

Transcript of the Will of William Gates dated 1765

Prerogative Court of Canterbury – National Archives Reference Prob 11/940

This is the last Will and Testament of me William Gates of the city of Rochester in the County of Kent Gentleman made the first day of October in the year of our Lord one thousand seven hundred and sixty five as follows: I give to my brother and sisters John Gates, Mary Norwood?, Judith Gates and Sarah Everstall? ten pounds a piece. I give to my dear wife Frances and my dear children one hundred pounds for providing for her and them and other ...[necessaries?]... she and they may immediately want. I give my Books Drafts and papers in Business to my son George and my ...to my son Edward. I give to my sister Judith Gates and her assigns for her life ... annuity of twenty pounds of lawful money of Great Britain to be yearly ... paid and payable out of all my estate as well ... as personal quarterly tax free at the four ... feast or quarter days in the year the first payment thereof to begin on such of the said feast as shall first happen after my death with ... for her my said sister to ... and ... for the same in case of non payment. Also I give the sum of four thousand pounds of lawful money of Great Britain unto and amongst all my children which shall be living at my decease to beequally divided between them share and share alike at there respective ages of twenty one years and if any one or more of them shall die before they attain that age I give the share or shares of him her or them so dying unto the survivors and survivor of them equally to be divided between them at such time and times as their own original share or shares shall become payable. Also I give the house whereon ... dwell with the appurts and the outhouses stable yard and garden there to belonging and the field or piece of Ground called the Dines? ... also in my own occupation unto my dear wife Frances and her assigns for and during her natural life if she shall so long continue my widow and after her death or ... and marriage which shall first happen unto and amongst all my children their executors administrators and assigns for the ... of the term of years then to ... of and in the same and my desire is thatmy wife during her widowhood will from time to time pay the Rent and perform the ... of and ... the same and pay the fine for and ... lease the ... regularly ... and filled up at ... or fourteen years lapse of the most withthe Dean and Chapter of Rochester of whom I hold the same for the purposes of... Also I give all my plate linen woollen ... brass beds bedding household ... and implements of ... unto my wife during her natural life if she shall so long continue my widow and immediately after her decease or ... marriage which shall first happen unto the persons ... after mentioned and the better to ascertain the same and prevent and disputes therein.

I desire my Executors will make one or more inventories thereof and that my wife and they will sign and ... the same with each other also after payment pf my debts ... and funeral expenses which I would leave as private as may be. I give devise and bequeath all my manors messuages lands tenements and hereditaments mortgaged ... In trust for and in ... or for years and all the rest and residue of my ready money and ... for money debts goods chattels and personal estate not herein before ... disposed of and also my plate linen woollen ... brass beds bedding household stuff and implements of household after the death or second marriage of my said wife unto my good friend Joseph ... Esqr and to my son and daughter Edward Gates and Francis Gates their heirs executors administrators and assigns upon trust that they and the survivor of them his her or their heirs executors and administrators shall so soon as conveniently maybe sell and dispose of the same together or in parcels for the best price or prices that may be reasonably gotten for the same in which as it may be ... I trust my wife will ... and that my said trustees do apply the moneys arising by such sale or sales in the purchase of some manors messuages lands tenements and hereditaments of an estate of inheritance if fee simple free from all incumbrances (except Quit Rents) ... be upon such purchase or purchases and by the Deeds and conveyances thereof or other good assurances in the ... conveyed and vetted unto and to the use of my

