

Source: Canterbury Cathedral Archives, Microfilm copy of original Will.

**PRC 17/108/234 Will of William Kemp Gentleman of Throwley dated 11th January 1827
and Proved 12th June 1830**

All spelling etc. is as in the original document.

This is the last Will and Testament of me **William Kemp** in the parish of Throwley in the County of Kent Gentleman made this eleventh Day of January One Thousand eight hundred and twenty seven in the seventh year of the Reign of our Sovereign Lord George the fourth by the Grace of God of the United Kingdom of Great Britain and Ireland Defender of the Faith etc.

First I do hereby revoke and make void all former Wills and Codicils by me at any time or times heretofore made I will and direct that my just Debts funeral Expenses the charges of proving this my will and other incidental Expenses shall in the first place be fully paid and satisfied

I Give and Bequeath unto **Elizabeth my Wife** all her Clothes and wearing Apparel of any sort and kind and also the Sum of Thirty pounds of lawful Money of Great Britain to buy Mourning and other necessaries the same to be paid within Three Calendar Months next after my decease

And as to all the Rest and Residue of my ready Monies and Securities for Money Household Goods Implements of Household Plate Linen China Debts Goods Stock and Crop of my Farm(s) my Land Cattle Chattells Effects and personal Estate whatsoever and wheresoever or of what nature kind or quality soever the same may be whereof I shall die possessed or which or shall be any ways due owing or belonging unto me at the time of my decease and all my Estate and Interest therein And also all those my Messuages or Tenements in the several parishes of Throwley aforesaid and of Selling and Molash in the said County of Kent with the Gardens Land and Hereditaments to the same respectively belonging And all other my Messuages or Tenements Buildings Land Hereditaments and real Estate whatsoever and wheresoever whether I may be the Leige thereof or intituled thereto in possession Reversion Remainder or Expectancy or otherwise howsoever with the Right Members and Appurtenances thereunto respectively belonging

I Give Devise and Bequeath the same unto and to the use of the said **Elizabeth my Wife** and my **two Sons William Kemp the Younger** and **John Kemp** their Heirs Executors Administrators and Assigns for ever Upon the Trust nevertheless to and for the Interest and purpose hereinafter expressed and declared of and concerning the same (that is to say) Upon Trust that they the said **Elizabeth my Wife William Kemp the Younger** and **John Kemp** (who are also hereinafter appointed my Executors) And the Survivors or Survivor of them or the Heirs Executors Administrators or Assigns of such survivor shall and do as soon as conveniently may be after my decease collect receive and get in all such parts of my said personal Estate as shall consist of Monies or Debts or Securities for Money and sell and dispose of and convert into Money all such other parts of my said personal Estate as they shall see occasion

And also absolutely sell and dispose of my said Messuages Lands Tenements Hereditaments and real Estate or any part thereof to the best advantage or otherwise let devise and manage the same and act in regard thereto in such manner as they shall think fit It being my will and Intent that any said Trustees and Executors or the Survivors or Survivor of them or the Heirs Executors Administrators or Assigns of such Survivor shall have full and compleat power over my said Estate the better to enable them to pay all my Debts ad fulfil and perform the intention of this my will And that in such manner as to the shall appear best and most Advantageous for my family

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And I do hereby declare that in case any such sale or sales as aforesaid be made of all or any part of my Freehold Estate the Receipt or Receipts of my said Trustees or the Survivors or Survivor of them or the Heirs Executors or Administrators of such Survivor shall be a full and sufficient Discharge to any purchaser or purchasers of the said premises or any part thereof for the Money for which this same Estate and premises shall be sold or for so much thereof As in such Receipt or Receipts respectively that be acknowledged or expressed to be accepted And that such purchaser or purchasers or his her or their Heirs Executors Administrators or Assigns respectively shall not alter such Receipt or Receipts respectively given be answerable or accountable for any Loss Misapplication or Nonapplication of such purchase Money or be at all concerned to see the application thereof

And the Monies arising from any said Estates under the Trusts aforesaid (after and subject to the payment of my just Debts funeral and testamentary Expenses) shall and do lay out and invest upon good real Securities in the parliamentary or public Funds of this Kingdom at Interest and from time to time call in such Monies so lent and placed out on Securities or any part or parts thereof and lend and place out the same again from time to time upon the Securities of the like nature or alter change or vary all or any of the said Funds or Securities or otherwise manage and dispose of all the said residuary Estate and Effects in such manner as may appear to them most Advantageous for my Family

