

**Will of John Adams – written 3rd January 1757 and Codicil added 15th March 1759.
Transcribed 24th February 2013**

Extractes from the Registry of the Prerogative Court of Canterbury

In the name of God Amen I James Adams of Lutterworth in the County of Leicester Gentleman being weak in Body but of a sound and **disphosing** mind Memory and Understanding and considering the Uncertainty of Human Life do make this my last Will and Testament in manner following (that is to say) First all that my Messuage Cottage & Tenement and Premises situate standing and being in Daventry in the County of Northampton now or late in the possession of John Evans and his Assigns I give and devise unto my loving Wife Elizabeth Adams and to her Heirs and assigns for ever And whereas I have agreed to purchase of one Edward Harrold a Messuage Cottage or Tenement and Premises situate standing and being in Lutterworth aforesaid and now or late in the possession of the said Edward Harrold or his Assigns Now I do by this my last Will give and devise the same last mentioned Messuage Cottage or Tenement and Premises unto my said Wife Elizabeth Adams and to her Heirs and Assigns for ever Item all and every my Manor Mansion House Messuages Cottages or Tenements Closes Meadows Tythes Lands Hereditaments Real Estate and Premises with their and every of their **Rights** Members and Appends situate standing **.....ing** and being in the Town Fields Liberties Precincts Territories and Parish of Swanburn in the County of Bucks and of Nearnton in the said Parish of Swanburn I give and devise unto my said loving Wife Elizabeth Adams and her Assigns for and always the term of her Natural Life and I also herewith write and devise that **.....** said Wife Elizabeth shall have liberty at any time or times hereafter during her life to cut any of the hedges or Lopp any of the Trees and cut down any of the old Trees fit only for the fire without being Accountable to any one for the same And also further Liberty to cut down any Timber Trees from off any part of my same Real Estate which shall at any time be Requisite and necessary for the Repair of any part of the same Estate And my further Will and meaning is And I do hereby direct that all the Household Furniture in my Mansion House at Swanburn that are affixed to the Freehold and also all my Wheat House Hovells and other Conveniences belonging to my said Estates shall not only be for the benefit of the present Possessions thereof for the time being but shall at all times hereafter be and remain upon my said Estates and go along with the Freehold and Subsistence thereof Item I do hereby further Will and direct that the Executor or other legal Representative – my said Wife Elizabeth shall not have liberty to receive from any of the Tenants belonging to my said Estate (so given to her for life) the half year rent due from any of them unto my said Wife the last half year next before her Death until one year next after such her Death Provided always nevertheless and my Will and meaning is that my said Wife Elizabeth shall and may from time to time during her Life by Indenture under her hand and Seal demise and Lease my said Estate or any part thereof to any Person or Persons for any Term or Number of Years not exceeding twelve Years in Possession and not in **Reversion** at the best Yearly Rent that can be Reasonably had for the same without taking any Sum of Money or other thing by way of fine for or in Respect thereof Item from and immediately after the Death of my said Wife Elizabeth Adams I give and direct unto my Kinsman Robert Lane and his Assigns one Annuity or Yearly Sum of five Pounds of lawful Money of Great Britain to be issuing and payable out of and charged and Chargeable upon all and every my same Estate and Premises in Swanburn and Nearnton aforesaid free and clear of and from all Taxes Charges and Deductions whatsoever **.....mentary** or otherwise which said Annuity shall be paid and payable to the said Robert Lane or his Assigns by two even and equal half Yearly Payments in the Year (that is to say) on the Feast of the Annunciation of the blessed Virgin Mary and on the Feast of St Michael the Arch Angell the first payment thereof to begin and be made on the first of the said Feasts which shall next happen after the death of my said Wife Elizabeth Adams And Also I owe and devise unto my Kinswoman Lane and her Assigns one other Annuity or Yearly Sum of five Pounds of like lawful Money to be issuing and payable out of and Charged and Chargeable upon my same Estate and Premises free and clear of and from all Taxes Charges and Deductions whatsoever which said

