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JOHN MELLER OF FOREST

Will: 19th May 1784 ***Probate Bond: 28th March 1785***

Probable Burial: John Mellor of Forest, 13th August 1784, at St. Bartholomew's Church, Marsden[1]

Borthwick reference: John Meller/Mellor of Forest, Marsden, clothier, March 1785, Will and Probate Bond: Box 1781-1820, No.2

Will

19th May 1784

Size: 12¾" x 15¾"

Material: cream paper, lined out in pencil: folios are fastened at top left-hand corner by a strip of parchment, passed twice through the folios and through a parchment tab folded around the corner of folios, and knotted at the back

Folio 1 recto – will

This is the last Will and Testament[2] of me John Meller of Forest in Marsden in the Parish of Almondbury in the County of York Clothier made the Nineteenth Day of May in the Year of our Lord One Thousand seven Hundred and Eighty four **And First** my Will is That all my just Debts Funeral Expences Legacies hereinafter by me bequeathed and Probate of this my Will be paid Discharged and satisfied by my two Sons John Meller and James Meller equally between them Share and Share alike out of my real Estate hereinafter by me given and Devised to each of them respectively and their respective Heirs and I do hereby charge my said Real Estate with the true Payment thereof as aforesaid **And whereas** I have heretofore Surrendered all my Copyhold Estate within the Mannor of Marsden aforesaid into the Hands of the Lord of the said Mannor to for and upon such Uses as were or should be Declared in and by my last Will **Now** I hereby Give and Devise unto Mary my Dear Wife and her Assigns during her natural Life only (if she shall so long continue my Widow and not otherwise) **All** that my Dwellinghouse or Tenement with the Outhousing Closes Lands Grounds Hereditaments and Appurtenances to the same belonging or Appertaining and therewith now occupied Situate Standing lying or being at or near to Forrest aforesaid as the same are now in my own Occupation And also one Moiety or half part of my Beast Gates or Cattle Gates upon Pule in Marsden aforesaid **To have and to hold** the same Dwellinghouse or Tenement Barn Outhousing Closes Lands Grounds Hereditaments and Premises and Beast Gates or Cattle Gates unto the said Mary my Wife and her Assigns (without Impeachment of or for any Manner of Waste) for and during the Term of her natural Life only as aforesaid (if she shall so long continue my Widow but not otherwise) And immediately upon or after the Decease or Marriage of my said Wife which shall first happen I Give and Devise the said Dwellinghouse or Tenement Outhousing Closes Lands Grounds Hereditaments and Premises with their and every of their Rights Members and Appurtenances And also the said Moiety or half part of the said Beast Gates, or Cattle Gates unto my said Son John Mellor his Heirs and Assigns for ever

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1 in register of Marsden St. Bartholomew's; and of Almondbury parish (Marsden burials), where place of residence is spelt 'Forrest'

2 these words are written very large

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Charged and Chargeable Nevertheless with the Payment of one half of [.....][3] the Debts which I shall owe at my Decease, also one half of my Funeral Expences, one half of the Legacies hereinafter by me given and Bequeathed, and one half part of the Expence of Proving this my Will)[4] **And whereas** I am and stand indebted unto Elizabeth Haigh of Marsden aforesaid Spinster in the Sum of One Hundred Pounds and Interest upon Bond **Now** I do hereby Will Order and appoint That my said Wife or her Assigns shall during her natural Life (if she shall so long continue my Widow as aforesaid) pay unto the said Elizabeth Haigh her Executors Administrators or Assigns (out of and from the Rents Issues and Profits of the Premises above by me Devised to her as aforesaid so long as she or they shall hold and enjoy the same Premises) the Interest of the said Sum of One Hundred Pounds Yearly as the same shall become due – and if the said Elizabeth Haigh her Executors Administrators or Assigns shall happen to call in the said Sum of One Hundred Pounds and my said Sons John and James shall borrow One Hundred Pounds of any

John Meller[5]

