19287 Pb

Phillipps MS
19287
2
19347

but I hope you have long before this had ye Satisfaction to hear of his Intended Visit and ye
He will soon performe his promise I was in hope ye Deeds wd have been returned Executed
by this time The Town is very empty and no News except that Wee have most delightfull
Harvest Weather at which Every body here are greatly rejoyced I hope you have ye Same
And that as all things turn out in your favour here, your Mind will be at ~~rest~~ ease and your
body in good Order to bear ye Inclemency of ye Winter Season ~~which~~ further to Contribute to which if
at any time in my power You may Command

Sincere Friend &c

Ye Most Obt H: S:

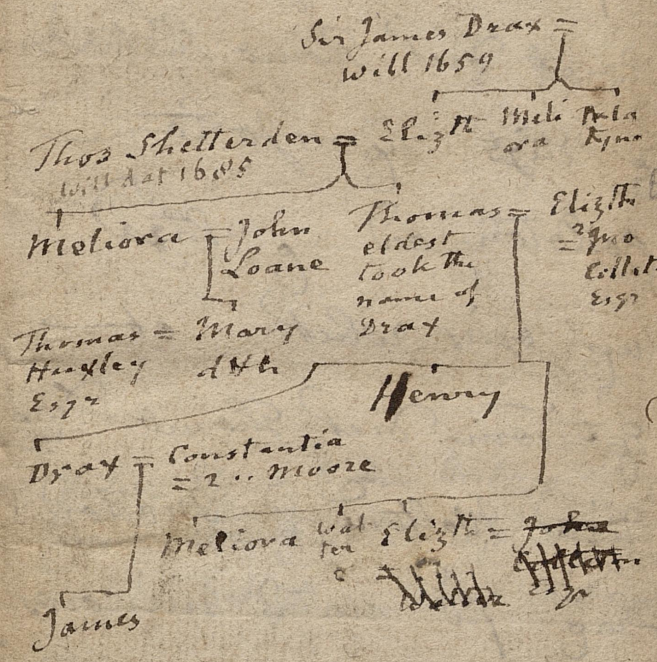
If you have any English Gentlemen in or abt your place who you Imagine will be
there abt ye time Gaynor will be wth you I Desire you will Send me their Names for
I will put them in ye Comicon to take ye Caption of ye Officer

Sr

I Recd your Case from Councell on Saturday Evening And He is of Opinion that you are Seized of an Estate in Tail Male in Rvercon Expectant upon ye death of your Mother wth Remainder in ffee in your Self as right Heir of your Father both in ye Freehold & Coppyhold Estates And that by Lease & Release & passing ffine you can make a good Title to ye ffreehold Estate to a Purchaser or Mortagee and devise ye same by your Will or otherwise dispose of it as you shall think fit But as to ye Coppyhold Estate As Entails can be barred by Recoverys only You cannot Suffer a Recovery wth out your Mother Joining wth you In regard therefore to ye Coppyhold Lands Nothing can be done till your Mothers Death Unless you think proper to be admitted to ye Revertion in your Mothers Life time (whome Shd you Survive) You will by that means Save half ye ffine as ye ffine in rvercon is but half as much as for ye possession And this may be done by Letter of Attn if you think proper As this is ye Case believe there will be no necessity for your have coming over as I can Send proper Instruments by Gaynon for you to Execute there I not seen or heard any thing of him Since my last Indeed I cant Say but I advised him not to Quit ye premisses till He had got ye matter in hand

but I hope you have long before this had ye Satisfaction to hear of his Intended Visit And ye

Coppy of
My Letter to Mr Draper
relating to Mr Greens Op



Int Ricum Draper
ar Exter Joshue Draper
Lunat ex parte Creditor
Thome Shetterdon ar defunct
et Eliz Shetterdon defunct vid
~~defunct~~ & Exts pfatt
Thome Shetterdon Thomam
Huxley ar & Maria
ux ejus filia & —
heredem Johis Loane &
Meliore ux ejus quae
fuit un filiar minor
Thome Shetterdon & Elize
ux ejus

Quer

(1)

Thos Shetterden = Elizth

Thos Drax = Elizth = Jno Colleton
took the name
Ernle

Henry Drax

Henrici Drax ar. fil. & heredis
filii Thome Drax
filij natu major &
heredis dict Thome Shetterden
& Eliza ux ejus Johem
Colleton ar & Eliza
ux ejus relict et
Extricem dict Thome Drax
Eliza Walterus & Melior
Drax fil natu minores
dict Thome Drax Georgius
Newport ar Extor Constantie
moore vid que fuit
relict & Extricem Drax
Shetterden defunct nu filij
natu minor dict Thome

(2)

Shetterden & Elize ux ejus

Georgius Clarke ar Extor

Jacobi Shetterden fil et

haered dict Drax Shetterden

& Elize ux dict —

Eliz: Ux dict

Georgij Clarke un ad

fil natu minor dict

Thome Shetterden & Elize

& Admiratricem Dicti Thome Shetterden Cum

Certo ejusdem Thome cum ex bonis non Admirat

ux ejus honorabilem Robtum

Price ar un Justic

dni Regis de Coi

Banco & Ricu Hopez

ar Superviven Extor Henci

Gorges ar defunct Willm

Smith ar & Dorothea

Pr Deum Eliz. & Nathanie Heatman defunct

& eciam Admiratricem dic Elize de bonis

non admiratrat pr dem. Nathanie Heatman.

ux ejus que fuit
vid & relict dict
hered Gorges & at
fil ~~nat~~ natu minor dict
Thome Shetterden & Elize
Eliz ux ejus Nathan Hickman
Gen defunct ~~adstrator pfat Elize~~
~~ux ejus Nathan Hickman~~
~~Gen adstrator pfat Elize~~
~~Shetterden vid & adm.~~
~~de bonis non dict~~
~~Thome Shetterden~~ Sara Taylor
vid supervivend Extricem Thome
Taylor ard defunct David
Mitchell ard & Robtu
Thomas admittor de bonis non

(4)

cum Testament annext

Robti White Defunct Defts.

et

Int pld Robtus Thomas

pld Georgius Newport Quod Willm

Preistley ad & melior

ux ejus pthonobis Henrus

Dnus St. John pld —

Henrus Drax & Nathan

Hickman ~~Defunct~~ Defts.

In pursuance of an order of the ninth day of Febry one thousand seven hundred & nineteen made on the hearing of these Causes and of an order of transfer

of the ninth of august one
thousand seven hundred & twenty one
I have been attended ~~by the~~
~~Comee of the Estate of the~~
~~plt Joshua Draper and~~ by ye Clerks
in Court and sold.ts for the
said pltfs Pres.d Draper Custerfe & for Thos. Huxley & Henry Drax &
John Colleton & Eliz: his wife
Geo. ~~Cla~~ Clerke & Eliz. his wife
mt. Justice price Richard Roper Wm. Smith
Esqr. & Dorothy his wife Emmett Nath
Hickman Sarah Taylor & Robt. Thomas
and being ordered to state the
sevll. Claims & Demands of the
sevll. parties & how the Case

(9)

stands doe humbly certifie that Sir James Dray Knt. father of the said Eliz.th Shotterden did by his last will & testamt. bearing date the ninth 15th. day of april one thousand six hundred and fifty nine give and bequeath to his three Daughters Mohora the said Eliz: Shotterden and Palatyne the sum of one hundred pounds a peice yearly to be paid unto every one of them severally respively or to their severall and respive assigns in every year for & during the Term of their lives and respive Lives and which

Sr. James Dray's Will Dat. 15 Aprile 1659

annuities & other Legacies in his
~~said~~ mencioned he did appoint shd
be issuing and payable out of
~~the~~ his plantacon Lands Tenemts Goods &
Chattells in the Island of Barbados
and paid to the said Legatees
or their assigns by his Sons
~~Sr James Drax~~ James Henry
James and Henry Drax & their
Heirs Extors Admors or assigns once
in every year upon the first
of January yearly at or in
the Insurance Office in the Royal
Exchange London and in default of
payment of the said Annuties by
the Space of 10 Days being

8

Lawfully demanded he gives the Said
Annty a forfeiture ~~Nore pene~~ of
Twenty Shills and so for every
10 Days after Twenty Shills with
a Clause of Entry and Distress
after failure of paymt of any
of the said Annuitys for the
Space of One and Twenty Days
with Libty of selling such Distress
if not redeemed in Ten Days
after the Same shall be made
And I ~~also~~ find also that Hen:
Drax Esqr Son of the said Sr
James Drax by his last will
and Testament bearing Date ye 30th

Sir James Drax
Hearing
Will d. 1682

9

Henry Drax Esqr
Will 30th June 1682

Day of June One Thousand Six hundred and Eighty Two did amongst other things give and bequeath to the five youngest Children of his Sister the said Elizabeth Shetterden Vizt Meliora Drax Eliz Henry and Dorothy five hundred pounds each and did ~~approve~~ appoint the said Legacies to be paid by his Extors in England and directed his Extors in England aforesd should have and Receive the profits of all his Estate reall and psonal in England and Barbadoes for paymt of his Debts and Legacies aforesaid untill such Time

