the said John Wicks (that is to say) to John Twenty pounds to Thomas Twenty pounds and to Mary Ten pounds And I order their money to be paid to their father the said John Wicks his Executors Administrators or assignes within six months next after the death and decease of Mary my said wife In trust that the money shall be putt and sett to interest and that the Children shall have both the use and principall each of them at twenty one yeares of age And if either of them shall happen to dye then the survivors or survivor of them shall have the deceased brother or sisters part or share of the money And I also give and bequeath unto the said Mary the daughter of the said John Wicks the looking Glass in the said best Chamber And the Table and Table Cloath and all things belonging to the said Table together with the window Curtains in

the same best Chamber And all the said promisses to be delivered to the said Mary Wicks her Executors Administrators or assignes presently after the death and decease of Mary my said wife

Item I give and bequeath the sume of Five pounds of lawfull money unto Thomas Weeks the Younger the sonn of Thomas of Ewen neare Kemble in the County of Wilts and of Beata his wife to be paid unto the said Thomas Weekes the younger his heirs Executors Administrators or assignes within six months next after the death and decease of Mary my wife

Item I give and bequeath the sume of Fiftie shillings of lawfull money of Great Brittain unto Robert Fenster the Grandson of Robert Hawks late of Ashton Keys in the County of Wilts Yeoman deceased to be paid the said sume of Fiftie shillings unto the said Robert Fenster within six months next after the decease of Mary my said wife And if the said Robert Fenster shall happen to dye before my wife then I give the money and it shall be paid unto the said John Wicks the younger the sonn of the said John Wicks of Oaksey aforesaid

Item I give and bequeath unto Mary Baldwin the daughter of my wife's Sister Beata deceased one whole suite of Mary my wife's wearing apparell both of Lynnen and Woollen

Item I give and bequeath the sume of Twenty pounds of lawfull money of Great Brittain unto the said Mary Baldwin the said daughter of my wife's Sister Beata deceased and I will and order that the said suite of Apparell shall be delivered unto the said Mary Baldwin presently after the decease of Mary my said wife or else it shall be delivered for her use unto the said Thomas Weeks of Ewen aforesaid and to the said Beata his wife or to one of them And that the said sume of Twenty pounds shall be paid unto the said Thomas Weeks and Beata his wife or to one of them or to the Executors Administrators or assignes of the survivor of them within six months next after the decease of Mary my wife in order and my will is that he her or them or some of them shall deliver the said suite of Apparell and pay the said sume of Twenty pounds unto the said Mary Baldwin when she shall and do demand the said Apparell and money (that is to say) the apparell shall be delivered and the money shall be paid unto the said Mary Baldwin on demand provided alwaies and my will is that if the said Mary Baldwin shall happen to dye before Mary my wife Then in such case I give and bequeath the said Apparell and the said sume of Twenty pounds unto the said Thomas Weeks and Beata his wife their Executors Administrators and assignes for ever

Item I give and bequeath unto the said Beata Weeks the wife of the said Thomas Weeks of Ewen and unto her Executor the sume of Fourty pounds of lawfull money of Great Brittain to be paid to the said Beata Weeks or to the said Thomas Weeks her husband or to the Executors Administrators or assignes of the survivor of them within six months next after the decease of Mary my wife And I give and bequeath unto the said Beata Weeks my Clock and Case and Weights and all belonging to the said Clock and one paire of Dowlad Sheets and a pair of Holland Pillow cases and a Dowlad Pillow Case And all the rest and residue of my wife's wearing apparell both lynnen and woollen and all the residue and remainder of the goods and Furniture of the best Chamber and one Pewter Bason and my Spice Mortar and Pestle and half a dozen of Knives and half a dozen of Forks and one Table Cloath and half a dozen of Napkins to be all delivered to the said Beata Weeks or to her husband or to the Executors Administrators or assignes of the survivor of them presently after the death and decease of Mary my wife

