

Keene v Chalmer (1832)

Keene v Chalmer (1832) An important PYLE document. This document consists of 26 pages of the judgement for the estate of Joyce Farraine (The Lunatic), whose very large estate had to be divided up after no Will was left and she appeared to have no children or close relatives. The research involved tracing back and proving PYLE connections back to the early 1600s and where the searches were conducted etc. A very important document to the PYLE family tree. – Jeff Pyle

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PAGE ONE

Filed 28<sup>th</sup> June 1832 at Hall St.  
Dep: 1<sup>s</sup>/10

~~Missing page 2~~

Keene v Chalmer  
Trinity Term 1832  
Martin

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PAGE TWO

20 June 1832

Between Benjamin Keene Esq[ui]re Mary Keene Spinister (now deceased) Frances Mary Francis Spinister Elizabeth Francis Spinister Thomas Wilson Esq[ui]re and Susannah Brooks Widow .. Plaintiffs  
Edmund Chalmer now deceased. Defend[an]t.

By Original Bill

And Between The Reverend Charles Edmund Keene Clerk Frances Mary Francis Spinister Elizabeth Frances \_\_\_ Spinister Thomas Wilson and Susannah Brooks Widow ..... Plaintiffs  
Francis Chalmer and Benjamin Keene \_\_\_\_\_ Defendants

By Bill of Reviva

In pursuance of the Decree made on the Hearing of this Cause bearing date the 24th day of March 1832. I have been attended by the Solicitors for the respective parties And I have settled and allowed Interrogatories for the Examination of the Defendants Francis Chalmer and Benjamin Keene And in \_\_\_\_\_ Testimony of my Allowance thereof I have signed my name at the foot of the Tngsolpment?? of the said Interrogatories. Which I humbly Certify to this Honorable Court. —

Henry Martin

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PAGE THREE

9th April 1834

Between Benjamin Keene Esquire Mary Keene Spinister (now deceased) Frances Mary Francis Spinister Elizabeth Francis Spinister Thomas Wilson Esquire and Susannah Brooks Widow .. Plaintiffs  
Edmund Chalmer (now deceased) Defendant

By Original Bill

And Between The Reverend Charles Edmund Keene Clerk Frances Mary Francis ..... Spinister Elizabeth Francis Spinister Thomas Wilson and Susannah Brooks Widow ..... Plaintiffs  
Francis Chalmer and Benjamin Keene ..... Defendant

By Bill of Revision

And Between The said Reverend Charles Edmund Keene Clerk Frances Mary Francis Spinister Elizabeth Francis Spinister and Thomas Wilson Esq[ui]re ..... Plaintiffs  
Francis Chalmer Benjamin Keene and John Dillon ..... Defendants

By Bill of Revision

In pursuance of an Order made in the

– two first mentioned –

^Causes in the Petition of Philip Betts and James Woodrow (now deceased) and Elizabeth his wife bearing date the 13th day of June 1833

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whereby it is referred to me to enquire and state to the

Court whether the said petitioners Philip Betts and Elizabeth Woodrow are second Cousins and two of the next of kin of Joyce Farraine -the Lunatic.

And also in pursuance of an Order of Review in the above mentioned Cause bearing date the 8th day of June 1833.

Intestate in the said petition named ^ I have \_\_\_ been attended by the Solicitor of the said petitioners and also by the respective Solicitors of the plaintiffs and Defendants in these Causes And a State of Facts and Claim together with a Pedigree of the family of the said petitioners have been laid before me by or on behalf of the said petitioners (supported by the Evidence herein after mentioned) whereby after stating that John Pyle Rector of Study in the County of Norfolk (who died in the year 1709) had Issue by Joyce his Wife (who died in the year 1715) 12 Children, six Sons and six Daughters Vizt [Videlicet] Deborah baptized the 10th December 1656 Elizabeth baptized 2 March 1657 Dinah baptized 22nd January 1659 Anne baptized 3rd November 1661, Jemima baptized 23rd November 1663 – Philip baptized the 14th November 1664 John buried 6th May 1669 a second John baptized 11<sup>th</sup> May 1670 Owen baptized 18th June 1672 a second Philip baptized the 18th June 1673, Thomas baptized the 26th January 1674 and Martha baptized the 20th March 1675 That the said Deborah Pyle one of the said twelve Children intermarried with – Christopher Flyeth on the 23rd September 1679 & died in January 1741 having had Issue - six Children, one Son and five daughters. Vizt Elizabeth baptized 17th October 1686 Joyce baptized 11th November 1688, Thomas baptized 4th January 1690 Anne –