Elizth = Thomas Shetterden

Meliora Drax Eliz Henry Dorothy

Thomas eldest to take the name of Drax

as his Nephew Thos Shetterdon Eldest
Son of his Sister Shetterdon or
in Case of his Death before
such Age then such other Person
who by Limitacons thereafter was
to have his reall Estate should
arrive at the Age of Three
and Twenty years and from and
after such Time as his Nephew
Thos Shetterdon should arrive unto the
said Age he willed and bequeathed
unto him all his Mannors Lands
Tenemts plantacons and Hereditamts wth the
Apptenes whatsoever in England and Barbadoes
To hold to him for his

+ Natural Life upon Condition if he
came to that age he would Leave
the name of Shetterdon and assume
and take upon him the Name
of Drax to continue to him
and his posterity after him w^th
Remainder to his first Second Third
Fourth fifth and Sixth Sons of
his Body lawfully begotten and the
Heirs Male of the Body of
such Son lawfully begotten Rem^r to Drax
Shetterdon in like manner Rem^r to
Henry ~~Drax~~ Shetterdon in like manner
wth Rem^r over Remainder to ~~the~~

Right Heirs of the sd Henry

Drax in Tice and by his

said will constituted and apointed Sr Walter
St John Barrt Mr John Bardon Hugh ffrankland & Abm Jackson Esqr
of Lusbeth in England & Cristoph Codrington Richd Guy Saml Newton &
John Hethersall ——— his Extors
in Barbadoes.

And I further Certify that it

does not appear to me that

the said five hundred pounds so

bequeathed to the said Meliora Shetterden
or the 500 bequeathed to the sd Drax Shetterden have
~~hath~~ been paid and it is ——

insisted that the said five hundred

pounds so bequeathed to the said

Indre dat 2d April 1705. Meliora was by Indre bearing Date

the Second Day of April One

Thousand Seven hundred and One assigned

and set over to the said

Thomas Shetterden Cia assetts of the

said Thos Shetterden to answer the

Claims of the Seval parties upon

the said Thos. Shetterden's psonal Estate

Henry = Dorothy
Drax Willd
the uncle 1683

And I further find that Dorothy

the widow of the said Henry

Dorothy ad Widdow
of Henry Drax's Will
dat 26th Oct. 1683

Drax did by her last will

and Testament bearing date the Six and

Twentyeth day of Octob One Thousd

Six hundred and Eighty three give

and bequeath unto her Xtor therein

named her Fosset Diamond Ring and

a pair of Roses for the

Ears and one mantua Clasp or
Graft for a Manto In Trust
that They their Extors Admors and
Assigns and the Survivor of them
and the Extors Admors and Assigns
of such Survivor should permitt and
suffer her said Sister Eliz Shetterden
to have the use and occupacon
of the said ~~Ring~~ ~~Earing Roses~~ Ring Roses for the Ears
and Clasp or Graft at all
Times during her husbands life and
in case She happened to Survive her
said husband then in Trust for
her her Extors Admors and Assigns as
aforesaid but in case her said

Dvo = Henry Thos Will 1683

Eligth = Thos Shetterden

So in Will +

Sister happened to dye before
her said Husband then she
willed that the said Diamond
Ring ~~Ear~~ Rosea for the ear and Mantua Clasp
or Graft to be distributed
between and amongst the Three
Dawro of her said Sister
Shetterden viz Dorothy Meliora and Elizth
every One One a peice her
God Daughter Dorothy to make
her Election first and next
to her Iter Neice Meliora and
It is insisted upon That
the said Jewells so given
and bequeathed to the said

Elizth = T Shetterden

Dory = Wm Gore Jes = Wm Smith

Meli ora

Elizth = Geo Clarke

Eliz. and Dore: Shottordon were sold
by the said Eliz Shottordon
their mother £ two hundred pounds
part of the money arising by
the sale thereof was paid into
the receipt of the Exchequer in
pursuance of an act of Parliamt
made in the year one thousand
six hundred & ninety three for
granting an aid to their Majestys
King Wm. and Queen Mary by
certain Duties of Excise upon beer
ale and other Liquors & that
there are now two annuities of

ten pounds ⅌ annu each for
the life of the said Deft.
Eliz. Clarke & Dore: Smith which
have been paid to the Deft.
Emmett & Wm. Hickman in his life time
Hickman out of his Majesties said
as ~~has been admitted by the Sd. Mr. Hickman before me~~
Rect. of Exchequer pursuant to two
Gallies & orders (herein numbered) two
thousand seven hundred & thirty five
& two thousand seven hundred and
thirty six from the

day of

to the

Mdsumer 1731 ~~day of~~

as
admitted by the said Deft. Hickman

and I further find that the said Thos. Shetterden being seized in fee of and in the manner of popes with the appurtenances & divers messes Lands tenemtt. & hereditamtt. in the parish of Bishop hatfield in the County of Hertford did by Indres of Lease and Release bear date the twenty third & twenty fourth days of Septemt one thousand six hundred and sixty six upon and in Consideracon of his then intended marriage with the sd. Elizth. Shetterden settle ~~the~~ the said Mannor & Lands to the use of himselfe

Manor of Popes in Bishop Hatfield to Sarto

Indres of Lease & Rel. dat 23d. & 24 Septr. 1666

1666 Thomas Shetter Lord of the Manor of Popes in Bishop Hatfield

Thomas eldest to ... the name of Dray

for ninety nine years if he
so long lived remd. to trustees
to preserve the contingent Remd. Remd
to ~~the~~ said Eliz for her
life for her Joynture with Remd
to their first and other sons
in taile male with diverse Remd.
over and that they had Issue
Thos. Shetterden their Eldest son who
~~changed his~~ afterwards changed his
name to Drax in pursuance of
the before mencoad will of the
sd. Henry Drax Esqr. his uncle
and five other Children vizt. the
said Drax Shetterden Henry Meliora &

Eliz and Dorothy Shotterden and I
find that by Indre dated the
eighth of April one thousand six
hundred & ninety two reciting the
said former settlemt to the effect
before mencond and that by articles
of agreemt between the said
Phot Shotterden of the one part
and the said Phot Drax of
the other part dated the fifth
of Aprily then last the said
Phot Drax for the Consn therein
mencond did agree with the said
Phot Shotterden to pay his said
five younger brothers and sisters one

Indre dat 8th April 1692

Articles of Agreemt dat 5 Aprily fol &

thousand pounds a peice and that
the said mannor of popes Lands
~~is charged~~ & premes should be charged
with the paymt. thereof to them
in manner after mencond the said
Thos. Shetterden & Eliz his wife
and the said Thos. Drax did
settle the said mannor of popes
to the use of the said
Thos. Shetterden the father for his
life remt. to the said Eliz
the mother for her life Remt. ~~to~~
to Wm. Gouge and Thos. Edge ~~for~~
for five hundred ~~pounds~~ years upon
the trusts after menconed Remt. to

the said Gho: Drax als Shetterden
and his heirs for ever and
I find that the trust of
the said five hundred years terme
was by the said settlement declared
to raise one thousand pounds a
peice for the said two younger
sons and three Daughters of the
said Gho: Shetterden by the said
Eliz^th. to be paid to the
sons when they should respively
attain their ages of twenty four
~~ages~~ years and to the said Daughters
Meliora Eliz: and Dorothy their Extors
and admors the severall sums of

one thousand pounds a peice at such time as they ~~shall~~ should or ~~may~~ might attain their sev^ll. ages of one and twenty years subject to a proviso that if either of the said two sons should dye before his age of four and twenty years or any of the Daurs should dye before their respie days of Marriage then his or her porcon was to cease and

Quere.

