

Will of Charles Fairchild (1758-c1838)

Note: Paragraph breaks have been added to make the will easier to read; underlines _____ indicate words that I could not read; square brackets [] are words where I am uncertain of the transcription.

This is the last Will and Testament of me *Charles Fairchild*¹ of Stamford in the County of Lincoln Cabinet Maker

I give and bequeath unto my Son in Law John Day² all my working Tools the chest that holds them and the Bench at which I work at my business

I give and bequeath unto my Son in Law James Blake³ all my Musical books instruments wearing apparel and my watch

And I give and bequeath unto my daughter Marian ffairchild⁴ all my money household furniture plate linen china effects and personal Estate whatsoever and wheresoever to and for her absolute use and disposal she paying thereout all my just debts funeral and testamentary expenses

I give and devise unto William Reed of Stamford aforesaid Serjeant at Mace and Jeremiah Clapton of Stamford Yeoman and their heirs all that my Messuage or tenement and hereditaments situate in the Parish of Saint George in Stamford aforesaid wherein I now dwell to hold the same to the uses and upon the trusts hereinafter mentioned that to say To the use of the said Marian ffairchild and her assigns during her life if she so long continues unmarried and from and after her decease or marriage which ever first happen Upon trust that they the said William Reed and Jeremiah Clapton or the survivor of them or his heirs do and shall immediately after the decease or marriage of the said Marian ffairchild absolutely sell dispose of and convey all the said messuage or tenement and hereditament unto any person or persons for the most money and best price that may be reasonably had or got for the same and receive the monies for which the said premises shall be sold and conveyed and after such receipt of the said purchase money pay and apply the same and after deducting thereout the costs and charges incident to such same and the execution of the trusts hereby in them reposed upon the trusts hereinafter mentioned and for facilitating such sale and the indemnity of purchaser or purchasers of the said messuage or tenement and hereditaments I do declare that the receipt or receipts under the hands or hand of the said William Reed

¹ Charles Fairchild (1758-c1838), the Testator, son of Mary and John Fairchild, husband of Frances née Sharp (1758-?).

² John Day, son in law of the Testator, husband of Ann née Fairchild (1780-?).

³ James Blake (1778-1861), son in law of the Testator, husband of Elizabeth née Fairchild (1782-?).

⁴ Marian Faifchild (1797-1863), daughter of the Testator and Frances née Sharp (1758-?), never married.

and Jeremiah Clapton or the survivor of them or his heirs or assigns shall be a sufficient discharge to the purchaser or purchasers of the said premises or any part thereof

And as to the money arising from the sale of the said messuage or tenement and hereditaments I do hereby direct my said trustees or the survivor of them his executors or administrators to pay the same (in case my said daughter Marian shall happen to marry) unto my said daughter Marian and her two Sisters Ann Day⁵ and Elizabeth Blake⁶ in equal shares and proportions to and for their absolute use and disposal but in case my said daughter Marian fairchild shall die single and unmarried then and in such case I do direct my said trustees and the survivor of them his executors or administrators to pay assign and transfer two third parts of the money arising from the same of the said messuage or tenement and hereditaments unto and between my said two daughters Ann Day and Elizabeth Blake in equal shares and proportions to and for their absolute use and disposal And as to the remaining one third part or share of the money arising from the sale of the said premises I will and direct my said Trustees and the survivor of them his executors and administrators do stand and be possessed thereof and all the dividends interest and produce thereof upon such trusts and to and for such intents and purposes as my said daughter Marian fairchild shall by any Deed or Deeds Writing or Writings to be by her sealed and delivered or by her last Will and Testament or any Codicil or Codicils thereto to be by her signed and published in the presence of and attested by two or more credible Witnesses from time to time direct or appoint give or bequeath the same and in default of such direction or appointment gift or bequest Then I will and direct that the said William Reed and Jeremiah Clapton or the survivor of them his executors or administrators do and shall pay and assign the said one third part or share of the money arising from the sale of the said Estate and the securities whereon the same may be then placed unto and between my said two daughters Ann Day and Elizabeth Blake in equal shares and proportions to and for their absolute use and disposal

And i do nominate and appoint the said William Reed and Jeremiah Clapton *Executors* of this my last Will and Testament hereby revoking all former wills by me made

And I will that the said William Reed and Jeremiah Clapton or either of them or either of their executors or administrators shall not be chargeable with or accountable for more of the trust monies than they shall actually receive by virtue of this my Will nor for any loss which may happen without their wilful defaults and that it shall be lawful for my said trustees their and each of their executors and administrators in the first place by and out of the trust monies to reimburse themselves respectively all such loss costs charges and expenses as they or either of them shall sustain expend or be put unto for

⁵ Ann Day née Fairchild (1780-?), daughter of the Testator and Frances née Sharp (1758-?), wife of John Day.

⁶ Elizabeth Blake née Fairchild (1782-1865), daughter of the Testator and Frances née Sharp (1758-?), wife of James Blake (1778-1861).

or by reason of the performance of this my Will or the trusts hereby in them reposed or the management or execution thereof or anything relating thereto

In Witness whereof I the said Charles ffairchild the Testator have to this my last Will and Testament written on two sheets of paper to each of the said sheets set my hand and to this last affixed my seal this sixth day of September 1834 — *Charles Fairchild (SS)* — Signed sealed published and declared by the said Charles ffairchild the Testator as and for his last Will and Testament in the presence of us who have at his request in his presence and in the presence of each other set our names as witnesses thereto *George Burton — John Burton — Luke Barton.*

Proved at London 30th May 1838 before the Judge by the Oaths of William Reed & Susannah Clapton the Exors to whom admon was granted having been first sworn by Comon duly to administer ./.

Transcribed from images on Ancestry.co.uk [here](#).