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baptized 6th April 1693 Martha baptized 24th May 1697 and Margaret baptized the 19th of February 1698 and buried the 29th September 1717 That the said Elizabeth Pyle another of such twelve Children intermarried with Roger Flyeth on the 5th March 1677 and died in May 1694 having had four Children, all daughters Vizt Joyce baptized 6th December 1678 Elizabeth baptized 25th January 1682 Jemima baptized 18th August 1690 and Dorothy baptized 14th 1693 That the said Dinah another of such twelve Children intermarried with William Palmer on the 5th February 1694 and died in August 1700 having had issue two Children both

Sons Vizt. John who died in April 1698 and Philip baptized 17th July 1700 and died in the same month That the said Anne another of such twelve Children was at the date of her Father's Will in 1709 (wherein she is called Anne Pyle) 48 years of age and then unmarried. That the 1st Jemima another of such twelve Children would if living at the date of her Father's said Will in 1709 have been 46 years of age but that not being mentioned therein, it is supposed she was then dead. That the first mentioned Philip another of such twelve Children died in March 1668 at the age of three years. That the first mentioned John another of such twelve Children died an Infant in May 1669 That the second mentioned John also died an Infant in July 1670. That the said Owen another of such twelve Children also died an Infant in June 1673. That the second mentioned Philip another of such twelve....next page

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Children who at the date of his Father's said Will in 1709 wherein he is mentioned was 36 years of age intermarried and had issue two children both Daughters Vizt Joyce who died in August 1704 and Ann who died in May 1707 That the said Thomas another of such twelve Children intermarried with one Mary Rolfe and died sometime in the year 1756 having had amongst other Children, a Daughter named Susan who intermarried with Thomas Farraine and died sometime in the year 1786 having also had amongst other Children, a Daughter named Joyce (the Intestate) who became Lunatic and died in the year 1824. That the several Brothers and Sisters of the said Joyce the Intestate and also her Uncles and Aunts died previous to the birth or in the lifetime of the said Intestate and without leaving any Descendants living at the time of the death of the said Intestate That the said Martha the other of the said 12 Children (who is also mentioned in her Father's said Will dated in 1709 and therein called Martha Pyle and was then 34 years of age) – intermarried with one Thomas Funnell on the 5th of October 1710 and died in April 1737 having had Issue four Children only, two sons and two — Daughters Vizt John born 15th April 1711 Elizabeth born 8th September 1712 Jemima baptized 2nd

December 1714 and Philip born 19th May 1718 and died on the 14th February 1731 That the s[ai]d John intermarried with Christian Gilder on the 26th April 1736 and died some time in the year 1753 having had Issue three Children only a Son and two Daughters Vizt John born 2nd (next page)

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#### PAGE SEVEN

December 1741 who intermarried and afterwards died in February 1776 Elizabeth born the 12th – November 1739 who died in the month of October 1741. Also a second Elizabeth born the 13th – February 1743 who intermarried first on the 12th August 1765 with Jonathan Saul who died on the 22nd September 1772 and secondly on the 22nd January 1777 with Thomas Hastings and died in December 1810. That the said Jemima intermarried with Richard Betts on the 19th October 1747 and died in November 1769 having had Issue two Children a Son name Philip baptized 30th May 1749 and a Daughter named Elizabeth baptized 18th July 1758 who intermarried with James Woodrow (now deceased) on the 23rd January 1791 and which said — Philip Betts and Elizabeth Woodrow are the said Petitioners the Claimants. They are the said Philip Betts and Elizabeth Woodrow therefore claimed to be two of the great Grandchildren of the said John Pyle and Joyce his Wife and as such to be second Cousins and two of the — next of kin of the said Intestate Joyce Farraine And in support of the said State of Facts & Claim of the said Philip Betts and Elizabeth Woodrow several Affidavits made in these Causes verifying Copies of Registers of Marriages Baptisms and Burials. Also of Tomb Inscriptions Identity and other circumstances relating to the ... next page

