

John Turnel of Dogsthorpe

John Turnel

This is the last Will and Testament of me **John Turnel of Dogsthorpe** in the Parish of Saint John the Baptist, Peterborough in the County of Northampton Farmer which I publish and declare in manner following (that is to say), I give and devise unto my dear **Wife Elizabeth Turnel** all and every me freehold, copyhold and leasehold messuages, cottages, lands tenements, hereditaments and real estate whatsoever and wheresoever and to which I am in every manner or way entitled whether in possession, reversion, remainder or expectancy with their respective rights, members and appurtenances. To hold to my said Wife Elizabeth and her assigns for and during the term of her natural life without impeachment of waste. And from and immediately after her decease I give and devise all my closes, lands and hereditaments situate lying and being in the Parish of Peterborough aforesaid and in Newborough in the said County of Northampton containing altogether by estimation twenty three acres (more or less) and held by me on lease for lives of the Lord Bishop of Peterborough unto **Job Thomas Conworth of Retford** in the County of Nottingham Gentleman, his heirs and assigns for and during the lives mentioned in the said lease. And from and after the decease of my said Wife I do also give and devise all that my freehold Close or parcel of inclosed ground situate and being at Paston in the said County of Northampton which I purchased of Charles Cole Esq containing by estimation five acres (more or less) with the appurtenances unto **Mary Oldham the Wife of William Oldham** of Peterborough aforesaid Butcher and her assigns for and during the term of her natural life without impeachment or waste. And from and after her decease I give and devise the same unto such of the children of the said Mary Oldham as shall be living at the time of the decease of my said Wife (if more than one) in equal shares and proportions and to their respective heirs and assigns for ever as tenants in common and not as joint tenants And if one then to such one child his or her heirs and assigns for ever. And from and after the decease of my said Wife I give and bequeath all my term and interest of and in all that piece or parcel of land situate and being in Newborough aforesaid containing eight acres, two roods and thirty five perches (more or less) held by me on lease of the Dean and Chapter of Peterborough for a term of twenty one years unto William **Oldham the younger son of the said William Oldham** his executors, administrators and assigns. And from and after the decease of my said Wife I give and devise all that piece or parcel of freehold land in Newborough aforesaid containing four acres and thirty two roods (more or less) lately purchased by me of John Wright with the appurtenances to the same belonging unto **Charles Oldham another son of the said William Oldham** his heirs and assigns for ever. And from and after the decease of my said Wife I also give and bequeath all those my two acres (more or less) of arable land situate lying and being in a place called Sheepnook in the Parish of Saint John the Baptist Peterborough aforesaid, And also all that my copyhold messuages or tenement wherein I now dwell situate in Dogsthorpe aforesaid late the Estate of Mary Conworth with the barns, stables, outhouses, buildings, fenceclose (?), yard, garden orchard, hereditaments and appurtenances to the same adjoining and belonging, And also all those my several pieces or parcels of arable land and pasture ground situate lying and being now and adjoining to my said messuage or tenement and premises in Dogsthorpe aforesaid containing together by estimation seven acres (more or less), Also all that piece or parcel of land or ground situate and being in Newborough aforesaid containing by assessment one acre one rood (more or less) together with the appurtenances to the said premises respectively belonging, And all other my freehold copyhold and leasehold estates whatsoever and wheresoever not hereinbefore disposed of unto my niece **Sarah Gates Elizabeth Staffurth the Wife of Samuel Staffurth of Ramsey** in the County of Huntingdon Farmer (late commonly called Sarah Conworth Spinster) and her assigns for and during the term of her natural life. And from after her decease then I give devise and bequeath the same unto the children of the said Sarah Gates Elizabeth Staffurth their heirs, executors, administrators and assigns for ever as tenants in common and not as joint tenants according to the tenure and quality of the same estates respectively with benefit of survivorship between and