I find that by articles bearing date the tenth day of May one thousand six hundred & ninety two and made between the said

Artes dat 10th of May 1692

Thomas Drax of the one part
and Anne Erule wid: & Eliz
Erule her Daughter now Eliz: Colleton
of the other part reciting an
intended marriage between the said
Thomas Drax and the said Eliz:
Erule it was among other things
agreed that the said Anne Erule
should pay seven thousand pounds for
the portion of the said Eliz^th.
Erule in manner following Viz^t. five
thousand pounds to the said Thomas
Drax and two thousand pounds the
Residue to S^r. Edwd. Erule W^m.
Ash W^m. Gouge and Thos. Edge

to be laid out at Interest
in their names with the
approbacon of the said Gho: Drax
and to continue so till he
should attain the age of four
and twenty years or dye which
should first happen and the Int
to be pd. to him and
if he should attain the age
of four and twenty years
or should dye before that age
without any Issue of his body
by the said Elizth. other than
such as should be their heir
male ~~that~~ then and from thenceforth

in either of the said Cases
so happening the said two thousand
pounds should go and be recd
and disposed of unto and for
the proper benefitt of the said
Tho! Drax his Extors admors and
assigns but if he should happen
to ~~dye~~ dye before he attained the
said age of four and twenty
years leaving any Issue of his
body by the said Eliz: Erule
other than such Child as should
be heir male of his body
by the said Eliz: that then
and in such Case the said

two thousand pounds should go and be paid unto and to the use of such Child or Children that should attain the age of one and twenty years or be married which should first happen if more than one then to any one or more of them in such manner & proportions as the said Thos Drax by any writing by him signed sealed or by his last will should direct and for want of such direction to be equally divided amongst them and the Jst and

Increase of the said two thousand pounds to be employ'd for the maintenance and Education of such Child or Children till the princ^ll. sum should become payable and if all the said Children should happen to dye before the same should become payable then the said two thousand pounds should go to the Ex^tors or admors of the said Gho^s. Drax and I further certifie that ~~it is~~ — 9 out ~~admitted by the sold for the said Def^t. henry Drax that~~ the said Gho^s. Drax attained his age

of four and twenty years and
dyed in or about the
days of
in the year one thousand
hundred and
leaving Issue by the s.d Eliz.th
Erle now and Eliz.th Colleton the said
Defts Henry Drax, Walter, Eliz.th and
Mohira Drax, and I find that
Indre dat 27 July 1693 the said Tho.s Drax by Indre
dated the seven & twentieth of
July one thousand six hundred &
ninety three in pursuance of the
s.d acts made on his Marr.ge
with the Defts Eliz: Colleton
formerly Eliz Erle did in consideracon of the Summe of
2000 pounds paid to Him Grant all the s.d Mannor of
popes with the Appurtenc in the County of Hertford to Wm Ash Esqr afterwds
Earl of Oxford and Robert Tracy Esq.r afterwards

One of ye Judges of the
Common Pleas for one Thousand
Years upon Trust that if ye s^d
Thos Drax should Die before he
attain'd ye Age of Four and
Twenty Years leaving any Issue of
his Body by ye said Eliz^t
other than his Sons Male by
her or if ye said Thos
Drax should Die w^thout Issue Male
of his Body by ye said
Eliz or that such Issue Male shd
dye before attaining ye Age of
One and Twenty Years and that
the said Thos Drax should leave
one or more Daughters by ye

said Eliz that then and in
either of ye said Cases ye
said Trustees shd by ye Ways
and Meens therein mencond raise
Two Thousand pounds in Case ye
said Thos Drax should die before
ye Age of fourteen & twenty Years ~~of Age~~
for ye Benefit of such Child
and Children of ye said Thos
Drax and Eliz his Wife other then
his heir Male by ye said
Eliz wch shd attain the Age
of One and Twenty Yrs or
Mariage first happning and such
Shares and proporcons (if more then

one as he Should appoint and
and for want of Such Appointm.t
to be Equaly Divided Between y.e
and in Case y.e Said Thos Drax
Should Attain y.e Age of Four
and Twenty Years then for y.e
use of Such Daughter or Daughters
of y.e Said Thos Drax and
Eliz his Wife in Case of
failure of Issue Male as afores.d
which Should attain y.e
age of One and Twenty Years
or Marriage Just happning

Indrs of Lease &
Rel dat 23, & 24
Novr: 1696.

And I further find that by
Indres of Lease and Release
bearing Date ye Twenty third and
Twenty fourth Day of Novem One
Thousand ~~Seven~~ Six hundd and ~~Seventy~~ ninety Six
Between ye Said Thos Shetterden &
Eliz his Wife of ye first part
ye Said Thos Drax of ye Second
part Thos Taylor of ye third part
and Edmund Godwin ~~of~~ ye fourth
part the Said Thos Shetterden and
Eliz his Wife in Consideracon of
Six hundd pds paid to ye
Said Thos Shetterden and ye further
Summ of Eleven Thousand Eight hundd &

Twenty pds agreed to be ~~paid~~ secured
to be pd by ye Sd
Thos Taylor in Such Manner as
is mencond by Indre of Seven pts
intend to bear Date the
Twenty Seventh Day of ye Sd
Novembr and to be made between
ye Said Thos Taylor of ye first pt
ye Said Edmund Godwin of ye
Second part Jon Bellers
of ye Third part ye Said
Thos Shelterden & Eliz his Wife
and Thos Drax of ye Fourth
part Willm Priestly and Danl Thos

of ye fifth part Wm Forbes
and Jacob Edge of ye Sixth
part Jon Loan Jno Gibbons &
John Barm of ye Seventh part
do grant and Convey ye Said
Manner of popes and other the
premises (Except as therein Excepted) unto
and to ye Use of ye Said
Edmd Godwin his heirs and Assigns
during ye Life of ye Said Thos
Shetterden and Eliz his Wife and
ye Live of ye longer Liver
of them in Trust for the
Said Thos Taylor his heirs and

Assigns and therein reciting that ye
said Mower Shetterden had ye yn
Michmas Term levied in ye Court
of Common pleas ~~Westmr~~ a fine to
ye said Edmd Godwin and his
heirs of ye said Mannr and
premises (Except as before Excepted) ~~and~~ during
ye Lives of ye said Thos
Shetterden and Eliz his Wife and
ye Life of ye longer Liver
of them it was thereby declared
by ye said Thos Shetterden and
Eliz his Wife and ye Sd Edmd
Godwin that ye said Fine so
levied should be and enure to

ye Use of ye s^d Edm^d Godwin
and his Heirs in Trust for
ye said Thos Taylor his heirs
and Assignes and ye s^d Thos
Drax for ye Consideracon aforesd
and wth ye Consent of y^e
s^d Thos Shelleden and Eliz his
Wife and Edm^d Godwin did thereby
Grant unto ye s^d Thos Taylor &
his heirs ye Reversion and Remr
of ye said Manor & other the
premises therein before granted by
ye said Thos Shelleden and Eliz
his Wife to ye said Edm^d
Godwin And I further find

Indre of 7 parts dat 27 Novr 1696

that by Indre of ~~Lease and~~ Seven pts

dat ye Seven and Twentieth Day

of Novemr One Thousd Six hundd

and Ninety Six made Between Thos

Taylor Esqr of ye first part Ned

Edmd Godwin of ye Second part

John Billers of ye 3d part

The Sd Thos Shetterden Eliz his

Wife & ye Sd Thos Drax of

ye fourth part Wm Preistly and Danl

Thos of ye fifth Part Willm

Forbes and Jacob Edge of ye 6th part

John Loan John Gibbons & John Barn of ye

Seventh part therein reciting ye last mencond

Indre of Lease and Release ye Sd Edm Godwin

by ye Direcon of ye Said Thos Taylor did Grant

and Convey ye Sd Mannr & premises to ye Sd Preistly & Thos for

the Lives of ye Sd Thos
Shetterden and Eliz his Wife and
ye Said Taylor by and with
ye Consent and Attornmt of the
Said Godwin Preistly and Thos
did Grant and release to ye
sd Forbes and Edge and their
Heirs ye Reversion and Remr of
ye Sd Manner Lands & Pmises
Subject to a proviso & Agreemt
to reconvey to ye Said Taylor
if he his Heirs Exects Admds
or Assigns Shd pay ye Said
Sum of Eleven Thousd Eight Hundd
and twenty pounds with Int to

the Sevral persons and at ye Sevral
times and in ye Mannr followg
Vizt to ye Said Thos Shetterden
One Thousd Six hundd and Sixty
pds to ye Said Thos Drax
four hundd and ~~fifty~~ sixty pounds &
to ye Said John Billers Seven hundd
pounds amountg in ye Whole
to ye Sum of Two Thousand
Eight hundd and Twenty pounds at
ye times therein mencond to ye
Sd John Loan ye Husband of
ye Sd Meliora ye Sum of
One Thousand pounds upon ye four
and twentieth Day of June one

Meliora Jno Drax Loand 1698

Thous^d Six hund^d and Ninety Eight
to ye s^d Drax Shelleden Henry Eliz &
Dorothy Shelleden One Thous^d pounds
a peice to be paid to
them respively as ye Same became
due and payable by ye Said
Indre of ye Eight Day of
April One Thous^d Six hund^d &
Ninety two to ye Daught^rs &
Daughters of ye s^d Th^o Drax
by ye Said Eliz his Wife
ye Sum of Two Thousand pounds
when and in Case ye Same
should become payable to y^m accord^g
to ye Indre of Settlem^t of

the Seven and Twentieth Day of
July 1693 ~~ye Fifth of Wm and Mary~~
to ye Sd Gouge and Thos their
Exds Admrs and Assigns Two Thousd
pounds at ye Said End of
Six months next after the
Decease of the Sd Thos Shetterden
and Eliz his wife and by
the said Indre of Seven parts
it was agreed by all ye
said parties thereto that if Drax
and Henry Shetterden or Either of
them Shd dye before ye Age of
four and Twenty Years & if ye Sd
Sd Eliz & Dorr Shetterdin or