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#### PAGE EIGHT

families of the said Interstate and the said Claimants have been laid before me as herein after mentioned (?? today) An Affidavit of William — Nicholas Harwin Turner (therein described) sworn the 11th December 1833 verifying Copies of

certain Latin Entries contained in a Book — remaining in the Registry of the Bishop of Norwich under the head of the Rectory of Stody purporting that John Pyle Clerk Bachelor of Arts was ordained Priest on the 15th September 1654 by Joseph Bishop of Norwich and confirmed as public Preacher on the presentation of John Pyle Clerk on the 16th March 1654. Also that he testified to the Declarations against the solemn Treaty before Edward Bishop of Norwich on the 29th July 1662 and was licensed to preach by the same Bishop on the 27th October 1662. Also Affidavits verifying Copies of the Registers of Baptisms of Deborah Pyle on the 10th December 1656 Elizabeth Pyle on the second March 1657 Dinah Pyle on 22nd January 1659 Anne Pyle on 23rd November 1661 Jemima Pyle on 20th November 1663. Philip Pyle on 14th November 1664, John Pyle on 11th May 1670 Owen Pyle on 18th June 1672 Philip Pyle on 18th June 1673 Thomas Pyle on 26th January 1674 and Martha Pyle on the 20th March 1675. all in the Parish of Stody in the County of Norfolk and therein called respectively Sons and Daughters of John Pyle Clerk and Joyce his Wife. Also verifying Copies of the Registers of burial of John Pyle on the 6th May 1669. Also of Mr John Pyle Clerk late (next page)

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#### PAGE NINE

Rector of Hunworth and Stody on the \_\_ November 1709 and of Joyce Pyle Widow on the 12th August 1715. all in the said Parish of Stody Also verifying a Copy of the Register of Marriage of Roger Keith & Elizabeth Pyle on the 5th March 1677 in the said Parish of Stody. Also of the — Baptisms of Jemima on the 18th August 1690 and Dorothy on the 14th June 1693 both in the said Parish of Stody and therein respectively called Daughters of Roger and Elizabeth Hieth. Also of the Baptisms of Elizabeth on the 17th October 1686 Joyce on the 11th November 1688 Thomas on the 4th January 1690. Ann on the 2nd April 1693 Martha on the 24th May 1697 and Margaret on the 19th February 1698, all in the said Parish of Stody & therein called respectively Son and Daughters of the said Christopher and Deborah Hieth. Also of the burials of Margaret Hieth on the 29th of

September 1717 and of Deborah Hieth on the 8th January 1741 both in the said Parish of Stody. Also the baptism of Philip Son of William Palmer and Dinah his Wife on the 17th July 1700 and the burial of Philip Palmer on the 22nd of the same July on the said Parish of Stody Also the burials of John an Infant Son of William Palmer and Dinah his Wife on the 23rd April 1698 and Dinah Wife of William Palmer both on the 11th August 1700 both in the said Parish of Stody. Also a Copy of the Register of Marriage of Thomas Funnell and Martha Pyle both of Stody on the 5th of October 1710 in ....

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the Parish Church of Happisburgh in the said County of Norfolk. Also a Copy of the Register of Baptism of John Son of Thomas and Martha Funnell on the 15th April 1711 in the said parish of Happisburgh. Also a Copy of the Register of Burial of Martha Funnell in the Parish of Happisburgh aforesaid on the 8th April 1737 & of the burial of Thomas Funnell in the same — Parish of Happisburgh on the 10th May 1761 Also a Copy of the Register of Marriage of John Funnell and Christian Gilden on the 26th April 1736 The Baptism of Elizabeth Daughter of John and Christian Funnell on the 12th November 1739. The Burial of Elizabeth Funnell on the 23rd October 1741 The Baptism of John Son of John and Christian Funnell on the 2nd December 1741 The Baptism of Elizabeth Daughter of John and Christian Funnell on the 13th February 1743 The burial of John Funnell on the 3rd February 1776 The Marriage of Jonathan Saul and Elizabeth Funnell on the 12th August 1765 The burial of Jonathon Saul on 22nd of February 1772 The marriage of Thomas Hastings and Elizabeth Saul on the 22nd January 1777. The Burial of Elizabeth Hastings on the 4th December 1810. The Marriage of Richard Betts and Jemima Funnell on the 19th October 1747. The baptism of Philip Son of Richard and Jemima Betts on the 30th May 1749 and the Baptism of Elizabeth Daughter of Richard and Jemima Betts on the 18th July 1758 all in the Parish of .....