Folio 2 recto – will

other Person or Persons to pay off and Discharge the same Then my Will is that my said Wife or her Assigns shall pay the Yearly Interest of such other Sum of One Hundred Pounds during her Life as aforesaid **And** I do hereby Charge my said Wife and her Assigns and also all and every part of the said Hereditaments and Premises hereinbefore [ ][6] by me Devised to her as aforesaid with the Payment of such Interest **Also** I Give and Bequeath unto my said Wife for and during the Term of her natural Life only (if she shall so long continue my Widow but not otherwise) The Use of all my Household Goods and Furniture, Beds and Bedding, Linnen, Working Tools, implements of Trade, Husbandry Gear, Hay, Straw, Horses, Beasts, and Cattle of all kinds and all other my Personal Estate whatsoever And my Will is that my said Wife shall be at Liberty to Sell the said Cattle or any of them and buy others in their Place and stead of such as she shall Sell as Occasion shall Require Provided she always keep up the same Number of Cattle And immediately upon or after the Decease of my said Wife I Give and Bequeath all the said Household Goods and Furniture, Beds and Bedding, Linen, Working Tools, and Implements of Trade, and Husbandry Gear, and also the Hay, Straw, and Cattle, which shall then be in or upon the said Premises or any part thereof at or near to Forest aforesaid unto my said Son Joseph Mellor[7] his Executors Administrators and Assigns But if my said Wife shall happen to Marry again Then I Give and Bequeath unto her upon such her Marriage the Bedstocks in the Chamber wherein I usually lye with the Bed and Bedding thereunto belonging and one Chest and nothing more, **Also** I Give and Devise unto my said Son James Meller his Heirs and Assigns for ever **All** that my Dwellinghouse or Tenement with the Barn Outhousing Closes Lands and Grounds Hereditaments and Appurtenances to the same belonging or Appertaining and therewith now Occupied or Enjoyed Situate Standing lyeing or being at or near to Forrest aforesaid as the same are now in the Tenure Holding or Occupation of William Parkin or his Undertenants **And also** one Moiety or half part of my Beast Gates or Cattle Gates upon Pule aforesaid **To have and to hold** the same last

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3 word erased and "xx"d over, now illegible

4 no opening bracket, which should perhaps have come before 'Charged and Chargeable Nevertheless...'

5 signature of testator

6 deleted illegible word

7 the 'said Son Joseph' is in fact not mentioned elsewhere in any of the documents, so this may be the will drafter's mistake: however, as sons John and James are bequeathed the property, it may be that Joseph was bequeathed the personal property

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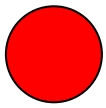
mentioned Dwellinghouse or Tenement Barn Outhousing Closes Lands Grounds Hereditaments and Premises and Beast Gates or Cattle Gates unto my said Son James Meller his Heirs and Assigns for ever (Chargeable and Charged Nevertheless with the Payment of one half of all the Debts which I shall owe at my Decease, one half of my Funeral Expences, one half of the Legacies hereinafter by me Bequeathed as aforesaid, And one half of the Expences of Proving this my Will), **Also** I Give and Bequeath unto my Daughters Mary the Wife of John Whitehead, Sarah the Wife of Emanuel Holdroyd, Hannah the Wife of John France, Martha the Wife of John Firth, Dinah Meller, and Ann Meller Spinsters the Sum of Five Pounds a Piece to be paid to them respectively or their respective lawful Representatives by my said Sons John and James or their respective Heirs and Assigns as aforesaid out of my said Housing and Lands hereinbefore given and Devised to them, at the End of one whole Year next after the End and Expiration of the Term in the Lease by which the said William

John Meller[8]

Folio 3 recto – will

Parkin now holds and Enjoys the Premises in his Occupation at Forrest aforesaid And I do hereby Nominate Constitute and appoint my said Son John Meller and James Meller joint Executors of this my last Will and Testament, and I do hereby revoke disanull and make void all Former Will and Wills by me heretofore made **In Witness** whereof I have to this my last Will and Testament contained in Three Sheets of Paper to the two first Sheets set my Hand and to the last my Hand and Seal the Day and Year first hereinbefore Written./

Signed Sealed Published and Declared by the said } John Meller[9]
John Meller the Testator to be his last Will and }
Testament in the Presence of us, who in his Presence }
and at his Request and in the Presence of each other have }
subscribed our Names as Witnesses hereto }



10

James kershew
Humphry Davenport
Jn^{o} Battye[11]

Folio 3 verso – will, written at 180^{0}

/182/[12] 19 May 1784
Jn^{o} [*John*] Meller of Forrest Will

[8] signature of testator
[9] signature of testator
[10] red wax seal; design of right-facing portrait bust
[11] signatures of witnesses
[12] this number, in maroon ink, is probably part of Manor of Marsden numbering system

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Probate Bond

28th March 1785

Size: 16½" x 13⅛", folded in two vertically *Material: cream paper*

Seals: three red wafer seals under rectangular piece of paper

Stamps: two revenue stamps, one embossed, value one shilling six pence, and one inked, value one half penny

Details of Bond:

Testator:	John Meller of Forrest in Marsden (parish of Almondbury), clothier
Executors:	John Meller of Forrest in Marsden (parish of Almondbury), clothier James Meller of Forrest in Marsden (parish of Almondbury), clothier (the executors are also bondsmen)
Bondsmen	John Meller of Forrest in Marsden (parish of Almondbury), clothier (signs) James Meller of Forrest in Marsden (parish of Almondbury), clothier (signs) James Marsden of Wellsyke in Marsden, gentleman (signs)
Lord of the Manor:	William Radcliffe Esquire
Steward of Manor:	John Battye, gentleman
Surety:	£100
Witnesses:	Geo[*rge*]. Tomlinson (signs)
Notes:	On Folio 2 verso is the number 182a in maroon ink, probably Manor of Marsden numbering, and the following: 'Probate Bond Meller & ano[*the*]r to Radcliffe Esq[*ui*]r[*e*] and Battye Gent[*leman*] Probate Bond'