Either of them Shod Die Before
Marriage & Under ye Age of
One and Twenty Years then ye
Sd Sum of One Thousd pounds
to be pd to him her
or them so dying Shod be pd
unto ye Sd Gouge and Thomas
and allso if ye Said Summe
of Two Thousand pounds appointed
to be paid to ye Sd Daurs
of ye Sd Thos Drax cannot
become due and payable acordg to ye
~~Sd Indre~~ Intent of ye Said Indre
of Settlemt of ye Seven and
Twentieth of July ~~1693~~ ~~ye Fifth Willm~~ Slet +

Stet ~~and Mary~~ which was in Mayoure 1693 that then that said
Sum of Two thousd pounds Thod
be paid unto ye said Gouge
and Thomas & it was also
further agreed yt ye sd Taylor
his Heirs Exds Admds & Assns
Thod pay Int for ye sd
Eleven Thousd Eight hundd and Twenty
pounds from Michmas then last to
the Seval Prons at ye Seval
Times ~~at ye~~ and in Manner following Vizt
to ye sd Thos Shetterden Thomas
Drax and John Billers Intd for
ye sd Two thousd Eight ~~pounds~~ hundd
and twenty pounds as therein is

mincond to ye Sd Thos Shetterden
and Eliz his Wife and in
Case of both their Deaths to
ye said Loane or Meliora his
Wife Int of ye Sd one
Thousand pounds appointed to be paid
to ye Sd Loan or his Wife
after ye Rate of Four pds ten
Shillings ℘ Cent till ye Four &
twentieth Day of June One Thousd
Six hundd and Ninety Eight to
ye Sd Thos Shetterden and Eliz his
Wife and in Case of
Both their Deaths to ye Sd
Gouge and Thos Int at ye

Rate of four pounds ten Shill
till Mitimas One Thous^d Six hund^d
and Ninety Eight and after Int
at five pounds ⅌ Cent for
ye Seval Sums of One Thousand
pounds appointed to be p^d unto
Chraboll the s^d Drax Henry ~~Eliz~~ and
Dorothy Shetterden until ye s^d Seval —
Sums of one Thousand pounds sh^d
respectively become Due and payable &
to ye s^d Thos Shetterden & &
Eliz his Wife and in Case
of both their Deaths unto y^e
s^d Gouge and Thomas Int after
ye Rate of four pounds ten

Shill ℘ Cent till Mikhmas One
Thous^d Six hund^d and Ninety Eight
and after Int at five p^ds
℘ Cent for ye Said Sum
of two thous^d p^ds appointed to
be paid to the Daughters
of ye S^d Thos Drax and Eliz
his Wife until ye Same Should become
due and payable & also to
ye Said Thos Shellorden and y^e
S^d Eliz his Wife during their
Lives and after both their Deaths
to ye S^d Gouge & Thos
Int after ye Rate of Four
p^ds ten Shill ℘ Cent till

Mithmas One Thousand Six hund^d &
Ninety Eight & after Int at
five pounds ⅌ Cent for y^e
s^d Sum of two thousand pounds
Residue of ye S^d Sum of
Eleven Thousand Eight hund^d and
twenty pounds until ye s^d Sum of
two thous^d pounds Sh^d be
p^d to ye S^d Gouge and
Thomas. And I also find that
Indre Tripartite by Indre triptite bearing Date y^e
27 Novr 1696
Seven & twentieth Day of Novem^r
One Thous^d Six hund^d and Ninety
Six and made between ye s^d
Thos Shellerden and Eliz his Wife

& Thomas Drax of ye first part
The said John Loane of
ye second part and ye said
Gouge and Thos of ye third
pt takg Notice of ye sd
Deed of ye Eight of April
One Thousd Six hundd and Ninety
two whereby ye sd Mannr of
Popes was Chargd with ye paymt
of ye sd Sums of One
Thousand pounds a piece to ye
sd Meliora ye Wife of ye
sd Jon Loan and to ye
sd Drax Henry Eliz & Dorothy
Children of ye sd Thos Shetterden

at ye times and Manner therein
mencond and also of ye Sd
Indre of Seven pts and that
thereby Seval Sums pt of ye
Pchase Money aforesd were directed to
be pd to ye Sd Trustees Gouge &
Thos and reciting that ye Said
John Loan had given Security to
pay to ye Sd Thos Shelterden
and Eliz his Wife during their Lives
and ye Live of ye longer
liver of them Just after ye Rate
of three pounds pr Cent
for ye Sd One Thous pounds
the portion of ye Sd Melicia in Case

ye Sd Jno Loane Shd receive
ye same and that it was
intendd ye ye said Thos Shetterden
during his Life and after his Decease
ye Sd Eliz his Wife
during her life should receive ye
Int of ye Sd four Thousand
pounds payable to ye Sd Drax
Hond Eliz and Dord Children of
ye Sd Thos Shetterden Respectively
It was by this Indre triptite
witnesd that ye Sd Seval Sums
(pt of ye purchase Money aforesd)
directed to be pd to the
Sd Gouge and Thomas by ye

sd Indre of 7 pts was
directed to be paid upon Trust
yt yt sd Trustees shd from
time to time as it shd
Be Recd put yt same out
at Intt and pay such Int
to yt sd Thos Shetterden during
his life and after his Death
to yt sd Eliz his Wife
during her life and after both
their Deaths and in Case the
sd Jno Loane shod receive yt
sd one Thousand pounds payable to
the sd Meliora his Wife &
pay Interest for yt ~~Sam~~ Same as

~~49~~
53:

aforesd to ye sd Thomas Shetterden
and Eliz his Wife during their
respective lives as aforesd them
ye sd Trustees were by &
out of ye sd Fund or
Money directed to be pd them
by ye sd Deed of Seven
pts to pay to ye sd
Jno Loane his Exrs Admrs and
Assns Int for ye sd Sum of
One Thousand pounds to be
computed from ye time ye Same
was to be pd and payable to
ye sd Melicia by ye
sd Deed of ye Eight of

April One Thous Six hundred &
Ninety two Viz from y time
when She attaind her Age of
One and Twenty years and in
Case y Sd Drax Henry Eliz
and Dora y other younger Children
of y Sd Tho Shetterden or
any of them Shoud permit y
Sd Tho Shetterden and Eliz his
Wife during their Respective Lives
as afores to receive y Just
of their Sd respive portions then
y Sd Trustees were after y
Decease of y Sd Tho Shetterden
and Eliz his Wife out of

yt sd fund or Money so
directed to be pd to them
as afores to pay to Such
of yt four last mencond Youngr
Children Jnt for his her or
their sd Respive portionb from yt
Time yt Same were respively to
becomo payable accordg to yt sd
Deed of yt Eight of April
One Thousd Six hundd and Ninety
two and in Case yt Said
John Loane sh not pay to yt sd
Thos Shetterden and Eliz his Wife
Jnt for yt sd One Thous
pounds payable as afores after

ye Rate of Three pounds pr
Cent & in Default of Such
pmesteon by ye sd Drax henry
~~and~~ Eliz & ~~Dorot~~ Doro or any
of them then ye said Trustees
after ye Decease of ye sd
Thos Shetterden and Eliz his Wife
were out of ye sd Ffund
or Money so directed to be
pd to them as aforesd to
pay to ye respive ~~Admds~~ Exds Admds
and Assignes of ye sd Thos
Shetterden and Eliz his Wife Int
at ye rate of Six pounds pr
Cent for Such of the sd

seval Sumt and porcont of one
Thous^d pounds and for Such Times
respively as they ye S^d Thos
Shetterden and Eliz his Wife
respively should not receive ye Int^r
thereof during their Respive Lives as
afores^d And I find in ye Same
Indre is containd an Agrem^t y^t
if ye Said fund or Money
so directed to be paid to
the S^d Trustees as afores^d Sh^d
after ye Decease of the
S^d Thos Shetterden & Eliz
his Wife prove Deficient to Answ^r
and pay all ye Said Int^r

thereby agreed & appointed to be
pd thereout as aforesd then Each
Person who Shd be intituld to
Such Int Shod abate in proporcon
and that if there Should happen
any Overplus of ye Said Fund
or Sums of Money pd to
ye Said trustees after all ye
Int payable thereout is satisfied
Such Overplus Should be pd to
ye Sd Thos Drax his Exds
& Admds And I find that
ye Sd Henry Shetterden one of ye
youngr Sons dyed before he attaind his
Age of four and Twenty Years —

Henry Shetterden died before age

And that thereupon & by ye Agreem^t
afors^d his porcon of one Thous^d
pounds Became payable to ye s^d
Trustees Gouge and Thomas at y^e
times and for ye Uses in
in ye s^d Indre of ye Seven
and Twentieth of Novem One Thous^d
Six hund^d and Ninety Six and
I find also that ye s^d

Drax Shetterden attaind his Age of 21.