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Happisburgh aforesaid. Also a Copy of the Register of Marriage of Elizabeth Betts and James Woodrow on the 23rd of January 1791 in the Parish Church of Palling next the Sea in the said County of Norfolk. Also a Copy of the Register of Burial of Jemima Betts on the 11th November 1769 and of Richard Betts on the 27th December 1789 in the Parish of Happisburgh aforesaid. Also verifying a Copy of the Will of John Pyle late of Stody aforesaid deceased then remaining in the Registry of the Lord Bishop of Norwich Also an Affidavit of Rowland Yallop Gentlemen therein described sworn the 20th December 1832 verifying a Copy of the Entry of the Baptism of Thomas the Son of John Pyle Clerk and Joyce his Wife on the 26th January 1674 in the Parish of Stodey aforesaid And whereby also the said Deponent states that on a Stone in the Chancel of the said parish Church of Stodey is an Inscription a Copy whereof the said Deponent verifys as follows Vizt — “In Memory of the “Reverend John Pyle formerly Rector of Stodey “and Hunworth who died in the year of our “Lord 1710. Also of Joyce his Wife who died in “the year 1715 aged 83.” Also two Affidavits of Philip Howe of the City of Norwich sworn respectively the 13th day of December 1833 who by one of such Affidavits verifies a Copy of the Register of the Burial of the said James ... next page.

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#### PAGE TWELVE

Woodrow in the Parish of Smallbury in the said County of Norfolk on the 12th day of January 1833 and by the other of such Affidavits states that he had carefully examined the contents of the several Register books kept in and for the several Parishes of Stody and Hunworth in the County of Norfolk in order to search for and extract therefrom the several Entries of the Marriages Births Baptisms and Burials with or containing therein the insertion of the Names of Pyle Hieth High and Hythe any or either of them appearing in and throughout the said Registers. And that the several paper writings thereto annexed and marked respectively as therein mentioned are and

contain true Copies of the Entries of the Marriages Births Baptisms and Burials of persons of those names respectively in the said several Register Books for the said several parishes of Stodey and Hunworth, he the said Deponent having carefully examined and compared such Copies with the said Entries in the said Register books And whereby also the said Philip Howe .... states that the said several Entries in the said Register books so referred to and copied — therefrom as aforesaid are all the Entries in the same Books respectively with or containing the said Names of Pyle Hieth High & Hythe any or either of them. And that the several Register books aforesaid were as the said (Next page)

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Deponent is informed and verily believes the whole of the Register books of Marriages Births Baptisms and Burials of a belonging to the said Parishes of Stodey and Hunworth aforesaid. Also an Affidavit of Thomas Rackham of the City of Norwich aforesaid Gentleman sworn the 14th day of December 1833 who thereby states that the several paper writings thereto annexed marked respectively as therein mentioned contain true Copies of the Entries of Marriages Birth Baptisms and Burials — appearing and contained in the Register Bills of or for the several parishes of Stodey and Hunworth in the County of Norfolk deposited in the Office of the Lord Bishop of Norwich & in the Office of the Archdeacon of Norwich found therein respectively by him after a diligent and careful examination of and for such Register Bills and Entries — respectively and that such Entries are all the Entries appearing to the Deponent in the said Register Bills with or containing the insertion of the Names of Pyle Hieth Hyth High & Hythe any or either of them. Also an Affidavit of Charles Sutton of the City of Norwich Clerk Doctor in Divinity sworn the 5th day of January 1833 who thereby states that he knew and was well acquainted with the Reverend Philip Pyle Clerk formerly of the parish of Saint George of Tombland in the said City deceased of which parish the said Deponent then was and now is the Minister — That the said Deponent hath seen the said ...

