

Josias NOTTIDGE Will 23rd Dec 1837

In the name of God Amen

Josias Nottidge of Waixoe in the County of Suffolk Esquire [*New page*] being of sound mind memory and understanding thanks be to God for the same do make this my last will and testament in a

[5] manner following. I give and devise to my dear wife Emily Ann Nottidge all that my messuage and dwellinghouse called Rose Hill in Waixoe aforesaid together with the buildings yards and gardens and closes of land with all and singular factuals and members and appurtenances thereto adjoining or belonging

[10] and also all those cottages with the yards gardens and in appurtenances situate in Panfield Road by Corberland Farm and in the Parish of Bocking in the County of Essex and also all that piece of Orchard or Garden ground in Panfield Lane opposite unto Currants Farm House and in the said Parish of Bocking to hold

[15] the aforesaid messuages lands cottages and premises with their appurtenances unto the said Emily Nottidge and her assigns for her life and subject to such life interest. I give and devise the said messuage buildings yards gardens and closes of land called Rose Hill in Waixoe aforesaid and also the said cottages

[20] yards and gardens and also the said parcel of orchard or garden ground in Bocking aforesaid with their respective appurtenances unto my son in law Frederik Peter Ripley and my nephew George Nottidge the Younger of Bocking aforesaid their heirs and assigns upon trust that they or the survivors of them or his heirs do and

[25] shall as soon as convenient after the decease of my said wife or during her life with her consent sell and dispose of the aforesaid hereditaments either by public auction or private contract and in one or more lot or lots as do the trustees for the time being shall deem best with liberty to buy as and resell the same or any

[30] parts thereof and do and shall make and execute all such contracts and conveyances as way be requisite for convey in the the same hereditaments to the respective purchasers there of and I so hereby declare that no purchaser shall be answerable for the misapplication of any purchase money or be bound to see

[35] to the application thereof but that the receipt of the trustees or trustee for the time being shall be a sufficient discharge to every person taking the same direct that the clear monies to arise by such sale or sales shall be taken and considered as part of my personal estate my freehold messuage or tenement

[40] called Brook Hall situate in Bocking aforesaid with the appurtenances I leave to descend to my Grandson and heir Josias Nottidge the son of my late eldest son Josias Nottidge provided nevertheless that if my said Grandson Josias Nottidge shall die under the age of twenty one years and leave no issue I give the

[45] said messuage called Brook Hall to my son Ralph Clarke Nottidge and his heirs I give and bequeath unto the said Emily my wife all my household furniture plate linen china liquors horses and carriages and live and dead store in and upon the said Rose Hill premises as the same may be at my decease for her own use. I also

[50] give and bequeath (subject to the payment of my just debts funeral and testamentary expenses) unto the said Emily Nottidge Frederick Peter Ripley and George Nottidge their executors administrators and assigns all my monies and securities for monies and all other my personal estate upon trust to invest the same in the

[55] Government funds except such parts thereof as may be at my decease held at interest which I direct may remain at interest and pay the dividends and income thereof to the said Emily Nottidge for her life and after her decease so and shall pay and divide the said trust monies including the net proceeds of my said real estate

[*New page 60*] unto and amongst such of my children as shall be them living and the issue of such as shall be then dead as tenants in common such issue taking their parents share in like manner and provided nevertheless and it is my will that if my daughter Cornelia shall be there living and be married to any person bearing or

[65] having been known by the name of Abraham Chinnery then it is my will that no parcel of my said estate shall be paid to her but her intended share thereof shall be paid and I do hereby give the same to my other children and their issue as if she had died without leaving issue before her Mother and Father it is my

[70] will that if my said daughter Cornelia shall at the decease of my said wife be living and unmarried then I direct my said trustees to retain her said intended share in their hands and do and shall pay her the dividends and income thereof so long as she shall remain unmarried and do and shall upon her marrying any

[75] other person than as aforesaid pay the same share to her but upon my said daughter Cornelia marrying the person above mentioned or being unmarried I give such her intended share to my other children and their issue. And I do hereby declare that my said trustees for the time being shall and may apply all or

[80] any part of the annual income which shall be the presumptive share of each and every of my children or their issue in or towards the maintenance or education of the same children or issue respectively and to advance to or for such children or issue respectively or any part of such prescriptive shares not exceeding one third of said

[85] expectant shares of each respectively for the better setting such children or issue respectively forward in the world and I further direct that if the said Frederick Peter Ripley and George Nottidge or either of them shall die refuse or become incapable of acting in the trusts of this my will that then a new trustee may be appointed

[90] by the trustee so refusing to act or the executor or administrator of him as shall die or by the remaining trustee capable of acting as the case may be and the said trust funds and property shall in trial case be assigned and transferred so as to vest in such remaining together with such new trustee upon the same trusts

[95] and with the same powers as are herinbefore mentioned and declared and so from time to time as the life case shall happen

I appoint my said wife Emily Nottidge and the said Frederick Peter Ripley Executrix and Executor of this my will and lastly direct that the person or persons who from time to time shall

[100] pay any of my trust monies to my trustees for the being being shall not be bound to see to the application thereof or be answerable for the misapplication of the same and that my trustees for the time being shall not be answerable one for another and by so means for involuntary losses and that they shall be allowed and

[105] may recover their costs charges and expenses to be incurred in the one execution of the trusts hereby reposed in them do witness whereof I the said Josias Nottidge the Testator have hereunto set my hand and seal this twenty third day of December in the year of our Lord one thousand eight hundred and thirty seven

[110] Josias Nottidge Signed Sealed Published and declared by the said Josias Nottidge as and for his last Will and Testament in the presence of us who in his presence at his request and in the presence of each other have accounts set our names as witnesses to this execution hereof - The words "Peter Ripley" in one

[115] place the word "Peter" in three places and two lines between the third and fourth lines from the bottom of the first side being first inserted John Laist, Maria Jackson, HJackson

[Probate 14th Oct 1844]

[*New page*] Proved at London the 14th October 1844 before the worshipful John Danberry? Doctor of Laws and Surrogate by the Oath of Emily

[120] Nottidge Widow the Relict and Frederick Peter Ripley Esquire the Executors to whom administration was granted having been first sworn duly to administer

5th Dec 2018

Transcribed by Nick Delves and edited by Margaret Norgett