
Will of Horacio Pallavicine 1648 (PRO, ref. PROB 11/204 Image 221)

Summary

Testator: Horacio Pallavicine, Chipping Ongar, esquire
Executors: sister Anna Yonge and brother-in-law Edward Sedgwick
Date: 22 July 1644, proved 8 May 1648
Witnesses: Nathi Pagett Bartholomew Lavender Thomas Burkenfeiler
Will: - two respective annuities by me formerly granted during the life of my father unto my two brothers in law
- £60 per year to brother James during the life of father, £30 per year thereafter
- £50 per year to brother James
- £100 to nephew Thomas Sedgwick
- £100 to goddaughter and niece Elizabeth Sedgwick
- £10 to cousin Pagett the wife of Doctor Pagett
- £20 to loving friend Daniell Joyner minister of Stapleford Tawney
- £10 to Cordelia his wife
- £50 to goddaughter Anne Joyner
- gold ring of remembrance to two executors
- rest to two sisters Anne the wife of Robert Yonge gent and Susanna the wife of Edward Sedgwick and their children equally
- £700 to children of brother James equally after he dies

Text

In the name of God amen

1. I Horacio Pallavicine of Chipping Ongar in the County of Essex esquire considering with myself the certainty of my death and uncertainty of the time thereof do therefore in my health and sound memory make and ordain in writing this my last Will and Testament hereby revoking all other and former wills by me made
2. First and above all I commit my soul into the hands of God Almighty who gave it me trusting for salvation by the all sufficient merits of Christ Jesus my blessed savior and redeemer
3. As for my body I commit the same to the earth whereof it was made expecting the resurrection to life in glory according to the word and desire to be buried in such sort as my executors shall think fit
4. And as touching the estate wherewith it hath pleased the Lord to make me steward consisting principally of money in the hands of my mother's kindred
5. My will and meaning is And I do hereby declare and appoint that my executors shall take the most speedy and effectual course they can to get into their hands and possession all such sum and sums of money as are due and owing to me by any person or persons whatsoever And to take present care for the payment of my debts as soon as money comes to their hands And my debts and funeral charges being first satisfied I do appoint the residue of my estate to be employed and improved for the uses intents and purposes hereafter following That is to say

6. For the payment of two respective annuities or yearly payments by me formerly granted and agreed to be paid during the life of my father unto my two brothers in law hereafter named
7. And moreover for the payment and satisfaction of the sum of sixty pounds per annum of like lawful money which I do hereby appoint and bequeath unto my brother James or his assigns yearly and every year during the life of my said father To be paid at the feast of the Nativity of our Lord God and of St. John Baptist by even and equal portions the same being first demanded of my executors or any of them at their or one of their mansion houses And from and after the decease of my said father and the determination and expiration of the said annuity or yearly payment of thirty pounds in form aforesaid payable unto my said brother James
8. My will and meaning and I do hereby declare appoint and bequeath unto my said brother in recompense and satisfaction of all such legacies or portions as he can or may expect or challenge out of my estate one annuity or yearly payment of fifty pounds per annum during the natural life of my said brother James to be paid yearly and every year unto my said brother or his assigns demanding the same at or in the common dining hall of Gray's Inn in the County of Middlesex at the feast of the Ascension of the blessed Virgin Mary and St. Michael the Archangel by even and equal portions the first payment to begin and to be made at the first of the said feasts which shall next happen and come after the death of my said father
9. Always provided that if my said brother James shall intermeddle with any part of my estate in whose so ever hands the same shall happen to come and he or she shall challenge of demand any more or other legacy annuity or yearly payment than such as in and by these presents in manner and form aforesaid is given and bequeathed unto him or shall refuse to give a sufficient discharge or a quittance in law and or his hand and seal upon every payment and for every such sum or sums of money as he shall receive according to the direction and by virtue of this my last Will and Testament or shall molest my executors or either of them or any other person or persons whatsoever touching or concerning the probate or execution of this my will by any suit or complaint in any court whatsoever for any matter or thing save only for the recovery of the said annuities or either of them in case the same shall be detained or unpaid by my said executors by the space of thirty days after the same shall be demanded by my said brother James at the times and places before specified and appointed for the payment of them or either of them That then my said executors shall and may lawfully deduct and default out of the yearly payment from time to time and for so long as my said brother James shall proceed to molest or impede my said executors all such damages charges and expenses as they shall sustain or be occasioned to expend in their or either of their full defense Although costs and charges shall be awarded them by such court and before such judge as my executors shall be sued in or drawn before And this my declaration and last will shall be unto my said executors or either of them a sufficient discharge for the retaining deducting or defaulting of so much of the said respective yearly payments devised to my said brother as shall satisfy my said executors or either of them their or either or their damages and expenses as aforesaid Anything herein contained or any contradiction of this ma will to the contrary thereof in any wise notwithstanding
10. Item I give to my nephew Thomas Sedgwick the sum of one hundred pounds of like lawful money

11. And to my goddaughter and niece Elizabeth Sedgwick the sum of one hundred pounds of like lawful money
12. And to my cousin Pagett the wife of Doctor Pagett the sum of ten pounds of like lawful money
13. Item I give to my loving friend Daniell Joyner minister of Stapleford Towney in the county aforesaid the sum of twenty pounds
14. And to Cordelia his wife the sum of ten pounds
15. And to my goddaughter Anne Joyner the sum of fifty pounds of like lawful money of England
16. And all which before mentioned legacies I will shall be paid and discharged within one year next after my father his decease
17. Item I give to the poor of the parish where I shall be buried the sum of five pounds to be distributed at the discretion of my executors
18. And I give to my executors and to each of them forty shillings of like lawful money to buy each of them a ring of gold in remembrance of me
19. All the residue of my estate unbequeathed my debts legacies funeral charges and expenses first paid allowed and discounted I give and bequeath unto my two sisters Anne the wife of Robert Yonge gent and Susanna the wife of Edward Sedgwick and to such children as the said Anne and Susanna or either of them shall have then in life when the benefit of this my present bequest shall or should arrive unto them between them equally to be divided
20. And I make and ordain my said sister Yonge and brother Sedgwick coexecutors of this my last will ensuring myself of their faithful execution hereof in all points according to my true intent and meaning
21. And my will is and I do hereby appoint and declare that in case my brother James shall depart this life leaving issue of his body begotten in lawful wedlock that then the sum of seven hundred pounds of lawful English money shall equally and proportionally be distributed amongst his said children when they shall attain their full age of one and twenty years And the benefit of the said seven hundred pounds in the mean by me to be laid out and bestowed for and towards their education livelihood and maintenance
22. In witness whereof I have to this my Will contained in five sheets of paper subscribed my name and put to my seal this two and twenty day of July in the year of the reign of our sovereign Lord Charles by the grace of God of England Scotland France and Ireland King Defender of the Faith the twentieth Anno Domini 1644 Horacio Pallavicino witness Nathi Pagett Bartholomew Lavender Thomas Burkenfeiler

Probatum London 8 May 1648 Edward Sedgwick arm. only executor, Anne Yonge appeared and declined