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“Philip Pyle.” appearing on the letter or paper writing shown to the said Deponent and marked. All are of the proper handwriting of the — said Philip Pyle. That Joyce Farraine the Lunatic was as the said Deponent verily believes the person described as Mrs Farraine in the said Letter who died as the said Deponent also believes in a private Lunatic Asylum in Lakenham next Norwich he the said Deponent having frequently heard the said Philip Pyle mention the said Lunatic and particularly that she was both Idiot and Lunatic. That he hath in frequent intercourse with the said Philip Pyle heard the said Philip Pyle say that he the said Philip Pyle was the Son of the Rev<sup>d</sup> Thomas Pyle formerly Minister of Kings Lynn in Norfolk and that his these Philip Pyle’s family came either from Hunworth or Stodey in Norfolk but which of those two — Parishes he the said Deponent cannot distinctly recollect Also an Affidavit of William Green the younger of the Precinct of the Cathedral Church of Norwich, Clerk to the Registrar of the Diocese of Norwich sworn the 13th of <sup>August</sup> ~~December~~ 1833 verifying a Copy of the Original Bond filed or remaining in the Registry of the said Diocese which purports to be dated the 21st of July 1753 and to be from Christian Funnell of Happisburgh in the County of Norfolk Widow and Samuel [Mobi??] of the same Next page

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#### PAGE FIFTEEN

Parish Gentleman to the Worshipful Joseph Atwell S.T.P Official principal of the Episcopal Consistorial Court of Norwich lawfully constituted in the penalty of £30. The Condition whereof was expressed to be that if the said Christian Funnell Widow Relief and Administratrix of the Goods and Chattels of John Funnell of Happisburgh aforesaid Tailor deceased Intestate should — make a true inventory thereof and exhibit the same in the Registry of the Court kept for the Lord Bishop of Norwich at or before the last day of

September then next ensuing and duly administer the same. Then that the said Obligation should be void or else to remain in full force Also an Affidavit of Benjamin Hastings of Ludham in the County of Norfolk Land Surveyor aged 46 years <sup>years & upwards</sup> sworn the 5th day of January 1833 who thereby states that as he the said Deponent verily believes, he is a descendant of Martha Pyle one of the Daughters of the Reverend John Pyle Clerk Rector of Study in the County of Norfolk and of Joyce his Wife deceased and which said Martha Pyle was <sup>as</sup> the said Deponent believes, the Sister of the Reverend Thomas Pyle Clerk the Grandfather of Joyce Farraine mentioned in the pleadings of this Cause. That the said Deponent's deceased Mother was one of the Children of John Funnell who was the Son of the said Martha and Thomas Funnell her husband but that the Mother of the said Deponent died before the said Joyce Farraine

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And whereby the said Deponent further states that he has heard his Mother say that she had two Cousins living at Swaffham in Norfolk who were Maiden Ladies of the name of Pyle & whose father was a Clergyman who had been a great friend to her father John Funnell That she (the said Deponent's Mother) whilst she was single in her then name of Elizabeth — Funnell sent a Letter to the said Misses Pyle which came back on account of those Ladies having removed from Swaffham. That he hath searched amongst his late Mothers papers and refers to an Original Letter and also the Draft or a Copy of such Letter as therein — mentioned and that he has also heard his — Mother say that her Grandmother was a Pyle and that she married contrary to the wishes of her family and that the father of her Grandmother was a Clergyman. Also a further Affidavit of the said Benjamin Hastings sworn the third day of August 1833 who in addition to his said former Affidavit states that he has heard his late Mother Elizabeth Hastings deceased who was as the Deponent believes one of the Daughters of John Funnell and Christian his Wife (and which said John Funnell was as the said

Deponent believes one of the Sons of Thomas Funnell and Martha his Wife formerly Martha Pyle Spinster) say that the four post Bedstead on which the said Deponent was accustomed to sleep when a Youth (which is about thirty years since) was her Grandmothers, that the same had blue hangings and that his the Deponent said Mother when she spoke of the said Bed was always