Drax Shetterden attaind his age of
Four & Twenty Yrs on the
Twenty third Day of Septr One
Thous^d Six hund^d and Ninety Six
Meliora attaind her Age of One
and Twenty ye Sixth of April

One thousand Six hund^d and Ninety

Eliz D^o. Six eight and that Eliz attaind her

age of One and Twenty y^e

Nineteenth of May One Thous^d

Seven hund^d; and Dorothy attaind her

Age of One and Twenty y^e

Twenty first of Decr One Thous^d

Seven hund^d and two & thereupon

their Respive portions of One Thous^d

~~Seven hund^d and two & thereupon~~

~~their Respive of one Thous^d~~ pounds

became payable and I find that

ye Said John Loane intermarrid

wth ye S^d Meliora and Recd

her portion of One Thous^d p^ds

in ye Mo of Novr One

Thous^d Six hund^d and Ninety Eight

persuant to ye s^{d} Deed of
Seven pts and it not appearg
to Me that ye Three pd.
p^{r} Cent Int according to his
s^{d} Agreem^{t} therein Recited was ever pd
ye s^{d} Thos Shelldenden by failure
of such paym^{t} became Entitled out
of ye s^{d} Fund in the
s^{d} Trustees hands to ye Arrears
and growing Int at Six pd.
p^{r} Cent p^{r} Ann^{m} of y^{e}
One Thous^{d} pounds till his Death
wch hapned ye Eleventh of June
One Thousand Seven hundred and
three and after his Death y^{e}

Eliz Shetterden died 15 Octr 1794

Sd Eliz his Wife became entituld thereto to ye Time of her Death wch happned ye Fifteenth of Octr One Thousd Seven hundd and fourteen And It is alleadged ~~I find~~ ye one Thousd pounds belongg to ~~her~~ ye Sd Drax Shetterden Sometime after he had attaind his Age of Four and Twenty was paid to him or his Ords pursuant to ye Sd Deed of Seven parts and I

1701 find that in ye Year One Thousd Seven hundd and One upon ye Marriage of ye Sd Deft Eliz with

Mr. Clarke recd £ 1000

with ye Sd George Clarke her one Thousd pound porcon was pd to him and that ye Sd Thos Shetterden and Eliz his Wife by their Indenture bearing Date ye Fifth Day of March One Thousd Seven hundd and Two Assignd over unto him ye Sd George Clarke all ye Int payable in respect of that one thousand pounds as an Increase of her fortune and that ye Sd Doro upon ye Attaing of her Age of one and Twenty Yrs recd her Sd porcon of one Thousd pounds ~~porcon~~ and placd

Indre dat 5 March 1702

the Same out upon Security at
Interest in the ~~Leeds~~ hands of the
Said Henry Gorges wth whom she
afterwards intermarried and that he or
the said Dorothy recd the Interest
of that One Thousand pounds during
the Lives of the Said Thomas
Shetterden and Eliz his wife whereby
the said Thomas Shetterden and Eliz
became entitled to an Allowance for
that Interest out of the Fund
in the said Trustees hands during
their respive Lives And I find
that the said Thos Drax left Issue
Male vizt The Defendant Henry

Dray who attained his Age of
One and Twenty years as before
mencond upon the
Day of
so that
the Two Thousand pounds for the
Daughters portion of the said Thos
Dray never did arise or become
payable unto them but the said
Two Thousand pounds became payable
thereupon to the said Trustees George
and Thomas and annext as an
Addition to the said Fund payable unto
them for the purposes before mencond

and we made the said Sfund
~~of~~ five Thousd pounds and I
find also that the said Thos
Shetterden by his last will and
Testament bearing Date the [Twenty] fourth
Day of Septr in the first Year of
~~of our Lord One Thousand King~~
Jonnes ~~Hundred and~~ the Second
did amongst other things give unto
all his Children except him that
should enjoy their Uncle Henry Drax
Esqr his Estate all the Rest
and Residue of his Estate both
real and Simple after his Debts
and Legacies were first satisfyed and
pd except what thereafter mencond (That is

Thos Shetterden
Dat 24 Septr 1685
1st ~~4~~ Jas 2d

q 2

to say) he disposed of all
~~the~~ his Concern both personall and Simple
to his Dear wife Eliz Shetterdon
during her life whom he made
his full and sole Extrix of
his last will and Testamt and
Guardian over her Children during
her life and it was his Desire
That his Son Thomas Drax alias
Shetterden should have the libty to
purchase any of his said Goods
or pictures after his Mothers Death
or before paying the full value
of them to his said Mother
Eliz Shetterdon for ~~[illegible] during~~ the Use of her life

~~of her Life~~ and afterwards to be devided to those Children that Shod not Enjoy their Unkle Henry Draxes Estate as was before directed and Died ye Eleventh of June One Thousand Seven hundred and three (Three. Of ye Sd Youngr Children to witt Meliora Drax and Henry being then Dead) & I find that ye Desto Eliz Clark and Doro Smith were ye only Children that Survived ye sd Thos Shetterden their Father And it is alledgd that ye sd Thos Taylor did in Octr One Thousd Seven hundd and four Sell ye Sd

Mr Taylor in Octr 1704 Sold ye Mannor of Popes to Sr David Mitchell

Manner of popes to Sr David
Michel & his heirs Subject to ye payment of the Mony's
Charged thereupon and gave Notice
to Mrs Shetterden to pay in
three Thousd pounds pt of the
sd fund Vizt One Thousd pounds
intended for ye porcon of Henry
and Two thousand pounds agreed
by ye Indre of Seven parts
to be pd to ye Trustees
Gouge and Thomas Six Ms after
ye ~~Date~~ Death of Thos and Eliz
Shetterden and ye two Thousd pds
for Mr Drax's Daurs (if any
was agreed) to Remain a Charge

upon ye Estate and it is allso
alledgd ye by Decree of this
Decree 29 March 1765 honble Court made ye Nine &
Twentieth Day of March One Thous
Seven hund^d and five in a
Certain Cause wherein ye S^d Eliz
Shetterden was ptt and ye S^d
Mr Gouge ye Survivg Trustee Deft
It was directed that ye said
£3000 at intr:} Three Thousand pounds Sho^d be put
out at Int on good Security
to be approvd of by ye
Mar Subject to ye Trust in
ye precedent Deeds in ye Name
of ye S^d Gouge or Such

other person as ye said Mr
shod Direct and it is also alledgd
yt ye Sd Mr Taylor denying to
Keep ye three thousand pounds in
his own hands he ded by
Indres of Leare and Releare dat
ye Twenty Sixth and Twenty Seventh
of July One Thousd Seven Hundd
and five Convey to ye Sd
Gouge and ye pltf Joshua Draper
Certain Lands houses and Buildings
in ye blew Meuse in ye fields
of St Martins in ye fields
in ye County of Middx in
the Bill mencond for Securing ye

Judgt of Lords Rod dat 26/27 July 1705

Repaym^t thereof with Int^t and that
upon ye Last Mencond Pchase &
Sale ye S^d Sor David Mitchel
agreed to keep two thousd pounds
The £2000 pt of his Pchase Money) in
his hands in Order to pay
the porcon of ye S^d Thos
Drax's Daurs in Case ye Same
sho^d become payable accord^g to y^e
time Intent and Meaning of y^e
Afors^d Indre of Seven pts &
was to pay Int^t in the
Mean Time and I find by
Deed Poll dat 28 July 1705 Deed Poll dat ye Eight
and Twentyth Day of July One

Thous^d seven hund^ds and five It
was declared by ye S^d Gouge
Draper and Mr Shetterden that y^e
s^d Three thousand pounds & Interest
was to be Subject to y^e
Trusts in ye preced^t Deeds
& that ye Name of Gouge and
Draper were only used in Trust
for that purpose and I find
that ye S^d Thos Drax made
his last Will & thereby appointed
his Wife ye now Deft Eliz
Colleton Extrix thereof During her Widowhood
and in Case of her Marriage ~~to~~
y^n he made ye Deft Henry ~~Henry~~

Thos Drax's Will

Quere

Drax ~~yt~~ sole Exdr thereof and I also find that ye Said Thos Shetterden ye Father did in Trinity Term in ye Ninth Yr of ye Reign of ye Late King Wm ye Third One Thousd Six hundred & Ninety Seven obtain a Judgmt agt his Eldest Son the Sd Thos Drax for One Thousd Eight hundd pounds which was defeazanced upon paymt of wt Shod appear to be due to ye Sd Thos Shetterden upon an ~~one~~ Accot to be settled by ye Sd Mr Justice Tracy. and I find that

