

*The Last Will and Testament
Of Edward Hewett
of Martin
Will Proved
4th January 1797*



Probate Court London
Original reference
Will Dated 20th July 1792

Testator:	Hewett	Edward	Gentleman of Martin
Executors:			
Hewett	John	Nephew of London	Joint Executors
Talk	William	Esquire of New Sarum	

Beneficiaries		Relationship to testator	Other Information
Surname	Given Names		
			Poor of the parish of Martin
			Poor of the parish of Bishopstone
			Servants and labourers working for the testator at the time of his death
Bagus	Jane		Mrs., wife of Joseph Bagus
Curtis	Henry	Labourer	
Daniel		Nieces	Daughter of Sister Tabitha (if more than three named)
Daniel	Elizabeth (Betty)	Niece	Daughter of Sister Tabitha
Daniel	Sophia	Niece	Daughter of Sister Tabitha
Daniel	Tabitha	Niece	Daughter of Sister Tabitha
Daniel	Tabitha	Sister	Wife of Thomas Daniel
Daniel	Thomas	Nephew	Son of Sister Tabitha
Daniel	William Hewett	Nephew	Son of Sister Tabitha
Dibben	Catherine	Niece	Daughter of late sister Mary and wife of John Dibben
Dyer	Matthew	Shepherd	
Foster	Martha	Niece	Daughter of late brother Thomas and wife of John Foster
Haskell	Stephen	Servant	
Hewett		Great Great Nephews or Nieces	Children of John Hewett
Hewett		Great Great Nephews or Nieces	Children of Robert Hewett
Hewett		Great Great Nephews or Nieces	Children of William Hewett

		Nieces	
Hewett	John	Nephew	Of London, Son of Brother Thomas Hewett
Hewett	John	Great Nephew	Son of nephew Thomas Hewett
Hewett	Thomas	Nephew	Son of Brother Thomas Hewett
Hewett	Richard	Nephew	Son of testators late sister Mary
Hewett	Robert	Great Nephew	Son of nephew Thomas Hewett
Hewett	Thomas	Great Nephew	Son of Nephew Thomas Hewett
Hewett	William	Great Nephew	Son of nephew Thomas Hewett
Lane	Elizabeth	Servant	
Lever	Susannah	Servant	
Read	Mary	Niece	Daughter of late sister Mary and wife of Joseph Read
Stowel	Joseph	Labourer	
Whit	Thomas	Labourer	
Whitart	William	Gardner	
Williams			Three living children of late Niece Betty wife of John Williams
Yatts	John	Labourer	
Witnesses			
Boucher	William		To will & First Codicil
Shrimpton	John		To will & First Codicil
Whitehart	William		To will & First Codicil
Other Names			
Ballard	John	Sold testator land	Clerk
Blount		Sold testator land	Mrs.
Clark	William	Tennant	At Croucheston, Bishopstone
Daniel	Thomas	Brother in law	
Dibben	John	Nephew in law	
Foster	John	Nephew in law	
Frampton	Allen	Sold testator land	
Hewett	Mary	Sister	Deceased
Hewett	Thomas	Brother	Deceased
Read	Joseph	Nephew in law	
Turner	John	Tennant	At Croucheston, Bishopstone
Williams	John	Nephew in law	

This is the last Will and Testament of me Edward Hewett of Martin in the County of Wilts Gentleman made this twentieth day of July in the year of Our Lord One thousand seven hundred and ninety two as follows that is to say First I Give and devise unto my Nephew John Hewett of London Son of my Brother Thomas Hewett deceased ~~also~~ All that my Freehold Estate and premises with the several houses thereon and all and Singular the Appurtenances to the same by me purchased of John Ballard clerk situate at Croucheston in the parish of Bishopston in the County of Wilts aforesaid and late in the several occupations of William Clark and John Turner To have and to hold the said Freehold Estate and premises with the Appurt[enance]s to him my said Nephew John Hewett his Heirs and Assigns forever subject nevertheless to and charged and chargeable with the payment of One Annuity or clear yearly Rent charge of Forty pounds of lawful Money of Great Britain unto my Nephew Thomas Hewett another Son of my said Brother Thomas Hewett deceased for during the term of his natural life clear of all Taxes and deductions whatsoever the same to be paid him on two of the most usual days of payment in the year that is to say the twenty fifth day of March and the twenty ninth day of September by equal portions the first payment thereof to begin and be made on such of the said days as shall next happen after my decease and I do hereby Give and Bequeath the said Annuity of forty pounds unto my said Nephew Thomas Hewett for and during the term of his natural life and I do hereby charge and make chargeable my said Freehold Estate with the payment thereof accordingly And it is my Will and I do hereby direct that in case the said Annuity or yearly Rent charge of forty pounds or any part thereof shall be behind and unpaid for the space of twenty days next after either