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particular in connecting it with the mention of her said Grandmothers Maiden Name with the view as the Deponent believes at those times to impress upon the said Deponent that she was descended from a respectable family of that Name and in order to communicate or convey to him the fact that the said Bed and hangings were given or belonged to the Deponents said Grandmother as one of that family and that the said Bed & Hangings as the said Deponent has been informed and believes were sold at the Auction of the Deponent's father on his declining the farming business about 20 years ago. That the Deponent recollects to have had in his possession some years since an old book in which the name "Martha Pyle" was written but which book has been lost or mislaid and cannot be found. Also an Affidavit of Ann Smith of Catfield in the County of Norfolk Widow aged 83 years and upwards sworn the 12th day of August 1833 who thereby states that she well knew the late Mrs Elizabeth Hastings the Wife of Mr Thomas Hastings of Lessingham in the aforesaid County. And that she the Deponent went to live in the Service of the said Elizabeth Hastings as Nurse and Housekeeper about the year 1790 & continued living in the Service of the said Elizabeth Hastings until her death which happened in the year 1810 when the said Elizabeth Hastings was buried in Worstead Meetinghouse burial Ground in the said County of Norfolk. That the said Deponent had been accustomed to go up and down to the House of the said Elizabeth Hastings for a great many years before she went to live in the said Elizabeth Hastings Service. And that the said Deponent has repeatedly

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heard the said Elizabeth Hastings say that her first husbands name was Jonathon Saul and that he went up to London where he died of the Small pox and that her the said Elizabeth — Hasting's Maiden Name was Elizabeth Funnell That she the said Deponent has known Philip Betts of Happisburgh in the said County Wheelwright for about fifty years and that the said Philip Betts used frequently to come to the House of the said Thomas Hastings of Lessingham aforesaid And that the Deponent has frequently heard the said Philip Betts and the said Elizabeth Hastings called each other, Cousins. That the Deponent has also frequently heard the said Elizabeth Hastings say that there were two Miss Pyles living at Swaffham in the said County of Norfolk and that they the said Miss Pyles were Relations of hers That she the said Deponent well remembers that the said Elizabeth Hastings brought up a Kinsman named Philip Funnel - which said Philip Funnel was the Son of John Funnel and which said John Funnel was brother to the said Elizabeth Hastings And that another Kinsman of the said Elizabeth Hastings named John Funnel was brought up by Isaac Saul of Smallborough in the said County of Norfolk and that the said John Funnel was brother to the said Philip Funnel & a Son of the first named John Funnel. And that the said Isaac Saul was brother to the said Jonathan Saul and which said Jonathan Saul was the first Husband of the said Elizabeth Hastings. That she the said Deponent used to attend upon the said Elizabeth Hastings at the births of several

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of the said Elizabeth Hastings Children. And that she the said Deponent used to nurse the youngest Son of the said Elizabeth Hastings which said youngest Son was named Benjamin Hastings That the said Benjamin Hastings is a Land Surveyor and is now residing at Ludham in the said County of Norfolk. Also an Affidavit of Charles Tomlinson Clerk to Rowland Yallop Gentleman therein described sworn the 29th day of January 1833 verifying an Official Contract from

the Will of Thomas Pyle Minister of Kings Lyn in the County of Norfolk and of a Codicil thereto dated respectively the 8th day of May 1753 and the 29<sup>th</sup> — day of April 1756 as follows that is to say. “Thomas “Pyle Minister of Kings Lyn in the County of “Norfolk I give unto my Son Philip Pyle Clerk “all my Library of books and in case that after my “death he shall be presented to another Living to be “holden with the Vicarage of Melksham in the “County of Wilts whereof he is now possessed. I “will that my Executrixes herein after named shall “pay and discharge all the Expenses of first fruits “dispensation or other Expenses necessary towards his “possession of the said United Livings as far as “the sum of £100 and no further. I give my “Household Goods and furniture with my Plates “Linen Chinaware to my two Daughters Mary “Pyle and Joyce Pyle equally to be divided between “them I give to Ann Sinclair my Maid Servant “£10 to be paid her in six months after my decease “by my Executrixes as before mentioned if the said — “Ann continues in my Service at the time of my next page

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“decease. All the rest and residue of my Estates — “Real or personal monies goods Houses rents or “profits of what kind soever I give to be equally “divided to and between my Daughter Mary Pyle “Joyce Pyle and Susan the Wife of Mr Thomas “Farraine of Saint James's Westminister for their “respective lives and afterwards to their respective “Child or Children representing them respectively “for ever I do appoint my said two Daughters “Mary Pyle and Joyce Pyle Executrixes of this “my last Will and Testament. And I do hereby “constitute and appoint my Eldest Son Doctor “Edmund Pyle Archdeacon of York Thomas “Farraine my Son in Law aforesaid and Philip “Pyle Clerk my aforesaid Son Trustees of this my “Will to see it duly performed in its several parts “and Branches..” Codicil to the last Will & Testament “of me Thomas Pyle Clerk. I have caused this “paperwriting with my own hand (as my said Will “also is) to be annexed as a Codicil signed with “my hand and Seal namely in an interlined “part of my said Will. I have mentioned and “allowed the purchasing of Mortgages or Estates