Judgmt Trid 9 Wills 3lii

+

Indre dat 22d Feby 1704

by Indre ~~ye~~ dated ye Twenty Second of Feby One Thousand Seven hund and Four Mr Justice Tracy at ye Instance of Mrs Eliz Shetteden ye Mother & of ye Sd Eliz Drax ye two Exetrix's of their respective husbands did Settle ye Acct between them & did adjudge ye ye Said Summ of ~~Four~~ one Thous Four hund and Sixty Seven pound Sixteen Shill ye particulars thereof Set forth in a Schedule to ye Sd Indre was all ye Money that was due upon ye Acct from ye Sd Tho Drax to his

sd Father Thos Shetterden (Except ye
ye Sum of Seven hundd pounds
or thereabts for ye Arrears of ye
Annuity of ye one hundred pounds given
ye Sd Eliz Shetterden by the
Will of her father Sr James
Drax payable out of his plantations
in Barbado's as is before mencond
and one hundd pounds on Bond
from ye Sd Thos Drax to
ye Sd Wm Gouge in Trust
for her the Sd Eliz Shetterden dated ye third Days
of May One thousand Six hundd
& Ninety three and ye Said Eliz
Shetterden & Eliz Drax as ~~Edors~~ Exetrixes

of their respective husbands did
by ye sd Indre Confirm ye sd
Accot so settled as aforesd and
agree ye sd judgmt shod remain
as a security for ye paymt
of ye sd sum of one
Thousd four hundd and Sixty seven
pounds Seventeen shills wth Int
for such of ye sums in
ye sd Accot as in their
own Nature carried Interest & I
find that ye said Eliz Shetterden
Indre Tripartite dat 23 July 1707 did afterwds by Indre tripartite
bearing Date ye Twenty third Day of
July One Thousd Seven hundd and

Seven amongst other things assigne to
ye ptt Robt Draper & Sd Wtt Wrs Draper & John Fuller
since deced. ye Debt and
Judgmt upon Trust after paymt of
ye Sd Debt of five hund pounds
and Int to ye Sd Dest
Thos as Admrs of ye Sd Robert
White to pay all ye Crs of
ye Sd Thos & Eliz Shetterden in
~~2 Sd~~ ~~Tiere~~ two Schedules to ye Sd Indre of
assignmt mencond in a Legal ~~Course~~ Course
And It is alledgd ye ye Sd
Dest Thomas and ye Sd Robt White
are satisfied their Sd Debt
of five hundred pounds and all

Int[erest] thereof due by perception of
y[e] Rents & profits of
y[e] s[d] Tho[s] Shettendens Estate in
y[e] County of Kent mtged to y[e]
Robt White by indres
of Lease and Release of
y[e] fifteenth & ~~Seventeenth~~ sixteenth
of October One Thousand
seven hund[d] and Two and I
find that y[e] Assets for p[er]sonal
Estate of y[e] said Tho[s] Shettendon
& Eliz his ~~Wife~~ Widow respectively did
consist of the particulars following to wit
of y[e] One Thousand four hund[d]

Tho[s] Shottenden's p[er]sonal Estate

and Sixty Seven pounds Seventeen
Shill due upon y Acct Settled
by Mr Justice Tracy and of
y Int for Such of the
Sums in y Sd Accts as
Carry Int according to y Deed
for y Selling Such Accts dated
y Twenty Second of Febry
One Thousand Seven hundd and Four
as also of y Sd
Arrear of y Sd Annuity
of one hundd pounds & Arrd
granted to y Sd Eliz Shelterden
By y Will of her Father

Sr James Drax ye Same being
ye Estate of ye said Thos
Shetterden But liable in ye first
place to ye Sd Debt of
five hund pounds and Just to
ye Sd Robt White or So
much as Shall Remain unpd thereof
and of ye Jnt of ye
person of ye one Thous pounds
due to ye Sd Melicina Shetterden
from ye Sixth of April one Thous
Six hund and Ninety Six when
She attaind her age of One
and Twenty Yrs Viz unto ye
Death of ye Sd Thos Shetterden

as pt of his Estate and
from his Decease unto ye Death
of Eliz his Relict as belongs
to her Estate and of the
Interest of ye portion of one
Thousand ~~pounds due to ye sd Dorothy~~
~~Seven hundred & two~~
Shetterden from ye Twenty first of
Decr One Thousd Seven Hundd and Two
wch She attaind her Age of
one & Twenty Yrs Viz. unto
ye Death of ye Sd Thos
Shetterden as his Estate from
ye time of his Death unto
ye Death of ye Sd Eliz
his Relict as Belongs to her

Estate and I find that an
other part of ye Psonal
Estate of ye Sd Eliz Shetterdon
did Consist of ye said One
~~Thousd~~ hundd pounds Bond and Int to
ye Sd Gouge and two ~~Dowd~~ Exchegr
Annties of ten pounds Each and
I find that ye personal
Estate of ye Sd Drax
Shetterden liable to pay his Debts
did Consist of his Sd porcons
of One Thousd pound which is alledged had
been receed and was afterwards Lent
Back to his father upon the

Note
Here is mention'd Kentish mortgage — Claim'd by Clerke as Extor of James Shetterden & son of Frax Shetterden —

note 1

aforesd Mtge of his Said Kentish Estate with ye Interest ~~due upon ye Said Mtge and also of ye further Intd~~ payable unto him for & in Respect thereof ~~his sd [illegible]~~ from ye Twenty third of Septemr one Thousd Six hundred and Ninety Six wn he attaind his Age of four & Twenty as aforesd ~~out of the sd five thousd fund~~ ~~pound~~ ~~fund in Queen By Virtue of ye Said Indre triptile of ye Seven & twentieth of Novembr One Thousd Six hundred and Ninety Six~~ And I find

Claimes

Claims

Hickman as Adm^r of Tho Shetterden

ye Claims and Dem^ds of ye Sevl parties out of ye Estates of ye S^d Thos and Eliz Shetterden and out of ye Sevl parties Share & Int Claim^d thereout are as follows Viz^t ye Deft Hoo Clarke in Eliz ~~Clark~~ Cushiff ~~Hickman~~ as Adm^r with ye Will annext of ye Said Thos Shetterden Claimeth ye Int and produce of ye remaing five Thous^d pounds fund from ye Time the respive Sums of one Thous^d pounds became due and payable to ye four Sorviving younger Children of the S^d Thomas ~~[illegible]~~ Shetterden to ye time of

~~the 3d [illegible] Shetterdons~~ his Death which
happened on the 11th Day of
June One Thousand Seven hundred and ~~four~~ three
together with the Interest of
what was then due to the
Time of paymt thereof at Six
pounds ℔ Cent and I also
Further Claims find that the said Deft Clarke Claims
likewise the said Sums of One
Thousand four hundred and Sixty Seven
pounds Seventeen Shilly the Balla of
the Account Stated ~~stated~~ by Judge
Tracey due from the said Thos
Drax als Shetterdon to the said
Thos Shetterdon the father together with

the Int. of Such Sums mencond
in ye Sd Acct as in
their Nature Cary Intd from
ye time of Setting Such Acct
to ye time when ye Same
Shall be paid ~~& this~~ which he
Claims as Chargeable as wel upon
ye English as ye Barbadoes Estate
as to Such Items in ye
Sd Acct as were respively Chargeable
thereon as also out of the
Deft Henry Drax's Share &
Int of ye sd five thousd
pounds fund as upon ye Whole