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amongst them both as to their original as any accrued share or shares thereof in the event of any one or more of such children dying under the age of twenty one years without leaving lawful issue And in case there shall be but one such child then I give and devise the said last mentioned estates and premises unto such one or only child his or her assigns forever. But in case the said Sarah Gates Elizabeth Staffurth shall depart this life without leaving any child or children or leaving that such all of them shall depart this life under the age of twenty one years and without leaving lawful issue then I give and devise the said last mentioned estates

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and premises unto **Eliza or Elizabeth Stanton** (the daughter of my late niece Elizabeth Stanton deceased) her heirs and assigns for ever. And subject to the payment of my just debts funeral expenses and the expenses of proving and executing this my last Will I give and bequeath all my live and dead stock, implement of husbandry, corn, grain and hay as well growing as cut, household goods and furniture, plate, linen and china, money debts and securities for money and all my other my personal estate and effect whatsoever and wheresoever unto my said Wife Elizabeth Turnel and the said Job Thomas Conworth and William Oldham their executors administrators and assigns upon trust that they the said Elizabeth Turnel, Job Thomas Conworth and William Oldham or the survivor or survivors of them his or her executors administrators or assigns do and shall permit and suffer my said Wife to have the use and enjoyment of my said household goods and furniture, plate, linen china and other household effects, ale, wine and other liquors for and during the term of her natural life. And from and after her decease then I give and bequeath the same unto **Elizabeth the Wife of James Sawyer of Peterborough** aforesaid Ironmonger, **Mary Oldham and Frances Oldham the three daughters of the said William Oldham and Mary his Wife** equally to be divided between them share and share alike. And upon further trust that they my said Trustees or the survivors, survivor of them his or her executors administrators or assigns do and shall dispose of my live and dead farming stock and implements of husbandry, corn, grain and hay and all other of my personal Estate and Effects not hereinbefore disposed of which shall not consist of money debts or securities for money and call in receive and compel payment of all monies in any respect due to me (with power nevertheless to continue any Security or Securities I may be possessed of) and put, place out and continue at interest the money to arise by the ways and means aforesaid upon real or government security (with power to change ad alter the Securities from time to time as they or he may see occasion) and pay the interest dividends and proceeds unto my said Wife Elizabeth Turnel and her assigns or permit her or them to receive the same during her life. And from after her decease Upon further trust that they my said Trustees or the survivors, survivor of them his executors administrators do and shall within twelve months next after the decease of my said Wife by and out of the said trust monies pay the following legacies to my niece **Susanna Tealby** Two hundred pounds, To my said Great Niece the said **Eliza or Elizabeth Stanton** Two hundred pounds, To **Stephen Stanton** her brother one hundred pounds To **William Conworth of London Draper** One hundred pounds and to **John Conworth of Banbury** in the County of Oxford Bankers Clerk One hundred pounds. To my nephew **Jonathan Kew of Northborough** in the said County of Northampton Stone Mason One hundred pounds and to **Robert Conworth and Elizabeth Ann James** (late Elizabeth Ann Conworth Spinster (Children of my late nephew Robert Conworth deceased) the legacy or sum of one hundred pounds each with benefit of survivorship between the said two children in case either of them shall die in my lifetime, And after and subject to the payment of the aforesaid legacies Upon Trust that they my said Trustees or the survivors, survivor of them his executors administrators or assigns do and shall stand possessed of and interested in the residue and remainder of the said trust mines and the unapplied interest thereof In Trust for the said **Elizabeth the Wife of the said James Sawyer, Mary Oldham and Frances Oldham** equally to be divided between them share and share alike the shares of such of them as shall have attained the age of twenty one years at the decease of my said Wife to be paid to them within twelve months then next following and to such of them as shall not have attained that age when and as they shall severally attain the same with benefit of survivorship between and amongst them both as to their original as any second share of the said trust monies in case any one or more of them shall die under the age of twenty one years without leaving lawful issue And I direct that the interest accruing due upon the shares of such of my said Nieces as shall be under the age of twenty one years at the death of my said Wife shall in the meantime applied for and towards their use and benefit as to my said Trustees shall seem proper. And I appoint my said Wife Elizabeth Turnel and the said Job Thomas Conworth and William Oldham Executrix

