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JAMES HOLROYD OF SMITHY HOLME

Will: 13th October 1836 ***Administration de bonis non: 4th July 1862***

Date of death: 14th October 1836

Burial: James Houldroyd Junior of Smithy Holme, 19th October 1836, 1 Grave, 7 Row, South West Side Commencement, Marsden Independent Chapel

Borthwick Reference: James Holroyd of Smithy Holme, Marsden, farmer, 1836-1838, further probate 1862, Will: Box 1821-1855, No.28

Will

13th October 1836

Size: 13⅛" x 16½"

Material: Paper, ruled. Folios tied at top left with red ribbon passing through pieces of card back and front, tied and sealed with red wax at back.

Folio 1 recto – will

[1]I James Holroyd of Smithy Holme in Marsden in the Parish of Huddersfield in the County of York Farmer Do make publish and declare this to be my last will and Testament whereby I dispose of all my Estate and Effects in manner following, that is to say, In the first place I will order and direct that all my just debts Funeral expenses the expenses of proving registering and executing this my Will and other incidental charges shall be paid by my Executors out of my personal Estate and monies that shall be in and about my Dwellinghouse at the time of my decease And I give and bequeath to my dear Wife Elizabeth Holroyd the invariate use and enjoyment but not the disposing Power of all my Household Furniture Plate Linen China and Effects and all other my Farming Stock and Chattels which shall be in and about my Dwellinghouse at the time of my death for the term of her natural life or till she marries again which shall first happen And from and after her death or marriage again I give and bequeath the same unto and equally amongst all my seven Children Joseph Holroyd John Holroyd William Holroyd Daniel Holroyd James Holroyd Mary the Wife of James Gledhill of Marsden aforesaid Delver [and Sarah Holroyd][2] for their own absolute use equally to be divided amongst them share and share alike. And I give and devise all and every my messuages Lands Tenements and Real Estate whatsoever and wheresoever [and all my monies securities for money debts and all the residue of my personal Estate][3] Unto my said Wife Elizabeth Holroyd for the term of her natural life And or till her marriage again And from and after her death or marriage again As for and concerning All those two closes or parcels of Land situate in Marsden aforesaid called the Holme and Calf Close and two Gardens near thereto containing about four acres And also the messuage or Dwellinghouse now in my own occupation with the Barn Mistal outbuildings and appurtenances thereto

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1 lines have been numbered off 1,2,3 etc in pencil, every 6th line, to assist solicitor's word count of 'folios' of 72 to 90 words

2 these words inserted above the line; Sarah Holroyd, born about 1829, was in the 1841 and 1851 Censuses shown as the youngest daughter of the family

3 these words, inserted above the line in brown ink, may be a later addition

belonging And also the Barn and Mistal called the old Kiln situate in Marsden aforesaid I give and devise the same unto and to the use of my eldest Son Joseph Holroyd his heirs and assigns for ever Subject nevertheless and charged and chargeable with the payment thereout of the sum of Fifty Pounds to my Son John Holroyd and I charge the same with the Payment thereof accordingly And from and after the death [or marriage again][4] of my said Wife As for and concerning All those Above Closes or parcels of Land situate in Marsden aforesaid called Mean fields

James Holroyd[5]

Witnesses[6]
Jonas Scott
John Parkinson
James Whitehead

(1)[7]

Folio 2 recto – will

and Netherwood fields (formerly in one Close) now in my own occupation I give and devise the same Unto and to the use of my Son William Holroyd his heirs and assigns for ever And from and after the decease or marriage again of my said Wife As for and concerning all those five Closes or Parcels of Land situate at Netherwood Top in Marsden aforesaid now in my own occupation I give and devise the same Unto and to the use of my Son John Holroyd his heirs and assigns for ever And from and after the decease or marriage again of my said Wife As for and concerning All that my common Right in Netherwood Hey in Marsden aforesaid I give and devise the same Unto and to the use of my Sons John Holroyd William Holroyd and Joseph Holroyd in manner following that is to say the upper part thereof unto my Son Joseph the middle part thereof unto my Son William and the lowest part thereof unto my Son John [and][8] their [several][9] heirs and assigns for ever And I also give and devise unto my said Sons Joseph Holroyd William Holroyd and John Holroyd All those thirty two Sheep Gates in March Haigh and Turbary in Shaw Cow Hey in Marsden aforesaid equally between or amongst their [several][10] heirs and assigns for ever [And from and after the decease or marriage again of my said Wife][11] [And][12] I give devise and bequeath unto my Brothers Benjamin Holroyd of Netherwood Top aforesaid Clothier and John Holroyd of Far Rough Lee [Farmer][13] both in Marsden aforesaid All and every the rest residue and remainder of my Monies Securities for Money Debts and all the residue of my Personal Estate and Effects To hold the same unto and to the use of the same John Holroyd and my Brother Benjamin Holroyd (whom I do hereby appoint Trustees and Executors of this my Will) their heirs executors administrators and assigns But upon the Trusts nevertheless and for the ends intents and purposes hereinafter expressed and declared concerning the same that is to say Upon Trust that my said Trustees or the Survivor of them or the executors or administrators of such Survivor do and shall pay thereout unto my said Son Daniel Holroyd the legacy or sum of eighty Pounds for his own absolute Use, unto my said Son James Holroyd the like legacy or