hund^d and ~~Nit~~ Ninety Six when ye

s^d Drax Shetterden Came of Age

to ye time of paym^t and I

find also ye ye Said Deft

Claim of Clarke in right of his wife out of Tho Shetterden

Claim of Clarkes in right of his wife

Clarke Claims out of the Estate of the s^d Tho Shetterden ~~from ye Said Deft~~

~~Nicholson~~ in Right of Eliz his

Wife who was one of the

surviving Younger Children of the

s^d Thos Shetterden at ye time

of his Death One Moity of

~~of~~ ye Residuum of ye s^d

real & personal Estate by ye s^d Thom Shetterden

Thos Shetterdens Will & ye

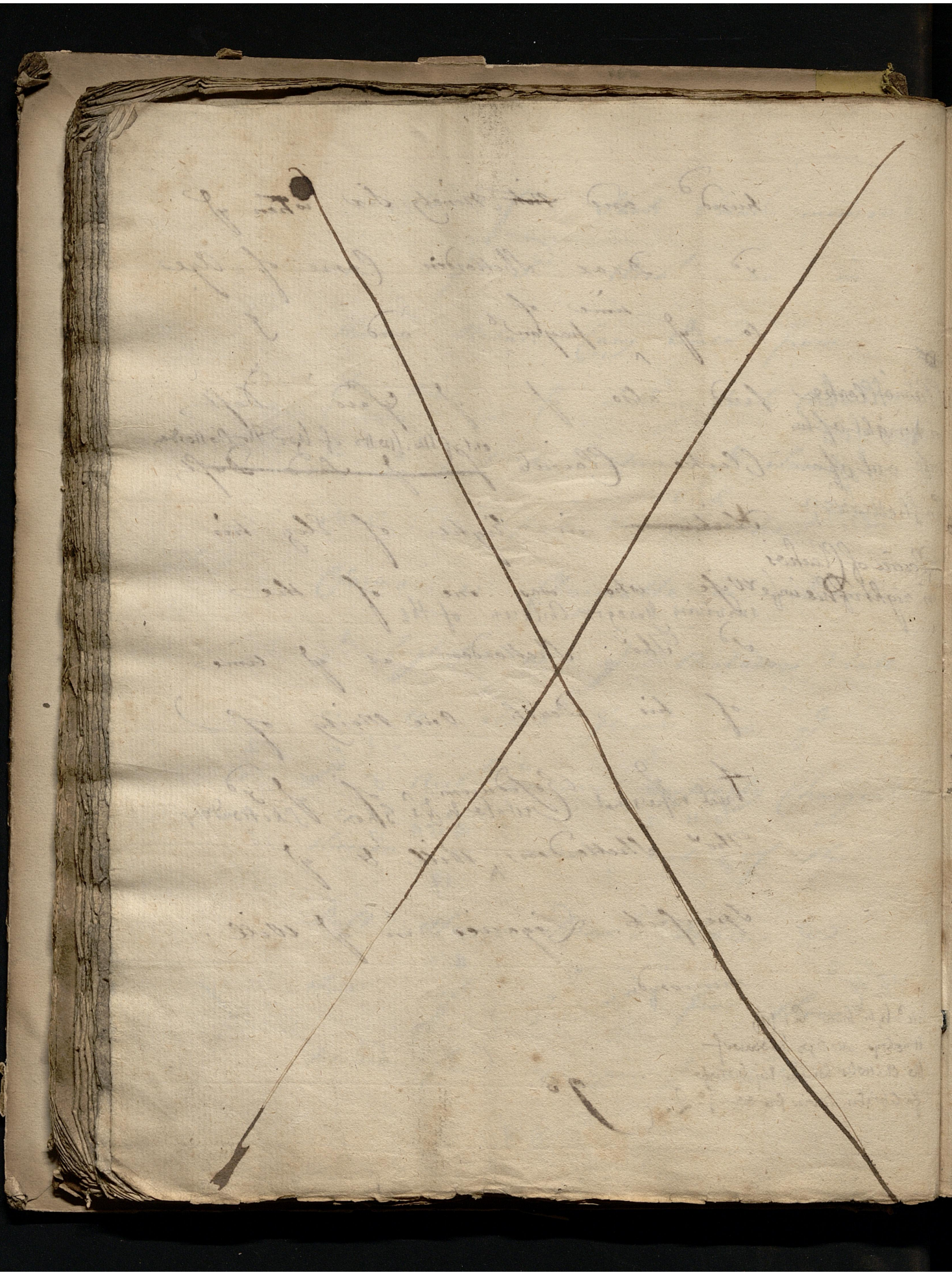
Specifick Legacies in ye Will,

mencond

note 2

all^d by Mr Smith Cat Mf Hueleys alleadges the Decree of the Chattells being to Eliz the wife for Life its adverse for ever J^o 2.

93



and I find also that the

Deft Smith's Claim in right of his wife

sd. Deft. Wm. Smith in right of Dorothy his wife the other surviving Child of the said Thos. Shetterden at the time of his Death claims the other moyety of the residuum of the said Thos. Shetterdens real and personal Estates under the said Thos. Shetterdens will and the specifick Legacies in the will mencond and I find

unless Mr. Gorges Note amounts to a release which of all of Mr. Clarke & Controverted by Mr. Huxley for the reasons aforesd.

Plt. Huxley's Claim

the plt. Huxley in right of his ~~w~~ wife claims of the said Deft. ~~Hickman~~ Clarke & his wife as representative of the sd. Thos. Shetterden his distributive

not allowed but beyond of the Legality of the Shetterdens will

Deft Hickman's Claim as Admor of Eliz Shetterden

share of the said Thos Shetterden's personal Estate and I find also that the said Deft. ~~Hickman~~ Claiste Chris Wife claims as admor of Eliz. Shetterden the Int of the said four younger Children's fortunes of one thousand pounds a peice from the Death of the said Thos Shetterden to the time of the Death of the said Eliz: the Intestate which Rappned the 15th day of October one thousand seven hundred & fourteen together with the Int for such sums from the time of Eliz: Shetterdens death till the time the same

X

shall be paid at six pounds

allowed

p Cent p annum and I

find allso that the sd. Deft.

his further Claim out of ye Residuum

Clerke & his life ~~Hickman~~ as admr of Eliz. Shotterden

claims out of the residuum of

the five thousand pounds fund ~~which~~

after paymt. of what is due

to the Estate of Thos and

Eliz: Shotterden ~~is assetts to answer~~

~~the debts of Thos Drax als~~

~~Shotterden~~ ~~due from Th~~ a debt of two hundred

allowed

pounds ~~secured~~ due from Thos Drax to Eliz: Shotterden and secured to her by

Bond taken in the name of

Go[illegible] in trust for her with

Int till paid and allsoe another

allowed

allowed

sum of two hundred pounds and another sum of fifty pounds by note under the hand of the said Thos. Drap and I find allsoe that the said Deft. ~~Hickman~~ Clarke & Eliz his wife ad ~~as~~ admt. of Eliz: Shotterden claims two annuities of ten pounds ~~p~~ ~~p~~ annu each for the lives of the Eliz: Clarke & Dorothy Gorges now Smith, and I find also the plt. Draper in ~~his right by the sd. Geo Green his Comte~~ in right of his Dest. Dora Draper claimes of the said Mt. ~~Hickman~~ Clarke & his wife as admt. of Mrs. Shotterden a debt from the said Mt. Shotterden

Mt. Quo recd the Interest of not Mr Hickman

Draper's Claim in his own Right

secured by Judgemt. of Easter 6th.
Anne for four hundred pounds with
sevll. other sums afterwards lent and
pd. to and for the use
of the sd. mrt. Shetterden and
for business done together with Int
till the same shall be paid
and I find also that the
said plt. Draper ~~by his said~~
~~Comee~~ as his Testr. was surviving Trustee for the
Creditors of the said Eliz Shetterden
claimes of the said Deft. ~~Hickman~~ Clarke
his Lorfr. as admr. of the said Elizth.
Shetterden out of the said Elizth
Shetterden's personall Estate the severall

sums of money in the second Schedule to the said Indre of assignmt. of the eight and twentyeth day of July one thousand seven hundred and seven mencond to be due to the Creditors of the said Eliz: Shetterden therein named together with Int for such of the said Debts as in their nature carry Int till the time the same shall be paid and

allowd. Approved

I find allso that the said

Deft Smiths Claims in right of his wife

Deft. md. Smith claims in right of Dora his wife of the Deft. md Clark Chisterfe ad Admiralty of the Sd Eliz Sotterden ~~Hickman~~ a debt of three

hundred pounds secured by Judgemt. entred into by the sd. ~~Eliz~~ Shetterden to the said Doro: his wife while she was sole with Int till paid and I find also the Deft. Clarke claims ~~of the Deft. Hickman as admr. of~~ out of the Deft. of the said Eliz Shetterden ~~and out of her personall estate~~ a debt due by note for two hundred and forty three pounds ten shill with Int till paid and I find also that the Deft. md. Justice Price and Richd. Hoper as surviving Exts. of henry Gorges the first husband of the

note 6
all. if not included in Mr Gorges Notes note for release

Mr Clarke's Claim

note 7
all. of the Note carrys interest

Judge Price & Mr Hoper's Claims

Deft. Dorothy now the wife of
~~the Deft.~~ Wm Smith Esqr. claims of
the Deft. ~~Hickman~~ Clarke & his wife as admr. of Eliz Shetterde
a debt of eight hundred pounds
due by note under the hand of
the said Elizth. Shetterden with Int
for the same till paid. and
I find also that the said
Clarke's Claim George Clerk claims ~~of the 1st Deft~~ out of the effects of the
Deft. ~~Hickman as admr. of~~ Eliz
Eliz Shetterden ~~as the wife~~ ~~& admr. de bonis non~~
~~of~~ & Thomas Shetterden the
Int of the one thousand pds
payable to his wife ~~for~~ from
the nineteenth day of May

8

The Not admitted, but reserve the cost till it appears if the agreement between Mrs Shetterden & Mr Gorges be binding

one thousand seven hundred when she came of age till the fifteenth day of October one thousand seven hundred & fourteen that

the said Eliz

Mrs. Shetterden dyed pursuant to the assignmt. thereof dated the fifth day of march one thousd. seven hundred and one and also Int thereof from the death of the sd. Eliz: Shetterden to the time of paymt. and I find also that the Deft. Clarke claims ~~from the said Deft. Hickman~~ out of the Assets of

9

Q. Also dae if Effectuate to bind the Effects of Mrs. Shetterden from the death of Mr. Shetterden to the death of Mrs. Shetterden she being under Coverture at the time of the Assignmt. ever or either confirmed or revoked it by any deed —

Clerke Claims

~~as admd.~~ of the said Eliz^th. Shetterden sev^ll. sums of money p^d. to and laid out for the said Eliz^th. Shetterden and to her order and for her use

To be proved

(Clerke Claimes) and I find also the said Deft. Clerke claimes ~~out of the~~ ~~of the said Deft. Hickman ad as admd. of Eliz^th. Shetterde~~ sev^ll. ~~household~~ ~~specifick~~ Specifick goods & Chattells as plate Jewells furniture and other things given to him & to his wife by the said & sev^ll other goods & furniture Bed & Tolles P. Eliz Shetterden by the s^d Clerke

