

## JOHN CARTER (1722-1789)

With such a common name as John CARTER it is difficult to identify his origins with any certainty. It is therefore worth reciting the facts and considering the possibilities.

### Facts

John CARTER was living in Aylesbeare some time before 1758, when he married the younger daughter of the late vicar.

John farmed, was clearly of some substance, unusually accorded the courtesy title of Mr in the parish registers and all his children married well.

When John CARTER died in February 1789, it was noted that he was aged about 66 years, which suggests a birth date in late 1722.

The only likely John CARTER baptism found in the area c.1722 was in St. Lawrence, Exeter. This parish adjoined St. Stephen's, where the LOVELACE family lived and it was likely that the families knew each other. Rev. John LOVELACE settled in Aylesbeare c.1741, married the elder sister of John CARTER's wife and the families remained close throughout the remainder of the century.

In the late 17<sup>th</sup> and early 18<sup>th</sup> centuries there were CARTERs living in Aylesbeare and neighbouring parishes, including a Thomas CARTER, who married Elizabeth COLES at Aylesbeare in 1716/7 and had children baptised in Woodbury, including a Thomas in 1724, who married in Aylesbeare and a John baptised in Woodbury on 5 November 1725, for whom no subsequent marriage or burial has been positively identified.

### Possibilities

It is tempting to assume that the John CARTER, baptised at Woodbury in 1725, whose brother subsequently lived in Aylesbeare for a time, was the John who is the subject of this history. Whilst John of Woodbury cannot be accounted for after his birth, there is no evidence that his family enjoyed a similar social status to John of Aylesbeare and he would have been only 63, when the John CARTER of Aylesbeare died. He has therefore been discounted.

John CARTER of Exmouth (1792-1870), the grandson of John CARTER of Aylesbeare used envelopes on which were embossed "his" coat of arms. This consisted of two lions rampant, combatant and were similar to those granted to Thomas CARTER of Robertstown, County Meath in 1692 for services following the battle of the Boyne (1687). Other CARTER families bore similar arms. Whether John CARTER "borrowed" some other CARTER's arms to be pretentious, as was quite common in his generation, or whether he could genuinely claim descent from the Irish CARTERs is not known. No other members of the family have claimed this descent and neither John nor his children ever left anything in writing that might have lent credence to the idea. In the mid 20<sup>th</sup> century one or two of John's descendants have undertaken research into the CARTER origins and have concluded that there is unlikely to be any substance to John's claim. Burke's Landed Gentry of Ireland details the pedigree of Thomas CARTER, M.P. of Robertstown but one would have to "find" a previously unrecorded son, who could have been the father of John CARTER of Aylesbeare born c.1722.

On balance it is believed that Mr John CARTER of Exeter is the most likely candidate for the father of John CARTER of Aylesbeare. Further research may one day prove or disprove this. In the latter event the details that follow relating to Exeter may be nothing to do with "our" John CARTER's family and may even relate to more than one John CARTER.

John CARTER was born in Exeter in 1722, the son of John CARTER and baptised at St. Lawrence:  
*30th September 1722 John, son of Mr John CARTER (St. Lawrence, Exeter Baptism Register).*

Unfortunately John's mother was not named, making it well nigh impossible to locate his parents' marriage.

There were a number of John CARTERs in Exeter but John's father was accorded the title Mr, so was presumably considered to be of some status. It would appear that the family lived in St. Lawrence parish but a burial in Holy Trinity, if indeed it refers to young John's sister, suggests a move to that parish for a time.  
*25th July 1729 Elizabeth, daughter of Mr John CARTER (Holy Trinity, Exeter Burial Register).*

The Exeter Rate Books show that John CARTER senior did not hold any property in the city until 1728, when rates were paid in St. Lawrence parish: "*CARTER's house - 6d.*" and in Holy Trinity parish: "*Jno. CARTER for the prison - 6d.*" The latter rate was still being paid in 1733. This unusual entry suggests that John CARTER had "the concession" to run the prison. The St. Lawrence Rate Books are missing for 1729 and 1730 but in 1731, 1732 and 1733 one finds: "*Jno. CARTER's house - 4½d.*" and "*John CARTER - personal estate - 2d.*" John CARTER was Churchwarden of St. Lawrence parish in 1731.

John's father (if indeed it was him) died in 1736 and was buried in St. Lawrence:

20<sup>th</sup> April 1736 Mr John CARTER (St. Lawrence, Exeter Burial Register).

There was apparently a plain stone tablet to the memory of Mr John CARTER inside Holy Trinity Church (*Devon Notes & Queries Vol. V Part II, Exeter Churches.*) but whether it is for the same John CARTER is not known. The Will of John CARTER of Exeter was proved in the Court of the Archdeaconry of Exeter in 1736. This could have answered so many questions. Unfortunately it was destroyed in 1942, in the Exeter blitz.

Some time during the next twenty years John CARTER, the son, moved to Aylesbeare, possibly with his widowed mother. It may well be her who died in 1765 but one cannot be sure, as no christian name was shown in the parish register:

23<sup>rd</sup> Feb 1763 Mrs John CARTER, widow (Aylesbeare Burial Register).

With John CARTER the son one is on firmer ground. John married at Aylesbeare in 1758 Caroline LOCKE. The Officiating Minister was Rev. John LOVELACE, who was the husband of Caroline's sister:

8<sup>th</sup> January 1758 John CARTER & Caroline LOCKE. (Aylesbeare Marriage Register).

Caroline was born in 1728, the second child of Edward LOCKE and his wife Anne SHARPE. She was baptised at Thurlestone, where her father had been curate since 4<sup>th</sup> October 1723. Edward LOCKE succeeded to the vicarage of Aylesbeare on 8<sup>th</sup> September 1728 and Caroline was baptised again there for good measure:

21<sup>st</sup> December 1728 (born 11<sup>th</sup> December) Caroline, daughter of Edward and Anne LOCKE (Thurlestone Baptism Register).

10<sup>th</sup> June 1730 Caroline, daughter of Edward LOCKE, vicar and Anne (Aylesbeare Baptism Register).

Edward LOCKE died in March 1740 and was succeeded by his future son in law John LOVELACE after an eighteen months inter-regnum.

After their marriage John and Caroline remained for five years in Aylesbeare and had six children between 1759 and 1769. John was engaged in farming and was usually described as Mr John CARTER in parish records. In about 1763 the family removed to Ottery St. Mary.

John owned property in Aylesbeare and continued to do so after he moved to Ottery St. Mary. The earliest surviving Land Tax Assessments for Aylesbeare are for the year 1781. These show:

<u>Proprietor</u>	<u>Occupier</u>	<u>Estate</u>	<u>Assessment</u>
Mr John CARTER	Self	Senior's	£4.16s.
Do.	do.	Stokes' Ground	12s.
Do.	do.	Knowl Hill	6s.

For 1782 onwards John was shown as proprietor and occupier of an additional property – *Bishop's* – assessment £9.12s. John appears to have disposed of Stokes' Ground to Sir John DUNTZE Bt. in 1784 but retained the other three properties. *Bishop's* was renamed Barton in about 1786, when John's son Thomas was shown as proprietor and occupier. In fact Thomas was only the occupier.

John occupied a property in Ottery St. Mary called *Bishop's Court*. The amount of the Land Tax Assessment was one of the larger ones in the area, indicating that the property was fairly substantial. Assessments for 1781 and 1782 show:

<u>Proprietor</u>	<u>Occupier</u>	<u>Estate</u>	<u>Assessment</u>
Rev. Mr MARKER	Mr John CARTER	<i>Bishop's Court</i>	£15.12s.
Mrs PENNY	do.	<i>Murcombe's</i>	£3. 4s.

*Bishop's Court* was mentioned in the Ottery St. Mary section of White's Devon Directory, 1850, as follows: "*The ancient mansions called Holcombe, Knightstone and Bishop's Court are now farmhouses*".

By 1788 John had given up *Murcombe's* but he retained *Bishop's Court* until his death in 1789. According to an entry in a notebook, which once belonged to John's son Edward: "*He died at Bristol, 28<sup>th</sup> February 1789, was brought down to Bishop's Court, Ottery St. Mary and was buried 4<sup>th</sup> March following at Aylesbeare, aged about 66 years*". No age was shown in the Aylesbeare Register:

4<sup>th</sup> March 1789 Mr John CARTER (Aylesbeare Burial Register).

The Will of John CARTER of Ottery St. Mary was proved in the Court of the Archdeaconry of Exeter in 1789. Unfortunately it was destroyed in the Exeter blitz of 1942.

After John's death Caroline remained at Bishop's Court for a time. The Land Tax Assessment for 1789 shows:  
*Rev. Henry MARKER Caroline CARTER Bishop's Court £15.12s.*

The Ottery Assessment for 1791 still showed Caroline as the occupier of Bishop's Court but she moved back to Barton in Aylesbeare shortly afterwards. The Aylesbeare Assessment for 1791 shows Caroline as proprietor of Barton but the 1792 one shows her as both proprietor and occupier. Son Thomas, who farmed at Barton, moved to Salcombe Regis with his family at that time.

Caroline remained as proprietor and occupier of Barton, Senior's and Knowl Hill until her death on 18<sup>th</sup> July 1796. She was buried at Aylesbeare:

*23<sup>rd</sup> July 1796 Mrs Caroline CARTER (Aylesbeare Burial Register).*

The Will of Caroline CARTER of Aylesbeare was proved in the Court of the Archdeaconry of Exeter in 1797. Like John's it did not survive the Exeter blitz.

### Their children

1. John CARTER was born at Aylesbeare in 1759 and baptised there:  
*22<sup>nd</sup> June 1759 John, son of John and Caroline CARTER (Aylesbeare Baptism Register).*

John never married and died in 1783, aged 24. He was buried at Aylesbeare:  
*23<sup>rd</sup> July 1796 Mrs Caroline CARTER (Aylesbeare Burial Register).*

2. Anna Maria CARTER (born 1762) married Richard HOULDITCH (see that line).

3. Ann CARTER was born at Aylesbeare in 1762 and baptised there:  
*13<sup>th</sup> November 1762 Anna Maria and Anne, twin daughters of Mr John and Mrs Caroline CARTER (Aylesbeare Baptism Register).*

Ann lived her early life in Aylesbeare and Ottery St. Mary. Like her twin sister Anna Maria, Ann seems to have been quite close to the LOVELACE family. When Rev. John LOVELACE died in March 1797, after appointing Anna Maria his executrix, Ann went and stayed with Anna Maria at Great Waltham Vicarage and helped her clear up John's affairs. It was Ann, who wrote to John LOVELACE the son in Spain on 16<sup>th</sup> June 1797, informing him of his father's death.

Ann was 43 years old when she married at Heavitree in 1806, John WOLLAND:  
*22<sup>nd</sup> April 1806 John WOLLAND and Ann CARTER of Ottery St. Mary, by licence (Heavitree Marriage Register).*

The ceremony was conducted by Rev. Richard HOULDITCH, Ann's brother in law, who was curate of Luppitt at the time.

John WOLLAND was 12 years older than Ann, having been born in 1750 and baptised at Heavitree:  
*11<sup>th</sup> November 1750 John, son of John and Sarah WOLLAND (Heavitree Baptism Register).*

John was a maltster. Besides having a malthouse and brewery in Heavitree he also owned the Fair Mile Inn at Ottery St. Mary and property in Plymtree and Sidbury. For some reason people had difficulty spelling the name WOLLAND and one finds it variously recorded as WALLAND, WELLEN, WELLAND, WELLON, WELLOND, WOLLON, WOLLOND and WOOLAN.

Land Tax Assessments indicate that John acquired property in Sidbury from 1784 onwards. A sample of the Sidbury Assessments from then until his death show:

<u>Year</u>	<u>Proprietor</u>	<u>Occupier</u>	<u>Estate</u>	<u>Assessment</u>
1785	Mr WOOLAN	Mr Wm. CARTER	Starcombe	14. 0
1789	Mr WOLLON	Wm. WHEATON	Starcombe	14. 0
1791	Mr WOLLON	William FRANKS	Starcombe	14. 0
1799	Mr WELLON	Wm. FRANKS & others	late Bovett's etc.	£1. 8. 0.

and so on until 1810.