said wife and her assigns for and during the term of her natural life if she shall so long continue my widow... and unmarried and immediately after her decease or second marriage which shall first happen unto and to the... of my said daughter Frances my son Edward and my son and daughters George Catherine and Anne their heirs and assigns forever in which conveyances I desire there may be contained or part of for my wife at any time during her widowhood by any writing ... to be by her sealed and delivered to demise all or any part of the premises so ... to be purchased to any person or persons for any term of years not exceeding twenty one years from the making thereof in possession and not in ... or by way of future interest so as the ... respectively ... upon as ... lease if early during the respective terms of years thereby leased so ... rent as can be reasonably gotten for the same without any ... or ... to be taken for the same with Rent to be payable half yearly or quarterly and so as the Rent to be reserved ...made to continue payable during the respective terms of years for which such ... shall be made as aforesaid and so as such leases be not dismissable of waste or with power to commit waste and so as in every such lease there be contained a clause of ... for nonpayment of the Rent thereby to be reserved and that the ... or ... thereon named do seal and execute a counterpart or counterparts thereof provided do always and my Will is that until such purchase ... be found wherein to invest the said moneys and until such purchase shall be completed the said moneys or any part thereof may be continued at interest on the ... whereon the same may happen to be advanced or may be called in and ... out at interest from time to time by my said trustees or the survivor of them his her or their executors or administrators upon any parliamentary funds mortgages or real ... they or their survivor of them his her or their executors or administrators shall in their ... think fit and the Rents of my messuages and hereditaments until sale and the interest and ... of my personal estate shall from time to time be paid to such person and persons as would be entitled to the Rents and profits of the estates intended to be purchased if such purchases were then ... made and my will is that all costs and ... at ... in equity or otherwise which my said trustees their executors or administrators shall reasonably expend or ... unto ...the execution of this my will or the by me in them ... shall be allowed into and may be retained and taken by my said trustees their executors and administrators out of the said moneys or the interest of the same and my said trustees their executors and administrators shall not be ... with or accountable for the ... or miscarriage of the other of them or for any bad debt or security to be taken or for any bad purchase to be made with my said personal estate or for any rents interest of profits ... than only such as shall come to their ... hands and shall be by them anything in this my will contained to the contrary notwithstanding and I do hereby make and appoint my wife Guardian of my younger children and to have the care and custody and maintenance of them until they shall attain their respective ages of one and twenty years and during my said childrens infancy and my wifes widowhood she my said wife shall use the interest and profits of their little fortunes and therewith maintain ... and bring them up and I make and ordain the said Joseph Brooke my said wife and my said son and daughter Edward and Frances executors and executrixes of this my will and I hereby revoke all former wills by me at any time heretofore made. In witness whereof I the said William Gates the testator to this my will wrote with my own hand and contained in three sheets of paper ... every sheet thereof have set my hadn and to the last my seal dated the day and year in the first sheet first above written. Willm Gates. Signed and published and declared by the said William Gates the testator to be his last will and testament in the presence of us who subscribed our names as witnesses ... in the presence of the said testator. Rich Leigh, Samuel Denne, Rd. Boghurst.

This will was proved at London on the first day of July in the year of our lord one thousand seven hundred and sixty eight before the Right Worshipful George ... of keeper or commissary of the prerogative court of Canterbury lawfully constituted by the oaths of Frances Gates widow the relict of the deceased and Frances Gates spinster the daughter and two of the executors named in the said Will to whom administration was granted of all

and singular the goods chattels and credits of the said deceased they having been first sworn only to administer power reserved of making the like Grant to Edward Gates the son of the said deceased and Joseph Brooke Esquire the other executors named in the said will they or either or them shall apply for the same having been interposed against the ... and validity of ... will or testamentary ... of the latter date of the said deceased as by the ... of ... fully ...

This will was proved at London on the thirteenth day of July in the year of our Lord one thousand seven hundred and sixty eight before the Worshipful Francis Simpson Doctor or Laws Surrogate of the Right Worshipful George ... Doctor of Laws Master Keeper or Commissary of the Prerogative Court of Canterbury lawfully constituted by the oath of Edward Gates the son of the deceased and one of the executors named in the said will to whom administration was granted of all and singular the goods chattels and credits of the said deceased having been first sworn duly to administer power reserved of making the like grant to Joseph Brooke esquire the other executor named in the said will when he shall apply for the same.