

18 Dec 1792 Thomas Richard Beaumont

[Note: Draft of chancery bill drawn up to deal with anticipated challenges to will of Sir Thomas Blackett. The full will is recited. As this is available elsewhere in DD (Thomas Blackett 29 May 1792) it is not repeated here.]

[Cover of document:]

In Chancery Beaumont Esq and <uxor> vs Bosville and <others.>

<.> Bill to Perpetuate the Testimony of the Wit[nesse]s to the Will of Sir Thos. Blackett Bart. dec[ease]d

Mr Richards 2 G[ui]neas to settle

Ingrossed on 2 skins 11th Dec. 92 and Bill Filed 18th Dec 1792

Hatton Garden

In Chancery

To the Right Hon[ora]ble the Lords Commissioner for the Custody of the Great Seal of Great Britain

Humbly Complaining shew unto your Lordship your A[ppella]nt and A[ppella]trix Thos. Richard Beaumont of Barton in the County of Yorks Esq and Diana his Wife two of the Devisee's and the said Thos. Richard Beaumont being the Sole ex[ecut]or and Residuary Legatee named in the last Will and Testament of Sir Thomas Blackett (formerly called Sir Thos. Wentworth) late of Bretton Hall in the Parish of Silkston in the said County of York Bart dec[ease]d --

That the s[ai]d Sir Thomas Blackett dec[ease]d was at the time of making his last Will and Testament hereinafter ment[i]one[d] and set forth and also at the time of his Death seized or intitled in fee simple for to & in possession of divers Manors Royalties Messuages Mines Farms Lands Tenements advowisons Rights of Presentation Tythes & Heredits sit[uate]d lying and being in divers Parishes Townships and Places in the County of York and elsewhere of consid[er]able yearly value and being so seized & intitled as aforem[ent]ione[d] and being of sound and disposing mind memory & understanding he the s[ai]d Sir Thos. Blackett did on or about the 29th day of May in the y[ea]r of our Lord 1792 duly make Sign Seal Publish Declare and Execute his Last Will and Testament in writing of that Date and that the s[ai]d Will was so signed sealed Published and Executed in the presence of three Credible Witnesses who Respectively subscribed their names as Witnesses thereto in the presence of the s[ai]d Testator and

which s[ai]d Will is in the words and figures or to the purport and Effect following
(that is to say)

[text of the will is recited here in the Bill]

As in and by the s[ai]d Will when the same shall be produced in this Hon[ora]ble Court will appear And your A[ppella]nt and A[ppella]trix further shew unto your Lordship that the s[ai]d Sir Thos. Blackett the Testator departed this life on or about the 10th Day of July – 1792 and without revoking his said Will and without altering the same leaving Diana Bosville of [left blank] in the Co[unt]y of Midd[le]sex W[ido]w and Elizabeth Walker of Kirk Ella in the County of York W[ido]w and The Revd. John De Chair Doctor and Julia his wife which said Diana Bosville Elizabeth Walker & Julia the wife of John de Chair are the surviving Sisters and Coheireses at Law of the said Sir T Blackett And Your < A[ppella]nt and A[ppella]trix further shew unto your Lordship that being intituled under the s[ai]d Will in such manner as before setforth your A[ppella]nt and A[ppella]trix well hoped they should have held and enjoyed the Real Estates devised to them by the said Will without any Interruption or Disturbance from the said Diana Bosville Elizabeth Walker and John De Chair & Julia his wife or any other Person or Persons whatsoever But now so it may please your Lordship that the s[aid] Diana Bosville Elizabeth Walker and John De Chair and Julia his wife seeking to frustrate the intention of the s[aid] Sir Thos. Blackett and to defeat the devise of the Premises in his s[ai]d Will pretend and give out that the said Testator did not make any such Will as afores[ai]d or in case he did make any such Will that he was not at the time of the Execution thereof of sound or disposing mind memory and understanding and that the said Will was not nor is duly made and published by the s[ai]d Testator so as to pass Lands of Inheritance or to affect the same And that such Will was not signed or attested in such manner as by Law is required for Devises of real Est[at]e or that for some Error or imperfection in the Execution or Attestation thereof the devises made by the s[aid] Testator of his Real Estate in and by such Will are void and of no Effect and that thereby the s[ai]d Testators Real Estates are by his death descended upon and now of right belong to them the said Diana Bosville Elizabeth Walker and Julia the wife of the said John de Chair as the said Testators Coheirs or Coheireses at Law Whereas your A[ppella]nt and A[ppella]trix expressly charge and so the truth is that the s[ai]d Sir Thos. Blackett the testator did duly make sign and publish & execute such last Will & Testament as afores[ai]d and that the s[ai]d testator was of sound disposing mind memory & understanding at the time of his making & executing the same And that the s[ai]d Will is duly attested and all the Ceremonies required by Law for establishing devises of Real Estate were duly observed by the s[ai]d testator and that your A[ppella]nt and A[ppella]trix are well intituled thereby to hold all the Estates so devised to them as afores[ai]d And the s[ai]d Diana Bosville Elizabeth Walker and John de Chair and Julia his wife threaten that when the witnesses to the Execution of the s[ai]d Will are Dead they will they will contest the validity thereof and set up a title as coheirs or coheireses at Law to the s[ai]d Devised Premises To the End therefore that the