Property in Plymtree was acquired in 1785/6:

1786	Mr WOLLAND	Festus PHILLIPS	Weaver	£3. 9. 2½
------	------------	-----------------	--------	-----------

1789	Mr WOLLAND	William CARTER	Weaver	£3. 9. 2½
1792	Mr WELLOND	William CARTER	Weaver	£3. 9. 2½
	do.	do.	pt. of Weaver	£1. 3. 6¾
1793	Mr WELLOND	William CARTER	Weaver	£3. 9. 2½
	do.	do.	pt. of Weaver	£1. 5. 2
1806	Mr Jno. WOLLOND	Henry ALLEN	Weaver	£3. 9. 2½
	do.	do.	pt. of Weaver	£1. 5. 2

and so on.

Property in Ottery St. Mary was acquired in 1787/8:

1788	Messrs WELLEN & MINIFY	REYNOLDS	Fair Mile Inn	12. 0
	do.	GODFREY	late Lyde's	8. 0
1793	Messrs WELLEN & MINIFY	Peter REYNOLDS	Fair Mile Inn	12. 0
	do.	John SALTER	late Lyde's	8. 0
1807	John WOLLAND	Mrs REYNOLDS	Fair Mile Inn	12. 0¾
	do.	John SALTER	late Lyde's	8. 0½

and so on.

John let out a house in Heavitree in 1791. The advertisement in Trewman's Flying Post on Thursday 24<sup>th</sup> February 1791 presents an interesting description of Heavitree and also afforded John an opportunity of advertising his other wares:

House etc. at Heavitree

*To be Lett, in Heavitree Town, a neat and convenient House, with every suitable Appendage necessary for a genteel Family, good Courtledge, Stable, Cellars, Well of excellent Water, walled Garden and Orchard well stocked with Trees, behind the Whole.*

*The well-known Salubrity of the Air of Heavitree is so often experienced and so highly esteemed that farther Recommendation is needless. Four or five Acres of good Ground may be had to accommodate the Taker.*

*For Particulars enquire of John WELLAND Maltster, the Owner, who has Constantly a Supply of well made Pale and Amber Malt, also Farnham and Kent Hops, of the first Quality, on the lowest Terms.*

*Dated Heavitree Feb. 9 1791.*

John is mentioned again in Trewman's Flying Post on Thursday 19<sup>th</sup> January 1797:

Elm Timber for Sale

*To be Sold at Auction, on Wednesday the 25<sup>th</sup> instant January, at Three o'clock in the Afternoon at the Home of Mr NEARS, known by the Ship in Heavitree, Thirty Elm Trees with their Tops, now growing in two Fields near the Church, in the Occupation of Mr BARRELL, Butcher and are numbered with red paint, numerically from 31 to 60.*

*For viewing, apply to said Mr BARRELL at South Wonford, or Mr WELLAND, Maltster, in Heavitree; and for further particulars to Robert CORNISH, Builder and Auctioneer, Exeter. Dated Jan 18 1797.*

After their marriage John and Ann lived in Heavitree and not surprisingly did not have any children. Four years later John died on 19<sup>th</sup> September 1810. A report of his death was published in Trewman's Flying Post on 27<sup>th</sup> September 1810:

*"Wednesday last died suddenly at the Warren, near Dawlish, where he went for the benefit of his health, Mr John WOLLAND, maltster of Heavitree".*

John was buried at Heavitree:

*25<sup>th</sup> September 1810 John WOLLAND, aged 61 (Heavitree Burial Register).*

John's Will, dated 31<sup>st</sup> August, in which he appointed Ann sole Executrix, was proved at the Prerogative Court of Canterbury on 27<sup>th</sup> October 1810. A transcript follows:

*I, John WOLLAND, Malster of the Parish of Heavitree in the County of Devon, do make this my last Will and Testament as follows:*

*First, I give and bequeath unto my Brother William WOLLAND £20; I also give unto my Sister Sarah MITCHELL £20; also I give unto my Sister Margaret, Wife of John BRUTTON £20 and, after the death of my beloved Wife, I give unto my Nephew William WOLLAND, Baker and James REW, Tanner, in trust for my Sister Margaret BRUTTON, the Interest of £1,500 Stock in the three per cent Consols for her life and, after her death, the said sum of £1,500 to be equally divided between her children, share and share alike.*

*I give unto my Sister Susanna, Wife of Robert BAKE, £20 and the further annuity of £10 per year, to be paid her out of my effects by my Executrix, for her own separate use. I give unto my Uncle Thomas WOLLAND 7s. per Week during his life. I give unto Sarah, Wife of James REW, Tanner, the sum of £10. After the death of my Wife I give her the further sum of £500 Stock in the 3 per Cent Consols.*

I give unto Peggy, Wife of William Frost WILCOCKS £10 and, after the death of my Wife, I give her the further sum of £500 Stock in the 3 per Cent Consols.

I give unto William MITCHELL, Son of my Sister Sarah MITCHELL, after the death of my Wife £250 Stock in the 3 per Cent Consols. Likewise I give, after the death of my Wife, to John, Son of my Sister Sarah MITCHELL £250 Stock in the 3 per cent Consols. I give to each of my Sister Susanna BAKE's Children £50 and, after the death of my Wife, the further sum of £500 Stock in the 3 per Cent Consols, to be equally divided, share and share alike.

After the Death of my Wife I give unto William WOLLAND, my Nephew, All that Fields and Stable called Forloes, likewise the Lower Malthouse and Garden in the Parish of Heavitree; Also my Moiety of those two fields in the Parish of Ottery St. Mary, likewise my Moiety of those Houses at Fair Mile called or known by the name of Fair Mile Inn, likewise my Moiety of all that Estate called Little Weaver in the parish of Plymtree; Also those three fields, part of Great Weaver, late Festus PHILLIPPS's, in Plymtree aforesaid. Also that Estate called Bovetts, occupied by James TROAK of Sidbury, likewise my moiety of that Estate called Starcombe in the parish of Sidbury aforesaid, during his natural life and, after his decease, I give and bequeath them unto his Eldest son Thomas Buller WOLLAND and to his Heirs for ever, subject and chargeable to the sum of £100 to each of his Sisters.

Lastly I give unto my dear beloved Wife Ann WOLLAND all the Rents and Profits arising from all my lands and Estates, whatsoever and wheresoever; All the interest of my money in the Stocks and all my Household Goods, Plate, Chattels, Stock in Trade, Money and Securities for Money, whatsoever and wheresoever. And I hereby nominate and appoint Ann WOLLAND, my beloved Wife, whole and sole Executrix of this my last Will and Testament.

In Witness whereof I hereunto set my Hand & Seal this 31<sup>st</sup> day of August 1808. John WOLLAND.

Signed, Sealed etc. etc. in the presence of James DAVY, Thomas SALTER, Burnell TOWNSEND.

Ann enjoyed a life interest in John's properties and a selection of Land Tax Assessments record her proprietorship with various tenants:

Sidbury

<u>Year</u>	<u>Proprietor</u>	<u>Occupier</u>	<u>Estate</u>	<u>Assessment</u>
1811	Mrs WELLON	Wm. FRANKS		£1. 8. 0
1815	Mr WELLOND	Oliver WELSMAN		£1. 8. 0
1826	Mrs WELLAND	Jas. VINCENT		£1. 8. 0
1832	Mrs WALLAND, widow	Jas. VINCENT	Starcombe	£1. 8. 0

Plymtree

1811	Mrs WELLAND	Henry ALLEN	Weaver	£3. 9. 2½
	Mrs WELLAND	do.	pt. of Weaver	£1. 5. 2
1816	Mrs WELLAND	William COOK	Weaver	£3. 9. 2½
-1832	Mrs WELLAND	do.	pt. of Weaver	£1. 5. 2

Ottery St. Mary

1815	Mrs WOOLLAND	Roger CHANNON	Lydes	8. 0½
1818	Mrs WOLLAND	Wm. EVERY	Fair Mile Inn	12. 0¾
1832	Mrs WOLLAND	Rebecca CHANNON	Lydes	8. 0½
	do.	William RENDELL	Fair Mile Inn	12. 0¾

Ann continued to live at Heavitree after John's death and was very comfortably off. Local Directories between 1828 and 1850 show her address as Church Street, Heavitree. The 1851 census finds Ann still at Church Street:

Ann WOLLAND	Head	W	88	Fundholder	Devon, Ailesbeare
Elizabeth DOWNEY	Serv.	U	27	House Servant	do. North Tawton
Jane CORNISH	Serv.	U	12	House Servant	do. Crediton

Ann died shortly after and was buried at Heavitree:

4<sup>th</sup> June 1851 Ann WOLLAND, Church St., aged 88 (Heavitree Burial Register).

Ann's Will dated 9<sup>th</sup> April 1838 with four Codicils dated 29<sup>th</sup> April 1841, 22 May 1843, 8<sup>th</sup> May 1846 and 7<sup>th</sup> March 1850, was proved at the Prerogative Court of Canterbury on 5<sup>th</sup> July 1851 by Rev. Edward HOULDITCH and Rev. Henry Lovelace HOULDITCH. A transcript follows:

*In the Name of God Amen, I, Ann WOLLAND of Heavitree in the County of Devon, widow, do make this my last Will and Testament in the manner following, that is to say:*

*I give and bequeath unto my nephews Thomas CARTER the younger and Edward CARTER, their executors, administrators and assigns the capital stock or sum of one thousand pounds three per centum consolidated bank annuities (part of the stock standing in my name in the books of the Governor and Company of the Bank of England kept for the said stock), likewise one Exeter Turnpike Deed Poll for fifty pounds and the money*

thereby secured, to be transferred and delivered over respectively to them at the end of six calendar months from my death but without any dividends or interest for the same in the meantime. Nevertheless upon trust, that they, the said Thomas CARTER the younger and Edward CARTER and the survivor of them and the ex'ors, adm'ors or assigns of such survivor, do and shall receive the dividends, interest and income arising from the said one thousand pounds stock and also from the said Exeter Turnpike Deed Poll and pay such dividends, interest and income respectively, when and as the same respectively shall from time to time come in and be received, into the proper hands of my niece Elizabeth THOMAS (wife of William THOMAS) during her natural life, for her sole and separate use and benefit, or unto such person or persons as she from time to time, without any anticipation or assignment of the growing payments thereof, shall by any note or memorandum in writing under her hand direct or appoint to receive the same, so that the same dividends, interest and income or any part thereof may not be under the control of her said present or any future husband or liable to his debts, contracts or engagements and I do hereby declare that the receipts of her, my said Niece Elizabeth THOMAS or her appointee or appointees shall from time to time, notwithstanding her coverture and whether she shall be married or sole, be good and sufficient discharges to my said trustees or trustee for so much of such dividends, interest and income respectively as in such receipts respectively shall be expressed to be or to have been received and, from and immediately after the death of her, my said niece Elizabeth THOMAS, it is my Will and I direct that the said Thomas CARTER the younger and Edward CARTER and the survivor of them, his ex'ors, adm'ors and assigns do and shall stand and be possessed of and interested in the said capital stock of one thousand pounds three per centum consolidated bank annuities or the stocks, funds or securities in or upon which the same shall or may at that time be invested or laid out, and also the said Exeter Turnpike Deed Poll and the money thereby secured, upon trust for the child, if only one and, if more than one, all the children of her, my said Niece Elizabeth THOMAS, lawfully begotten and to be begotten, to be equally divided between or among the same children, if more than one, in equal shares and proportions, as tenants in common, their respective ex'ors, adm'ors and assigns and, in case any one or more of such children, being a son or sons, shall depart this life under the age of twenty one years without leaving issue of his or their body or bodies, lawfully begotten, living at his or their death or respective deaths or being a daughter or daughters shall depart this life under the age of twenty one years and also without having been married, Then, as to the original share or shares of and in the said trust stock and property, which under the trusts hereinbefore contained shall belong to the child or children respectively so dying as aforesaid and also as to that part or share or those several parts or shares of and in the same trust stock and property, which from time to time shall belong to or be taken by the child or children respectively so dying as aforesaid under this present provision and also as to the accumulations (if any) of the dividends, interest and income arising from the share or shares of the child or children respectively so dying as aforesaid, In trust for the other or others of the same children to be equally divided between and among the same children, if more than one, share and share alike, as tenants in common, his, her and their ex'ors, adm'ors and assigns respectively. And, in case all the sons of my said Niece Elizabeth THOMAS shall depart this life under the age of twenty one years and neither of them shall leave any issue of his body, lawfully begotten, living at his death and all the daughters of her, my said niece, shall depart this life under the age of twenty one years and neither of them shall have been married, Then the said trust stock and property and also the accumulations and savings (if any) of the dividends, interest and income thereof respectively shall be upon trust for such person or persons generally and in such parts and proportions, manner and form generally as she, my said niece Elizabeth THOMAS, whether married or sole and notwithstanding her present or any future coverture by any deed or deeds in writing or by her last Will and Testament in writing, to be by her executed respectively in the presence of and attested by two or more credible witnesses, shall have given, directed, appointed or disposed of the same and, for want or in default of such gift, direction, appointment or disposition by Deed or Will as aforesaid or as to such part thereof respectively as to which no such disposition shall have been made, upon trust for the person or persons, who at the decease of the said Elizabeth THOMAS, shall be of her blood and in kin to her and who, either in his, her or their own right or in right of his, her or their representation, would be entitled to the same under the Statutes for the distribution of the effects of intestates, in case the said Elizabeth THOMAS had died intestate and unmarried and, if there shall be more than one such person, then to be divided between them in such parts, shares and proportions as they would be entitled to the same under the said Statutes.