of the said days whereon the same is hereby appointed to be paid then and so often it shall and may be lawful to and for my said Nephew Thomas Hewett into all and every the said Freehold Estate and premises or any part thereof to enter and distrain for so much thereof as shall be in arrear and all costs and charges occasioned by non payment thereof and in case the said Annuity or any part thereof shall be behind and unpaid for the space of forty days next after any of the said days of payment whereon the same ought to be paid as aforesaid that then and so often it shall and may be lawful for my said Nephew Thomas Hewett to enter into and enjoy all and Singular the premises hereby charged with the said Annuity and to receive and take the Rents Issues and profits thereof to and for his own use until he shall be paid and satisfied all arrears of the said Annuity together with the costs and expences sustained by reason of the nonpayment thereof And also subject to and charged and chargeable with the payment of the principal Sum of One thousand pounds unto John William and Robert Hewett the three Younger Sons of my said Nephew Thomas Hewett immediately after the decease of their said Father in manner following that is to say I Give and Bequeath unto the said John William and Robert Hewett the Sum of One thousand pounds of lawful Money to be paid and payable to them or the Survivors of them dying without Issue immediately after the decease of my said Nephew and their Father the said Thomas Hewett out of my said Freehold Estate and premises at Croucheston aforesaid which I hereby charge and make chargeable with the payment thereof accordingly to be equally divided between them the Survivors of them who shall be living at the time of the death of their said Father share and share alike and if there shall be but One of them living then I Give and Bequeath the whole to such only Son But nevertheless it is my Will And I do hereby direct that the Child or Children of the said John William and Robert Hewett (in case of the death of either of them in the lifetime of my said Nephew) shall be intitled to his her or their Fathers share And also I do hereby direct that if it shall happen that either of the said three Younger Sons of my said Nephew shall become intitled on the decease of their said Father to the Copyhold Estate at Croucheston aforesaid now belonging to him subject to a Mortgage thereof made to me for securing the Repayment of the Sum of five Hundred pounds and Interest as hereafter mentioned or to pay any Interest in the same Estate that then and in that case such Son of my said Nephew shall not be intitled to or receive his share of the said Legacy of One thousand pounds but that the same shall go and be paid to the other two Sons or the Survivor of them if any such there be but if only one shall be living at the time of the death of my said Nephew it is my Will that he shall be intitled to the benefit of the said Legacy notwithstanding his Interest in such Copyhold Estate And if it shall happen that the said three Sons of my said Nephew shall all die in the life time of their said Father without leaving Issue then I Give and Bequeath the said Sum of One thousand pounds unto Thomas Hewett the eldest Son of my said Nephew Thomas Hewett to be paid to him out of my said Freehold Estate and premises at Croucheston aforesaid and immediately after the decease of my said Nephew and if his said four Sons shall all be then dead without issue then it is my Will and I hereby direct that the said Sum of One thousand pounds shall not be raised or payable but the same shall sink into my Estate for the benefit of my said Nephew John Hewett his Heirs and Assigns Also I Give and devise unto the said Robert Hewett the Younger Son of my said Nephew Thomas Hewett All those my several copyhold or customary Messuages or Tenements formerly called Hatfords with their Appurt[enance]s situate at Croucheston aforesaid which I hold by copy of Court Roll of the Manor of Bishopston to me and my Heirs and which I intend to Surrender to the use of my Will To hold to the said Robert Hewett his Heirs and Assigns forever according to the custom of the Manor aforesaid Whereas I am entitled to the Sum of Five hundred Pounds Principal Money by me advanced and lent to my said Nephew Thomas Hewett which Sum with the Interest there of is Secured to be paid me by a Mortgage of the Copyhold or Customary Estate of Inheritance of my said Nephew situate at Croucheston aforesaid Now I do hereby Give devise and Bequeath the said Sum of Five hundred pounds and all my Rugly and Interest in the said Estate at the time of my decease unto William Talk of the City of New Sarum Esquire and my said Nephew John Hewett and to their heirs Executors and Administrators Upon trust to pay or to permit and suffer my said Nephew Thomas Hewett to retain and keep to and for his own proper use during the term of his natural life the Interest and produce thereof from time to time as the same shall become due and payable by virtue of the said Mortgage together with all Interest that shall be due thereon at the time of my decease subject nevertheless to the condition hereinafter mentioned And from and after his decease upon trust to Assign over and Surrender the said Sum of Five Hundred Pounds and all Interest in the said Premises so secured for the payment thereof unto the said Thomas Hewett the eldest Son of my said Nephew Thomas his Heirs and Assigns or to such other of his Sons as will be then entitled to the equity of Resumption in the said premises provided nevertheless and my Will and meaning is that when and as soon as my said Nephew Thomas Hewett shall sell or dispose of his Interest in the said Estate or shall borrow or ~~shall~~ take up at Interest any further Sum of Money on the Security thereof or shall in any respect further Incumber the same that then and in such case he shall not be intitled to receive or to retain and keep the Interest of the said Sum of Five Hundred pounds but shall pay the same as it shall become due unto the said William Talk and John Hewett their Heirs Executors or Administrators upon Trust to and for the only proper use and behoof of the said Thomas Hewett Son of my said Nephew Thomas or his eldest Son who shall be then living during the life of my said Nephew And further it is my Will that if my said Nephew shall at any time during his natural life pay of and discharge the said Sum of Five hundred pounds then and in such case I direct that my said Trustees shall pay the same unto the said Thomas Hewett Son of my said Nephew or to his eldest Son then living his Executors or Administrators Also I Give devise and Bequeath unto the said William Talk and my said Nephew John Hewett all that my Freehold Estate and the Tythes thereof with the Appurts and also all that my Leasehold Estate and premises adjoining together and situate in the Parish of Hordle in the County of Southampton with

