

TRANSCRIPTION:

Short title: Lawrence v Crumpler. Document type: Bill and answer. Plaintiffs: Martha Lawrence (widow of ...

Court of Chancery: Six Clerks Office: Pleadings 1714 to 1758. Mitford Division. Pleadings. (Described at item level). Short title: Lawrence v Crumpler. Document type: Bill and answer. Plaintiffs: Martha Lawrence (widow of Philip Lawrence, yeoman deceased, late of Batcombe, Somerset, and daughter of John Crumpler

Held by:	The National Archives - Chancery, the Wardrobe, Royal Household, Exchequer and various commissions
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To the Right Lord Philip Earle of Hardwicke the Lord High Chancellor of Great Britain

Humbly Complaining sheweth unto your Lordship your Oratrix Martha Lawrence Widow and Relict of Philip Lawrence late of Batcombe the County of Somerset Yeoman Deceased daughter of John CRUMPLER late of Maperton in the parish of Almer in the county of Dorset Yeoman also deceased that the said John CRUMPLER did in his lifetime duly make and Execute his last Will and Testament in Writing bearing date on or about the Fourth day of August in the year of our Lord One Thousand Seven Hundred and Twenty Three and thereby amongst other things devised as follows Item I Will that my daughter Martha Lawrence shall have and receive after the Death of her present Husband Fifty Pounds to be then paid her by my Executor and made his son Daniel CRUMPLER Sole Executor thereof and Residuary Legatee That her then present Husband aforesaid was the said Philip Lawrence the end of that soon after writing and executing the said Will as aforesaid the said John CRUMPLER departed this life without altering or revoking the same the end of the said Daniel CRUMPLER in a short time after the death of the said testator duly proved the said will in the Ecclesiastical Court at Blandford in the County of Dorset in and for the district of Bristol and took upon himself the Executorship by virtue whereof the said executor possessed himself of all the said testators real and personal estates and all and singular the goods chattels and effects which he left behind him at the time of his Decease which were worth 2000 pounds and upwards that the said executor Daniel CRUMPLER is likewise since dead intestate and left Christian CRUMPLER of Almer aforesaid his widow who soon after the death of the said husband Daniel CRUMPLER took out administration to him to the Ecclesiastical Court of Blandford aforesaid and thereupon possessed herself of all the real and personal estate and of all and singular the goods chattels and effects which the said Daniel CRUMPLER did possess of or in any ways entitled to which were of the value of 1000 and 500 pounds and upwards and that your Oratrix's said husband survived the said Daniel CRUMPLER and died in the beginning of September 1750 being interred the fifth day of the same month of September in the parish of Batcombe unforeseen enter your trix sheweth unto your Lordship that since the death of her said husband she applied to the said administrative Christian

