

ANALYSIS – YAS DD107 / (#8) – 1734

Document Reference: <small>Date of document</small>	YAS DD107 / un-numbered item (#8)
When ? <small>Date of document</small>	22 April 1734
Who? <small>Names with occupation & place</small>	<p><u>Parties:-</u></p> <ol style="list-style-type: none"> 1. Charles Abbotson, NorthCoates, deceased <ul style="list-style-type: none"> • his daughters, Anne Atkinson, Ellen & Isabell Abbotson • his sons, Richard & John Abbotson • His wife, Anne Settle (a widow before she married him) 2. Thomas Settle, of Conistone, husband of Anne Settle Abbotson <p><u>Also mentioned:</u> Richard Wilson</p>
Signatories	[Not signed]
Why ? <small>Purpose of document (eg. Apprenticeship, property transfer, promissory note, arrest warrant, etc) ²</small>	Abstract - legal settlement regarding dispute over the terms of Charles Abbotson's will
Where? <small>All place-names mentioned – even if only mentioned in passing: Include field-names, buildings, farms, as well as parishes, towns, etc. ³</small>	<p><u>Property in:-</u> Northcoates</p> <p><u>Places of residence:</u> Coniston</p>

¹ *Active Code : Document citation reference*

² *Do not use "Indenture" – this only gives a physical description of the document, not its specific purpose or function*

³ *If relevant, indicate type of place – eg. if a field is common land, or a new enclosure; or if a building is a barn, house, workshop, etc*

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<p>What?</p> <p><i>References to things, events, happenings, topics, etc which should be added to the project Subject Index.⁴ Include here references to past events (such as previous property transfers)</i></p>	<p>Charles Abbotson of Northcote, had been a widower with children – Anne, Ellen, Isabell, John & Richard – and had made a will dated 24 Nov 1719, in which he bequeathed :</p> <ul style="list-style-type: none"> • £100 to dau Anne Atkinson • £200 each to daughters Ellen & Isabell • Remainder of his estate divided between his two sons <p>Thomas Settle owed Charles £60 on a bond, plus £120 on a mortgage. When Thomas died, intestate and childless, his widow Anne took over the administration of his estate, becoming responsible for the payment of all his debts.</p> <p>c.1720, she married Charles Abbotson. At this time Charles gave £100 to each of his 2 daughters, Ellen & Isabell, when they married, and £300 plus farmsteads, to each of his two sons. [Thus Ellen & Isabell were still due to inherit another £100 each].</p> <p>But, one of his sons, Richard, died before him.</p> <p>In 1733, Charles died and Anne took over the administration of her late husband's estate. But his will could not be found. An inventory was taken, valuing his goods at £129 10d, but Anne was accused of holding back at least £200 in cash and the bond for her first husband's £60 debt, which were omitted from the inventory. The will was eventually found – it named John Abbotson as the executor. He called for a new inventory to be compiled, and possession of the £200 in cash - for which he needed access to the house where Anne was living.</p> <p>He took the case to the court of Equity – A lawyer advised that the £60 bond was considered to be nullified on Anne's marriage, since the debt was owed by her 1st husband to her 2nd. With regard to the £120 owed by her 1st husband on land he had mortgaged from her 2nd - thus Anne's 2nd husband Charles had benefitted from the assets of that land, and profited from it.</p> <p>On 22 April 1734, the judge, Richard Wilson, finally ruled that John was not entitled to make a forced entry or seize any goods. However, he also ruled that the cash Anne had hidden away was due to Charles's daughters. John therefore had the right to take his stepmother to court (either Ecclesiastical or the Court of Chancery) to ensure that his sisters received that money (up to £300 - to be divided equally between them). He did not think that the children of John's deceased brother, Richard, had any claims on the estate.</p>
<p>Local Issues & queries to note</p> <p><i>Anything which should go into the project Timeline as of specific interest to Kilnsey's local history or which raises questions about local affairs⁵</i></p>	<p>What happened to Ann? Did John take her to the other court? Did she retain possession of the house at Northcoates?</p>

⁴ Eg. Debts, women, agriculture, land use, rents, taxation, etc.

⁵ Eg. Illustrating changes in population, changing property ownership, changing land use, local economy

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To add to Glossary	<ul style="list-style-type: none">• Court of Equity• Bill of Equity• Spiritual Court• Court of Chancery
Mapping <i>Data to be used for mapping exercise ⁶</i>	Northcoate – ownership under Charles Abbotson
Research topics & Historical Context <i>Topics with a broader regional or national context to help place Kilinsey in a wider context⁷</i>	<ul style="list-style-type: none">• Widows & property law• Bequests made to daughters• The network of debts in an increasingly commercialised society
Subject Indexing	Single women & inheritance Widows Probate / wills Widowers Intestate Debts Women as executors of probate Widows – re-marriage Court of equity Stepchildren / family & kinship

⁶ Eg. changes in property ownership, field names, changes in land use, references to structures such as new houses, repair of fences, ditches, etc

⁷ Include here queries and questions such as “Why pay tenths to the king but no tithes?”