

Nich. 3. Aprilis

1812

T. Tho. Byard

pro

Wickworth

2 Ex. C. J. 100 £

WILLIAM VYSE, Clerk, Doctor of Law

Vicar General of the Honourable & Right Reverend Father in God JAMES, by Divine permission, Lord Bishop of LICHFIELD and COVENTRY, To *Nathan Hubberty and John Chalton* Clerks jointly, and severally, Sendeth Greeting, WHEREAS it has been alledged, before the Rev. CHARLES BUCKERIDGE, D. D. our Surrogate, that *Thomas Byard* late of the parish of *Winksworth* in the County of *Leicestershire* and Diocese of *Lichfield and Coventry*, Farmer deceased, duly made and executed, his last Will and Testament, in writing, and therein named *John Walker and Joseph Redfern both*

of the Parish of *Winksworth* Farmers Executors thereof. We therefore by these presents, Commit and Grant, to you jointly, and severally, full power and authority to administer the Oath under-written, to the said



C.B. Executors and the said Oath being administred, you are to certify the same to Us or our said Surrogate, and subscribe your Name thereto, together with these presents, within three Months from the date hereof. Provided nevertheless that this Commission shall be of no effect, unless so certified and transmitted to US within that time. Dated at LICHFIELD, the *twenty-sixth* day of *March* in the Year of our Lord, 1812

Wm. Hubberty

The Oath.

YOUR Oath is, that the writing, now shewed unto you, contains the original last Will, and Testament, of *Thomas Byard* deceased, so far as you know and believe; that you are *the* named therein, and will faithfully perform that Office, by paying his Just Debts, and the Legacies therein bequeathed, so far as his Personal Estate will Extend, and the Law require from you; that you will make a true, and perfect, Inventory thereof, and Exhibit the same into the Registry of the Bishop's Consistory Court of LICHFIELD, and also a just account of your Executorship, when you are thereunto lawfully required, and that the Goods Chattels and Credits of the said Deceased as they were at his Death without deducting any debts owing by the said deceased therefrom, did not amount in value to the Sum of *one Hundred* Pounds

So help you God, &c.

QRY. When he died?

ANS. *Oct: 12th 1811*

On the *second* day of *April* 1812
This Commission was duly executed and the said *John Walker and*

Joseph Redfern
of the Parish of

were duly

sworn according to the above Oath before me

N. Hubberty Commissioner.

In the Name of God Amen I Thomas Byard
of Ashleyhay in the Parish of Wirksworth in the
County of Derby Farmer being Sick and Weak in
Body but of Sound Mind and Memory praised be
Almighty God for the same Do make and Ordain
this my last Will and Testament in the Manner
and Form Following . . .

First I Will and direct that all my just debts and
Funeral Expences be fully and truly paid and
all other Expences touching and proving this my Will
And I Give and Bequeath all that my Freehold
and Copyhold Estate situate and being in Ashleyhay
aforesaid with all the Houses ^{and} Buildings Standing thereon
with all Appurtenances whatsoever there to belonging or in
anywise Appertaining unto my beloved Wife Lydia Byard
for her use and Maintenance until my youngest Son
Joshua Byard shall arrive to the Age of Twenty one Years
and if he dies before he arrives to the Age of Twentyone
Years, then till the youngest of My Children which shall
be then living ^{shall} arrive to the Age of Twentyone Years
and if my Beloved Wife dies before my Youngest Child
then living shall arrive to the Age of Twentyone Years
then I Will and Direct that my Executors herein after
Named shall have full Power to take the Estate into their
Possession untill my Youngest Child then living shall arrive
to the Age of Twentyone Years, and if my Beloved Wife
lives untill my Youngest Child shall arrive to the Age of
Twentyone Years then I Will and Direct that my Children
shall have all my Real and Personal Estate divided
Equally amongst them share and share alike paying
thereout or therefrom the sum of Ten Pounds, a Year for
and during the time of her Natural life.

And Lastly I do hereby Nominate Constitute and Appoint
John Walker and Joseph Oedson Executors of this my
last Will and Testament hereby revoking all other
Wills by me at any time heretofore made Ratifying and
Confirming this and no other to be my last Will
In Witness whereof I have hereunto set my Hand and
Seal this Seventh day of October in the Year of our Lord
One Thousand Eight Hundred and Eleven Thomas Byard

Signed Sealed Published pronounced and Declared by
the Testator Thomas Byard as and for his last Will and
Testament in the Presence of the Testator Thomas Byard
at his Request and in the Presence of each other have
Signed our Names as Witnesses thereto

Richard Peate

Samuel Walker

John Walker

59

The Will of
Thomas Byard