

Will of **John Cullabine**, Yeoman of Dumbleton, Gloucestershire
Written 2 March 1779, proved 8 November 1782 in the Prerogative Court of
Canterbury
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***In the Name of God Amen** I **John Cullabine** of Dumbleton in the County of Gloucester Yeoman do make, publish, and declare this my last Will and Testament in manner following that is to say I give and devise unto my daughter **Hester** the wife of Mr **Richard Clayton** of Dumbleton aforesaid all that my Messuage Malthouse Garden Close [arbors/orchard] and estate with the appurtenances situate and being at [rights] Washbourne in the county of Worcester now in the possession of **William Painter** and all other my daubs, tenements and hereditaments whatsoever and wheresoever to hold unto my said daughter Hester and her assigns for and during the term of her natural life and from and after her decease.*

*I give and devise the same provisos unto my Grandson **John Clayton** to hold to my said Grandson **John Clayton** and his assigns for and during the term of his natural life and from and after the administration of that Estate. I give and devise the same unto the said **Richard Clayton** and **John Marshall** of Sedgeberrow in the said County of Worcester Gentleman and their heirs during the life of the said **John Clayton** to preserve the contingent uses and estates hereinafter limited from being defeated or destroyed but upon trust nevertheless to permit and suffer my said grandson and his assigns to have, permit and take to his and their own use, the rents, issues and profits of the same provisos during his natural life and from and after the decease of my said Grandson **John**. Then I give and devise the same provisos to the use of the heirs of the body of my said Grandson for ever and for want or in default of such issue I give and devise the same provisos unto my grandson **Hollis Clayton** (brother of the said **John**) for and during the term of his natural life and from and after the administration of that estate.*

*I give and devise the aforesaid messuage and provisos unto the said **Richard Clayton** and **John Marshall** and their heirs during the life of the said **Hollis Clayton** upon trust nevertheless to preserve the contingent uses and estates hereinafter limited from being defeated and destroyed but nevertheless to permit and suffer the said **Hollis Clayton** and his assigns during his life to receive and take the rents, issues and profits thereof to his and their own use and benefit and from and after the decease of the said **Hollis Clayton** then to the use of the heirs of the body of the said **Hollis Clayton** forever and for want or in default of such issue to the use of the right heirs of the said **Hollis Clayton** for ever and for no other use intent or purpose whatsoever and as to all and singular my household furniture, goods, money, securities for money [plate] [since] chattels and other my personal estate of what nature or kind soever.*

*I give and bequeath the same unto the said **Richard Clayton** and **John Marshall** and the survivor of them his executors and admors in trust and subject to and I do charge and make chargeable the same with the payment of the annuities or yearly sums and legacies hereinafter maintained given and described that is to say in the first place to pay unto my daughter **Sarah** the wife of **James Yeend** an annuity or clear yearly sum of ten pounds of lawful British money for and during the term of her natural life by two half yearly payments in equal portions to whom I give and bequeath the same the first payment thereof to be made within six calendar months next after my decease.*

*But my will is and I so direct that the same annuity in yearly sum be paid to my said daughter **Sarah** for the own sole separate use and benefit exclusive and not subject to the control, debts or engagements of her present or any after taken husband and that her receipt alone shall be a sufficient discharge to my executors hereinafter named for the payment thereof and upon them to pay and discharge one other annuity or clear yearly sum of four pounds of like lawful money unto my housekeeper and or servant **Betty Finch** for and during the term of her natural life by two equal half yearly payments the first payment thereof to be made within six calendar months next after my decease to whom I give and bequeath the same [consideration] of her great care and attention to me and her many faithful services done for me whilst she has lived with me. I also give and bequeath the sum of fifty pounds a piece to each of my grandchildren **John, James, Thomas, and Ann** the sons and daughter of my said daughter **Sarah Yeend** to be paid to them when the youngest of them that shall live to attain the age of twenty one years shall have arrived at the age and not before without any interest in the mean time and I also give and bequeath unto my said last mentioned grandchildren the further sum of fifty pounds a piece to be paid to each of them within six months next after the decease of my said daughter **Sarah** if she shall live till her said children shall have attained the age of twenty one years bit if she shall not live till that time then I direct the same to be paid to my said last mentioned grandchildren as they respectively attain the age of twenty one years and not before without interest.*

*I also give and bequeath unto each of my grandchildren **Richard, John, Hollis, James, and Ann** the sons and daughter of my said son in law **Richard Clayton** the sum of one hundred pounds to be paid to them severally at such time or times before they shall respectively attain the age of twenty four years as my said son in law **Richard Clayton** shall think most proper and best and as to the rest residue and remainder of my said personal estate after payment of the aforesaid annuities and legacies I give and bequeath the same unto each of my said last mentioned grandchildren and in such shares and proportions and to be paid at such time or times as my said son in law **Richard Clayton** shall think most prudent and shall order and direct and lastly I do nominate constitute and appoint my said son in law **Richard Clayton** and the said **John Marshall** joint executors of this my last will and*

*Testament hereby revoking all former Wills by me made and directing that the said John Marshall shall be satisfied for his trouble in the execution of this my Will. In witness whereof I have to this my last Will contained in this and the preceding sheet of paper set my hand and seal to wit my hand to the preceding sheet and my hand and seal to this last sheet of paper the second day of March in the year of our Lord one thousand seven hundred and seventy nine. Signed sealed published and declared by the said testator **John Cullabine** as and for his last Will and Testament in the presence of us who have hereunto subscribed our names in his presence and in the presence of each other as witnesses hereto at his request - **Jo Lavender, John Burton, George Teale.***

This Will was proved at London the eighth day of November in the year of our Lord one thousand seven hundred and eighty two before the right worshipful **Peter Calvert** Doctor of Law Master Keeper Commissioner of the prerogative Court of Canterbury lawfully constituted by the oaths of **Richard Clayton** and **John Marshall** the executors named in the said Will to whom administration was granted of all and singular goods, chattels and credits of the deceased having been first sworn by commission duly to administer.