s[ai]d Diana Bosville Elizabeth Walker and John de Chair and Julia his wife may full true direct and perfect Answer make to the sev[era]l matters & things hereinbefore setforth according to the best of their and each and every of their knowing remembrance Information and belief & that as fully and particularly as if the same was here again repeated and they and each and every of them were or was therewith respectively Interrogated And more Especially whe[the]r the s[ai]d Testator was not at the time of making his said Will and at the time of his death intituled of or to and possessed of divers Manors Royalties Mess[uage]s Mines Farms Lands tenem[ent]s avowsons Rights of Presentation Tythes and Heredits sit[uated] in divers Parishes Townships and Places in the County of York and elsewhere And whe[the]r the said Testator did not before his Death duly make his last Will and Testament in writing of such Date and in such words and figures or to such purport and Effect respectively as hereinbefore for that purpose mentioned and setforth or some other and what Will of some other and what Date in some other and what words and figures and to some other or what purport or Effect in particular or how otherwise And whe[the]r the said Will was not executed in such manner as required by Law for devising Real Estates of Inheritance And whe[the]r the said Testator was not of sound and disposing mind memory and understanding at the time of his making and publishing his s[ai]d Will And whe[the]r the s[ai]d Testator did not depart this life at or about the time hereinbefore in that behalf ment[ione]d or at some other time & when And whe[the]r he did not Die without revoking his said Will or any part thereof and without altering the same or any and what part thereof respectively And whe[the]r the said Diana Bosville Elizabeth Walker ----- and Julia the wife of the s[ai]d John de Chair are not or do not claim to be coheirs or coheireses at law of the said Testator Sir Thos. Blackett And whe[the]r they the said Diana Bosville Elizabeth Walker and John De Chair and Julia his wife or one and which of them have or hath not made or given out such pretence or pretences and threats as hereinbefore setforth or to that or the like Effect And that your A[ppella]nt and A[ppella]trix may be enabled by the Authority of this Hon[our]able Court to have the Witnesses to the s[ai]sd Will duly examined in order that their Testimony may be perpetuated & preserved so that your A[ppella]nt and A[ppella]trix may have the benefit thereof at any time when there shall be Occasion May it please your Lordships the Premises considered to grant unto your A[ppella]nt and A[ppella]trix his Majesty's most gracious writ or writs of s[ub]p[oen]a to be directed to the s[ai]d Diana Bosville Elizabeth Walker and John De Chair and Julia his wife thereby commanding them and each and every of them at a certain Day and under a certain pain therein to be limited personally to be and appear before your Lordship in this Hon[our]able Court & then & there true direct & perfect ans[we]r make to all & singular the Premises hereinbefore ment[ione]d and to stand to and abide such Order therein as to your Lordships shall seem agreeable to Equity & good conscience And your A[ppella]nt and A[ppella]trix shall ever pray etc

R Richards

