

Will of Thomas Orby Hunter (1714-1769)

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.

I Thomas Orby Hunter¹ of Crowland in the County of Lincoln Esquire do make this my last Will and Testament in manner following that is to say

I give and bequeath all my Goods and Chattels personal unto my Executors herein after named In Trust in the first place to pay my funeral Charges (which I hereby direct to be in the most private and least Expensive manner) and all the Just Debts I shall owe at the time of my decease (other than and except such debts Charges and Incumbrances as are Charged upon my Lands Tenements and Hereditaments either freehold Copyhold or Leasehold by way of Mortgage or for the Portions of my two Sisters Henrietta Brickenden² and Charlotte Gray³ respectively all which Mortgages Portions and Incumbrances I will shall be paid out of the respective Estates Charged with and made liable to the same respectively)

And also In Trust to pay the Annuities Pecuniary Legacies and Portions herein after given and bequeathed so far as the said Personal Chattels will Extend or be Sufficient for that purpose and Subject thereto In Trust for such person or persons as shall be intitled to my freehold Lands and Hereditaments by virtue of this my Will

And I Give devise and bequeath all my Lands and Hereditaments in the Island of Jamaica in America and all my freehold Copyhold and Leasehold Manors Messuages Lands Tenements Hereditaments and Chattells Real in Great Britain Subject and charged and chargeable as aforesaid unto Major General George Gray⁴ and James Coutts⁵ Banker in the Strand their Executors and administrators respectively according to the nature of the said Several Estates and Interests upon Trust in the first place by Sale or Mortgage thereof or of any part thereof to raise Money Sufficient to pay so much and such part of the debts Legacies and Portions hereby directed to be paid with and out of my Personal

¹ Thomas Orby Hunter (c1714-1769), the Testator, son of Elizabeth née Orby and Maj Gen Robert Hunter (1665-1734), husband of (i) Mary née Heming (c1707-1749) and (ii) Jacomina Caroline née Bullenden (c1720-1795).

² Henrietta Brickenden née Hunter (c1716-c1780), sister of the Testator, daughter of Elizabeth née Orby and Maj Gen Robert Hunter (1665-1734), wife of Rev Richard Brickenden DD (c1711-1793).

³ Charlotte Gray née Hunter (c1700-1788), sister of the Testator, daughter of Elizabeth née Orby and Maj Gen Robert Hunter (1665-1734), wife of Lt Gen George Gray (1709-1773), 3rd Baronet Gray of Denne Hill.

⁴ Lt Gen George Gray (1709-1773), 3rd Baronet Gray of Denne Hill [[Wikipedia](#)], brother-in-law of the Testator, son of Hester née Dodd (1685-1781) and James Gray (1667-1722), 1st Baronet Gray of Denne Hill [[Wikipedia](#)], husband of Charlotte Gray née Hunter (c1700-1788).

⁵ James Coutts (1733-1778) [[Wikipedia](#)].

Chattells as the same personal Chattells shall fall short or be deficient to answer and satisfy

And subject thereto that they shall and do out of the rents and Profits of the said Land Tenements and Hereditaments which shall remain unsold pay such Annuitys or Yearly Sums as are herein after mentioned that is to say

To my dear Wife Jacomina Hunter⁶ during her natural life the Annuity or yearly sum of ffour hundred pounds of Lawfull Money of Great Britain ffree from all deductions whatsoever by equal Quarterly payments on the ffour most usual ffeasts or days of payment (that is to say) Lady day Midsummer day Michaelmas day and Christmas day in each year the ffirst payment thereof to Commence and be made at and upon such of the said ffeast days as shall happen next immediately after my decease which said Annuity or Yearly Sum hereby directed to be paid to my wife as aforesaid is intended as a satisfaction for and in Lieu of all Dower that She may Claim and in case my said Wife shall not accept of the same accordingly and shall commence any suit or suits in any Court of Law or Equity or other Court whatsoever in order to recover here Dower or thirds then my will and meaning is that the said rent or yearly Sum herein by ne given to my said Wife shall cease determine and be void