all Timber Trees growing thereon To hold unto the said William Talk and John Hewitt and the Survivor of them and the Heirs Executors and Administrators of such Survivor according to the Nature of the said several Estates during the natural life of my said Sister Tabitha the Wife of Thomas Daniel upon trust to receive and take the Rents Issues and profits of the said Freehold and Leasehold Estates and to pay the same into her own proper hands or apply and Dispose thereof for her sole and separate use and disposal exclusive of her present or any future husband and wherewith he shall not intermeddle nor shall the same or any part thereof be subject to his Debts Control or engagement but the receipt of my said Sister alone notwithstanding her Coverture shall be a sufficient discharge for the same And from and immediately after her decease then I Give devise and Bequeath the said Freehold and Leasehold Estates with their Appurtenances at Hordle aforesaid unto Thomas Daniel and William Hewett Daniel the two Sons of the said Thomas and Tabitha Daniel To hold to them and to the Heirs of their respective Bodies lawfully Issuing forever as Tenants in Common and to their Executors and Administrators for all the Residue of my term and Interest there to come in the said premises But if either of them the said Thomas Daniel and William Hewett Daniel shall die without leaving Issue of his Body lawfully begotten then I Give devise and Bequeath the said Freehold and Leasehold Estates to the Survivor of them his Heirs Executors or Administrators Whereas there is now due and owing to me on Bond from the said Thomas Daniel the Sum of One Hundred pounds with Interest for the same Now I do hereby direct that the Interest of the said Sum or so much thereof as shall or may be received after my decease by my Executors hereinafter named shall be paid and applied by them to and for the only proper use and behoof of my said Sister during her life and that the same shall not be subject to the debts or control of her said Husband but that her receipt alone shall be a discharge for the same and from and after the decease of my said Sister I Give and Bequeath the said principal Sum of One hundred pounds or so much thereof as shall or may be recovered unto all and every the daughters of my said Sister equally to be divided between them if more than one and if but one the whole to such only Daughter also I Give and Bequeath unto Tabitha Elizabeth or Betty and Sophia the three daughters of my said Sister Tabitha the Wife of the said Thomas Daniel the Sum of Six hundred pounds of lawful Money of Great Britain to be equally divided between them or the Survivors of them who shall be living at the time of my decease share and share alike and if there shall be only one Daughter then living I Give and Bequeath the whole to such only daughter But in case of the death of either of the said daughters of my said Sister leaving any child or children that then such child or children shall be intitled to and receive the share of the Mother so dying Also I Give and devise unto Richard Hewett Son of my said late Sister Mary deceased all that Freehold Messuage or Tenement and premises as the same are now bounded out situate at Croucheston aforesaid and which I purchased of Mrs. Blount and Allen Frampton to hold to him the said Richard Hewett his heirs and assigns forever Also I Give and Bequeath unto the said Richard Hewett the Sum of three Hundred and Fifty pounds of lawful Money of Great Britain Also I Give and Bequeath unto my Niece Mary now the Wife of Joseph Read and daughter of my said late Sister Mary the Sum of Four hundred pounds of like lawful Money and unto my Niece Martha now Wife of John Foster and daughter of my late Brother Thomas Hewett the Sum of Three Hundred pounds of like lawful And I do direct that the said three last mentioned Legacies be paid by my Executors hereafter named out of my personal Estate at the end of six Months next after my decease with lawful Interest for the same from that time and then the Legacies given to my said two Nieces shall be paid into their own proper hands notwithstanding their Coverture and the same or any part thereof shall not be subject to the debts control or Engagements of their said husbands but that the Receipt alone of my said respective Nieces shall be a sufficient discharge to my said Executors for the payment of the said Legacies Also I Give and Bequeath unto the said William Talk and my said Nephew John Hewett their Executors Administrators and assigns the Sum of Four hundred pounds of lawful Money of Great Britain Upon trust to put the same out at Interest on the best Security they can get and to pay the Interest dividends and produce thereof by equal half Yearly payments into the proper hands of my Niece Catherine the Wife of John Dibben (another Daughter of my said late Sister Mary) for her own sole and separate use exclusive of her said Husband nor shall the same or any part thereof be subject to his debts control or Engagements but the receipt alone of my said Niece notwithstanding her Coverture shall be a sufficient discharge the first payment whereof to begin and be made at the end of six Months next after my decease and from and after the decease of my said Niece upon trust to pay the said Sum of Four Hundred pounds or to assign over the Security for the same unto all and every the child and children of my said Niece then living in equal shares and proportions and if but one to such only child Also I Give and Bequeath unto the three children now living of my late Niece Betty the Wife of John Williams deceased the Sum of Four hundred pounds of lawful Money to be equally divided between them or the Survivors of them living at the time of my decease share and share alike when they shall attain their respective ages of twenty one years with Interest for the same at the rate of four pounds per centum per annum from the time of my decease which I do hereby direct to be applied for the benefit and advantage of the said three children during their Minority by my said Executors in such manner as they in their discretion shall think proper and if but one of the said children shall live to attain the age of twenty one years then the whole to be paid to such only child but if they shall all die before their attainment to that age then the said Legacy shall sink into the Residuum of my Personal Estate Also I Give and Bequeath unto the Minister and Churchwardens for the time being of the parish of Martin aforesaid the Sum of ten pounds of lawful Money and unto the Minister and Churchwardens for the time being of the parish of Bishopston aforesaid the like Sum of ten pounds upon trust to Distribute the same amongst the most industrious poor persons of each of the said parishes in such manner and proportions as my Executors hereafter named together with the said Minister and Churchwardens shall think fit at Martin on the Easter Monday and at Bishopstone on the Whit Monday

