

Will of Eléazar le Marchant (*died Grands Maisons, St Sampson's, Guernsey, 1716, aged 67 years and 9 months. Elected Bailiff March 1705*).

Named are: Helier Perchard, Elie Perchard, Henry Bray, Martin de Gruchy N.P., Henry Bray Jnr., Elisha Dobrée, John Dobrée (witnesses, lawyer); Eléazar and Joshua Le Marchant (nephews), Thomas and Joshua Le Marchant (great-nephews); Martha Le Marchant (sister); Peter Priaux Snr (brother-in-law); Olympia Le Marchant (sister); Marie de Saumarez (wife).

Translated from the French by Martin de Gruchy in 1717. PCC 158 Whitfield. Canterbury Cathedral.

I the undersigned Eléazar Le Marchant Senior, a native of Guernsey, being at present in London, of sound disposition both of mind and body, do make my last will etc. I commend my soul etc. to be buried with those of my brethren who died in the Christian Faith. To the poor of Guernsey interests of one year, viz. the 1st year after my decease and all such effects as shall be due to me at interest within Gt. Britain to be divided as follows; one third to the poor of Torteval and two-thirds to the other 9 parishes of Guernsey, to be employed in rent within said island for perpetual advantage and relief of the poor and needy persons of sd. 10 parishes. To poor of St Sampson the interests for 2nd year of my effects in Gt. Britain, to be employed also in the Island in an annual and perpetual rent, the purchase of latter rents to be made by my executors as conscientiously and expeditiously as possible without giving any prejudice to sd. poor by overhasty requisitions and the distribution of revenue to be made only by my executors or with the help of the eldest of their families with the assistance of the Rector. And distribution to go by the majority of votes of the three and if of diverse opinions overseer of the parish to be called in, but the perquisition, prosecution, and gathering of rents to be done by overseer of the parish, to be laid out in clothes.

To Mrs Olympia Le Marchant my beloved sister, 30 livres tournois if she survive me. To the 3 youngest children of Mr Peter Priaux Sr. of the Manoir of Le Comte, dec. (2 sons, 1 da.) at 20, 300 livres tournois each, my executors not being obliged to pay interest or even principal if one die before 20. And as to my other moveable estates and mobiliary and effects whatsoever nature I do totally give and bequeath the same to my two grand-nephews, viz. to Joshua Le Marchant son of sd. Joshua my nephew and Thomas Le Marchant son of sd. Eléazar my nephew, upon condition they shall discharge all personal debts and funeral charges and make good all bequests and legacies, and on condition that the sd. Thomas and Joshua who shall attain 20 before my decease shall enter into a property and possession thereof; if one or both are minors at my death the administration to be made by the one who is so [20] or by the sd. fathers of the minor or minors, and in case of their minority, the whole neat produce of the legacy left to Joshua and Thomas shall be improved to best advantage until increased to £4000, provided it does not exceed full majority of both, and then as soon as possible or within four years next ensuing both principal and interest to be applied with the purchase of one or two real estates in England for the sole benefit of the said Joshua and Thomas by equal parts to be equally divided between them by lots; and in case sd. purchase made of 2 real estates and one is better than the other, then he who gets the best to recompense in a yearly rent as fair as the equality and value, and the whole being made equal they shall draw lots upon it both or either of which real estate, when this purchase is made and divided the same, shall be amortised in the manner called in the English tongue *Intailes*, in the best manner that may be according to law in England done by the advice and direction of the ablest lawyers, in order to secure the perpetuity

of sd. real estate to the sd. Joshua and Thomas respectively for themselves and their eldest son from father to son forever, so that neither the sd. Joshua or Thomas or their heirs and successors may sell mortgages nor encumber them in any manner whatsoever, nor subject them to any guaranties for debts, and if one die without heirs male of his body lawfully begotten, then the survivor shall succeed to him first deceased after the death of the father of him the first deceased, which father shall enjoy the same for life, except if the said father have any other male child then born or to be born the first or only one of such male children shall immediately enter into a full property and possession of such share of the sd. real estate as belonged to the deceased, although he had died before the birth of such child or children male; and the whole shall be succeeded to according to the above rules and limits, whereby I declare my intention to be that sd. real estate shall always descend to the nearest heir male of Joshua and Thomas in a direct line and shall never come to any daughter as long as such heir male alive. And if the said two branches should totally fail of heirs male in a lineal descent, the daughters should succeed thereunto by the like precedence of eldership as the sons might have done by virtue of what has been said. And if no heirs should remain lineally descended of either sex from Joshua Le Marchant Senr. and Eléazar Jnr., the two daughters of Mrs Martha Le Marchant my niece shall inherit equally & shall succeed to the premises etc. and also their issue in the same manner and preference of eldership as above expressed, and if there is no issue and no lineal heirs of either sex descended from Joshua Le Marchant Senr., Eléazar Le Marchant Jnr, or Mrs Martha Le Marchant, then remainder to Mrs Olympia Le Marchant, my cousin's heirs [my sister]. The executors to be Joshua Le Marchant Senr. and Eléazar Le Marchant Jnr., and if they are in any way prevented I appoint the several persons who have been declared capable of succeeding subsidiarily to the sd. real estate, if of age, or their guardians to be executors, with the restriction that no guardian shall purchase sd. real estate, this to be reserved to the propriators [sic] of age; and in case sd. real estate is not already purchased by said Joshua Snr. and Eléazar Junr., I permit them to make arrangement with my wife, Mrs Mary de Saumarez, if she desires it, in order to transfer to them the real estate I have in Kent, upon which she ought to have her dowry during her life, and afterwards to sell or exchange same for some other real estate which may be more commodious for them, as also another real estate I have in Kent upon which my wife has no dowry, and if they do not agree they may sell or exchange the same after her death for the advantage of the said Joshua Jnr. and Thomas Le Marchant and of their posterities, to be succeeded in the same manner as the other real estate, and these two in purchasing to be mutual guarantees one to the other. In respect to casualties which might result by interior and unforeseen mortgages and hypthothecas, and if the purchase shall not have been made within four years, the quarter part of the sum designed shall be forfeited and confiscated to the benefit of the heirs of Mrs Martha Le Marchant. And in case I should leave any legitimate children all the aforesaid to be of no effect or value as if it had never been done.

London, 2nd August, 1716. Witnesses: Helier Perchard, Elie Perchard, Henry Bray, Martin de Gruchy N.P., Henry Bray Jnr., Elisha Dobrée, John Dobrée Jnr. Translated by Martin de Gruchy August 6 1717. Proved August 8th 1717 by Eléazar le Marchant and reserved for Thomas Le Marchant when he shall demand it.