last mentioned Sum of five Pounds shall be paid and payable to the said Lane or her Assigns on the Feasts aforesaid by like equal payments the first payment thereof to begin and be made on the first of the said Feasts which shall next happen after such the death of my said Wife Elizabeth Adams And further I give and devise unto my Kinswoman Susanna Redall and her Assigns One Annuity or Yearly Sum of five Pounds of like lawful Money to be issuing and payable out of and Charged and Chargeable upon my same Estate and Premises free and clear of and from all Taxes Charges and Deductions whatsoever which said last mentioned Sum of five Pounds shall be paid and payable to the said Susanna Redall or her Assigns on the Feasts aforesaid by like equal payments the first payment thereof to begin and be made on the first of the said Feasts which shall next happen after such the Death of my said Wife Elizabeth Adams And if it shall happen the said Respective Annuities or Yearly Sum of five Pounds or any part of any of them to be behind or Unpaid by the space of twenty Days next after either of the said dearls whereon the same ought to be paid as aforesaid being lawfully demanded That then and so often it shall and may be lawful to and for the said Robert Lane and his Wife and Susanna Redall respectively or their respective Assigns to enter into and upon my same Estate and or any part thereof so charged with the said several Sums of five Pounds as aforesaid and then and there do distress for the convenience or for such part or parts thereof as shall be in Arrears and Unpaid and the distress and [distresser](#) then and there from time to time found to take carry away and Impound and with him her or their Respectively to detain and keep or otherwise dispose of according to Law until she and they shall be respectively ratified and paid the said several Yearly Sums of five Pounds and all Arrears of the same (if any such) together with all his her and their Respective Costs and Charges concerning the same And if it shall happen the said several Sums of five Pounds or any of them to be behind or unpaid in parts or in the whole by the space of forty Days next after either of the said Feasts whereon the same ought to be paid as aforesaid / being lawfully demanded That then and at all times from thenceforth it shall be lawful for the said Robert Lane and his Wife and Susanna Redall Respectively or their Respective Assigns into any same Estate and Premises or any part thereof to enter and the Rents and Profits thereof to Receive and take to his and their own use and uses Respectively until he she or they shall be fully satisfied and paid the said several Sums of five Pounds and all Arrears of the same respectively if any each together with all his her and their respective Costs and Charges concerning the same and devise all and every my same Manor Mansion House Messuage Cottages or Tenaments Closes Meadows Tythes Lands Hereditaments Real Estate and Premises with their Rights Numbers and Appurtenances situate standing lying and being in the Town Fields and Parish of Swanburn and Nearton aforesaid unto Knightly Holled of Barby in the county of Northampton Clerk and Thomas Holled of Lutterworth aforesaid Gentleman and to their Heirs and Assigns To have and to hold all my same Cart / last before mentioned Estate and Premises unto the said Knightly Holled and Thomas Holled their Heirs and Assigns to and for the several use Intents and Purposes hereinafter limited expressed and declared of and concerning the same (that is to say) Upon Start to Raise out of the Rents and Profits of my same Estate or by Mortgage thereof the Sum of one hundred Pounds and pay the same Sum of one hundred Pounds unto my late servant Thomas Kilworth within twelve Months next after the death of my said Wife Elizabeth Adams And I do hereby charge and make liable all my same Estate at Swanburn with the payment thereof and subject to the said several Annuities and also the said Sum of one hundred Pounds and to the said several [Remedies](#) hereinbefore Provided in care of Nonpayment of them or any of them or any part of them or any of them To the use of my Kinsman James Adams of the City of London Tobaconist and his Assigns for and during the term of his Natural Life and from and after his decease To the use of the first Son of the Body of the said James Adams lawfully to be begotten and of the Heirs Male of the Body of such first Son lawfully Issuing and for default of such Heirs To the use of the second [Kind](#) and all and every other Son and Sons of the Body of the said James Adams lawfully to be begotten severally and successively one after another as they shall be in Seniority of age and Priority of Birth and of the several and respective Heirs Male of the Body and Bodies of all and every such Son and Sons lawfully Issuing every older of the said Sons and the Heirs Male of his Body Issuing being always