Also I give and bequeath unto the said Thomas CARTER the younger and Edward CARTER, their ex'ors, adm'ors and assigns the like capital stock or sum of one thousand pounds three per centum consolidated bank annuities (further part of stock standing in my name in the books of the Governor and Company of the Bank of England kept for the said stock) and also one Honiton Turnpike Deed Poll for fifty pounds and the money thereby secured, to be transferred and delivered respectively to them at the end of six calendar months from my death but without any interest for the same in the meantime. Nevertheless upon trust, that they, the said Thomas CARTER the younger and Edward CARTER and the survivor of them and the ex'ors, adm'ors or assigns of such survivor, do and shall receive the dividends, interest and income arising from the said one thousand pounds stock and also from the said Honiton Turnpike Deed Poll and pay such dividends, interest and income respectively, when and as the same respectively shall from time to time come in and be received, into the proper hands of my niece Caroline WHEATON (wife of George WHEATON) during her natural life, for her sole and separate use and benefit, or unto such person or persons as she from time to time, without any anticipation or assignment of the growing payments thereof, shall by any note or memorandum in writing under her hand direct or appoint to receive the same, so that the same dividends, interest and income or any part thereof may not be under the control of her said present or any future husband or liable to his debts,

contracts or engagements and I do hereby declare that the receipts of her, my said Niece Caroline WHEATON or her appointee or appointees shall from time to time, notwithstanding her coverture and whether she shall be married or sole, be good and sufficient discharges to my said trustees or trustee for so much of such dividends, interest and income respectively as in such receipts respectively shall be expressed to be or to have been received and, from and immediately after the death of her, my said Niece Caroline WHEATON, it is my Will and I direct that the said Thomas CARTER the younger and Edward CARTER and the survivor of them, his ex'ors, adm'ors and assigns do and shall stand and be possessed of and interested in the said capital stock of one thousand pounds three per centum consolidated bank annuities or the stocks, funds or securities in or upon which the same shall or may at that time be invested or laid out, and also the said Honiton Turnpike Deed Poll and the money thereby secured, upon trust for the child, if only one and, if more than one, all the children of her, my said Niece Caroline WHEATON, lawfully begotten and to be begotten, to be equally divided between or among the same children, if more than one, in equal shares and proportions, as tenants in common, their respective ex'ors, adm'ors and assigns and, in case any one or more of such children, being a son or sons, shall depart this life under the age of twenty one years without leaving issue of his or their body or bodies, lawfully begotten, living at his or their death or respective deaths or being a daughter or daughters shall depart this life under the age of twenty one years and also without having been married, Then, as to the original share or shares of and in the said trust stock and property, which under the trusts hereinbefore contained shall belong to the child or children respectively so dying as aforesaid and also as to that part or share or those several parts or shares of and in the same trust stock and property, which from time to time shall belong to or be taken by the child or children respectively so dying as aforesaid under this present provision and also as to the accumulations (if any) of the dividends, interest and income arising from the share or shares of the child or children respectively so dying as aforesaid, In trust for the other or others of the same children to be equally divided between and among the same children, if more than one, share and share alike, as tenants in common, his, her and their ex'ors, adm'ors and assigns respectively and, in case all the sons of my said niece Caroline WHEATON shall depart this life under the age of twenty one years and neither of them shall leave any issue of his body, lawfully begotten, living at his death and all the daughters of her, my said niece Caroline WHEATON, shall depart this life under the age of twenty one years and neither of them shall have been married, Then the said last mentioned trust stock and property and also the accumulations and savings (if any) of the dividends, interest and income thereof respectively shall be upon trust for such person or persons generally and in such parts and proportions, manner and form generally as she, the said Caroline WHEATON, whether married or sole and notwithstanding her present or any future coverture by any deed or deeds in writing or by her last Will and Testament in writing, to be by her executed respectively in the presence of and attested by two or more credible witnesses, shall have given, directed, appointed or disposed of the same and, for want or in default of such gift, direction, appointment or disposition by deed or will as aforesaid or as to such part thereof respectively as to which no such disposition shall have been made, upon trust for the person or persons, who at the decease of the said Caroline WHEATON, shall be of her blood and in kin to (her) and who, either in his, her or their own right or in right of his, her or their representation, would be entitled to the same under the Statutes for the distribution of the effects of intestates, in case the said Caroline WHEATON had died intestate and unmarried and, if there shall be more than one such person, then to be divided between them in such parts, shares and proportions as they would be entitled to the same under the said Statutes.

Also I give and bequeath unto the said Thomas CARTER the younger and Edward CARTER, their ex'ors, adm'ors and assigns the like capital stock or sum of one thousand pounds three per centum consolidated bank annuities (further part of the stock standing in my name in the books of the Governor and Company of the Bank of England kept for the said stock) and also one other Honiton Turnpike Deed Poll for fifty pounds and the money thereby secured, to be transferred and delivered over respectively to them at the end of six calendar months from my death but without any interest for the same in the meantime. Nevertheless upon trust, that they, the said Thomas CARTER the younger and Edward CARTER and the survivor of them and the ex'ors, adm'ors or assigns of such survivor, do and shall receive the dividends, interest and income arising from the said last mentioned one thousand pounds stock and also from the said Honiton Turnpike Deed Poll and pay such dividends, interest and income respectively, when and as the same respectively shall from time to time come in and be received, into the proper hands of my niece Penelope WHEATON (wife of Francis WHEATON) during her natural life, for her sole and separate use and benefit, or unto such person or persons as she from time to time, without any anticipation or assignment of the growing payments thereof, shall by any note or memorandum in writing under her hand direct or appoint to receive the same, so that the same dividends, interest and income or any part thereof may not be under the control of her said present or any future husband or liable to his debts, contracts or engagements and I do hereby declare that the receipts of her, my said niece Penelope WHEATON or her appointee or appointees shall from time to time, notwithstanding her coverture and whether she shall be married or sole, be good and sufficient discharges to my said trustees or trustee for so much of such dividends, interest and income respectively as in such receipts respectively shall be expressed to be or to have been received and, from and immediately after the death of her, my said Niece Penelope WHEATON, it is my Will and I direct that the said Thomas CARTER the younger and Edward CARTER and the survivor of them, his ex'ors, adm'ors and assigns do and shall stand and be possessed of and interested in the said last mentioned stock of one thousand pounds three per centum consolidated bank annuities or the stocks, funds or securities in or upon which the same shall or may at that time be invested or laid out, and also the said last mentioned Honiton Turnpike Deed Poll and the money thereby secured, Upon trust for the child, if only one and, if more than one, all the children of her, my said

*Niece Penelope WHEATON, lawfully begotten and to be begotten, to be equally divided between or among the same children, if more than one, in equal shares and proportions, as tenants in common, their respective ex'ors, adm'ors and assigns and, in case any one or more of such children, being a son or sons, shall depart this life under the age of twenty one years without leaving issue of his or their body or bodies, lawfully begotten, living at his or their death or respective deaths or being a daughter or daughters shall depart this life under the age of twenty one years and also without having been married, Then, as to the original share or shares of and in the said trust stock and property, which under the trusts hereinbefore contained shall belong to the child or children respectively so dying as aforesaid and also as to that part or share or those several parts or shares of and in the same trust stock and property, which from time to time shall belong to or be taken by the child or children respectively so dying as aforesaid under this present provision and also as to the accumulations (if any) of the dividends, interest and income arising from the share or shares of the child or children respectively so dying as aforesaid, In Trust for the other or others of the same children, to be equally divided between and among the same children, if more than one, share and share alike, as tenants in common, his, her and their ex'ors, adm'ors and assigns respectively and, in case all the sons of my said niece Penelope WHEATON shall depart this life under the age of twenty one years and neither of them shall leave any issue of his body, lawfully begotten, living at his death and all the daughters of her, my said niece, shall depart this life under the age of twenty one years and neither of them shall have been married, Then the said last mentioned trust stock and property and also the accumulations and savings (if any) of the dividends, interest and income thereof respectively shall be upon trust for such person or persons generally and in such parts and proportions, manner and form generally as she, my said niece Penelope WHEATON, whether married or sole and notwithstanding her present or any future coverture by any deed or deeds in writing or by her last Will and Testament in writing, to be by her executed respectively in the presence of and attested by two or more credible witnesses, shall have given, directed, appointed or disposed of the same and, for want or in default of such gift, direction, appointment or disposition by deed or will as aforesaid or as to such part thereof respectively as to which no such disposition shall have been made, upon trust for the person or persons, who at the decease of the said Penelope WHEATON, shall be of her blood and in kin to her and who, either in his, her or their own right or in right of his, her or their representation, would be entitled to the same under the Statutes for the distribution of the effects of intestates, in case the said Penelope WHEATON had died intestate and unmarried and, if there shall be more than one such person, then to be divided between them in such parts, shares and proportions as they would be entitled to the same under the said Statutes.*

*Also I give and bequeath unto the said Thomas CARTER the younger and Edward CARTER, their ex'ors, adm'ors and assigns the like capital stock or sum of One thousand pounds three per centum consolidated bank annuities (further part of the stock standing in my name in the Books of the Governor and Company of the Bank of England kept for the said stock) and one other Honiton Turnpike Deed Poll for fifty pounds and the money thereby secured, to be transferred and delivered respectively to them at the end of six calendar months from my death but without any dividends or interest for the same in the meantime. Nevertheless upon trust, that they, the said Thomas CARTER the younger and Edward CARTER and the survivor of them and the ex'ors, adm'ors or assigns of such survivor, do and shall receive the dividends, interest and income of the said last mentioned one thousand pounds stock and also the said Honiton Turnpike Deed Poll and pay such dividends, interest and income when and as the same respectively shall from time to time come in and be received, into the proper hands of my niece Mary TURPIN (wife of Joseph TURPIN of Otery St. Mary in the County of Devon, Yeoman) during her natural life, for her sole and separate use and benefit, or unto such person or persons as she from time to time, without any anticipation or assignment of the growing payments thereof, shall by any note or memorandum in writing under her hand direct or appoint to receive the same, so that the same dividends, interest and income or any part thereof may not be under the control of her said present or any future husband or liable to his debts, contracts or engagements and I do hereby declare that the receipts of her, my said niece Mary TURPIN or her appointee or appointees shall from time to time, notwithstanding her coverture and whether she shall be married or sole, be good and sufficient discharges to my said trustees or trustee for so much of such dividends, interest and income respectively as in such receipts respectively shall be expressed to be or to have been received and, from and immediately after the death of her, my said Niece Mary TURPIN, it is my Will and I direct that the said Thomas CARTER the younger and Edward CARTER and the survivor of them or his ex'ors, adm'ors and assigns do and shall stand and be possessed of and interested in the said capital stock of one thousand pounds three per centum consolidated bank annuities or the stocks, funds or securities in or upon which the same shall or may at that time be invested or laid out, and also the said last mentioned Honiton Turnpike Deed Poll and the money thereby secured, upon trust for the child, if only one and, if more than one, all the children of her, my said Niece Mary TURPIN, lawfully begotten and to be begotten and, as well those by her present husband as those by any future husband, to be equally divided between or among the same children, if more than one, in equal shares and proportions, as tenants in common, their respective ex'ors, adm'ors and assigns and, in case any one or more of such children, being a son or sons, shall depart this life under the age of twenty one years without leaving issue of his or their body or respective bodies, lawfully begotten, living at his or their death or respective deaths or being a daughter or daughters shall depart this life under the age of twenty one years and also without having been married, Then, as to the original share or shares of and in the said trust stock and property, which under the trusts hereinbefore contained shall belong to the child or children respectively so dying as aforesaid and also as to that part or share or those several parts or shares of and in the same trust stock and property, which from time to time shall belong to or be taken by the child or children*