next after my decease Also I Give and Bequeath unto the Servants who shall be living with me at the time of my decease and Labourers or other persons whom I shall think proper the Sum of One hundred and Fifty pounds of lawful Money to be paid and distributed to and amongst them by my Executors hereafter named in such proportions and at such times as I shall by any writing under my hand therein direct the same Also I Give and Bequeath unto my Servant Elizabeth Lane if she shall be living with me at the time of my decease One Annuity or clear yearly Sum of six pounds and ten Shillings of lawful Money (over and above what I may think proper to give her out of the last mentioned Sum of One hundred and Fifty pounds) to be paid her by my Executors hereafter named by equal half yearly payments during the term of her natural life on two of the most usual Feasts or days of payment in the Year the first of the said payments to begin and be made on such of the four usual Feasts or days of payment which shall next happen after my decease And I do hereby charge the whole of my personal Estate with the payment thereof accordingly Also I Give and Bequeath unto the said William Talk one of my Executors hereafter named the Sum of twenty pounds of lawful Money of Great Britain for his care and trouble in the execution of this my Will and the trusts in him reposed All the Rest Residue and Remainder of my Goods and chattels Real and personal Estate whatsoever and wheresoever after payment of my Just debts Legacies Funeral and Testamentary charges and expences I Give and Bequeath my said Nephew John Hewett of London and to his Heirs Executors administrators and Assigns to and for his and their own use and benefit absolutely And I do hereby Nominate constitute and appoint the said William Talk and my said Nephew John Hewett Joint Executors of this my last Will and Testament hereby desiring them to pay all my Just debts and Funeral expences as soon as conveniently may be after my decease and my Will is and I do hereby direct that my said Executors shall and may reimburse him and themselves all such costs charges and expences as they shall or may be put to lay out or expend in the Execution of this my Will or the Trusts hereby in them reposed and that they or either of them their or either of their Executors or Administrators shall not be chargeable with or accountable for More Money than he or they shall actually receive nor for any loss that may happen without his or their wilful default or neglect nor the One for the other of them but each for his own act only And I do hereby revoke and make void all former and other Wills Testaments and codicils to Wills by me at any time heretofore made declaring this and no other to be my last Will and Testament In Witness whereof I have to this my said last Will and Testament contained in five sheets of paper to each of the said sheets set my hand and to this last Sheet set my hand and Seal the day and year first hereinbefore Written *Edwd Hewett* (SS) Signed Sealed published and declared by the said Edward Hewett the Testator as and for his last Will and Testament in the presence of us who have hereunto subscribed our names as Witnesses in the presence and at the request of the Testator and in the presence of each other the Interlineations in the seventh line of the second sheet and at the top of this sheet having been first made
John Shrimpton Wm Whitehart Willm Boucher