Item my Will is that all such debts and money that I shall owe at the time of my decease and my Funerall Charges and Expenses and my wife's Funerall Expenses and reasonable charges and all the Legacies shall be paid and satisfied out of my money and goods and chattells that I shall dye possessed of or intituled unto And then all the rest and residue of my money & goods chattells and personal Estate whatsoever I give and bequeath the same from and immediately after the death and decease of Mary my wife unto the said Robert Tollfree and unto Jane Tippet the daughter of my said Sister Mary deceased and now wife of Abraham Tippet of Cirencester in the County of Gloucester Cordwainer and unto the several and respective Executors Administrators and assignes of the said Robert Tollfree and Jane Tippet for ever And my will is that they the said Robert Tollfree and Jane Tippet their Executors Administrators or assignes shall or lawfully may take to and receive all and Singular the said money and goods chattells and personal Estate presently after the death and decease of Mary my said wife and shall out of the same premisses pay the Legacies And the said Robert Tollfree his Executors Administrators or assignes shall have the said sume of Twenty pounds

And then all the rest residue and remainder thereof after my debts and the Funerall Charges and the legacies are all satisfied and paid I give and bequeath all the then residue and remainder thereof of the said premisses unto the said Robert Tollfree and Jane Tippett to be parted into two parts and equally divided betweene them both the one halfe to the said Robert Tollfree his Executors Administrators and assigns and the other halfe to the said Jane Tippett her Executors Administrators and assigns share and share alike provided alwaies and my will is that if there shall happen to be any loss in the Bond debts then in such case every Legatee shall deduct and abate out of his or her legacie or legacies so much in the pound and beare a proportionable part and share of the Loss according to what the legacies or legacy are or is

Item I do hereby constitute appoint make and ordaine the said Mary my beloved wife full sole and whole Executrix of this my last Will and Testament

Item I do hereby desire authorise & appoint and impower the said Robert Westley Esqr and the said Reverend Mr Jeremiah Hewer to be Overseers and Trustees of this my last Will & Testament And I give to them their heirs Executors Administrators and assigns full power and authority to rule and order all things to be done and performed according to the true intent and meaning of this my last Will and Testament

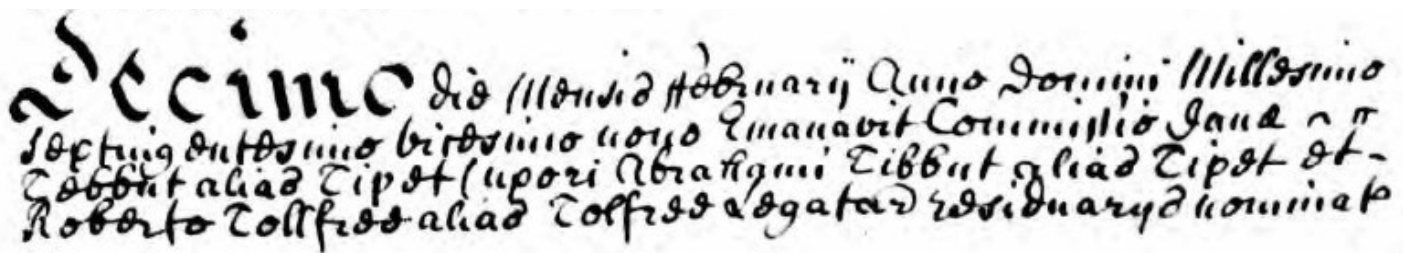
Item I do hereby revoke disannull and make void all former Will by me heretofore made ratifying and confirming this and no other to be my last Will and Testament In witness whereof I have to this my last Will and Testament contained in two sheets of paper sett my hand and seale the day and yeare above written

----- *The Marke X and Seale of John Orchard* -----

Signed Sealed published pronounced and declared by the said John Orchard as and for his last Will and Testament in the presence of us who have in his presence subscribed our names as witnesses hereunto

----- *the marke of Mary Guest* ----- *Ann Tailer* ----- *Richard Wilkins* -----

Proved 10th February 1729



*Decimo die Mensis Februarii Anno Domini Millesimo
Septingentesimo vicesimo nono Emanavit Commissio Jura et
Cognitio alia Tibbet (supra) Abrahami Tibbet et alia Tibbet et
Roberto Tollfree alia Tollfree et alia residuary et alia*

In Testamento Johanne Orchard super de D. & B. in Comitatu Wilt. n. n.
defuncti sicoutio et ad administrandum bona jura et Credita dicti n. n.
defuncti iuxta tenorem et effectum Testamenti ipsius defuncti de n. n.
bona et fideliter administranda reddui ad sancta dei Evangelia vigore
Commissionis jurat Lilaria Orchard vidua dicta et Executrice iuxta
in dicto Testamento nominat antequam omni Executione dicti n. n. n.
Testamenti in se accepta et in omni obediunt &c.