“with the monies bequeathed to my three daughters  
“It is now my Will and pleasure that all and any  
“Sale or transfer of such Monies out of the public  
“funds for and towards purchasing such Mortgages  
“Lands or Estates for any of my said Daughters  
“be with the express advice and consent of the Trustees  
“mentioned and appointed in my said Will or of  
“two of them at least and not otherwise And  
“so also as that such Mortgages or Estates may  
“and shall after the decease of the said daughters  
“descend to my other Children or Grand Children

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“limited and directed in and by my said Will  
“It is also now my Will and appointment that  
“from and after the time of my decease; there be  
“paid out of the Goods moneys Estates and Chattels  
“(bequeathed to my three daughters the yearly sum  
“of £4 to each of the persons Grandchildren of my  
“honoured and dear Father) herein now named –  
“that is to say to Dinah the Widow of \_\_\_ Ford  
“late of Edgefield in the County of Norfolk and to  
“Joyce the Widow of \_\_\_ Gunner late of Beaconsthorpe  
“in the said County to each of them the yearly  
“payment of four pounds during the natural –  
“lives of the said Widows respectively, the same to be  
“paid in equal parts and portions by my said three  
“Daughters their Heirs and Executors pursuant to  
“this my Appointment. And whereas I have given  
“and bequeathed unto Ann Sinclair my Maid  
“Servant the sum of £10 by my said Will, my Will  
“now is that she shall be paid £20 by my Executrixes  
“within six months after my decease provided she  
“lives and continues in my Service until the time  
“of my decease and otherwise nothing to be paid to  
her” — And whereby also the said Charles  
Tomlinson verifys a Copy of the Will of Joyce  
Pyle of Kingsgate Sheet near the City of  
Winchester dated the 26th day of March 1780  
as follows that is to say “I give to my Niece  
“Joyce Farraine my House in Kingsgate Sheet  
“near the City of Winchester with all the furniture  
“Plate and Linen agreeable to the desire of Dr  
“Pyle who gave them to me also a Gold Watch  
next page

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“which was my Fathers. I give to my Maid Servant  
“Frances Ingall if she lives with me till the  
“time of my death or is obliged to leave me on  
“account of ill health I give all my Cloathes  
“and Linen and £100 in Consideration of her having  
“lived with me many years for very small Wages  
“If she chooses it I would have her paid with my  
“pavement Bond and whatever Interest may be  
“due on it. I give to my other Maid Servant £10  
“I give to Susan Devonport of the City of Norwich  
“£10 I give £100 to be sent to my brother Philip  
“Pyle for the use of some poor relations of my  
“father in Norfolk as he shall think proper to  
“give it, my money in the public funds or elsewhere  
“I give to be equally divided between my brother  
“Philip Pyle and my two Nieces Jane Pyle &  
“Joyce Farraine after paying the above mentioned  
“Legacies and also my debts and funeral Charges  
“and burying me by my brother Dr. Pyle and I  
“appoint the Reverend Dr. Thos. Balgay and Mr  
“J.G. Waller Executors of this my Will” —Also  
an Affidavit of Mary Hanner of Happsburgh  
in the County of Norfolk Widow aged 85 years &  
upwards sworn the 12th day of August 1833 who  
thereby states that she knows Philip Betts now  
residing at Happsburgh aforesaid Wheelwright &  
his sister Elizabeth (now the Widow of James  
Woodrow late Elizabeth Betts Spinster) & has  
known them ever since they were Children and that  
she said Deponent used to play with the said  
Philip Betts when she the said Deponent was a  
Girl and that she the said Deponent also well knew  
Richard Betts and Jemima his Wife the father &  
Mother of the said Philip Betts and Elizabeth  
next page

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Woodrow and which said Richard Betts was  
familiarily called “Dick Betts.” That she also  
recollects the said Jemima Betts’s father who  
lived with her and was — generally called “Mister  
Funnel.” and the said Deponent thinks his name  
was Thomas Funnel. That she used to go to  
Jemima Bett’s House sometimes and see her spin  
and remembers that she was bedrid some time  
before she died and that her Husband the said

