

Will of Joseph Sorrell of Beaumont, farmer, 1845

This is the last Will and Testament of me Joseph Sorrell of the Parish of Beaumont in the County of Essex farmer made whilst of sound and disposing mind memory and understanding.

Whereby first I nominate constitute and appoint my sons Joseph Sorrell William Sorrell and Mark Sorrell Executors of this my will

And I do order and direct them to pay and discharge all and every my just debts and my funeral and testamentary charges and Expenses as soon as conveniently can be after my decease.

I give and bequeath unto my dear wife Susan all and singular the Household Furniture Plate Linen China and other Household effects which belonged to her immediately prior to our marriage, to and for her own absolute use benefit and disposal.

I give and devise unto my son Caleb Sorrell All those Cottages or Tenements with the Land Garden Hereditaments and appurtenances thereunto belonging situate in the Parish of Wix in the said County and holden of The Manor of Wix Park Hall as the same now are or late were in the tenures or occupations of Thomas Ainger and William Starling And which premises were devised to me and my heirs in and by the last will and testament of my late father to hold to him my said Son Caleb his heirs and assigns for ever at the will of the Lord according to the custom of the said Manor. But subject to the payment of the sum of £120 of lawful English current-money unto my Executors and Trustees or the Survivors or Survivor of them his executors or administrators when the division of my property shall take place as herein after directed.

I give and devise unto my said son Mark Sorrell all that my freehold messuage Tenement or Cottage with the Garden Ground Hereditaments and Appurtenances thereunto belonging situate lying and being in Beaumont aforesaid and adjoining the High Road leading from Thorpe to Manningtree, which premises now are or late were in the occupation of Henry Read and Susan Read and which I lately purchased of him the said Henry Read, the only son of George Read (deceased) and the said Susan Read the widow of the said George Read. To hold to him my said son Mark his heirs and assigns absolutely and for ever. But subject to the payment of the Sum of £30 of like lawful money unto my Executors and Trustees when and at the time the division of my property shall take place as hereinafter directed Which said sums of £120 and £30 I order and direct shall be added to and considered as part of my personal estate and be paid and applied therewith in manner hereinafter mentioned.

I give and devise unto my said sons Joseph Sorrell William Sorrell and Mark Sorrell All that my Freehold Farm with the Houses Outhouses Barns Stables Buildings Lands Hereditaments and appurtenances thereunto belonging called Foggits Wood situate and being in the said parish of Wix containing together by estimation 24 acres more or less as the same are now in the occupation of my son James Sorrell and which I purchased to me and my heirs of Mr Roper of Ipswich in the County of Suffolk Timber Merchant To hold to them the said Joseph Sorrell William Sorrell and Mark Sorrell their heirs and assigns Upon Trust nevertheless that they or the survivors or survivor of them his heirs executors or administrators shall and do sell and dispose of the same Farm Lands and premises and every part thereof at the time I have directed the Sale of my personal Estate and Effects as hereinafter mentioned either by public auction or private contract and either together or

in lots or parcels as to them my said Trustees or Trustee for the time being shall seem most proper and for the best price and most money that can be fairly obtained for the same. And as to the monies arising or to be produced from such sale or sales thereof and remaining after a deduction being made thereof of all such sum and sums of money as shall or may then be secured thereon by mortgage and the Interest thereof and also a deduction of all Costs Charges and Expenses incident to such Sale or Sales I order and direct that the same and every part thereof shall be added to and considered as part of my personal estate and effects to be paid and applied therewith in manner hereinafter mentioned.

And I declare my mind and will to be that the receipt or receipts of my said Trustees or the survivors or survivor of them his heirs executors or administrators shall be a full and sufficient discharge or discharges to the purchaser or purchasers of all or any part of my said Farm Lands and premises and to his her or their heirs executors administrators or assigns for his her or their purchase money respectively and that such purchaser or purchasers his her or their heirs executors administrators or assigns shall not afterwards be answerable or accountable for any loss misapplication or nonapplication thereof or of any part thereof.