CRUMPLER for the said legacy of £50.00 given to your orix by her said father as aforesaid end with hope that the said Christian CRUMPLER would have paid the same without suit as in conscience and equity she ought to have done especially she having been left by her said husband as opulent and prosperous as aforesaid but now so it is may it please your lordship the said Christian CRUMPLER combining and confederating two aimed at lives diverse persons unknown to your orix whose names when known your orix prays may be here inserted in this bill in made parties hereto with apt words to charge them how to?? Your orix in the premises Pretend that the said testator made no such will and sometimes she admits he did make such will but that his personal estate was very small and insufficient to pay and discharge his whole debts as far as they would go according at other times she pretends that although the said testator John CRUMPLER did leave sufficient effects as aforesaid yet how the said confederate Christian CRUMPLER's husband the said Daniel CRUMPLER Himself of his said fathers effects spent and wasted the same..... Left her as part thereof..... Refused to produce any inventory of the personal estate and effects of the said John CRUMPLER or to discover the personal estate and effects that were liable to pay the said legacy of £50.00 and the better to conceal than cited to the spiritual court so to do but still obstinately refused to discover what such estates were all of what the particulars thereof do such consist or the value thereof and how much thereof have been applied to any and what uses or purposes or what became thereof particularly whereas your Orix doth charge as the truth is that the said testator John CRUMPLER and the said intestate Daniel CRUMPLER both so Died possessed of and entitled to such real and personal estates to the full value respectively as aforesaid or were much more respectively than would pay all their several and respective just debts Legacys and Funeral Expenses and that the said confederates or some of them have paid or converted the same to their own use without making any Satisfaction to your orix for the said legacy all which acting and doings of the said Christian CRUMPLER are contrary to equity and good conscience and Tend to your orix Manifold wrong and injury in tender consideration whereof and for as much as your orix is..... in the premises of the Common law but only in a court of equity where matters of this nature are properly cognizable and for that your orix's witnesses who would prove this as the truth of these premises are either Dead or gone beyond the seas into parts remote and unknown to your orix to this end therefore that the said Christian CRUMPLER end the rest of the confederates when discovered may on her and their Corporate oaths true and perfect answer make to all and singular the premises aforesaid according to her and their respective knowledge information and beliefs as fully and Particularly years of the same where here again repeated and interrogated and that particularly the said Christian CRUMPLER may answer and set forth as aforesaid whether the said testator John CRUMPLER duly made such will of such date and to such purpose and effect as aforesaid and did thereby devise or will that your orix should have and receive after the death of her then husband the sum of £50.00 to be then paid her by the executor therein named or any other and what Will of any others and what date or to any other and what purpose and effect particularly that she may produce the same or a Probate thereof under seal to this Court and as often has there shall be confusion and whether by such or any other and what Will the said Testator did and whether the said Daniel CRUMPLER proved the said Will when and in what Court and Whether he did not thereon and when possessed himself of all and what rents and Personal Estate and of all and what Goods Chattles and Effects that the said Testator Died Possessed of or Intituled to and may setforth a true particular Inventory thereof with the true and real Value thereof respectively according to the best of her knowledge and beliefs and may setforth whether her said Husband Daniel CRUMPLER did not Dye Intestate and when and Whether she is not or who Else is Administratrix or Personal representative

to the said Daniel CRUMPLER whether she (or who else) hath not taken out administration to him when and in what Court and thereby possessed him her or themselves of all and what Real and Personal Estates and all and of what real and personal estates and of all and of what Goods Chattles Assets and Effects Mortgages Bonds Bills Credits Moneys Plate Rings Jewels and Furniture that the said Daniel CRUMPLER Died Possessed of or Entituled unto and may either Admit Assets of the said Daniel CRUMPLER..... unto her his or their Hands sufficient to pay your Orix her said Legacy or may set forth a true and perfect and just particular Inventory thereof with a true just Value and price thereof respectively at the time of his Death According to the best of her knowledge and beliefs Whether the same hath been Bona fide appraised according to the just and true respective Values and Worth thereof when where and by whom did such Appraisors respectively sign Such Appraisement when and whether any Particular Account or Inventory of such Estates Goods and Chattles Assets & Effects hath not been Demanded or asked for from the said Christian CRUMPLER or to that effect when how often and by whom and why the same was refused to be granted Whether she the said Christian CRUMPLER hath not been Cited out of the said Ecclesiastical Court to Exhibit the said Inventory when and why she refused..... to exhibit the same what is now become of the Several Estates and Effects of the said Daniel CRUMPLER that he did Possessed of or any wise Intituled to how when and where to whom Disposed of for what reason and for what real true just Consideration respectively had whether your Orix or someone for her hath not demanded the said Legacy of Fifty Pounds of her the said Christian Crumpler or applied to her for it when and how often and May Setforth why she the said Christian CRUMPLER refuses to pay the same and may likewise Setforth and Discover what just Debts the said John CRUMPLER and Daniel CRUMPLER Severally Owed at the time of their respective Deaths to whom what how Contracted how Secured and when how to whom was justly and Bona fide paid and by whom and that the said Christian CRUMPLER may be Compelled to pay your Orix the said legacy of Fifty Pounds and all Interest thereon from the Death of her said Husband as aforesaid and that your Orix may have such further relief in the Promises as the Nature of this her Case shall require and to your Lordship shall Seem Moot May it Please your Lordshipp to Grant unto your Orix his Majesties most Gracious Writ of Subpena Issuing out and under Seal of this Honourable Court to be directed to the said Christian CRUMPLER and her Confederates when discovered thereby Commanding her and them and each and every of them at a Certain Day and under a certain Pain therein to be Limited Personally to be and Appear before your Lordshipp in this Honourable Court then and there to answer the Promises upon Oath and to Stand to and Abide such Order and Decree therein as to your Lordshipp shall seem Moot and your Orix shall ever Pray and soforth

