The True Copy of Mrs Berry's Will

1747

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In the Name of God, Amen. I Sarah Berry of Framlingham in the County of Suffolk, Widow, being weak in Body, but of sound mind, memory and Understanding, (Thanks be to Almighty God) do make, publish, and declare my last Will and Testament, in manner and form following (that is to say) In the first place, I give, devise, and bequeath All that Messuage or Tenement in Framlingham aforesaid, now in the Occupation of John Fraser and John Bevans, And also all that Messuage or Tenement situate near the Castle Ditch in Framlingham aforesaid, and now in the Occupation of Thomas Taylor, And also the Backhouse belonging to the said last mentioned Tenement now lett to Rob.t Girling, together with the Yards, Gardens, Backsides, Easements, Priviledges, and Appurtenances whatsoever to the said Messuages, or Tenements, or either of them belonging, to be sold by my Executors hereafter named, as soon as a proper Purchaser, or Purchasers can be happened on, and all the Money arising by the Sale thereof, I will shall be paid into the Hands of Stephen Wolton my Son, there to remain as a Security for the following Intents and Purposes, and upon Trust and Confidence, that the said Stephen Wolton his Executors or Administrators shall and do Yearly and every Year, pay the Interest thereof, to be accounted from one Year next after my Decease, in equal Proportion to my Daughters, Mary, the Wife of Francis Gibbons of Swoffling in the said County, Yeoman, and Elizabeth, the Wife of Joseph Thompson of Melton in the said County, Tolmonger, so long as their said Husbands respectively Live, and the Receipt or Receipts of the said Mary and Elizabeth, for the said Interest Money, shall, notwithstanding their Coverture be a sufficient Discharge or Discharges to the said Stephen Wolton for the same; And if it shall happen that my said Daughter Mary, survive her present Husband, then it is my Mind and Will, and I do hereby so order and direct that my said Son Stephen Wolton, his Executors or Administrators shall within Three Months next after the Decease of the said Francis Gibbons, pay to the said Mary, so being a Widow, one Moiety of the Money arising from the Sale of the abovementioned Messuages, And if it shall happen that my said Daughter Elizabeth, survive her present Husband then it is my Mind and Will, and I do hereby so order and direct that the said Stephen Wolton his Executors or Administrators shall within Three Months next after the Decease of the said Joseph Thompson, pay to her the said Elizabeth, so being a Widow, the like Moiety of the said Money arising from the Sale of the abovementioned Messuages. But if my said Daughter Mary shall happen to depart this Life before her said Husband, then it is my Mind and Will, and I do hereby so order and direct that the said Stephen Wolton, his Executors or Administrators, shall keep in his or their Hands one full Moiety of the Money arising from the Sale of the said Messuages, for the Use and Benefit of the Children of her my said Daughter Mary, and to be to them paid with Lawfull Interest by the said Stephen Wolton, his Executors or Administrators, as they respectively attain the Age of one and Twenty Years; And if my said Daughter Elizabeth shall happen to depart this Life before her said Husband, then it is my Mind and Will, and I do hereby order and direct that the said Stephen Wolton, his Executors or Administrators, shall keep in his or their Hands the like Moiety of the said Money, arising from the Sale of the aforesaid Messuages, for the Benefit and Use of the Children of her my said Daughter Elizabeth, and the same, with lawful Interest to be paid to them by the said Stephen Wolton, his Executors or Administrators as they respectively attain the Age of Twenty One Years; And it is further my Mind and Will, that the Share or Shares of the said Money of any or either of my said Grandchildren, that shall or may Die before the aforesaid Age of Twenty One Years, shall be divided to and amongst the Survivors in each respective Family. And also it is my Mind and Will that my said Son Stephen Wolton shall and may one whole Year next after my Decease receive to his own Use the Rents and Profits of the aforementioned Messuages with the Appurtenances herein directed to be sold, and if sold the Interest of the Money during the same time, and shall not be accountable to any Person or Persons whomsoever for the same. And further if it shall happen that my said Executors shall not make Sale of the said Messuages or Tenements herein before directed to be sold, and until they do, my Will and meaning is that the said Stephen Wolton his Executors or Administrators shall Yearly receive the Rents and Profits thereof, and of every Part thereof, and the neat produce of each Year, shall