respectively so dying as aforesaid under this present provision and also as to the accumulations (if any) of the dividends, interest and income arising from the share or shares of the child or children respectively so dying as aforesaid, In Trust for the other or others of the same children, to be equally divided between and among the same children, if more than one, share and share alike, as tenants in common, his, her and their ex'ors, adm'ors and assigns respectively and, in case all the sons of her, my said niece Mary TURPIN, shall depart this life under the age of twenty one years and neither of them shall leave any issue of his body, lawfully begotten, living at his death and all the daughters of her, my said niece, shall depart this life under the age of twenty one years and neither of them shall have been married, Then the said last mentioned trust stock and property and also the accumulations and savings, if any, of the dividends, interest and income thereof respectively shall be upon trust for such person or persons generally and in such parts and proportions, manner and form generally as she, my said Niece Mary TURPIN, whether married or sole and notwithstanding her present or any future coverture by any deed or deeds in writing or by her last Will and Testament in writing, to be by her executed respectively in the presence of and attested by two or more credible Witnesses, shall have given, directed, appointed or disposed of the same and, for want or in default of such gift, direction, appointment or disposition by deed or will as aforesaid or as to such part thereof respectively as to which no such disposition shall have been made, upon trust for the person or persons, who at the decease of the said Mary TURPIN, shall be of her blood and in kin to her and who, either in his, her or their own right or in right of his, her or their representation, would be entitled to the same under the Statutes for the distribution of the effects of intestates, in case the said Mary TURPIN had died intestate and unmarried and, if there shall be more than one such person, then to be divided between them in such parts, shares and proportions as they would be entitled to the same under the said Statutes.

Also I give and bequeath unto the said Thomas CARTER the younger and Edward CARTER, their ex'ors, adm'ors and assigns the like capital stock or sum of one thousand pounds three per centum consolidated bank annuities (further part of the stock standing in my name in the books of the Governor and Company of the Bank of England kept for the said stock) and one other Honiton Turnpike Deed Poll for fifty pounds and the money thereby secured, to be transferred and delivered over respectively to them at the end of six calendar months from my death but without any interest for the same in the meantime. Nevertheless upon trust, that they, the said Thomas CARTER the younger and Edward CARTER and the survivor of them and the ex'ors, adm'ors or assigns of such survivor, do and shall receive the dividends, interest and income of the said last mentioned one thousand pounds stock and also the said Honiton Turnpike Deed Poll and pay such dividends, interest and income respectively when and as the same respectively shall from time to time come in and be received, into the proper hands of my niece Ann WALKER (wife of Frederick WALKER, Master of a Merchant Vessel) during her natural life, for her sole and separate use and benefit, or unto such person or persons as she from time to time, without any anticipation or assignment of the growing payments thereof, shall by any note or memorandum in writing under her hand direct or appoint to receive the same, so that the same dividends, interest and income or any part thereof may not be under the control of her said present or any future husband or liable to his debts, contracts or engagements. And I do hereby declare that the receipts of her, my said niece Ann WALKER or her appointee or appointees shall from time to time, notwithstanding her coverture and whether she shall be married or sole, be good and sufficient discharges to my said trustees or trustee for so much of such dividends, interest and income respectively as in such receipts respectively shall be expressed to be or to have been received and, from and immediately after the death of her, my said Niece Ann WALKER, it is my Will and I direct that the said Thomas CARTER the younger and Edward CARTER and the survivor of them, his ex'ors, adm'ors and assigns do and shall stand and be possessed of and interested in the said capital stock of one thousand pounds three per centum consolidated bank annuities or the stocks, funds or securities in or upon which the same shall or may at that time be invested or laid out, and also the said last mentioned Honiton Turnpike Deed Poll and the money thereby secured, upon trust for the child, if only one and, if more than one, all the children of her, my said niece Ann WALKER, lawfully begotten and to be begotten and, as well those by her present husband as those by any future husband, to be equally divided between or among the same children, if more than one, in equal shares and proportions, as tenants in common, their respective ex'ors, adm'ors and assigns and, in case any one or more of such children, being a son or sons, shall depart this life under the age of twenty one years without leaving issue of his or their body or respective bodies, lawfully begotten, living at his or their death or respective deaths or being a daughter or daughters shall depart this life under the age of twenty one years and also without having been married, Then, as to the original share or shares of and in the said trust stock and property, which under the trusts hereinbefore contained shall belong to the child or children respectively so dying as aforesaid and also as to that part or share or those several parts or shares of and in the same trust stock and property, which from time to time shall belong to or be taken by the child or children respectively so dying as aforesaid under this present provision and also as to the accumulations (if any) of the dividends, interest and income arising from the share or shares of the child or children respectively so dying as aforesaid, In Trust for the other or others of the same children, to be equally divided between and among the same children, if more than one, share and share alike, as tenants in common, his, her or their ex'ors, adm'ors and assigns and, in case all the sons of her, my said niece Ann WALKER, shall depart this life under the age of twenty one years and neither of them shall leave any issue of his body, lawfully begotten, living at his death and all the daughters of her, my said Niece, shall depart this life under the age of twenty one years and neither of them shall have been married, Then the said last mentioned trust stock and property and also the accumulations and savings (if any) of the dividends, interest and income thereof respectively shall be upon trust for such person or persons generally and in such parts and proportions, manner and form generally as

she, my said niece Ann WALKER, whether married or sole and notwithstanding her present or any future coverture by any deed or deeds in writing or by her last Will and Testament in writing, to be by her executed respectively in the presence of and attested by two or more credible witnesses, shall have given, directed, appointed or disposed of the same and, for want or in default of such gift, direction, appointment or disposition by Deed or Will as aforesaid or as to such part thereof respectively as to which no such disposition shall have been made, upon trust for the person or persons, who at the decease of the said Ann WALKER, shall be of her blood and in kin to her and who, either in his, her or their own right or in right of his, her or their representation, would be entitled to the same under the Statutes for the distribution of the effects of intestates, in case the said Ann WALKER had died intestate and unmarried and, if there shall be more than one such person, then to be divided between them in such parts, shares and proportions as they would be entitled to the same under the said Statutes.

Provided always and I do hereby declare that it shall and may be lawful for the said Thomas CARTER the younger and Edward CARTER and the survivor of them, his ex'ors, adm'ors and assigns to alter, vary and change the said stocks and funds, in or upon which the aforesaid several and respective trust stock and premises hereinafter intended for or for the benefit of my said five several nieces and their respective child or children, to, for or upon any other government security or securities or upon real security or securities in England and so from time to time or at any time or times after my death, when and as often as occasion shall require so as, during the lifetime of each of them the said Elizabeth THOMAS, Caroline WHEATON, Penelope WHEATON, Mary TURPIN and Ann WALKER respectively, every such change of stock or security be made with her consent alone of whatever stock or security or share of stocks or security shall be intended to be changed and without the joining of her said present or any future husband respectively, such consent respectively from time to time to be testified by some writing under her hand respectively during her life and, after her respective death, Then in the discretion and of the proper authority of the trustees or trustee for the time being acting in the premises respectively under this my Will. Provided always and I hereby declare and direct that it shall or may be lawful to and for the said Thomas CARTER the younger and Edward CARTER and the survivor of them, his ex'ors, adm'ors and assigns, from and after the respective deaths of the said Elizabeth THOMAS, Caroline WHEATON, Penelope WHEATON, Mary TURPIN and Ann WALKER to apply or employ in the maintenance and education of the respective children and issue presumptively entitled under the several trusts and provisions hereinbefore contained, so much and such part of the dividends, interest and income respectively of the respective shares of and in the aforesaid trust stock and property respectively, as they, my said trustees or trustee for the time being, in their or his discretion shall think proper and who, I direct, shall be the sole judges or judge of the amount of the sum from time to time to be so applied or employed.

Also I give and bequeath unto my nephew, the said Edward CARTER, the like capital stock or sum of one thousand pounds three per centum consolidated bank annuities (further part of the stock standing in my name in the books of the Governor and Company of the Bank of England kept for the said stock) and also one other Honiton Turnpike Deed Poll for fifty pounds and the money thereby secured, the same respectively to be for his own proper use and benefit absolutely, To be considered as vested in interest in him immediately on my death but not to be transferred, paid or delivered over to him until the end of six calendar months next after that event and without any dividends or interest for the same respectively in the meantime.

Also I give and bequeath unto my Nephew, the said Thomas CARTER the younger, the capital stock or sum of one thousand and two hundred pounds three per centum consolidated bank annuities (further part of the stock standing in my name in the books of the Governor and Company of the Bank of England kept for the said stock) and also one other Honiton Turnpike Deed Poll for fifty pounds and the money thereby secured, the same respectively to be for his own proper use and benefit absolutely, to be considered as vested in interest in him immediately on my death but not to be transferred, paid or delivered over to him until the end of six calendar months next after that event and without any dividends or interest for the same respectively in the meantime.

Also I give and bequeath unto my brother Thomas CARTER, the sum of one thousand and three hundred pounds sterling, for his own proper use and benefit absolutely, To be considered as vested in interest in him immediately on my decease but not to be paid until the end of six calendar months next after that event and without any interest for the same respectively in the meantime.

Also I give and bequeath unto Elizabeth CARTER (the widow of my deceased brother Edward CARTER) one annuity or clear yearly sum of twenty five pounds, for and during the term of her natural life and to be payable and paid by my Executors, hereinafter named, out of my personal estate by half yearly payments, to commence from the day of my death with a proportionable part thereof from the last half yearly day of payment preceding her decease up and home to the day of her death.

Also I give and bequeath unto John CARTER, son of my said deceased brother Edward CARTER, the sum of Two hundred pounds sterling, for his own proper use and benefit absolutely, to be considered as vested in interest in him immediately after my decease but not to be paid until the end of six calendar months next after that event and without any interest or dividends for the same in the meantime. Also I give and bequeath unto him, the said John CARTER, the capital stock or sum of six hundred pounds three per centum consolidated bank annuities (further part of the stock standing in my name as aforesaid), To be considered as vested in interest in him immediately on my decease but not to be paid or transferred to him until after the death of his Mother, the said Elizabeth CARTER and then without any dividends or interest for the same up to the time of her death.