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and Executors of this my Will. And I direct and declare that my said Trustees and Executors shall not be answerable for any more monies than they respectively shall actually receive or than shall come to their respective hands by virtue of the my Will nor shall either of them be responsible for the others or other of them or for the acts deeds, defaults, receipts or payments of each other nor for any involuntary or accidental loss happening to any part of the said trust money or property. And that they respectively shall and may reimburse themselves out of the said trust monies all costs and expenses incurred by them respectively in the execution of this my Will or the trusts Transcribed by John R G Bland, Spalding, Lincolnshire. June 2009

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herebefore made and I do declare that this only to be my last Will and Testament In Witness whereof I have to this my last Will and Testament contained in this and the three preceding sheets of paper set my hand and seal (that is to say) my hand to the three preceding sheets and my hand and seal to this fourth and last sheet the twenty seventh day of November in the year of our Lord One thousand Eight Hundred and Thirty Seven

Signed sealed published and declared by the said John Turnel the Testator 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 hereunto subscribed our names as Witnesses

John Gates, Solicitor Peterborough

James Cattel, Clerk John Gates

Andrew Percival, Clerk John Gates

In the Consistory Court of Peterborough

On the 19th day of September 1843 this Will was duly proved in common form of law and William Oldham the sole acting Executor therein named and sworn will and faithfully to perform the same. And that the within named John Turnel the Testator at the time of his death which happened on the 7th day of August last past was not possessed of a personal Estate of the amount in value of two hundred pounds. Elizabeth Turnel one of the Executors named in the Will having departed this life in the lifetime of the Testator and Job Thomas Conworth having first on the day of this date hereof under his hand and seal duly renounced the Execution of the said Will

Performed Chas J Sympson, Surrogate

Know all men by these present that I Job Thomas Conworth of Retford in the County of Nottingham, Gentleman, one of the surviving Executors named in the last Will and Testament of John Turnel late of Dogsthorpe in the Parish of Saint John the Baptist Peterborough in the County of Northampton Farmer, deceased for divers good causes and considerations me thereunto receiving have renounced and by these presents do disclaim and renounce all my right, title and interest in and to the ???? of the execution of the said Will and the trusts thereof. And I do hereby as far as in me lies consent and agree that the probate of the said Will may be committed and granted to William Oldham of Peterborough aforesaid Butcher the other surviving Executor named in the said Will (Elizabeth Turnel the Wife of said Testator and another Executor named in his said Will having departed this life in the lifetime of the said John Turnel. And to the interest that this my renunciation and consent may be admitted and have its due effect I do hereby nominate constitute and appoint John Gates one of the Proctors of the Consistory Court of the Lord Bishop of Peterborough and Archdeacon of Northampton or his substitute my true and lawful proctor for me and in my name place and stand to appear before the Judge of the said Court or his Surrogate and pray and procure this my renunciation and consent to be admitted. And whatsoever my said proctor shall lawfully do in the premises I do hereby ratify and confirm – Provided always that this my communication and resignation shall not extend to release any benefit interest right or title whatsoever which I am otherwise entitled to under the said Will or to any Estate devised to me thereby. In witness whereof I have hereunto set my hand and seal the eighteenth day of September in the year of our Lord One Thousand Eight Hundred and Forty Three.

Job Thos Conworth

Signed sealed and delivered in the presence of James Cattel Transcribed by John R G Bland, Spalding, Lincolnshire. June 2009

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In the Consistory Court of Peterborough 18th September 1843

We admit the renunciation and consent as it is exhibited to us by James Cattel substitute for the within named John Gates the proctor therein appointed and do decree Probate of the Will of the within named John Turnel deceased be granted to the within named William Oldham

Chas J Sympson
Surrogate