Item to my youngest Daughter Charlotte Letitia Hunter⁷ during her life the Annuity or yearly Sum of one hundred and ffifty pounds of Lawfull Money of Great Britain free from all deductions whatsoever by equal Quarterly payments on the ffour usual ffeasts or days of payment aforementioned And I do hereby appoint my said Wife to be Guardian to my said daughter Charlotte Letitia and to receive for the use of my said Daughter the Annuity or yearly Sum of one hundred and ffifty pounds by the equal Quarterly payments afore mentioned the ffirst of which to commence and be made upon the ffirst of the said ffeast days which shall happen next immediately after my decease and too Expend and Lay out the said Annuity for the Maintenance Education and further benefit of my said Daughter in such manner and proportions as She my said Wife shall think most proper until my said daughter shall attain the age of twenty one years

Item to my said dear Wife Jacomina Hunter the further Annuity or yearly Sum of one hundred pounds of Lawfull Money of Great Britain in Case She shall survive my said daughter Charlotte Letitia to Commence from the day of the death of my said Daughter and to continue during her natural Life Subject nevertheless to the same proviso and directions with respect to the Annuity of ffour hundred pounds

Item I will and direct that the Sum of Nine Thousand pounds be raised by my said Trustees by and out of my said Lands in Jamaica and out of my ffreehold Leasehold and

⁶ Jacomina Caroline Hunter née Bellenden (c1730-c1795), wife of the Testator, daughter of Jacomina née Farmer (1705-1775) and Lt Col Hon William Bellenden (1702-1759).

⁷ Charlotte Letitia Hunter (1757-1770), daughter of the Testator and Jacomina Caroline Hunter née Bellenden.

Copyhold Lands Tenements and Hereditaments in Great Britain and also out of the residue and surplus of my Personal Chattells which shall not be applied for and towards the payment of my funeral Charges and the debts hereby directed to be paid out of the same and that the said Sum shall be paid and applied in the manner following (that is to say)

To my Second Son William Orby Hunter⁸ the Sum of ffive Thousand Pounds to be paid to him when he shall attain the age of Twenty one years but if my said Trustees shall think it necessary for the advancement of my said Son to apply any part of the said Sum of ffive Thousand Pounds during his Minority which I do hereby empower them to do then my will and meaning is that so much and such part of the said Principal Sum of ffive Thousand Pounds as shall have been applied by my said Trustees for the advancement of my said Son would have been Intitled to by this my will Upon his attaining the age of twenty one years

To my second daughter Elizabeth Catherine Hunter⁹ the Sum of ffour Thousand Pounds to be paid to her upon the day of her Marriage

Item it is my will and I do hereby direct that my said Trustees do out of the Rents and Profits of my said Estates hereinbefore to them devised pay or cause to be paid to my Eldest Son Charles Orby Hunter¹⁰ the Annuity or Yearly Sum of three hundred pounds Lawfull Money of Great Britain till he shall attain the age of Twenty one years to my Son William Orby Hunter and to my Daughter Elizabeth Catherine Hunter the yearly Interest of the respective Sums of ffive thousand and ffour thousand hereinbefore mentioned and bequeathed re them to be Computed at the Rate of ffour Per Cent Per Annum which said Sums it is my Will shall be paid them half yearly till the principal is paid and it is my will that the said Annuity and Interest Money to my said Sons Charles and William and my said Daughter Elizabeth Catherine shall commence from the day of my decease and my further will and meaning is in case is in case my said younger Son shall happen to dye before he attains the age of twenty one years or my said daughter shall happen to dye before she is married that then and in such case the said Legacy or Legacys portion or portions to my said younger Son or Daughter shall Sink and fall into my Estate for the use and benefit of such person as shall be intitled to my ffreehold Lands and Hereditaments by virtue of this my Will

Item I give and bequeath to my said dear Wife Jacomine Hunter three hundred pounds Lawfull money of Great Britain to be paid to her immediately or as soon as may be after my death as also all my Household Linnen

⁸ William Orby Hunter (1750-?), son of the Testator and Jacomina Caroline Hunter née Bellenden, appears to have become and Indigo Planter in Bihar, India.