Richard Betts married soon after her death the Woman who nursed his first Wife and the said Deponent thinks her Name was Thurston. That the Neighbours used to laugh and say Jemima – would not allow Dick to sleep with her for years and this they said because Elizabeth was born eight or nine years after her brother Philip, and they the Neighbours used to say further that he married — again so soon because his first Wife would not allow him to sleep with her and that Betty Betts was a good deal like her Mother and as the said Deponent recollects she was so. Also an Affidavit of Philip Betts of Happisburgh in the County of Norfolk Wheelwright aged 83 years and upwards & Elizabeth Woodrow then the Wife of James Woodrow of Ingham in the said County Husbandman aged 73 years and upwards sworn the 12th day of December 1832 and who are Claimants herein before mentioned whereby the said Philip Betts states that he the said Deponent and the said Elizabeth Woodrow are the only Children of Richard Betts and Jemima his Wife late of Happisburgh aforesaid. That the said Deponent has heard his Mother say that she had rich Relations living towards Lynn and that they

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were Clergymen. That the said Jemina Betts the said Deponents Mother was the Daughter of Thomas Funnell and Martha his Wife late Martha Pyle and which said Martha was one of the Daughters of John Pyle (who as the said Deponent believes was the Reverend John Pyle <sup>formerly</sup> Rector of Stody in the said County) and Joyce his Wife as the said Deponent is — informed will appear by the Register books of Baptisms and Marriages of or for the parishes — of Stody and Happisburgh aforesaid. Also a further Affidavit of the said Philip Betts sworn the day of July 1833 who there by in addition to his said former Affidavit states that he well remembers his Grandfather Thomas Funnell who lived and died at the House of the Deponents Father Richard Betts whose Wife Jemima (the Deponents Mother) was one of the Daughters of the said Thomas Funnell which

said Thomas Funnell died when the Deponent was about twelve years of age and who —the Deponent well recollects placed in the hands of the said Deponent Mother the sum of five pounds to enable her to apprentice him the Deponent to a business but that the said Thomas Funnell died before he was apprenticed and that he the said Deponent understood from his father and Mother that the said sum was afterwards applied for that purpose. Also that he has heard the said Jemima Betts and his Mother say that she was descended from a Clergyman That the Name of him the said Deponent is variously spelt in the family and by others and next page

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that altho' his Surname is spelt in the Register of his Baptism as "Bates" yet that as his Schoolmaster spelt it "Betts" the Deponent has always adopted the same. Also an Affidavit of Thomas Rackham of the City of Norwich Gentleman sworn the 7th February 1834 who thereby states he did on the 6th and 7th days of February then instant carefully search the several Registers or Indexes of Wills and Administrations proved in and granted by the Episcopal Consistorial Court of Norwich, the Arch deacon of Norwich, the Archdeacon of Norfolk, the Archdeacon of Suffolk and the Dean and Chapter of Norwich for a Will or Administration to the Effects of Philip Pyle from and including the year 1709 to and including the year 1790. — That he the Deponent did not find or discover the Name of Philip Pyle in any or either of the said Registers or Indexes within the period aforesaid. Also an Affidavit of the before named Rowland Yallop sworn the 13th — February 1834 who thereby states that he hath carefully searched the Register of Wills and Administrations in the prerogative Court of the Archbishop of Canterbury. Also the Register of Wills and Administrations in the Consistorial Court of the Bishop of London for a Will or Administration to the Effects of Philip Pyle from and including the year 1709 down to and including the year 1790 And that he did not find or discover the Name of Philip

Pyle in either of the said Registers within  
the period aforesaid  
next page

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Now having Considered the said State of  
Facts and Claim and also the said Pedigree  
of the said Petitioners Philip Betts and  
Elizabeth Woodrow together with the Evidence  
laid before me in support thereof as herein before  
Stated, And the Office Copy of my Report  
made in the two first mentioned Causes bearing  
date the 8th day of February 1832 having also  
been read before me I find that the said  
Philip Betts and Elizabeth Woodrow are  
second Cousins and two of the next of kin of  
the said Intestate Joyce Farraine the Lunatic  
All which I humbly Certify and Submit to  
the Judgment of this Honorable Court —

(Signed) Henry Martin