Codicil

Whereas I Edward Hewett of Martin in the County of Wilts Gentleman in and by my last Will and Testament bearing date the twentieth day of July the Year of our Lord One thousand seven hundred and Ninety two last past did therein Give devise and Bequeath unto William Talk Esquire and my Nephew John Hewett All that my Freehold Estate and the Tythes thereof with the Appurt[enance]s and also my Leasehold Estate and premises adjoining to the former and respectively situate at Hordle in the County of Southampton Upon the several trusts and purposes mentioned and declared concerning the same in and by my said Will during the life and for the benefit of my Sister Tabitha the Wife of Thomas Daniel with Remainder unto the two Sons of my said Sister and their Heirs Executors and Administrators And whereas since making and executing my said Will I have sold and disposed of my said Freehold and Leasehold Estates for the Sum of One thousand Six hundred pounds whereby the said Devise and Bequest is become void Now I do by this my Codicil hereby declare the same to be void and also the trusts in my said Will mentioned concerning the same in the whole and every part thereof and in lieu of such devise and Bequest I do hereby Give and Bequeath unto my said Trustees and Executors the said William Talk and John Hewett the Sum of One thousand and Six hundred pounds of lawful Money to be by them retained out of personal Estate and Effects upon trust nevertheless that they or the Survivor of them do and shall vest the said Sum immediately after my decease on Government or Real Security and pay and apply the Interest Dividends and produce thereof from time to time as the same can or may be received unto my said Sister Tabitha the Wife of the said Thomas Daniel into her own proper hands or for her sole and separate use and benefit exclusive of her present Husband in like manner as I directed the Rents and profits of the said Estates to be applied during the term of her life in and my said Will and from and immediately after her decease Upon trust that they my said Trustees and Executors or the Survivors of them do and shall pay the said principal Sum of One thousand and six hundred pounds or otherwise assign the Securities for the same unto Thomas Daniel and William Hewett Daniel the two Sons of the said Thomas and Tabitha Daniel in equal shares and proportions or to the Survivor of them his Executors or Administrators And whereas Thomas Daniel one of my said Nephews is now a Lunatic or at least so far disordered in his Mind as to be incapable of the Management of himself and his affairs More I do hereby direct that in case he shall continue in such state of Mind that then my said Trustees or the Survivor of them shall and may apply and dispose of all such Interest and property whatsoever to which he my said Nephew shall become intituled by virtue of my said Will or this my Codicil to and for his

