

Will of Henry Gardiner of Great Bromley, farmer, 1769-1771

This is the last Will and Testament of me **Henry Gardiner** of Great Bromley in the County of Essex, Farmer, being sick and weak in Body but of a sound mind, memory and understanding (Thanks be to God for the same) made in manner following (that is to say)

First I Give and Devise unto my Grandson **Joseph Nunn** & his assigns for and during the minority of my Grandson **Henry Gardiner** and until he shall attain his age of 21 years All that my Freehold messuage or Tenement with the yards, Gardens, Orchards, Rights, Members, Hereditaments and appurtenances thereunto belonging situate, lying and being in Great Bromley aforesaid, late in the several occupations of **John Clarke and John Finch** or their assigns. And also all that my Freehold Messuage or Tenement Cottage and Farm with the Houses, outhouses, edifices, Buildings, Barns, Stables, Yards, Gardens, Orchards & Lands, Meadows, pastures, Feedings, Woods and Hereditaments thereunto belonging, containing by Estimation 120 acres more or less, which I purchased of [no first name in document] **East Esquire**, situate, lying and being in Great Bromley aforesaid and Little Bentley in the said County and now in my own Occupation (save and except out of the same Lands, three acres part thereof laid to affield called Six Acres, part of the Copyhold Farm and Lands which I purchased of **Robert Warren**. And also save and except a Field called Hodges or otherwise, containing by Estimation Eight acres more or less other parcel of ? and freehold Farm and Lands which I purchased of the said [no first name in document] **East**). And also those my Freehold Lands called Hennyberrys, with the Hereditaments and Appurtenances thereunto belonging, containing by Estimation 20 acres of Land more or less, which I purchased of **John Moore** Esquire, lying & being in Little Bentley aforesaid, not in my own Occupation. The said **Joseph Nunn** keeping the said Messuages, Cottages & Buildings in all good and substantial Repair and committing no waste by felling of Timber or otherwise (save only such as shall be requisite for repairing the said premises).

And in case my said Grandson **Joseph Nunn** shall depart this Life before my said Grandson **Henry Gardiner** shall attain his age of 21 years living, my Son-in-Law Mr **Joseph Nunn** Then I give and devise unto my said Son-in-Law **Joseph Nunn** and his assigns for and during the minority of my Grandson **Henry Gardiner**, and until he shall attain his age of 21 years, All and every the said premises (save as aforesaid), he my said Son-in-Law **Joseph Nunn** keeping the said Messuages, Cottages & Buildings in all good and Substantial Repair and committing no waste by felling of Timber or otherwise (save as aforesaid).

And when and as soon as the said **Henry Gardiner** my Grandson shall attain his age of 21 years, Then I give all the said premises (save as aforesaid) unto the said **Henry Gardiner** my Grandson and his Heirs, Willing that if my said Grandson **Joseph Nunn** and said Son-in-Law **Joseph Nunn** shall both depart this Life before my said Grandson **Henry Gardiner** shall attain his age of 21 years, the Rents and profits of the said premises (save as aforesaid) shall be received by his Guardian to and for the use and benefit of my said Grandson **Henry Gardiner**.

But if my said Grandson **Henry Gardiner** shall depart this Life under the age of 21 years, Then notwithstanding my said Devise to my said Son-in-Law, immediately after the Decease of my said Grandson **Henry Gardiner** as aforesaid, I give and Devise all the said premises (save as aforesaid) unto my said Grandson **Joseph Nunn** & his heirs forever. Subject nevertheless and I do hereby charge all and every the said Lands and Tenements from and immediately after my Decease with the

payment of the yearly sums of £10 a piece Clear of all Deductions whatsoever to and for the use of my said Grandson **Henry Gardiner** and my Granddaughter **Sarah Gardiner**, by equal half yearly payments until they shall severally attain their respective ages of 21 years, for and towards their respective maintenance, bringing up and education.

And I also Subject and I do hereby charge all and every the said premises in Case my said Grandson **Henry Gardiner** shall depart this life under the age of 21 years (but not otherwise) with the payment of the sum of £400 to my said Grand Daughter **Sarah Gardiner** at her age of 21 years. And in case she shall depart this Life under that age, Then I direct that the same sum of £400 shall Cease and be no Charge on the said Estate.