*Also I give and bequeath unto my brother in law, The Reverend Richard HOULDITCH, one annuity or clear yearly sum of Sixty pounds, for and during the term of his natural life, to be payable and paid by my Executors, hereinafter named, out of my personal estate by half yearly payments, to commence from the day of my death with a proportionable part thereof from the last half yearly day of payment next preceding his decease up and home to the day of his death.*

*Also I give and bequeath unto my nephew, Edward HOULDITCH, the sum of one thousand pounds sterling, to and for his own proper use and benefit absolutely.*

*Also I give and bequeath unto my Nephew, Henry Lovelace HOULDITCH, the like sum of one thousand pounds sterling, to and for his own proper use and benefit absolutely.*

*Also I give and bequeath unto my niece, Emma HOULDITCH, the like sum of two thousand pounds sterling, to and for her own proper use and benefit absolutely. The said three last mentioned legacies to be paid at the end of six calendar months next after my death but without any interest for the same in the meantime.*

*Also I give and bequeath unto the said Edward HOULDITCH and Henry Lovelace HOULDITCH, their ex'ors, adm'ors or assigns the sum of Two thousand pounds sterling, to be paid to or set apart by them at the end of six calendar months next after my death but without any interest for the same in the meantime; Nevertheless upon trust that they, the said Edward HOULDITCH and Henry Lovelace HOULDITCH and the survivor of them, his ex'ors, adm'ors or assigns do and shall lay out and invest in their or his own names or name the said sum of two thousand pounds sterling on or in any government or real security or securities, stocks or funds in Great Britain and do and shall alter, vary and change such security or securities, stocks or funds from time to time, for any other security or securities, stocks or funds of the like nature or description as aforesaid, when and as often as occasion shall require, so as, during the lifetime of my niece Mary Ann WOLSTON (wife of The Reverend Thomas WOLSTON), every such laying out and investment and change of security be made with her consent alone, without the joining of her said present or any future husband, such consent from time to time to be testified by some writing under her hand and, upon this further trust that they, the said Edward HOULDITCH and Henry Lovelace HOULDITCH, their ex'ors, adm'ors or assigns, do and shall receive the interest, dividends and annual proceeds of the said trust monies and pay such interest, dividends and annual proceeds when and as the same shall from time to time come in and be received, into the proper hands of her, my said Niece Mary Ann WOLSTON, during her natural life, for her sole and separate use and befit or unto such person or persons as she from time to time, without any anticipation or assignment of the growing payments thereof, shall by any note or memorandum in writing under her hand direct or appoint to receive the same, so that the same interest, dividends and annual proceeds or any part thereof may not be under the control of her said present or any future husband or liable to his debts, contracts or engagements and I do hereby declare that the receipts of her, my said Niece Mary Ann WOLSTON or her appointee or appointees shall from time to time, notwithstanding her coverture and whether she shall be married or sole, be good and sufficient discharges to the said trustees or trustee for so much as in such receipts respectively shall be expressed to be received and, from and immediately after the death of her, my said Niece Mary Ann WOLSTON, it is my Will and I hereby direct that the said Edward HOULDITCH and Henry Lovelace HOULDITCH and the survivor of them, his ex'ors, adm'ors and assigns do and shall stand and be possessed of and interested in the said trust monies and the stocks, funds or securities in or upon which the same shall or may then be invested or placed out, upon trust for the child, if only one and, if more than one, all the children of her, my said niece Mary Ann WOLSTON, begotten and to be begotten, to be equally divided between or among the same children, if more than one, in equal shares and proportions, as tenants in common, their respective ex'ors, adm'ors and assigns and, in case any one or more of such children, being a son or sons, shall depart this life under the age of twenty one years without leaving issue of his or their body or bodies, lawfully begotten, living at his or their death or respective deaths or being a daughter or daughters shall depart this life under the age of twenty one years and also without having been married, Then, as to the original share or shares of and in the said trust monies and premises, which under the trusts hereinbefore lastly contained shall belong to the child or children respectively so dying as aforesaid and also as to that part or share or those several parts or shares of and in the same trust monies and premises, which from time to time shall belong to or be taken by the child or children respectively so dying as aforesaid under this present provision and also as to the accumulations (if any) of the interest, dividends and income arising from the share or shares of the child or children respectively so dying as aforesaid, In Trust for the other or others of the same children, to be equally divided between and among the same children, if more than one, share and share alike, as tenants in common, his, her and their ex'ors, adm'ors and assigns respectively and, in case all the Sons of her, my said niece Mary Ann WOLSTON shall depart this life under the age of twenty one years and neither of them shall leave any issue of his body, lawfully begotten, living at his death and all the daughters of her, my said Niece, shall depart this life under the age of twenty one years and neither of them shall have been married, Then the said trust monies and premises and the stocks, funds and securities for the same and also the accumulations and savings (if any) of the dividends, interest and income thereof shall be upon trust for such person or persons generally and in such parts and proportions, manner and form as she, my said Niece Mary Ann WOLSTON, whether married or sole and notwithstanding her present or any future coverture by any deed or deeds in writing or by her last Will and Testament in writing, to be by her duly executed respectively, shall have given, directed, appointed or disposed of the same and, for want or in default of such gift, direction, appointment or disposition by Deed or Will as aforesaid or as to such part thereof as to which no such disposition shall have been made, Then as to one moiety of the said sum of two thousand pounds or of the stocks, funds and securities for the same upon trust for the said Thomas WOLSTON, for his own proper use and benefit*

absolutely, And as to the other moiety thereof upon trust for the person or persons, who at the decease of my said Niece Mary Ann WOLSTON, shall be of her blood and in kin to her and who, either in his, her or their own right or in right of his, her or their representation, would be entitled to the same under the Statutes for the distribution of the effects of intestates, in case the said Mary Ann WOLSTON had died intestate and unmarried and, if there shall be more than one such person, then to be divided between them in such parts, shares and proportions as they would be entitled to the same under the said Statutes. Provided always and I do hereby declare that it shall and may be lawful to and for the said Edward HOULDITCH and Henry Lovelace HOULDITCH and the survivor of them, his ex'ors, adm'ors and assigns, from and after the death of my said niece Mary Ann WOLSTON, to apply or employ, in the education of her child or children presumptively entitled under the trusts aforesaid, the whole of the interest, dividends and annual income arising from the said trust sum of two thousand pounds, if there should be more than one child of her my said Niece but, if there should be but one child, Then not exceeding the sum of forty pounds per annum, until such child shall attain the age of fourteen years and, after attaining that age, the sum of fifty pounds per annum, until the principal shall become payable and the residue of the interest, dividends or income shall from time to time be added to the capital sum and go therewith and moreover, that it shall and may be lawful for the said Edward HOULDITCH and Henry Lovelace HOULDITCH and the survivor of them, his ex'ors, adm'ors and assigns in the lifetime of her, my said Niece Mary Ann WOLSTON, with her consent and, after her death, then of their or his own authority, to advance and pay to and for any son or sons or male issue of her, my said Niece, any part, not exceeding one fourth part of the then vested or other expectant or presumptive share of the same son or sons or male issue respectively of and in the said trust sum of two thousand pounds and apply the same, either in placing him or them to any profession or employment or in the purchase of a commission in the Army or in the education of the same Son or Sons or male issue respectively at any University or Universities or at any Inns of Court or of Chancery, for the study of the Law. And further, that all sums of money, which shall be advanced to or for each of the same sons or male issue, shall be taken and considered as a part of his said portion or share and shall be deducted and allowed out of the same, notwithstanding his death before his portion or legacy shall be absolutely vested in him.

Also I give and devise all that my messuage or dwelling house, courtlage, garden, orchard and hereditaments, with their appurtenances, situate in Heavitree aforesaid, now in the possession of myself or my tenant or tenants, unto and to the use of the said Edward HOULDITCH and Henry Lovelace HOULDITCH, their heirs and assigns forever; Nevertheless upon trust for my two nieces, the said Mary Ann WOLSTON and Emma HOULDITCH, equally between them, as tenants in common and not as joint tenants, their respective heirs and assigns forever. But Nevertheless, as to the part or share of the said Mary Ann WOLSTON, the same shall be for her sole and separate use, independently of her husband and her receipt alone from time to time shall be a good discharge for the rents and profits thereof during her lifetime. Provided always that, on or at anytime after the death of either of them, the said Mary Ann WOLSTON and Emma HOULDITCH, it shall be lawful for the survivor of them, upon payment of the sum of four hundred and fifty pounds sterling to the trustees, said Edward HOULDITCH and Henry Lovelace HOULDITCH, their heirs or assigns, for the benefit of the heir at law or devisee of the deceased niece, to become the owner in fee of the whole and entirety of the said messuage or dwelling house, courtlage, garden, orchard and hereditaments, with their appurtenances and in that case I direct a conveyance in fee to be made to and to the use of the survivor of them, my said nieces, her heirs and assigns or to trustees or to a trustee for her benefit, if such Conveyance should be deemed necessary or, in default of such conveyance, I give and devise the part or share of and in the said premises, which belonged to the Niece so dying unto her surviving Sister, upon payment by such surviving sister of the said sum of four hundred and fifty pounds as aforesaid.

Also I give and bequeath unto Ann or Nancy CHAPPLE, Widow, niece of my deceased husband, the sum of two hundred pounds sterling.

Also I give and bequeath unto John BAKE, a Lieutenant in the Royal Navy, nephew of my deceased husband, the sum of fifty pounds sterling.

Also I give and bequeath unto Sarah BATTEN of Clifton, niece of my deceased husband, the sum of nineteen guineas.

Also I give and bequeath unto Elizabeth BAKER, Widow, Sarah WOLLAND, Charlotte WOLLAND and Emma WOLLAND, Great Nieces of my deceased husband, the sum of nineteen guineas each.

Also I give and bequeath unto Jane J. SAREL (Wife of Thomas SAREL of Brighton) the sum of nineteen guineas for her separate use and her receipt alone, without the joining of her husband, shall be a good and sufficient discharge for the same.

Also I give and bequeath unto Charlotte TUCKER (Sister of Mr E. TUCKER of Exeter, Surgeon) the sum of ten pounds sterling, which said several legacies I direct shall be paid by my Executors hereinafter named at the end of six calendar months next after my death but without any interest for the same in the meantime.

All the rest, residue and remainder of my monies, securities for money, stock in the public funds, goods, chattels, rights, credits and real and personal Estate, whatsoever and wheresoever and generally all my property of what description soever and wheresoever the same may be, I give, devise and bequeath unto and to the use of the said Edward HOULDITCH and Henry Lovelace HOULDITCH, Mary Ann WOLSTON and Emma HOULDITCH equally between them, share and share alike as tenants in common, their respective heirs, ex'ors, adm'ors and assigns, according to the nature and quantity of the said property to and for their own respective proper use and benefit absolutely, subject as to the share of the said Mary Ann WOLSTON, to the provisos and trusts hereinafter contained or referred and also subject, as to the whole of the said property, to the payment of my just debts, funeral expenses, charges of proving this my Will and other

testamentary charges and expences whatsoever and also to the several legacies hereinbefore given or bequeathed. And Moreover, subject to any legacy or legacies, specific or pecuniary and also to any directions, which I may leave in my own hand writing, whether witnessed or not or dated or not and which writing or writings I hereby order and direct shall be taken and considered as part of this my Will, as if the same had been inserted herein. Provided always and I do hereby expressly declare and direct that, the part share and proportion of her, my said Niece Mary Ann WOLSTON, of and in my said property, shall be vested in and remain with her brothers, the said Edward HOULDITCH and Henry Lovelace HOULDITCH, their heirs, ex'ors, adm'ors or assigns, upon the trusts and for the purposes hereinafter declared or referred to, that is to say, Upon Trust to lay out the same on government or real security or securities and to alter and vary such securities with consent and to stand possessed of the interest, dividends and income for the separate use of the said Mary Ann WOLSTON, independently of her husband during her life without anticipation and her receipt to be a good discharge and, after her death, the principal of the said part share and premises to be for her child, if only one and, if more than one, then all her children, in equal shares as tenants in common, their respective heirs, ex'ors, adm'ors and assigns, with benefit of survivorship on a son's dying under twenty one without leaving issue living at his death or a daughter dying under that age unmarried, in the same manner and as fully and effectually in every respect as hereinbefore declared and expressed concerning the sum of two thousand pounds sterling, hereinbefore given for the separate use of her, my said Niece Mary Ann WOLSTON and after her death for the benefit of her child and children and as if the trusts there inserted for them or in their favor respectively were here repeated and set forth at length. Provided always and notwithstanding anything hereinbefore contained or to be construed to the contrary, I do hereby expressly declare and direct that, in case all the children of her, my said Niece Mary Ann WOLSTON, being a son, shall depart this life under the age of twenty one years and without leaving any issue of his body, lawfully begotten, living at his death or, being a daughter, shall depart this life under the age of twenty one years and without having been married, Then the said part, share and proportion of her my said niece, of and in the general residue of my property and the stocks, funds and securities for the same and also the accumulations and savings (if any) of the dividends, interest and income thereof shall be upon trust for the person or persons, who at the decease of her, my said Niece Mary Ann WOLSTON, shall be of her blood and in kin to her and who, either in his, her or their own right or in right of his, her or their representation, would be entitled to the same under the Statutes for the distribution of the effects of intestates, in case the said Mary Ann WOLSTON had died intestate and unmarried and, if there shall be more than one such person, Then to be divided between them in such parts, shares and proportions as they would be entitled to the same under the said Statutes.