support and Maintenance in such manner and proportion as they my said Trustees or the Survivor of them shall think most proper for his use and benefit any thing in my said Will contained to the contrary Notwithstanding And I do hereby declare this to be a Codicil to be annexed to and taken as part of my said last Will and Testament which I do hereby confirm in all respects except wherein the same is hereby revoked or altered In Witness whereof I have hereunto set my hand and Seal this third day of October in the year of Our Lord One thousand Seven hundred and ninety four *Edwd Hewett* (SS) This Codicil was Signed Sealed Published and declared to be a Codicil to the last Will and Testament of the said Edward Hewett by him in the presence of Us who have hereto also subscribed our names as Witnesses in the presence and at the request of the said Testator and in the presence of each other *John Shrimpton - Wm. Whitehart Willm Boucher*

Codicil

I Edward Hewett of Martin in the County of Wilts Gentleman pursuant to the clause contained in my last Will and Testament dated the 20th day of July 1792 do hereby direct and appoint the Sum of One hundred and Fifty pounds to be distributed amongst my Servants and the persons herein named as hereunder mentioned at three Months after my death by my Executors in my said Will named.

	£	s	d
To my Servant Stephen Haskell	50	0	0
To my Servant Susannah Lever	40	0	0
To Mr Jane Bagus Wife of Joseph Bagus....	10	0	0
To my Laborer Tho. Whit.....	10	0	0
To my Gardner Wm. Whithart.....	10	0	0
To my Laborer John Yatts.....	8	0	0
To my Shepherd Matthew Dyer.....	5	0	0
To my Laborer Henry Curtis.....	5	0	0
To my Laborer Joseph Stowel	4	0	0

Edwd. Hewett

Attestation Clause

This Will was proved at London with two Codicils on the fourth day of January in the year of Our Lord One thousand Seven hundred and Ninety Seven before the Right Honorable Sir William Wynne Knight Doctor of Laws and Master Keeper or Commissary of the Prerogative Court of Canterbury lawfully constituted by the Oath of John Hewett the Nephew of the deceased and One of the Executors named in the said Will to whom Administration was Granted of all and Singular the Goods Chattels and Credits of the deceased having been first sworn by Commission duly to Administer power reserved of making

Source Citation

The National Archives; Kew, England; *Prerogative Court of Canterbury and Related Probate Jurisdictions: Will Registers*; Class: *PROB 11*; Piece: *1284*

Source Information

Ancestry.com. *England & Wales, Prerogative Court of Canterbury Wills, 1384-1858* [database on-line]. Provo, UT, USA: Ancestry.com Operations, Inc., 2013.

Original data:

Prerogative Court of Canterbury and Related Probate Jurisdictions: Will Registers. Digitized images. Records of the Prerogative Court of Canterbury, Series *PROB 11*. The National Archives, Kew, England. [pages 351 – 362 on Ancestry, 12 pages but one repeated image, 11 different pages]