And in Case the said yearly sums so charged as aforesaid or either of them or any part thereof shall be unpaid by the Space of 21 days next after the same shall become due and payable by this my will or if the said sum of £400 or any part thereof shall be unpaid by the space of 6 months next after the same shall become due and payable as aforesaid, Then in all or any of the said Case happening, it shall and may be lawfull to and for the person and persons intituled to receive such sum and sums of money so unpaid as aforesaid or their Guardian or Guardians or their assigns, and I do hereby empower him, her or them respectively into and upon all and every the said premises so charged as aforesaid, to enter and distrain for the same and the Distress and Distresses then and there found to detain, keep, appraise and sell in like manner as may be legally done in Case of a Distress reserved upon a Lease for years until he, she and they shall be fully satisfied and paid all such sum and sums of money as shall be so unpaid as aforesaid, together with the Costs and Charges of making, keeping, appraising and selling such Distress and Distresses. And Likewise into all and singular the said premises so charged as aforesaid to enter and the Rents, Issues and profits thereof To receive and take until he, she and they shall therewith or thereby be fully paid and satisfied the said sum and sums of money so unpaid as aforesaid, together with the Costs and Charges occasioned by such Entry to be made as aforesaid.

Also I give and Devise unto my said Grandson **Joseph Nunn** All that my Freehold Messuage or Tenement and Wheelwright shop with 5 acres of Land more or less thereunto belonging and the Rights, Members and Appurtenances thereunto appertaining, which I purchased of **Jacob Worrall** and late in his occupation, situate, lying and being in Great Bromley aforesaid. And also all that my Messuage or Tenement with the Blacksmiths Shop and one acre of Land and all other the appurtenances thereunto belonging or in anywise appertaining, situate, lying and being in Great Bromley aforesaid, now in the Occupation of **Widow Lord**, or her assigns. To Hold unto my said Grandson **Joseph Nunn** and his Heirs, Subject nevertheless and I do hereby charge all the said premises last mentioned from and immediately after my Decease with the payment of one annuity or yearly sum of £15 Clear of all Deductions unto my Daughter **Mary Nunn** and her assigns for and during the Term of her natural Life by equal half yearly payments. And in Case the said annuity or yearly sum of £15 or any part thereof shall be unpaid [same as above – to enter the premises etc].

Also I give and Devise unto the said **Joseph Nunn**, my grandson, all that my Messuage or Tenement and Farm with the Lands, Rights, Members and Hereditaments thereunto Belonging, which I purchased of **Daniel Gardiner**, situate, lying and being in Little Bentley aforesaid, now in my own occupation. And also all that my Messuage or Tenement and Farm with the Lands, Rights, Members and Hereditaments thereunto belonging, which I purchased of **Robert Warren**, situate, lying and

being in Great Bromley aforesaid, now in the several occupations of me and **John Garrood**. And also 3 acres of Freehold Land (parcel of the said Freehold Farm & Lands which I purchased of the said [no first name in document] **East**) that is now laid to afield called Six Acres parcel of the said Lands last mentioned to be purchased of the said **Robert Warren**. To Hold unto the said **Joseph Nunn**, my Grandson, his Heirs and assigns forever.

Also I give and devise unto the said **Joseph Nunn** my Grandson and his Heirs forever, All that my Freehold Field called Hodges otherwise containing by Estimation Eight acres more or less (parcel of the said Freehold Lands which I purchased from the said [...] East) adjoin to the Lands late of **John Hazell** deceased, also to the Lands late of **Benjamin Blagg** deceased, and likewise to the Lands which I purchased of the said **Robert Warren**.

Also I give and Bequeath unto my said son-in-law **Joseph Nunn** the sum of £400 to be paid unto him within 12 months next after my Decease.

Also I give and bequeath unto my said Grand Daughter **Sarah Gardiner** the sum of £400 to be paid at her age of 21 years. But if she shall depart this Life under that age Then I direct that the said £400 given to the said **Sarah Gardiner** shall Cease and fall into the Residuum of my personal Estate.

Also I direct that the sum of £5 shall be distributed in Bread within one month next after my Decease to the poor of the said parish of Great Bromley.

Also I give and bequeath unto the said **Joseph Nunn**, my Grandson, all my Farming Stock, Implements in Husbandry and all the rest and residue of my moneys, Goods and Chattells and person Estate whatsoever and wheresoever, after payment of my just Debts, Legacies and other Incident Charges.

And lastly I do hereby nominate and appoint my said Grandson **Joseph Nunn** Sole Executor of this my will, and my said son-in-law **Joseph Nunn** supervisor thereof, requesting him to be aiding and assisting to my said Executor and Grand Children in and about the Execution of this my will. And revoking all others I declare this to be my Last.

In Witness whereof I the said Henry Gardiner have to this my last Will and Testament contained in five sheets of paper sett my hand and seal to every sheet thereof this 22nd June 1769.

Henry Gardner.

Witnesses: William Dunningham of Great Bromley farmer, Samuel Wall, Tho. Dye.

Proved: 7th May and granted and committed 16th July 1771 by the grandson, Joseph Nunn.

ERO ref: D/ACW 33/1/9