Witnesses. John Doughty,
Nelson Stevenson
Tho: Brereton

Sarah Berry ⊕

Pay, in the same manner and form, and to the same Persons, that I have herein before directed, the Interest of the Money, that might be raised by Sales of the said Premisses, to be paid. Also I give devise, and bequeath All other my Messuages or Tenements, Lands, Hereditaments, and Premisses, whatsoever, both Freehold and Copyhold, with their and every of their Appurtenances, situate lying and being in Framlingham aforesaid, or elsewhere, unto my said Son Stephen Welton his Heirs and Assigns, To hold to him the said Stephen Welton, his Heirs and Assigns for ever; Also I give and bequeath unto Sarah Welton my Daughter, my best Bed with the Furniture, and four Pillows belonging to the same, And also all my Tea Equipage: And if my said Daughter Sarah shall Dye possessed, and without making any Disposal of the aforesaid Bed and Furniture, and other the Goods herein given her, then it is my Mind and Will, that the Same be equally divided amongst such other of my Children, as shall be living at her Decease. And in Consideration that my said Daughter Sarah, do soon after my decease or when requested, give a full Discharge to my said Son Stephen Welton, for and on Account of any Claim or Demand, She may make by Virtue of the last Will and Testament of John Welton, her late Father, and on Account of my Receiving the Rents of the Black Swan Inn, in Framlingham aforesaid, I do hereby discharge her from all Demands whatsoever which my Executors might make on her, for and on the Account of her Board and Apparel, or otherwise howsoever, since my Marriage with my late Husband Moses Berry. And, Whereas I have lately caused an Addition to be made to the said Black Swan Inn, by a Ladon being built upon Part of the Premises, belonging to my Messuage in the Occupation Thomas Taylor, I do hereby Give, devise, and bequeath the said Piece of Land on which the said Ladon now stands, (that is to say) so much only as is taken up by the said Ladon to the Owner or Owners of the said Black Swan Inn for ever, And Also, I Give and Bequeath to each and every of my Grandchildren, that shall be living at my Decease a Silver Spoon, Also I Give and bequeath to my said Son Stephen Welton, my Silver Cup. Also all my Wearing Cloathes and Linnen I give to be divided amongst my three Daughters, And all other my Household Goods and Furniture I give and bequeath to be equally Parted between my said Son Stephen Welton, and my aforesaid three Daughters, or such of them as shall be living at my Decease. And also upon Trust and Confidence and under this express Condition that my said Son Stephen Welton (so long as my said Daughter Sarah permits him to receive the Rents and Profits of the aforesaid Black Swan Inn) shall and do find and provide her with Board, and all other Necessarys and Assistance, in the same Manner as she has been, and now is maintained and supported by me, and also do pay and Discharge all my just Debts, Funeral Expences and the Probate of this my Will; I do give and bequeath unto the said Stephen Welton all other my Personal Estate of what Nature kind or Quality soever. And lastly I do nominate and appoint my said Son Stephen Welton, and my said Son in Law Francis Gibborn, Executors of this my Will, desiring them in a decent Manner to inter my Body, and to be carefull in the due Execution hereof according to the Trust reposed in them hereby. And now revoking all other Wills by me heretofore made, I do declare this to be my last Will and Testament. In Witness whereof I have to this my said last Will and Testament contained in three Sheets of Paper, and affixed together at the Top with Tape and Wax to each Sheet, set and subscribed my Hand and Seal, the Twentieth Day of February in the Year of our Lord, One thousand, seven hundred, forty and seven.

Signed, Sealed, Published, and Declared by the said Testatrix Sarah Berry, as and for her last Will and Testament in the presence of us, who in her presence, and at her request have subscribed our Names to the due Execution hereof.

Sarah Berry

John Doughty
Nelson Stevenson
Tho; Brereton