And I do hereby constitute and appoint the said Edward HOULDITCH and Henry Lovelace HOULDITCH Executors of this my Will, In Trust for the purposes hereinbefore contained, Provided always and I declare that, if either of them, the said Thomas CARTER the younger and Edward CARTER or the said Edward HOULDITCH and Henry Lovelace HOULDITCH respectively shall die or refuse or decline to act in the trusts respectively of this my Will, Then a new trustee or trustees may be appointed by the surviving or continuing trustee respectively, each surviving or continuing trustee acting or appointing for and in respect of his own particular trusts, hereinbefore contained and not requiring the sanction of the other set of trustees and the said trust estate, monies, stock and premises respectively shall in that case be conveyed, assigned and transferred respectively, so as to be vested in such new and such surviving or continuing trustee or trustees respectively, upon the same trusts respectively and with the same powers respectively, as are hereinbefore mentioned and declared and so, from time to time as often as that case shall happen. Provided also and I further declare and direct that the said Thomas CARTER the younger or Edward CARTER, Edward HOULDITCH and Henry Lovelace HOULDITCH respectively and their respective heirs, ex'ors, adm'ors and assigns shall be chargeable only for such monies as the same trustees respectively shall actually receive by virtue of this my Will, notwithstanding his or their or any of their giving or signing or joining in giving or signing any receipt or receipts for the sake of conformity and that any one or more of them shall not be answerable or accountable for the acts, receipts, payments, neglects or defaults of the other or others of them, but each of them only and respectively for his own acts, receipts, neglects or defaults respectively, nor they or any of them be accountable for any banker, broker or other person, in whose hands any part of the said trust monies shall be deposited for safe custody or otherwise in the execution of the aforesaid trusts, nor for the rise or fall in the price or value of stocks, nor the insufficiency or deficiency in title or value of any security or securities, stocks or funds or upon which the same trust monies respectively shall be placed out or invested, nor for any other misfortune, loss or damage, which may happen in the execution of the aforesaid trusts or in relation thereto, except the same shall happen by or through their own wilful default respectively and then and in that case each person shall singly be answerable or accountable for loss or damage arising from his or their own default; and also that it shall and may be lawful to and for the said trustees respectively and every or any of them, their ex'ors, adm'ors and assigns, by and out of the monies, which shall come to their respective hands by virtue or in pursuance of the trusts aforesaid, respectively from time to time to deduct and retain to and for himself and themselves all costs, charges, damages and expences, which they or any of them respectively shall or may expend or sustain in the execution of the aforesaid trusts or in relation thereto.

And I do hereby revoke all former Wills and Testaments by me at anytime heretofore made.

In Witness whereof I have to this my last Will and Testament, written on twenty sheets of paper, set my hand to the first nineteen sheets thereof and my hand and seal to this twentieth sheet, the ninth day of April in the year of our Lord one thousand eight hundred and thirty eight 1838. Ann WOLLAND.

*Signed, sealed, published and declared by the said Ann WOLLAND the Testator, as and for her last Will and Testament, in the presence of us, who in her presence and in the presence of each other of us, have at her request hereunto set our names as Witnesses thereto. Philip WRIGHT, J.P. CLEIFE.*

*This is a Codicil to be added to and taken as part of the last Will and Testament of me Ann WOLLAND of Heavitree in the County of Devon, Widow, bearing date the ninth day of April one thousand eight hundred and thirty eight.*

*Whereas I have, in and by my said Will, given and bequeathed, to certain trustees therein named, the capital stock or sum of one thousand pounds three pounds per cent consolidated bank annuities, for or for the benefit of my Niece Caroline WHEATON (wife of George WHEATON) and of her child or children, in the manner therein particularly set forth and also the like capital stock or sum for or for the benefit of each of my two nieces, Penelope WHEATON (wife of Francis WHEATON) and Mary TURPIN (wife of Joseph TURPIN) and of their respective child or children, in the manner likewise in my said Will particularly set forth respectively. Now, it is my intention to take from each of the said bequests the sum of four hundred pounds stock, thereby reducing the amount of each bequest to six hundred pounds stock respectively. I do therefore by this Codicil revoke four hundred pounds stock of each of the said three bequests of one thousand pounds stock respectively and do hereby direct that, the capital stock or sum of six hundred pounds three pounds per cent consolidated bank annuities only, shall be transferred or paid in the said three bequests respectively, instead of the sum of one thousand pounds stock in each case and not to be transferred or paid until the end of six calendar months after the death of my brother Thomas CARTER, should he be living at the time of my decease, instead of at the end of six calendar months from my death, as mentioned in my said Will.*

*And I do hereby give and bequeath unto my nephew Thomas CARTER (son of my said brother Thomas CARTER) the said three several sums of four hundred pounds stock, making together one thousand two hundred pounds stock three pounds per cent consolidated bank annuities, part of the stock standing in my name in the books of the Governor and Company of the Bank of England kept for the said stock, To be transferred or paid to him, my said Nephew Thomas CARTER, for his own proper use & benefit absolutely, at the end of six calendar months from my death but without any dividends or interest for the same in the meantime and, if my said Brother Thomas CARTER should be living at the time of my death, Then I give the dividends or interest, arising from the aforesaid three several reduced bequests of six hundred pounds stock each, unto him, my said nephew Thomas CARTER, absolutely, from my decease up to the period hereinbefore appointed for payment thereof respectively.*

*And Whereas I have, in and by my said Will, given and bequeathed unto my brother, the said Thomas CARTER, the sum of three hundred pounds sterling, Now I do hereby revoke the said bequest and do hereby give and bequeath the said sum of three hundred pounds sterling unto his son, the said Thomas CARTER, for his own proper use and benefit absolutely, to be considered as vested in interest in him, my said Nephew Thomas CARTER, immediately on my death but not to be paid until the end of six calendar months next after that event and without any interest for the same in the meantime; and*

*Whereas I have also, in and by my said Will, given and bequeathed unto my nephew Edward CARTER, the capital stock or sum of one thousand pounds three per cent consolidated bank annuities, for his own proper use and benefit absolutely, Now I do hereby revoke the said bequest and do hereby give and bequeath the said capital stock or sum of One thousand pounds three per cent consolidated bank annuities unto his brother and my nephew, the said Thomas CARTER, for his own proper use and benefit absolutely. Provided always that, in case my aforesaid brother Thomas CARTER should not give his lands and tenements, which were lately in his own occupation but are now in the occupation of his son, the said Thomas CARTER the younger, situate in the Parish of Aylesbeare in the County of Devon, unto his youngest Son, the said Edward CARTER. Then I do hereby declare and direct that the said last mentioned capital stock or sum of one thousand pounds shall not go wholly to my nephew Thomas CARTER but be divided as follows (to wit) six hundred pounds stock, part thereof, to him my said Nephew Thomas CARTER absolutely and the remaining four hundred pounds stock to my said Nephew Edward CARTER absolutely and which I do hereby give and bequeath accordingly, in the event last mentioned but, not to be transferred or paid until six months after the death of his said Father, if he should be living at the time of my death and, if dead, Then at the end of six calendar months after my death and I give the dividends or interest, arising from the said last mentioned one thousand pounds stock, unto my said Nephew Thomas CARTER, wholly and absolutely from my decease up to the time of the transfer or payment thereof.*

*And Whereas I have named and appointed my said Nephew Edward CARTER to be a Trustee with his brother Thomas CARTER, in the several bequests and dispositions, which I have made in and by my said Will, to or in favor or for the benefit of his Sisters Elizabeth THOMAS, Caroline WHEATON, Penelope WHEATON, Mary TURPIN and Ann WALKER and their children or families respectively, Now I do hereby revoke and annul such nomination and appointment of him, my said Nephew Edward CARTER, to be a Trustee under my said Will, And do hereby nominate, substitute and appoint my nephew The Reverend Edward HOULDITCH to be a Trustee in the room and stead of the said Edward CARTER, to act in conjunction with the said Thomas CARTER the younger in the said several bequests and dispositions, it being my intention that the said Edward CARTER shall not be a trustee under my said Will. And I do hereby expressly declare and direct that, the said Edward HOULDITCH and Thomas CARTER the younger, their executors and administrators, shall be entitled to perform all the trusts expressed in my said last Will and testament, as fully and effectually, to all intents and purposes and with the same or the like powers and with*

*such and the like discretion, as if they alone had been named to be trustees for the purposes of my said Will and, as if the said Edward CARTER had never been named a Trustee therein.*

*And I further declare that the provision hereby made for my said Nephew Thomas CARTER is in addition to the provision made for him by my said Will.*

*And I do hereby confirm my said Will in all respects not hereby revoked or altered.*

*In Witness whereof, I have to this Codicil set my hand and seal, this twenty ninth day of April in the year of our Lord one thousand eight hundred and forty one 1841. Ann WOLLAND.*

*Signed, sealed, published and declared by the said Ann WOLLAND, as and for a Codicil to her last Will and Testament, in the presence of us, who in her presence and also in the presence of each other of us, have at her request hereunto set our names as Witnesses thereto. The words following "(to wit)" and "the remaining four hundred pounds stock to my said Nephew Edward CARTER absolutely" being first interlined in the second page of this Codicil. J.P. CLEIFE, Richard COLES.*

*This is a second Codicil to be added to and taken as part of the last Will and Testament of me Ann WOLLAND of Heavitree in the County of Devon, Widow, bearing date the ninth day of April one thousand eight hundred and thirty eight.*

*Whereas I have, in and by my said Will, given and bequeathed amongst other monies unto my nephew Thomas CARTER the younger and Edward CARTER, their executors, administrators and assigns the capital stock or sum of one thousand pounds three per centum consolidated bank annuities and also one Exeter Turnpike Deed Poll of the value of fifty pounds and the money thereby secured, upon trust, to pay the dividends, interest and income thereof respectively to and for the separate use of my niece Elizabeth THOMAS (wife of William THOMAS) for her life, as therein particularly mentioned and, after her death, the said capital stock and Deed Poll should be upon trust for the child, if only one and, if more than one, all the children of her, my said Niece Elizabeth THOMAS, lawfully begotten and to be begotten, to be equally divided between the same children, if more than one, in equal shares and proportions as tenants in common, their respective and, for want thereof, upon trust for her next of kin, with cross remainders between such children, as in my said Will mentioned and with remainder upon trust for such person or persons generally, as she, my said Niece Elizabeth THOMAS, whether married or sole, by deed or will should appoint and, for want thereof, upon trust for her next of kin. Now, I do hereby revoke the said bequests & trusts, so far as the same relate to the child or children of the said Elizabeth THOMAS and also so far as the same relate to her general power of appointment by Deed or Will and, for want thereof, to her next of kin and do limit such power as hereinafter expressed and do confirm the said bequests and trusts of the dividends, interest and income of the said trust stock and Deed Poll, to or for the separate use of her, my said Niece Elizabeth THOMAS, during her natural life, in the same manner as in my said Will mentioned and as if the same were here repeated in the words used in my said Will and, from and after the death of her, my said Niece Elizabeth THOMAS, it is my Will and I direct that the said Thomas CARTER the younger and Edward HOULDITCH (who was appointed a Trustee under this my Will, in the room and stead of the said Edward CARTER, in and by a Codicil by me to my said Will made and added and dated the twenty ninth day of April one thousand eight hundred and forty one and which appointment of the said Edward HOULDITCH and dismissal of the said Edward CARTER, I hereby confirm) and the survivor of them, his executors, administrators and assigns do and shall permit and suffer or otherwise authorize and empower the said William THOMAS to receive and take the dividends, interest and income of the said capital stock of one thousand pounds three per centum consolidated bank annuities or the stocks, funds or securities in or upon which the same shall or may at that time be invested or laid out, and also of the said Exeter Turnpike Deed Poll, for and during the term of his natural life, for his own proper use and benefit and, from and immediately after the death of the survivor of them, the said Elizabeth THOMAS and William THOMAS, her husband, It is my will and I direct that the said Thomas CARTER the younger and Edward HOULDITCH and the survivor of them, his executors, administrators and assigns do and shall stand and be possessed of and interested in the sum of five hundred pounds, part of the sd. capital trust stock of one thousand pounds, Upon Trust for Amelia DUNN (granddaughter of the said William and Elizabeth THOMAS) to and for her own proper use and benefit, if she shall be then living, But, in case the said Amelia DUNN shall happen to die in the lifetime of her Grandmother, the said Elizabeth THOMAS, the said sum of five hundred pounds stock and also the said Deed Poll shall be upon trust for such person or persons generally and in such parts and proportions, manner and form generally, as my said Niece Elizabeth THOMAS, whether married or sole and notwithstanding her present or any future coverture, by any deed or deeds in writing or by her last Will and Testament in writing, to be by her executed in the presence of and attested by two or more credible witnesses, shall direct, appoint or dispose of the same. Provided always that, in case the said Amelia DUNN shall happen to survive the said Elizabeth THOMAS, her grandmother, and afterwards die before she shall have attained her age of twenty one years, Then I hereby will and direct that the sum of five hundred pounds stock shall be held by the said Thomas CARTER and Edward HOULDITCH, upon the same trusts as are next hereinafter declared concerning the remaining five hundred pounds stock, being the residue of the said principal sum of one thousand pounds, that is to say that they, my said trustees or trustee for the time being, do and shall, from and immediately after the death of the survivor of them, the said William THOMAS and Elizabeth his Wife, stand and be possessed of the remaining sum of five hundred pounds stock and also of the said firstly bequeathed sum of five hundred pounds stock and Deed Poll, subject to and contingent upon the events hereinbefore mentioned, upon trust to divide the same sum or sums of five hundred pounds respectively, as the case may be, into four parts and pay or transfer one fourth part unto such of the children of my Nephew*

Thomas CARTER the younger, as shall be then living, equally between them, share and share alike and pay or transfer one other fourth part thereof unto such of the children of my niece Caroline WHEATON, daughter of my brother Thomas CARTER, as shall be then living, equally between them, share and share alike and pay or transfer one other fourth part unto such of the children of my niece Penelope WHEATON, one other of the daughters of my said brother Thomas CARTER, as shall be then living, equally between them, share and share alike and pay or transfer the remaining one fourth part or share unto such of the children of my niece Mary TURPIN, another daughter of my said brother Thomas CARTER, as shall be then living, equally between them, share and share alike.