preferred and to take before the younger of the said Sons and the Heirs Male of his and their Body and Bodies lawfully Issuing and [for default](#) of such Heirs To the use of the first Daughter of the Body of the said James Adams lawfully to be begotten and of the Heir male of the Body of such Daughter lawfully Issuing Provided she Marries a Husband whose Name is Adams or such Husband change his Name to Adams and for default of such Heirs or in case such first Daughter shall not Marry a Husband whose name is Adams or such Husband shall Refuse to Change his Name to Adams Then and in such Case but not otherwise to the use of the second third and all and every other Daughter and Daughters of the Body of the said James Adams lawfully to be begotten severally and successively one after another as they shall be in Seniority of Age and Priority of Birth and of the several and respective Heirs Male of the Body and Bodies of all and every such Daughter and Daughters lawfully Issuing every [Elder](#) of the said Daughter and the Heirs Male of the Body Issuing being always preferred and to take before the Younger of the said Daughter and the Heirs Male of her and their Body and Bodies lawfully Issuing Provided each Eldest Daughter Marry a Husband whose Name is Adams or such Husband change his Name to Adams And for default of such Heirs or in case such Daughter shall not Marry a Husband whose name is Adams or every such Husband shall Respectively Refuse to Change their Names to Adams then and in such Case but not otherwise I give and devise all my same Real Estates and Premises in Swanburn and Narton aforesaid unto the Right Heirs and Assigns of the said James Adams for ever [Item](#) I give to the Poor of the Parish of Swanburn aforesaid the Sum of ten Pounds and also to the Poor of the Parish of Lutterworth aforesaid the further Sum of ten Pounds both which said Sums I direct shall be paid at the discretion of my Executrix or soon as conveniently she can after my decease [Item](#) all my Goods Lands Rings Plate Household Goods and Household Furniture Book Debts Money Mortgages Chattels Cattle and Personal Estate whatsoever and wheresoever I do hereby give and bequeath unto my said Wife Elizabeth her Executors and Administrators to her and their own use and she paying my Debts the said Sum of ten Pounds Funeral Expenses and the Probate of this my last Will [Item](#) I do hereby make and Constitute my said Wife Elizabeth Sole Executrix of this my last Will and Testament hereby revoking all other Wills by me heretofore made and I do hereby further direct that I be decently Interred by my Executrix in an Arched Vault at Swanburn aforesaid to be made large enough to hold me and my Wife and as near to my Father and Mother as conveniently may be In Witness whereof I the said John Adams the testator have to this my last Will and Testament contained in five sheets of paper set my hand and Seal this third day of January in the year of our Lord One thousand seven hundred and fifty seven John Adams (Lo) Signed Sealed Published and declared by the above named Jn Adams the Testator to be his last Will and Testament in the Presence of us and attested and Subscribed in his presence and in the Presence of each other by us Nath Cooper John Hiccocks John Ashby //

Whereas I John Adams of Lutterworth in the County of Leicester Gentleman did make and Publish my last Will and Testament on Writing bearing date on or about the third day of January which was in the Year of our Lord One Thousand seven hundred and fifty seven Now I do hereby declare and Publish this to be a Codicil to my last Will And I do by this my Codicil give and devise all that my Messuage Cottage or Tenement or Premises standing and being in Daventry in the County of Northampton and all that my Messuage Cottage or Tenement together with the Wainscote Hangings and all the Goods Fixed to the Freehold of the same Premises ad also all and singular other the Premises standing and being in Lutterworth aforesaid now in my own Possession [cinte](#) my Friend Knightly Holled of Barby in the County of Northampton Clark And to his Heirs and Assigns To have and to hold all my same Real Estate and Premises unto the said Knightly Holled his Heirs and Assigns Upon Trust and Confidence to permit and Suffer Mary Pitts the Wife of Richard Pitts of the City of London [Newteron](#) to Receive and take the Rents and Profits thereof for and during the term of her Natural Life And from and after her decease I give and devise the same Messuages Cottages or Tenements Real Estate and Premises unto Richard Pitts Son of the said Mary Pitts and to his Heirs and Assigns for ever but in Care the said Richard Pitts the Son shall happen to die before he shall attain his Age of twenty one Years Then I do hereby give and devise the same unto the Issue Male of