I give and bequeath unto my said sons Joseph Sorrell William Sorrell and Mark Sorrell all singular my Live and Dead Farming Stock and produce Implements and Utensils in my business of a Farmer and also all and singular my Household Goods and Furniture of Household plate Linen and China (excepting what I have hereinbefore bequeathed to my said wife as aforesaid) and my ready monies debts due and owing to me and all other my personal estate and effects whatsoever and wheresoever of every sort kind and description Upon Trust that my said Trustees or Trustee for the time being shall and do on the Michaelmas Day which shall first happen after my decease pay thereout unto my said wife the sum of £100 of lawful English current money To whom I bequeath the same for her own absolute use benefit and disposal.

And I declare that the same Legacy of £100 and any other bequest or provision which I have made to or for her my said wife in and by this my will are in lieu and stead and in bar and satisfaction of all right or Title to Dower Free bench or Thirds at the common Law, by the Custom or otherwise, in case she shall survive me, into or out of my said Real Estates or any part thereof. And upon further Trust that they my said Trustees or Trustee for the time being shall and do carry on manage and conduct my said Business of a Farmer for the mutual benefit of all and every my Children until the said Michaelmas Day next after my decease.

And it is my will and desire that my said wife shall reside in my present Dwellinghouse and be maintained by and at the expence of my Estate until the same Michaelmas Day and also that my said son Mark Sorrell shall be paid the same wages as he now receives from me until the same time.

And from and immediately after the said Michaelmas Day next after my decease I give and bequeath unto him my said son Mark all the unexpired Term then to come of the Demise or Lease of and in The Farm Lands and premises situate in the several Parishes of Beaumont and Tendring or one of them and which I now occupy, granted to me by The Corporation of Harwich And all my Estate right and Interest therein and thereto. To hold to him my said son Mark his executors administrators and assigns until the expiration of the said Demise or Lease To and for his and their own use benefit and disposal subject nevertheless to the payment of the rent and performance of the Covenants reserved and contained in such Lease from the said Michaelmas Day And subject also to the

payment to my Executors and Trustees of so much good and lawful money as the Fallows Muck and young Clover and all other things upon the said Farm usually taken and paid for by the incoming Tenant, shall be fairly estimated to be worth by two indifferent and skilful persons as usual in such Cases and according to the Custom of the Country and which I order and direct shall be added to and considered as part of my personal Estate to be paid and applied therewith as hereinafter mentioned Provided nevertheless that if my said son Mark shall die before the said Michaelmas Day or refuse or decline to accept the said unexpired Term of the said Lease of and in the said Farm Lands and premises so bequeathed to him, upon the terns and subject as aforesaid Then I do hereby give and bequeath the same unexpired Term of and in the said Farm Lands and premises unto my said son Joseph Sorrell his executors administrators and assigns for his and their own use and benefit Upon the same conditions and subject in every respect as the same unexpired Term and premises are subject to as aforesaid.

And I do further will and order and direct that from and immediately after the said Michaelmas Day which shall first happen after my decease, my said Trustees or Trustee for the time being shall stand and be possessed of all and singular my said live and dead farming stock and produce implements and utensils household goods and furniture of household plate linen and china and all other my personal Estate and Effects (excepting what I have hereinbefore bequeathed to my said wife) Upon Trust that they or the survivors or survivor of them his executors or administrators shall and do as soon as conveniently can be afterwards at their or his discretion make sale of and convert into money all such part or parts of my personal estate as shall not consist of money or securities for money and collect recover and get in all such sum and sums of money as shall be due and owing to me or my estate and the monies arising or to be produced therefrom and remaining after a deduction made thereout of all Costs Charges and Expenses incident to or attending such sale, and also the said several sums of £120 and £30 to be paid by my said sons Caleb and Mark as aforesaid and the monies arising and remaining from the sale or sales of my said Farm Lands and premises and every part thereof and the rents issues and profits thereof until the sale, as well as all monies arising from the Fallows Muck and young Clover and other things to be taken and paid for by valuation as aforesaid and also my ready monies and all monies in the hands of my said Trustees or Trustee for the time being belonging to my Estate and all monies or profits to arise from my said Farming business to be carried on as aforesaid (after payment satisfaction and discharge out of my said principal Trust monies of all and every my just debts and my funeral and Testamentary Charges and Expenses which I order and direct to be made as soon as conveniently can be after my decease) Upon further Trust to pay thereout unto my Grandson John Spurling the sum of £50 ? on his attaining of the age of 21 years To whom I give and bequeath the same accordingly and in the meantime and until his attainment of such age, it is my will and I direct that my said son Mark shall hold and keep in his hands the said legacy of £50 and allow Interest for the same at the rate of £4 per centum per annum, which Interest shall also be retained by him my said son Mark until my said Grandson shall attain the said age, when it is my will that both principal and Interest shall be paid to him as aforesaid and I also direct that my said son Mark shall not be subject to the payment of compound Interest upon the said Legacy but simple interest only.