⁹ Elizabeth Catherine 'Kitty' Hunter (1740-1795), daughter of the Testator and Mary Heming, wife of Field Marshal Sir Alured Clark (1744-1832).

¹⁰ Charles Orby Hunter (1749-1791), son of the Testator and Jacomina Caroline Hunter née Bellenden, husband of Elizabeth née Howard (1753-1813).

Item I do give to my said dear Wife the use of all my Jewells which are or have been worn by her for the Term of her natural Life

Item I give to my three Sisters Henrietta Brickenden Catherine Sloper¹¹ and Charlotte Gray fifty pounds each which I desire they will accept as a mark of my Affection for them

Item I give to my eldest daughter Mary Harriot¹² the Wife of James Fortesque Esquire of the Kingdom of Ireland the Sum of one hundred pounds of Lawfull Money of Great Britain and subject to the said annuities or yearly sums and to the payment of the several Portions and Maintenances aforesaid (I give and devise all my Lands and hereditaments in the Island of Jamaica in America and all my freehold and Copyhold Lands Tenements and real Estate in Great Britain Subject as aforesaid unto and to the use of my Son Charles Orby Hunter and the Heirs Male of his Body and in default of such issue to the use of my Son William Orby Hunter and the Heirs Male of his Body and in default of such Issue to the use of my Daughters Mary Harriot Fortesque Elizabeth Catherine Clark and Charlotte Letitia Hunter equally to be divided among them Share and Share alike to take as tenants in Common and not as Joint Tenants and the several heirs of their Bodies respectively Issuing with Cross Remainders of their respective Shares in case of the death if any of them without Issue to the use of the Survivors or others and other of them and the heirs of her and their Body and Bodies Issuing and for default of all such Issue to the use of my own Right Heirs for ever

and I do hereby make and ordain and appoint my said dear Wife Jacomina Hunter (so long as she shall continue my widow and no longer) together with Gibbs Crawford of Essex Street in the Strand Esquire and Mr Thomas Coutts Banker in the Strand London Executors of this my Will

In witness whereof I have to this my Will contained in three sheets all wrote with my own hand set my hand to the first two sheets and to the last sheet thereof my hand and seal and to the Ribband which binds these three sheets together have set my seal this Thirtieth day of December in the year of our Lord one thousand Seven hundred and Sixty Seven /—/ Tho^s Orby Hunter /—/ Signed Sealed Published and declared by the testator as his last Will and testament in the presence of us who have at his request and in his presence and in the presence of each other here unto set our hands as witnesses thereto /—/ Abra Hume /—/ Joseph Leach /—/ Samuel Smart

This Will was proved at London on the twenty third day of December in the year of our Lord one thousand seven hundred and Sixty Nine before the Worshipfull Francis

¹¹ Catherine Sloper née Hunter (1712-1797), sister of the Testator; daughter of Elizabeth née Orby and Maj Gen Robert Hunter (1665-1734), wife of William Sloper MP (1709-1789) [[History of Parliament](#).]

¹² Mary Henrietta Fortesque née Hunter (c1736-1814), daughter of the Testator and Mary Heming, wife of Rt Hon James Fortesque (1725-1782).

Simpson Doctor of Laws Master Keeper or Commissary of the Prerogative Court of Canterbury Lawfully Constituted by the Oath of Jacomina Hunter widow the Relict of the deceased and one of the Executors (during her widowhood) and Gibbs Crawford Esquire and Thomas Coutts Esquire the other Executors named in the said will to whom administration was granted of all and singular the Goods Chattells and Credits of the said deceased they having been ffirst sworn duly to administer ./.

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