In Witness whereof, I have to this second Codicil set my hand and seal, this twenty second day of May in the year of our Lord one thousand eight hundred and forty three 1843. Ann WOLLAND.

Signed, sealed, published and declared by the said Ann WOLLAND, as and for a second Codicil to her last Will and Testament, in the presence of us, who in her presence and also in the presence of each other of us, have at her request hereunto set our names as witnesses thereto. Mary BURKETT, G.W. GROVE of Exeter, Att'y.

This is the third Codicil to the last Will and Testament of me Ann WOLLAND of the Parish of Heavitree in the County of Devon, which Will bears date the ninth day of April in the year one thousand eight hundred and thirty eight.

Whereas by my said Will, I have bequeathed (amongst others) the following legacies in manner therein set forth, namely, To Thomas CARTER the younger and Edward CARTER, one thousand pounds three per cent consolidated bank annuities and one Exeter Turnpike Deed Poll for fifty pounds, upon trust for the benefit of my late deceased Niece Elizabeth THOMAS (wife of William THOMAS) and her child or children, appointees or next of kin; To the said Thomas CARTER and Edward CARTER, one thousand pounds three per cent consolidated bank annuities and one other Honiton Turnpike Deed Poll for fifty pounds, upon trust for the benefit of my niece Caroline WHEATON (wife of George WHEATON) and her child or children, appointees or next of kin; To the said Thomas CARTER and Edward CARTER, one thousand pounds three per cent consolidated bank annuities and one other Honiton Turnpike Deed Poll for fifty pounds, upon trust for the benefit of my niece Penelope WHEATON (wife of Francis WHEATON) and her child or children, appointees or next of kin; To the said Thomas CARTER and Edward CARTER, one thousand pounds three per cent consolidated bank annuities and one other Honiton Turnpike Deed Poll for fifty pounds, upon trust for the benefit of my niece Mary TURPIN (wife of Joseph TURPIN) and her child or children, appointees or next of kin; To the said Thomas CARTER and Edward CARTER, one thousand pounds three per cent consolidated bank annuities and one other Honiton Turnpike Deed Poll for fifty pounds, upon trust for the benefit of my Niece Ann WALKER (wife of Frederick WALKER) and her child or children, appointees or next of kin; To the said Edward CARTER absolutely, one thousand pounds three per cent consolidated bank annuities and one other Honiton Turnpike Deed Poll for fifty pounds; To the said Thomas CARTER the younger absolutely, one thousand pounds three per cent consolidated bank annuities and one other Honiton Turnpike Deed Poll for fifty pounds; To my brother Thomas CARTER three hundred pounds sterling; To Elizabeth CARTER (widow of my deceased brother Edward CARTER) an annuity of twenty five pounds; To John CARTER (son of my deceased brother Edward CARTER) for his own use, Two hundred pounds sterling; To the said John CARTER six hundred pounds three per cent consolidated bank annuities, to be paid to him after the death of his said Brother; To Ann or Nancy CHAPPLE two hundred pounds sterling and to John BAKE fifty pounds sterling.

And Whereas, by the first Codicil to my said Will, which bears date the twenty ninth day of April in the year one thousand eight hundred and forty one, I revoked four hundred pound stock from each of the said three bequests, contained in my said Will, of one thousand pounds stock respectively, for the benefit of the said Caroline WHEATON, Penelope WHEATON and Mary TURPIN and I directed that six hundred pounds stock only should be paid in the said three bequests respectively and I thereby bequeathed to my nephew, the said Thomas CARTER, the said three several sums of four hundred pounds stock and, by the said Codicil, I also revoked the said bequest of three hundred pounds sterling to my said brother Thomas CARTER and of one thousand pounds stock to my said nephew Edward CARTER and I hereby bequeathed the said sums of three hundred pounds and one thousand pounds to my said nephew Thomas CARTER.

And Whereas by a second Codicil to my said Will, which bears date the twenty second day of May in the year one thousand eight hundred and forty three, I made an alteration in the bequest, contained in my Will, to my said Niece Elizabeth THOMAS.

And Whereas it is my intention to revoke the said several legacies hereinbefore set forth in this my said Codicil and to bequeath the several legacies hereinafter mentioned in lieu thereof respectively and also to revoke my said two Codicils. Now I the said Ann WOLLAND, by this third Codicil to my said Will, which I direct to be annexed to my said Will and taken as part thereof, do hereby revoke the said five several legacies of one thousand pounds stock and Turnpike Deed Poll, so given by my said Will to the said Thomas CARTER and Edward CARTER upon trust for the benefit of my said five nieces, namely Elizabeth THOMAS, Caroline WHEATON, Penelope WHEATON, Mary TURPIN and Ann WALKER respectively and their respective children, appointees or next of kin. And I also revoke the said several legacies of one thousand pounds stock and Turnpike Deed Poll and one thousand and two hundred pounds stock and Turnpike Deed Poll and three hundred pounds sterling, given by my said Will to the said Edward CARTER, Thomas CARTER the younger and my brother Thomas CARTER respectively. And I also revoke the said annuity of twenty five pounds, so given by my said Will, to the said Elizabeth CARTER and I also revoke the said two legacies of two hundred

pounds sterling and six hundred pounds stock, so respectively given by my said Will, to the said John CARTER and I also revoke the said legacies of two hundred pounds and fifty pounds, so given to the said Ann or Nancy CHAPPLE and John BAKE respectively and I also revoke the appointment of the said Thomas CARTER and Edward CARTER respectively, as Trustees under my said Will. And I also revoke my said first and second Codicils respectively and all the bequests, dispositions, powers, provisoes, clauses, matters and things therein respectively contained.

And I the said Ann WOLLAND, by this my said third Codicil to my said Will, do bequeath to my nephews The Reverend Edward HOULDITCH of Ashley Rectory in Wilts., Clerk and The Reverend Henry Lovelace HOULDITCH of Holcombe Burnell in Devon, Clerk their executors, administrators and assigns the sum of two thousand and fifty pounds stock three per cent consolidated bank annuities, upon trust for the sole and separate use of Ann, the wife of Mr RICHARDS and daughter of my said late Niece Elizabeth THOMAS and to be transferred, paid, applied and disposed of as she may by Deed or Will direct or appoint, without being subject to the debts or control of her said husband and for which legacy her receipts shall be discharges to my Trustees and, if any part of the said legacy shall remain in the hands of my said trustees, undisposed of at the time of the death of the said Ann RICHARDS, Then the same shall be upon trust for such persons as shall be the next of blood and kin of the said Ann RICHARDS (exclusive of her said husband) at the time of her decease.

I also bequeath to Amelia DUNN, Spinster, daughter of the said Ann RICHARDS, the sum of two hundred and fifty pounds stock three per cent consolidated bank annuities, when and if she shall attain the age of twenty one years. And I hereby direct the dividends thereof to be applied in the meantime by my trustees towards the maintenance of the said Amelia DUNN or for her benefit.

I also bequeath to the said Edward HOULDITCH and Henry Lovelace HOULDITCH, their executors, administrators and assigns the sum of one hundred pounds stock three per cent consolidated bank annuities and also one Honiton Turnpike Deed Poll for fifty pounds, upon trust for the sole and separate use of my said Niece Caroline WHEATON (wife of George WHEATON) and to be transferred, paid, applied and disposed of as she may by deed or will direct or appoint, without being subject to the debts or control of her said husband and for which her receipts shall be discharges to my trustees and, if any part of the said legacies shall remain in the hands of my said trustees, undisposed of at the time of the death of the said Caroline WHEATON, then the same shall be upon trust for such persons as shall be the next of blood and kin of the said Caroline WHEATON, exclusive of her said husband, at the time of her decease.

I also bequeath to the said Edward HOULDITCH and Henry Lovelace HOULDITCH, their executors, administrators and assigns the sum of one hundred and twenty pounds stock three per cent consolidated bank annuities and also one other Honiton Turnpike Deed Poll for fifty pounds, upon trust for the sole and separate use of my said Niece Penelope WHEATON (wife of Francis WHEATON) and to be transferred, paid, applied and disposed of as she may by deed or will direct or appoint, without being subject to the debts or control of her said husband and for which her receipts shall be discharges to my trustees and, if any part of the said legacies shall remain in the hands of my said trustees, undisposed of at the time of the death of the said Penelope WHEATON, then the same shall be upon trust for such persons as shall be the next of blood and kin of the said Penelope WHEATON, exclusive of her said husband, at the time of her decease.

I also bequeath to the said Edward HOULDITCH and Henry Lovelace HOULDITCH, their executors, administrators and assigns the sum of one hundred pounds stock three per cent consolidated bank annuities and one other Honiton Turnpike Deed Poll for fifty pounds, upon trust for the sole and separate use of my said Niece Mary TURPIN (wife of Joseph TURPIN) and to be transferred, paid, applied and disposed of as she may by deed or will direct or appoint, without being subject to the debts or control of her said husband and for which her receipts shall be discharges to my trustees and, if any part of the said legacies shall remain in the hands of my said trustees, undisposed of at the time of the death of the said Mary TURPIN, then the same shall be upon trust for such persons as shall be the next of blood and kin of the said Mary TURPIN, exclusive of her said husband, at the time of her decease.

I also bequeath to the said Edward HOULDITCH and Henry Lovelace HOULDITCH, their executors, administrators and assigns the sum of one thousand pounds stock three per cent consolidated bank annuities and one other Honiton Turnpike Deed Poll for fifty pounds, upon trust for the sole and separate use of my said niece Ann WALKER (wife of Frederick WALKER) and to be transferred, paid, applied and disposed of as she may by deed or will direct or appoint, without being subject to the debts or control of her said husband and for which her receipts shall be discharges to my trustees and, if any part of the said legacies shall remain in the hands of my said trustees, undisposed of at the time of the death of the said Ann WALKER, then the same shall be upon trust for such persons as shall be the next of blood and kin of the said Ann WALKER, exclusive of her said husband, at the time of her decease.

Also I bequeath to my said nephew Thomas CARTER the younger of Aylesbeare, eldest son of my said brother Thomas CARTER, the sum of four thousand and five hundred pounds stock three per cent consolidated bank annuities for his absolute use.

Also I bequeath to Thomas Copplestone CARTER, son of my said nephew Thomas CARTER the younger, the sum of eighty pounds stock three per cent consolidated bank annuities for his absolute use.

Also I bequeath to Elizabeth Thorne CARTER, Spinster, daughter of my said nephew Thomas CARTER the younger, the sum of five hundred pounds stock three per cent consolidated bank annuities for her absolute use.

Also I bequeath to Anne CARTER, Spinster, another daughter of my said Nephew Thomas CARTER the younger, the sum of three hundred pounds stock three per cent consolidated bank annuities, when and if she

shall attain the age of twenty one years, for her absolute use; and I hereby direct the dividends thereof to be applied in the meantime by my trustees towards the maintenance of the said Anne CARTER or for her benefit. Also I bequeath to the said John CARTER, son of my deceased brother Edward CARTER, the sum of two hundred pounds stock three per cent consolidated bank annuities for his absolute use.