But if my said Grandson shall die before his attainment of the said age of 21 years I give and bequeath the same sum of £50 and the accrued interest unto and equally between my then surviving children.

And as to all the Rest Residue and Remainder of my said Trust monies and premises I give and bequeath the same and every part thereof unto and equally between and amongst all and every my children share and share alike Provided also and I do expressly will order and declare that all sum and sums of money which I have already advanced and lent or which I shall or may hereafter advance and lend to or for the benefit of any of them my said Children or to the respective husbands of any or either of my Daughters shall be considered and taken to be debts due to me and I desire that the same be brought into Hotchpot and accounted for accordingly on the division of my said Trust money and premises, so that all my dear children may be equally interest in my Estate and property.

And whereas I have already advanced and lent to my said son Joseph Sorrell the sum of £100 –

To my son in law William Gifford and Mary his wife my daughter the sum of £63 and one shilling.

To my said son William Sorrell the sum of £200.

To my son James Sorrell the sum of £125 and 5 shillings.

To my son Benjamin Sorrell the sum of £40.

To my son in law Abraham Budd and Hannah his wife my daughter the sum of £200.

To my son Thomas Sorrell the sum of £148.

To my son Jabez Sorrell the sum of £165.

To my son in law Robert Bloom and Ann his wife my daughter the sum of £86 and 6 shillings

And to my son Caleb Sorrell the sum of £14 and 4 shillings.

And I direct that the said several sums so already advanced and lent shall be accounted for in manner aforesaid Provided also that in case any or either of my said children die in my lifetime or before they shall be entitled to his her or their respective shares of my said Trust monies I give and bequeath the same to the respective child or children of him her or them so dying equally if more than one, and if but one them to his or her only child. But if any or either them my said Children shall die as aforesaid without issue Then I give and bequeath his her or their share or shares to his her or their respective legal personal representatives Provided always nevertheless and I do hereby Will order and direct that the Legacy or Legacies hereby bequeathed to any of my Children, being daughters, shall not be subject to the controul Debts or Engagements of any of their respective or future husbands.

And I declare that the receipt or receipts of my said Daughters or any or either of them alone notwithstanding any Coverture they or any or either of them may be under shall be good and sufficient discharge or discharges to my said Executors and Trustees or the survivors or survivor of them, his executors or administrators for such Legacy or Legacies respectively.

And I authorize and empower them my said Executors and Trustees to retain to and reimburse themselves and himself out of the monies which may come to their or his hands, all such Costs

Charges Damages and Expenses as they or either of them shall or may sustain or be put unto in and about the execution of this my will.

And lastly hereby revoking or former will and wills codicil and codicils by me at any time made I declare this only to be and contain my last will and testament.

In witness whereof I the said Testator Joseph Sorrell have to this my last will and Testament contained in six sheets of paper set my hand in manner following [...] this 8th day of January 1845.

Signed: Joseph Sorrell.

Witnesses: Sarah & Rich. R. Barennes, both of Harwich.

The testator died in the parish of Beaumont in the County of Essex on 1st March 1847.

Proved: 16th August 1847.

ERO ref: D/ABW 138/2/77