4 these words inserted above the line
5 signature of testator
6 these witness signatures are in left-hand margin of body of text
7 page-numbering in original
8 this word inserted, in left hand margin
9 this word inserted above the line
10 this word inserted above the line
11 these words inserted above the line
12 this word crossed through
13 this word inserted above the line. John Holroyd was at ‘Far Ruf Lee’, occupation Farmer, in 1841 Census

Sum of eighty Pounds for his own absolute Use, unto my said Son John Holroyd the like[14] legacy or sum of thirty Pounds [for his own absolute use][15] and unto my Daughter Mary Wife of the said James Gledhill the sum of forty Pounds for her own

James Holroyd[16]

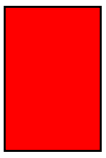
Witnesses[17]
Jonas Scott
John Parkinson
James Whitehead

[2] [18]

Folio 3 recto – will

absolute use and unto my said Daughter Sarah the sum of fifty Pounds for her own absolute use And from and after payment of the said several Legacies Then upon Trust that my said Trustees or the Survivor of them or the executors or administrators of such Survivor do and shall pay and divide the residue of my said Monies and Personal Estate unto and equally amongst all them my said seven Children share and share alike in equal shares and proportions - And I nominate and appoint the said John Holroyd and my Brother Benjamin Holroyd joint Executors of this my Will hereby revoking all former Wills by me made In Witness whereof I the said James Holroyd[e][19] the Testator have to this my last will and Testament contained in this and the two preceding sheets of Paper set my Hand and seal, that is to say, my hand to the two preceding sheets and my Hand and Seal to this last sheet hereof this thirteenth day of October in the year of our Lord one thousand eight hundred and thirty six.

These three sheets of Paper were each of them } signed and this last of them sealed by the said } James Holroyde the Testator and by him } published and declared to be and contain } his last will and Testament in the presence } of us, who in his presence, at his request, and } in the presence of each they have hereunto } subscribed our names as Witnesses }

James Holroyd[20] [21] 

Jonas Scott
John Parkinson
James Whitehead [22]

[3][23]

[24]12 fol[*io*]s of 90 and 8 of 76 words

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[14] 'like' has been double underlined in pencil, probably by a later reader of the will
[15] words inserted above the line
[16] signature of testator
[17] these witness signatures in left-hand margin of body of text
[18] page-numbering in original
[19] the 'e' has been double-underlined in pencil by a later hand: 'Holroyde' is a variant spelling of 'Holroyd'
[20] signature of testator
[21] seal of testator: red wax, in shape of rectangle
[22] signatures of witnesses
[23] page-numbering in original
[24] this note in pencil is the solicitors' word count of 'folios' of 72 to 90 words

Folio 4 verso – will, written at 90[0]

/261/[25] Dated Oct[*ober*] 13th 1836

Will[26] of Mr James Holroyde
of Smithy Holme in Marsden

Sent Copy to St[*am*]p Office
Jan[*uar*]y [ ][27] 1838

Howarth & Ridehalgh
Ripponden

Administration de bonis non

4th July 1862

Size: 15⅞" x 12⅞", folded in two vertically *Material: Paper, purple.*

Folio 1 recto – adm de bonis non

Extracted from the principal Registry of Her Majesty's Court of Probate

James Holroyd - On the 4th day of July 1862 Letter of Administration with the Will annexed of all and singular the personal Estate and Effects of James Holroyd late of Smithy Holme in Marsden in the Parish of Huddersfield in the County of York Farmer deceased who died on the 14th day of October 1836 at Smithy Holme aforesaid left unadministered by John Holroyd deceased whilst living the sorrowing Executor named in the said Will were granted at the Principal Registry of Her Majestys Court of Probate to Elizabeth Holroyd of Smithy Holme aforesaid Widow the relict of the said deceased and the residuary Legatee named in the said Will living her life or Widowhood she having been first sworn duly to Administer Benjamin Holroyd the Brother of the said deceased the other Executor named in the said Will having died in the lifetime of the said John Holroyd without having proved the said Will and the said John Holroyd having died intestate Effects under Four hundred and fifty pounds –
Former Grant Manorial Court of Marsden May 1837

[P.A.
... J.W.W.][28]

[OFFICE COPY
COURT OF PROBATE][29]
[ ][30]

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25 this number, in maroon ink, may be Manor of Marsden numbering
26 this word written in 'Gothic' script
27 date is difficult to read, may be '1st'
28 these initials within a circle, in ink, are in left-hand margin against body of text, near bottom
29 these words stamped or printed on paper, in blue
30 initials, possibly 'J.S.T.'

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Folio 1 verso – adm de bonus non

Holroyd

July [ ][31]

[31] date unclear, possibly '24th'