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Images 1- 6 - RD/AP1/Box 165 Will of John Adamthwaite

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25th March 1818

Adamthwaite John

of

Bowes

Will

This is the last Will and Testament of me John Adamthwaite
of Bowes in the County of York

Schoolmaster I Give and Bequeath unto my Wife Margaret Adamthwaite All
and singular my Household Goods Plate Linen China Furniture and Utensils
whatsoever in and belonging to my Dwellinghouse to and for her own Use and Benefit
I Give and Bequeath all and every my Personal Estate and Effects whatsoever and
wheresoever and of what Nature or Kind soever (Subject nevertheless to the Payment of my
just Debts Funeral and Testamentary Expences) unto John Chapman of Headlam
in the County of Durham Schoolmaster Richard Lamb of Barnard Castle in the County of
Durham Surgeon and Richard Wilson of Bowes aforesaid Clerk and the Survivors and
survivor of them and the Executors and Administrators of such Survivor Upon Trust with
all convenient Speed to Sell Dispose of Collect and get in the same and place out and invest
the same in or upon any of the Parliamentary Stocks or Funds of Great Britain or on real
Securities in England at Interest and do and shall vary alter or transpose such Stocks
Funds or Securities for others of the like Nature when and so often as it shall seem expedient
and do and shall pay the Interest and Dividends of the said Stock Funds and Securities
as the same shall come in and be received unto my said Wife Margaret Adamthwaite
for and during the Term of her natural Life ^{and for ever} in case she shall so long continue but not
longer or otherwise and from and immediately after the Decease of my said Wife or in the
Event of her marrying again Upon Trust that they the said Trustees or Trustee for
the Time being do and shall pay or Transfer all such principal Monies Stocks Funds
and Securities unto all and every the Child or Children lawfully begotten I may have
at the Time of my Decease or Born in due Time afterwards equally to be divided between
or among them Share and Share alike the same to become vested in her him or them
respectively on their respectively attaining the Age of Twenty one Years and to be paid
or Transferred at such Time or Times as aforesaid to such of the said Children as shall

J. A.

John Adamthwaite

arrive ^{at} or attain the same after the Decease or Marriage of my said Wife but as to such of them as shall arrive at or attain the same in the lifetime of my said Wife or before her second Marriage the Payment or Transfer of his her or their Share or Shares to be postponed till after her Decease or Marriage as aforesaid Provided always. And I do hereby Declare my Will to be that if any such Child or Children shall depart this life before she or they respectively attain the Age of Twenty-one Years then the Share or Shares of him her or them so dying shall go and accrue to the survivors or Survivor or others or other of such Children and be equally divided amongst them if more than one Share and Share alike and the same shall become vested and payable or transferrable at such Ages Days and Times as his her or their Original Portion and Portions are hereby directed to become vested and payable or transferrable as aforesaid And in Case of the Death of any other of the said Children before such accruing or surviving Share or Shares shall become vested as aforesaid then every such accruing or surviving - part or Share shall again be subject and liable to such right chance Contingency or Condition of Accrue to and amongst the survivors or Survivor and others or other of the said Children - as hereinbefore is provided touching the said Original Portion or Portions And Upon further Trust that the said Trustees or Trustee for the Time being Do and shall after the Decease of my said Wife or her second Marriage as aforesaid pay and apply the Dividends or Interest of the Share or Shares of such of the said Children as shall not have acquired a vested Interest in the Portion or Portions hereinbefore provided or intended for him her or them respectively for and towards his her and their Maintenance and Education respectively until the same respectively shall become payable Provided and my Will is that if the said John Chapman Richard Lamb and Richard Wilson or any of them or any of their Executors or Administrators or any future Trustee to be appointed in the Stead or place of them ^{or any of them} as herein after is mentioned shall die or desire to be discharged from or refuse or become incapable to

John Adam Newall

Act in the Trusts hereby in them reposed as before such Trusts shall be fully
performed Then and so often as the same shall happen it shall and may be lawful
to and for the surviving and continuing Trustees or Trustee his Executors or
Administrators by any Writing or Writings under their or his Hands and seals or
Hand and seal to nominate substitute or appoint any other Person or Persons to be
Trustee or Trustees in the Place of the Trustee or Trustees so dying or desiring to be
discharged or refusing or becoming incapable to Act as aforesaid And that when
and so often as any Trustee or Trustees shall be appointed as aforesaid the said
Trust Estates Monies and Premises shall be thereupon with all convenient speed
assigned and transferred in such Manner as that the same may be effectually
vested in such new or other Trustee or Trustees only or jointly with the continuing
Trustee or Trustees as the Case shall require Upon the same Trusts as are
hereinbefore declared of and concerning the same Trust Estates and Premises
And that then and in such Case every such new Trustee or Trustees shall and may
in all Things Act and assist in the Management carrying on and Execution of the
said Trusts to all Intents and Purposes whatsoever as if he or they had been
nominated and appointed a Trustee or Trustees in and by this my Will And I
declare and direct that my said Trustees and every future Trustee to be appointed
as aforesaid their respective Executors Administrators and Assigns shall be
charged and chargeable only for such Monies as they shall respectively
actually receive by Virtue of the Trusts hereby in them reposed notwithstanding
their or any of their giving or signing or joining in giving or signing any Receipt or
Receipts for the sake of Conformity And that any one of them shall not be answerable
for the other or others of them nor for the Acts Receipts Neglects or Defaults
that they or any of them shall not be answerable for any involuntary Loss or Damage
which may happen in the Execution of the Trusts hereby in them reposed And that

Am Adam Smith

it shall and may be lawful for my said Trustees by and out of the Monies
which shall come to their respective Hands by Virtue of the Trusts aforesaid to
retain and reimburse themselves all Costs Charges and Expences which they
respectively shall or may suffer sustain expend or be put unto in or about the
14 aforesaid Trusts or in Relation thereto I Give Devise and Bequeath unto the
said John Chapman Richard Lamb and Richard Wilson their Heirs Executors
Administrators and Assigns All and singular the Real and Personal Estates
which are now vested in me In Trust or by way of Mortgage To Hold the said
Real and Personal Estates according to the Nature and Quality thereof
respectively unto the said John Chapman Richard Lamb and Richard Wilson
their Heirs Executors Administrators and Assigns Upon the Trusts and subject
to the Right and Equity of Redemption affecting the same I constitute and
15 appoint my said Wife Margaret Adamthwaite the said John Chapman Richard
Lamb and Richard Wilson Executors and Executrix of this my last Will and
Testament And lastly I hereby revoke all former Wills In Witness whereof
I have to this my last Will and Testament contained in this and the three preceding
sheets of Paper set my Hand and Seal That is to say my Hand to the three
preceding sheets and my Hand and Seal to this last sheet The Twenty second
16 Day of September in the Year of our Lord one Thousand eight Hundred and seventeen

Signed sealed published and declared
by the said John Adamthwaite as and
for his last Will and Testament in the
presence of us who at his request and his
presence and in the presence of each other have
hereunto subscribed our Names as Witnesses

George Goffon
William Gibson
John Clarke

John Adamthwaite



16064

Margaret Adamthwaite, John Chapman, Richard Lamb and Richard Wilson
the Executors were ~~sworn~~ sworn to administer the goods chattels and credits
of the within named John Adamthwaite deceased, and that at the time of his
decease his personal estate and effects did not amount to the sum of
Three Thousand Pounds.

before me this 29th of March 1818

John Headlam

Surrogate