To be proved

Eliz^th. Shetterden in her life time and the said Deft. Clerke also claimes ~~of the said Deft. Hickman~~ an annuity of ten pounds p^r annu^d

for the life of the said
Eliz^th. his wife purchas'd with the
Money arising by the sale of
Jewells devised to her by the
Mrs to be proved, s^d. Doro: Drap/ and I also find
that the said pl^t. Thomas Huxley
Huxley's Claim in right of his Wife in right of Mary his wife
who was the only Child
of John Loane and Melioria his
wife one of the Daur^s of
the said Thos. and Eliz: Shetterden
claims of the said Def^t. ~~Hickman~~ Clarke Mrs wife
one fourth part of the residuum
of the said Eliz: Shetterden's personal
Estate after paym^t. of her Just

~~and~~ Debts and I find also ~~that~~ the

Clarke's Claim said Deft. Clarke in right of Eliz: his wife one other of the Daur's of the said Thos. and Eliz.th Shetterden claims ~~of the said Deft. Hickman~~ one other

5th fourth part of the residuum of the said Eliz: Shetterden's personall Estate in like manner and I find that the said Deft. Clarke as Extor of James the son of Drax Shetterden one other of the youngest Children of the said Thos. and Eliz: Shetterden claims ~~of the Deft. Hickman~~ one other 4th part

q if Shetter is not barred by the Stat of distribution

5th

of the residuum of the personall Estate of the said Eliz: Shetterden and I also find that the

Smith's Claims Deft. Smith in right of Dorothy his wife one other of the Daughters of the said Shot. and Eliz: Shetterden claims ~~of the said Deft. Hickman~~ the remaining 4th. part of the residuum of the personall Estate of the said Eliz: Shetterden ~~and I find that the said Deft. Smith likewise claimes of the said Deft. Hickman one annuity of ten pounds p annum purchased with the money arising by sale of~~

10 5

all those agreed to ad 5 Mr. Drax being entitled in right of his ffather to the other 5 and the Stat of distributions

11

distillowed p the Smith Consent if included in Mr. Gorges note & then I becomes part of Mr. Shetterden Estate

~~Jewells devised to Dorothy his wife by the will of the said Dorothy Drax~~ and I find also that the Plt. Draper ~~by his~~ Sd Commee in ~~his own~~ right of his Destr. claims of the Deft. Clarke out of his distributive share of the said Eliz: Shotterdeis personall Estate the sum of three hundred pounds lent to the said mr. Clarke on an assignmt. of his Jnt in the five thousand pounds fund in the name of Nichd. Orton dated the day of Feby one thousand seven

Md. Jf. M. Clarke Cpared

hundred and fourteen and Interest till

pd. and I find also that

Hickman's Claim

the said Defr. Eliz. ~~Hickman~~ Emmett — Mathew Hickman as Exr. of Mathew Hickman claims of

the said Defr. Clerke out of

his distributive share of the said

Eliz. Shetterdens personall Estate severall

sums of money advanced & lent

to the said Defr. Clerke and

pd. to him and his order

and for his use out of

the money recd by the said

Emmett's & Defr. Hickman, Defr. Mathew Hickman of the trust Estate

allowed for such sums as shall be proved —

Pl. Huxley & his Wife's Claim

and I alsoe find that the

plt. Huxley and Mary his wife

claime of the said Deft. Clerke

as Exe. of ~~the~~ James the son

of Drax Shetterden out of the

distributive share of the said Eliz

Shetterden's personall Estate due to the

said Drax Shetterden a debt of

one hundred & forty two pounds

& Int till paid

and allso a Legacy of twenty

pounds given by the will of

the said James Shetterden to the

said plt. Mary Huxley and Int

till paid ~~and I allso find~~

~~that the Deft. Smith in right~~

~~of the sd Dorothy his wife claims~~

13

principal alt. Mr Clarke
Bal of Interest

Deft Smith's Claim

of the said mt. Justice Price and Richd. Hoper the sum of three hundred pounds part of the said eight hundred pounds secured by Judgemt. from the said Eliz. Shetterden to the said Dorothy before her intermarriage with the said Henry Gorges with Int for the same till paid as claimed before agt ~~till~~ ~~the said Deft Hickman~~ and I find also that the said Deft. mt. Justice Price and ~~mt.~~ Richd. Hoper as surviving Exts of the said Henry Gorges claim from the sd. Deft. Hickman as admt. of

Thus to be considered when Mr Justice Price tell w present

Judge Price & Mr Hoper's Claim

~~the said Eliz. Shetterden the residue of the said Eliz.th Shetterdens personal Estate due to the said Dorothy now the wife of Wm Smith subject to the trusts in the will of the said Henry Goges~~

Mr Smith Objects to him ~~called~~

and I find also that the said Deft. Emmett C Hickman claimes an allowance for severall sums paid and disbursed by Mon Test out of the trust Estate and

Hickman's Claim

ad fuer as proved to be allowed

I find also that the said Deft. Henry Drax claimes the surplus of the five thousand pounds fund under the Covent. in the said Indre Tripartite of the

seven and twentyeth of November
one thousand six hundred and ninety
six and I find also that
Clark's Claim the said Deft. Clarke as Exec.
of James Shetterden the son of
Drax Shetterden claims of the said
Henry Drax out of the surplusage
of the five thousand pounds fund
five hundred pounds and Int. devised
to the said Drax Shetterden by
the will of Henry Drax Esqr.
his uncle with Int. till paid
and I find ~~paid~~ also that ~~the~~
Mrs Loane's Claim Plt. ~~Mrs Loane~~ Mr Hurley in right of his wife claimes of the

15 Mr Clerk Claims out of d Surplus of d 5000 ℔ in right of Drax Shetterden 500 & intrest by d will of Hen: Drax Esqr his uncle ~

allowed

(112)

Defr. Henry Drax out of his
Surplusage of the five thousand
~~[illegible]~~
pounds funds a debt due by
bond for one ~~four~~ hundred pounds with
Int till paid and I find
also that the Defr. Eliz Walter
and Meliora Drax the younger
Children of the said Thomas Drax
claime the sum of two thousand
pounds pursuant to marriage arches
dated the tenth day of may
one thousand six hundred & ninety
two to be pd. them out
of their said fathers personall

all ——

Eliz Walter & Meliora's Claime

Mayed by ale Phys.

or out of the said Hund of five thousand pounds
did I also find that the Deft Henry Drax claims & insists
~~Estate all which I humbly certifie and~~
that the Legacy of 500 given by Drax Shotterden by Henry
~~submitt to the Judgemt of this~~
Drax, hath been fully payd
~~honoble Court~~ And I find
also that the Deft Henry Drax
Claims ~~a~~ due from the Estate
of Drax Shotterden to the Estate
of Thos Drax the said Defts
late father the sume of 500li
& upwards And ~~also~~ that the
Defts Henry Elizabeth Walter & Meliora
Drax as Children of Thomas Drax
Claim their distributive shares of the
Surplus & residue of the personale

Estate of Eliz: Shetterden their Grand
Mother deced and I likewise find
that the Deft Henry Drax Claims
the severall Sumes of 720li 740l
& 200l In all amounting to 1660 paid
by the said Mr. Thomas Taylor out of
purchase money for the manor of
Popes to the said Mr. Thos. Shetterden and
also 700li paid ~~out of the~~
~~said purchase money~~ to the said Mr. John
Billers for a Debt due from
the said Thomas Shetterden and ~~that~~
~~he~~ Claims that the said respective sumes
ought to be deducted & discounted out
of

of the moneys ~~Claimed~~ to be due to ye sd ~~by the~~ ~~representative~~ ~~said~~ Thos. Shetterden, from the said Thomas Drax or to be due out of the fund in queen and I humbly certifie that ye sd parties have not ~~thought proper~~ made ~~me to take any~~ proof before me concerning such them severall Claims & demands or how farr the same are Just & well grounded. ~~I Humbly conceiving that the ascertaining such claims is reserved~~ ~~that~~ till after the direcon of this Honoble Court shall be given on this report All Which I humbly Certify & Submitt to the Judgement of this honoble Court

vide Mr Meads opinion herewith

Draper
v
Drax } Copy Drat.
of Matt. report

fo: 113

2-16-6

1731 This Claimes debated at the Ag. Hall
Mond. 13 Decr. — p. Gent. Mr Smith Mr Clarke Geo. Greene
Hyd — 17 Do — the same proves Mr Hurley —

Mr Greene [illegible] of [illegible]
in his Custody [illegible] to the [illegible]

Henry Drake Esqr at Maddington near
Salisbury

Geo Clarke in New North Street —

P. the Wife of Mr Shetterden —

2. Report dated 15th July 1732.

Draper

ton

Drax & al

Dr Mar Kynastons Rep

Trin 1731

for 115

Geo. Gerrard & Co

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a
19347
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