And subject thereto and to the Trusts and power aforesaid to pay and apply the Income Interest Dividends Rents and annual proceeds thereof unto the said **Elizabeth my Wife** or her Assigns or otherwise permit and authorise her or them to receive the same from time to time as and when the same shall become due for and during the term of her natural Life for the Maintenance and Support of herself and of my **Daughter Elizabeth** and from and after the decease of my said Wife Then upon Trust to pay convey and assign or Transfer the said Trust Estate Monies and Premises unto between and amongst my three Children the said **William Elizabeth** and **John Kemp** equally to be divided between them share and share alike their respective Heirs Executors Administrators and Assigns

Provided always and my Mind and Will is And I do hereby declare and direct that it shall and may be lawful to and for my said Trustees (with the consent of my Wife) to pay and advance by and out of my said Estates any sum or sums of Money as they shall think fit for or towards the settling or establishing any of my Children in any Trade Business or Profession or otherwise for his her or their Benefit so as the same does not exceed the expectant share of such Child or children respectively though such Child's share should not then be payable any thing to the Contrary notwithstanding

And I do hereby nominate constitute and appoint the said **Elizabeth my Wife** and my **two Sons William Kemp** and **John Kemp** Executrix and Executors of this my last Will and Testament and Trustees for the purpose aforesaid And I do hereby declare that they my said Trustees and Executors or any or either of them their or any of either of their Heirs Executors Administrators or Assigns shall not be charged or chargeable with or answerable or accountable for any more of the said Trust Estates Monies Funds and Premises or of the Rent Interest ready Money Proceeds or other produce thereof than what they shall Exception? or any of them shall actually receive or shall come to their Hands under or by virtue of the Disposition to the said Trust aforesaid nor with or for any loss which shall happen to the said Trust Estates Monies Funds and Premises or the Rents Interest Dividends proceeds or other premises thereof or any part thereof under their Execution & the Trusts aforesaid or otherwise so as such Loss happen without their his or her wilful Default nor shall any one or more of them be chargeable or accountable for the other or others of them but each and every of them only for his or her

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own Acts Deeds Receipts Decisions and Defaults notwithstanding they or any of them may join in any Act or Receipt for the sake of Conformity

And also that it shall and may be lawful to and for them my said Trustees and Executors and any of them their and each of their Heirs Executors Administrators and Assigns in the first place by and out of the said Trust Estates Funds Monies and Premises in them vested or to become vested upon the Trusts aforesaid or the Monies or proceeds to arise therefrom to deduct claim or reimburse themselves himself or herself respectively and to allow to her him or their Co-trustees all such Loss Costs Charges Damages and Expences as they or any of them shall respectively sustain expend or be put unto or which shall or may be to them or any of them occasioned for or by reason of the Trust so reposed in them or any of them or on or about the Management or Execution thereof or any thing in anywise relating thereto And also to deduct and pay to themselves respectively a suitable and proper Allowance for their Journies Troubles and loss of time in and about the same Trusts and Premises respectively

In Witness whereof I the said **William Kemp** the Testator have to this my last Will and Testament contained in this and the three preceeding Sheets of paper set my Hand and Seal (*to wit*) my Hand to these preceeding Sheets and my Hand and Seal to this last Sheet thereof the Day and year first above written

W. Kemp

The writing contained in this and the three preceeding Sheets of paper was signed and sealed by the above named **William Kemp** the Testator and by him published and declared as and for his last Will and Testament in the presence of Us who have hereunto subscribed our Names in Witness thereto in his presence at his request and in the presence of each other

J. C. J. Roberts

John B. Hogben

J^o Shepherd

Exd.

The before registered Will of **William Kemp** deceased was proved the Twelfth Day of June 1830 before the Reverend John Pechey Francis Clerk Surrogate to the Worshipful Sir Herbert Jenner Knight Doctor of Laws Official general to the Reverend the Archdeacon of Canterbury lawfully constituted by the Oaths of **William Kemp** and **John Kemp** Sons of the Deceased two of the Executors named in the said Will They being first sworn duly to perform the same (power being reserved of making the like Grant to **Elizabeth Kemp** Widow the Relict the other Executor when she shall apply for the same).

Notes:

William Kemp, bachelor married Elizabeth Pain, Spinster on the 23rd November 1801 at St. Michael and All Angels, Throwley. Both were of that parish.

Their known children (all christened at Throwley):

07-Aug 1802 **William**; 23-Feb 1804 **Elizabeth**; 15-Apr 1805 **John**; 04-Jul 1813 **Henry Pain**.

William Kemp aged 71 was buried at Throwley on 12th December 1829.

Elizabeth Kemp aged 82 was buried at Throwley on 18th January 1849 (so born 1767).

William Kemp was christened at Throwley 3rd Dec. 1758, s. of **John and Mary Kemp**.

Siblings (all christened at Throwley): **John** 5 Sep 1755; **Augustine** 17 Feb 1757; **Henry** 22 Feb 1761 and **Law** 15 Dec 1765.