George Wilborne

George the second by the great god of Great Britain and Ireland King Defender of the faith

To Nicholas Humphrey Thomas Spong Thomas Dean William Goddard William Goddard Junior and Michael London gentlemen greetings Whereas Martha Lawrence complainant hath lately exhibited her bill of complaint before us in our of chancery against Christian CRUMPLER defendant and whereas we have by our Writ lately commanded the said defendant to appear before us in our said Chancery at a certain day now past to answer the said bill know ye that we have given unto you any three or two of you full power and authority to take the answer of the said defendant to the said bill

and therefore we command you any three or two of you that on the certain day and place as you shall think fit you go to the said defendant if she cannot conveniently come to you and take her answer to the said bill on her corporal oath upon the Holy Evangelist's to be administered by you any three or two of you the said answer being distinctly and plainly wrote upon parchment and when you shall have so taken it you are to send the same closed up under the seals of you any three or two of you unto us in our said chancery without Delay.

Wheresoever it shall then be together with this Writ witness ourself at Westminster the first day of June in the thirtieth year of your Reign

Clarks Purcas

and saith that she hath heard and believes as much of it to be true that John CRUMPLER deceased..... the complainants bill named did duly make and publish such will of such date and of such purport and effect as in the complainants bill is setforth and did thereby will that the complainant should have and receive after the death of her then husband £50.00 to be paid her by the executor and nominated and appointed his son Daniel CRUMPLER after the said testators Death on or about the 12th day of October which was in the said.....the month of September 1723 to the cost of the defendants remembrance without revoking or altering the same and the defendant believes that the said Daniel CRUMPLER after the said Testators death on or about the 12th day of October which was in the said year of our lord 1723 duly paid the same in the Ecclesiastical Court of the Archdeacon of Dorset and took upon himself the..... of the execution thereof but the probate of such will having never been in the custody or power of this defendant or in the custody of any person or persons in for her the Defendant does not know what became thereof and therefore and is unable to produce the same to this Honourable Court but must for herself to the same when it shall be produced another Defendant believes that her said deceased husband did soon after pcess himself..... Rents and..... forage estate of the said testator John CRUMPLER and of all or so much of the goods chattels and effects which he had possessed of as he could get into his hands but the defendants said husband not having in..... to the knowledge or belief of the defendant made any inventory thereof but always concealing the circumstances and affairs from the defendant and she not having any right of to take any account of the goods chattels and effects of the said testator John CRUMPLER she is unable after such a length of time to setforth any inventory thereof as the..... of the particulars thereof that the defendant saith that she believes the said John CRUMPLER died possessed of seven leasehold estates tenements payments in the Parish of Almer in the county of Dorset of about the yearly value of £45.00 some of which estate Defendant believes was then held by a lease for years determinable on the death of this defendants said husband and Nicholas CRUMPLER his brother since deceased and which the defendant believes is in the description of all that leasehold in usage or tenement with all land Meadows Pastures feedings commons and of pasture rights and privileges and appurtenances thereunto belonging unto him and being in Mapperton aforesaid and is about the yearly value of £55.00 another of the said leasehold tenements is particularly under the description of all that leasehold cottage and dwelling house garden and orchard thereunto adjoining and belonging containing by estimation half acre be it more or less and one rood of arable land adjoining the said orchard containing by estimation four acres be it more or less which said last mentioned

..... are also lying and being at Mapperton aforesaid and were are at the Death of the said John CRUMPLER testator she believes by lease for of house