the said Mary Pitts lawfully to be begotten that shall be living at the time of her decease to take the same in Seniority of Age and Priority of Birth and to the Heirs and Assigns of such Issue Male for ever but in case there shall be no Issue Male of the said Mary Pitts living at the time of her decease then I do hereby give the same Messuages Cottages Land or Tenements Real Estate and Premises unto the Issue Female of the said Mary Pitts lawfully to be begotten and if more than one to take the same as Tenants in Common and not joint Tenants and to their respective Heirs and Assigns for ever but in case there shall be no Issue of the said Mary Pitts living at the time of her decease Then I do hereby give the same Messuages Cottages or Tenements Real Estate and Premises unto my Kinsman James Adams and to his Heirs and Assigns for ever Then all those my China Tea Equipage Silver Coffea Pot Tea Pott Milk Jugg Lump Sugar Dishes and Cover that were my late Mother in Laws I give unto my Friend the Reverend Knightly Holled of Barby in the County of Northampton Clerk Upon Trust and Confidence that he do and shall permit and suffer the said Mary Pitts to me and keep the sames during the term of her Natural Life And immediately after her decease Upon Trust and Confidence that the said Knightly Holled do and shall give and deliver the same China Plate and Tea Equipage unto the said Richard Pitts Son of the said Mary Pitts if he shall be then living otherwise to the other Children (if any) of the said Mary Pitts that shall be then living Item all my Wife's Wearing Apparel undisposed at my Death I give unto the said Mary Pitts And whereas I did in my said last Will give unto my Kinsman Robert Lane and his Wife the Yearly Sum of five Pounds a Year during the lives of them and the longer liver of them Now I do by this my Codicil Revoke the same and instead thereof give unto the said Robert Lane the Sum of two hundred Pounds to be paid him by my Executor within twelve Months next after my death And I do hereby charge any state in Swinburn with the payment thereof Item I give unto the two Daughters of my late Kinsman Mathew Adams of Sherington the Sum of twenty Pounds apiece to be paid them within twelve Month next after my decease Item all my Book Debts which shall be due to me at the time of my decease on Account of my late Trade I do hereby give and bequeath unto my Kinsman James Adams and Thomas Kilworth my late servant equally to be divided between them Share and Share alike And I do hereby give them an equal Power to Collect and Receive the same Item I do hereby give unto my Maid Servant that shall be living with me at the time of my decease the Sum of twenty Pounds and to the Man Servant that shall be living with me at the time of my decease the Sum of ten Pounds to be paid them by my Executor within six months next after my death Item I do hereby give unto my Brother in Law Knightly Holled and Mary his Wife and to their Son and Daughter Richard Pitts and Mary his Wife And to my old Friend Mr William Gibberts of London and also to my Friends Mr James Butter Mr Mathew Cooper The Reverend Mr Richard Wilson and Mr Thomas Holled all of Lutterworth aforesaid a Mourning Ring a piece in Remembrance of me Item all the Residue and Remainder of my Good Chattels and Personal Estate whatsoever and wheresoever not in my said Will or in this mt Codicil (otherwise disposed of I do hereby give and bequeath unto my said Kinsman James Adams and to his Executors and Administrators to his and their own use and [aia](#) he paying my Debts Legacies Funeral Expenses and the Probate of this my last Will Item I Will that Thomas Kilworth do order my Funeral in the same manner as he Managed my Wifes on or as I order him and that Mourning be given to my Servants Item I do hereby make and Constitute my said Kinsman James Adams Executor of my last Will and also of this my Codicil and do hereby direct the said Thomas Kilworth to erect a monument over me and my Wife of the Value of thirty Pounds in Remembrance of us to be paid by my Executor In Witness whereof I the said John Adams the Testator have to this my Codicil set my hand and Seal this sixteenth Day of March in the Year of our Lord One thousand seven hundred and fifty nine J Adams (Lol) Signed Sealded Published and declared by the above named John Adams the Testator o be a Codicil to his last Will and Testament in the presence of us and attested and Subscribed in the presence by us Tho Holled, Willm [Servis](#), John Childes. Proved at London with a Codicil 1st May 1761 before the Worshipful George [Harris](#) Dr of Law and [Srovigate](#) by the Oath of James Adams the Executor named in the valid Codicil to whom [Adinton](#) was granted being Joint Sworn duly to Administer