Also I bequeath to the said Edward HOULDITCH and Henry Lovelace HOULDITCH, their executors, administrators and assigns the sum of six hundred pounds stock three per cent consolidated bank annuities, upon trust to pay the annual income thereof from the time of my death to Elizabeth CARTER, (widow of my said deceased brother Edward CARTER) during her life and, after her death, upon trust to pay or transfer the said sum to her Son John CARTER, his executors, administrators or assigns absolutely but such legacy to be considered as vested in the said John CARTER immediately on my decease.

Also I bequeath to the said Edward HOULDITCH and Henry Lovelace HOULDITCH, their executors, administrators and assigns the sum of one hundred pounds sterling upon trust with the sole consent in writing of Ann or Nancy PASCOE (wife of [blank] PASCOE), niece of my late husband and to invest the same sum in their names on government or real securities in England and to change the investment from time to time for any other of the like nature. And upon further trust to empower the said Ann or Nancy PASCOE during her life to receive the annual income of the said sum but so that, during her present or any future coverture, my said trustees shall pay such income as the same shall become due and not by way of anticipation, into her proper hands and for her sole use, free from marital control, for which payments her receipts alone shall be discharges to my trustees and, after her death, as to the said sum of One hundred pounds, upon trust for Ann CHAPPLE, Spinster, daughter of the said Ann or Nancy PASCOE, her executors, administrators and assigns absolutely but such legacy is to be considered as vested in the said Ann CHAPPLE immediately on my decease.

Also I bequeath to the said Ann CHAPPLE, the further sum of one hundred pounds sterling for her absolute use.

Also I bequeath to the said John BAKE, Lieutenant in the Navy (nephew of my late husband), the sum of sixty pounds sterling for his absolute use.

Also I bequeath to Mrs Elizabeth CARTER, late of Kingsbridge, a clear annuity of five pounds during her life, to be paid by my Executors out of my personal estate by equal half yearly payments, to commence from my decease with a proportionate part thereof, up to the day of her death.

And I direct that all the before mentioned legacies shall be paid or transferred respectively at the end of six calendar months next after my decease but without any interest for the same in the meantime, unless any of the legatees shall be then under the age of twenty one years and, I appoint my said two nephews Edward HOULDITCH and Henry Lovelace HOULDITCH to be Trustees and Executors of my said Will and of this my said third Codicil. And I do hereby ratify and confirm my said Will in all respects, except where the same is hereby revoked or altered as aforesaid.

In Witness whereof, I the said Ann WOLLAND have to this my third Codicil to my last Will and Testament set my hand and seal, this eighth day of May in the year of our Lord one thousand eight hundred and forty six. Ann WOLLAND.

Signed, sealed, published and declared by the said Ann WOLLAND, as and for a third Codicil, to be added to and be considered as part of her last Will and Testament, in the presence of us present at the same time, who at her request in her presence and in the presence of each other have subscribed our names as Witnesses. John TUCKER of Exeter, Surgeon, J.P. CLEIFE, 4 Prospect Place, Topsham Road, nr. Exeter, Gent.

This is the fourth Codicil to the last Will and Testament of me Ann WOLLAND of the Parish of Heavitree in the County of Devon, which Will bears date the ninth day of April in the year one thousand eight hundred and thirty eight.

Whereas by a third Codicil to my said Will, which Codicil bears date the eighth day of May in the year one thousand eight hundred and forty six, I have bequeathed amongst others the following legacies, namely, to my nephew Thomas CARTER, therein described as the younger of Aylesbeare in the County of Devon, eldest son of my brother Thomas CARTER (since deceased), the sum of four thousand and five hundred pounds stock three per cent consolidated bank annuities. Also to Thomas Coplestone CARTER, son of my said Nephew Thomas CARTER, the sum of Eighty pounds stock three per cent consolidated bank annuities also to Elizabeth Thorne CARTER, Spinster, daughter of my said Nephew Thomas CARTER, the sum of five hundred pounds stock three per cent consolidated bank annuities and to Anne CARTER, Spinster, another daughter of my said Nephew Thomas CARTER, the sum of three hundred pounds stock three per cent consolidated bank annuities, if she should attain the age of twenty one years. And Whereas I have great cause for dissatisfaction with the said Elizabeth Thorne CARTER, daughter of my said nephew Thomas CARTER and I am desirous to make some provision for the Wife and other children of my said Nephew Thomas CARTER and, it is therefore my intention to revoke the said several legacies herein before set forth and to bequeath the several legacies hereinafter mentioned, in lieu thereof respectively.

Now I the said Ann WOLLAND, by this fourth Codicil to my said Will, which Codicil I direct to be annexed to my said Will and taken as part thereof, do revoke the aforesaid legacy of four thousand and five hundred pounds stock three per cent consolidated bank annuities, so given by my said third Codicil to my said nephew Thomas CARTER and I also revoke the aforesaid legacy of eighty pounds stock three per cent consolidated bank annuities, so given by my said third Codicil to the said Thomas Coplestone CARTER and I also revoke the aforesaid legacy of five hundred pounds stock three per cent consolidated bank annuities, so given by my said third Codicil to the said Elizabeth Thorne CARTER. And I also revoke the aforesaid legacy of three

*hundred pounds stock three per cent consolidated bank annuities, so given by my said third Codicil to the said Anne CARTER, and I, the said Ann WOLLAND, by this my said fourth Codicil to my said Will, do bequeath to my said Nephew Thomas CARTER the sum of one thousand and five hundred pounds stock three per cent consolidated bank annuities for his absolute use.*

*Also I bequeath to the said Thomas Coplestone CARTER, son of my said Nephew Thomas CARTER, the sum of five hundred pounds stock three per cent consolidated bank annuities for his absolute use.*

*Also I bequeath to the said Anne CARTER, daughter of my said Nephew Thomas CARTER, the sum of five hundred pounds stock three per cent consolidated bank annuities for his absolute use.*

*Also I bequeath to the said Elizabeth Thorne CARTER, daughter of my said Nephew Thomas CARTER, the sum of one hundred pounds stock three per cent consolidated bank annuities for his absolute use.*

*Also I bequeath to my Nephew Edward CARTER of Ottery St. Mary, brother of my said Nephew Thomas CARTER, the sum of one hundred pounds stock three per cent consolidated bank annuities for his absolute use; and direct that the aforesaid several legacies shall be paid at the expiration of six calendar months next after my decease but without interest for the same in the meantime.*

*Also I bequeath to my Nephew, The Reverend Henry Lovelace HOULDITCH of Holcombe Burnell in Devon, Clerk, and The Reverend Thomas WOLSTON of Saint Leonard's in Devon, their executors, administrators and assigns the sum of eight hundred pounds stock three per cent consolidated bank annuities, upon trust, to pay the dividends and annual income thereof, as the same shall arrive due and not by way of anticipation, to Elizabeth CARTER, the wife of my said Nephew Thomas CARTER, during her life, for her separate use independently of her present or any future husband and, for which dividends and income, her receipts alone shall be discharges to the said trustees; and, from and after the decease of the said Elizabeth CARTER, if my said Nephew Thomas CARTER shall be then living, upon trust, to pay the dividends and income of the said sum of eight hundred pounds stock three per cent consolidated bank annuities, unto my said Nephew Thomas CARTER and his assigns, during his life; and, after the decease of the survivor of the said Elizabeth CARTER and Thomas CARTER, upon trust, to pay and divide the aforesaid sum of eight hundred pounds stock three per cent consolidated bank annuities and the dividends and income thereof, unto and equally between the said Thomas Coplestone CARTER and Anne CARTER, son and daughter of my said Nephew Thomas CARTER, for his and her absolute use.*

*Also I bequeath to the said Henry Lovelace HOULDITCH and Thomas WOLSTON, their executors, administrators and assigns the sum of one thousand six hundred and eighty pounds stock three per cent consolidated bank annuities, upon trust, to pay the dividends and income thereof unto my said Nephew Thomas CARTER and his assigns, during his life and, from and after his decease, upon trust, to pay and divide the said sum of one thousand six hundred and eighty pounds stock three per cent consolidated bank annuities and the dividends and income thereof, as follows (that is to say), as to the sum of seven hundred pounds stock, part thereof and the dividends and income thereof, upon trust to pay the same unto the said Thomas Coplestone CARTER, son of my said Nephew Thomas CARTER, for his absolute use and, as to the sum of seven hundred pounds stock, other part of the said sum of one thousand six hundred and eighty pounds stock three per cent consolidated bank annuities and the dividends and income thereof, upon trust to pay the same unto the said Anne CARTER, daughter of my said Nephew Thomas CARTER, for her absolute use and, as to the sum of two hundred and eighty pounds stock, the residue of the said sum of one thousand six hundred and eighty pounds stock three per cent consolidated bank annuities and the dividends and income thereof, upon trust to pay the same unto the said Elizabeth Thorne CARTER, daughter of my said Nephew Thomas CARTER, for her absolute use.*

*Also I bequeath to each of the four daughters of my late niece, Mary TURPIN deceased, wife of Mr Joseph TURIN, the sum of fifty pounds sterling, to be vested in and paid to her on her attaining the age of twenty one years and, if any of them shall die under the said age, then I bequeath the legacy as well accruing as original of such daughter, so dying as aforesaid, unto the survivors and survivor of them, equally between them if more than one and, if all the aforesaid daughters of my said Niece Mary TURPIN shall die under the age of twenty one years, then I direct that the aforesaid several legacies shall sink into and form part of my residuary personal estate and I direct that all the aforesaid legacies shall be paid and transferred respectively at the end of six calendar months next after my decease, unless any of the legatees shall be then under the age of twenty one years, but without interest for the same in the meantime; and I appoint my said Nephews, The Reverend Edward HOULDITCH, Clerk and the said Henry Lovelace HOULDITCH, to be Executors of my said Will and Codicils respectively and I declare that the receipts of my said trustees and executors respectively, for such moneys, stocks, funds and securities, as shall be paid or transferred to them by virtue of this my said Will and Codicils respectively, shall effectually discharge the persons paying or transferring the same, from liability to see to the application thereof.*

*And I declare that my said trustees and executors respectively shall be answerable for their own respective acts, receipts and defaults only and shall be at liberty to retain and allow to each other out of the moneys coming to their hands, by virtue of my said Will and Codicils respectively, all expences incurred in executing the trusts thereof and I declare that on the death, refusal or incapacity of the said trustees or executors respectively or any of them or of any trustees or trustee, executors or executor to be appointed under this clause, it shall be lawful for the capable trustees or trustee, executors or executor, if any for the time being of my said Will and Codicils respectively, whether refusing further to act or not and, if none, for the executors or administrators or either or any of them of the last deceased trustee or executor to appoint a fit person or persons to supply the place of the deceased, refusing or incapacitated trustees or trustee, executors or executor. And I declare that the previous clauses, so far as they concern my trustees and executors*

*hereinbefore named, shall extend and apply to the trustees or trustee, executors or executor for the time being of my said Will and Codicils respectively. And I do hereby ratify and confirm my said Will and my said third Codicil in all respects, except so far as the same respectively are altered or revoked by this my said fourth Codicil, as hereinbefore mentioned.*

*In Witness whereof, I the (said) Ann WOLLAND have to this my fourth Codicil to my last Will and Testament set my hand, this seventh day of March one thousand eight hundred and fifty. Ann WOLLAND.*

*Signed by the said Ann WOLLAND, as and for a fourth Codicil, to be added to and be considered a part of her last Will and Testament, in the presence of us present at the same time, who at her request, in her presence and in the presence of each other, have subscribed our names as Witnesses. John TUCKER of Exeter, Surgeon, J.P. CLEIFE, Topsham Road, Exeter, Gent.*

*Proved at London with four Codicils 5<sup>th</sup> July 1851 before The Judge, by the oaths of The Reverend Edward HOULDITCH, Clerk and The Reverend Henry Lovelace HOULDITCH, Clerk, the Executors, to whom Adm'on was granted, having been first sworn by Com'on duly to administer.*

4. Thomas CARTER (born 1764) married Elizabeth COPLESTONE (see that line).
5. Edward CARTER (born 1768) married Elizabeth SEAMAN (see that line).
6. Caroline CARTER (born 1769) married Burnell TOWNSEND (see that line).