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James Crabtree of Kitsonwood, 1621

Will: 22nd December 1621 ***Probate: 25th January 1621***

(Borthwick reference: James Crabtree of Kitsonwood, January 1621 Prob. Reg. v.36 f.610)

Testamentum Jacobi Crabtree

In the name of God Amen the two and twentieth daie of december in the ninetenth yeare of the Reigne of our Soverainge Lord King James of England France and Ireland &c and of Scotland the five and fiftieth and in the yeare of our Lord god one thousand sixe hundreth twentie and one Witnesseth that I James Crabtree of Kittsonwood in Standfeild in the Countie of yorke yeoman being at this present some what sicke and Crazie in bodie but of sound and perfect memorie thankes begiven to Almightie god for the same do publish declare and set downe this my present Testament Conteyning herein my last will in manner and forme following that is to saie First and principallie I give and Comend my soule into the handes of Almightie god my Creator assuredlie trusting and faithfullie beleveing to have full and free remission and forgivenes of all my sinnes and offences by and through the meritorious death and passion of Jesus Christ his sonne mine alone Saviour and blessed redeamer And my bodie I Comitt to the earth whereof it was made in sure and certaine hope of a ioyfull resurrection unto eternall life and as Concerneing my messuages landes and tenements it is my will andminde and I hereby give devise grant and Confirme unto Simeon Crabtree of widdopp and his assignes all those my two messuages or tenements Comonlie Called Kittson /wood and Spigate Roydes situate lyeing and being in Stansfeild aforesaid in the /said Countie of yorke and now in the tenure or occupation of me the said James Crabtree or mine assignes And all howses buildinges barnes gardens landes tenementes meadowes Closes pastures wells waies pathes passages waters and watercourses liberties easementes and heredita with thappurtenances whatsoever thereunto belonging or in anie wise appertaining or therewith now or Comonly demised used or occupied or adopted reputed taken or knowne as part parcell or member thereof To have and to hold the said two messuages or tenements called Kitsonwoode and Spigote Roydes howses buildings barnes gardens landes tenementes hereditaments and premisses with thappurtenances unto the said Simeon Crabtree his Executors adminstores and assignes imediatelie from and after the deathe and decease of me the said James Crabtree the testator for dureing and untill Margaret Crabtree daughter of me the said James Crabtree shalbe and accomplishe her full age of twentie and one yeares Item it is my will and minde and I do hereby Comitt the Rule tuicon and goverment of the said Margaret my daughter to the said Simeon Crabtree for dureing and untill she the said Margaret shalbe and accomplishe her full age of sixeteene yeares he the said Simeon Crabtree his executors and assignes haveing reteining and takeing upp and their owne uses out and forth of the issues profittes and rentes of the said two messuages or tenementes landes tenementes and premisses the some of three poundes tenn shillinges for the meate Drinke lodging apparell and education of her the said Margrett yearely and everie yeare for and untill she the said Margaret shall accomplishe the said age of sixtene yeares and if she the said Margaret wilbe Content to abide and remaine with the said Simeon Crabtree for duringe and untill she shall accomplishe her said age of twentie and one yeares then it is my will and minde that the said Simeon Crabtree his Executors or administrators shall have reteine and take upp out and

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forth of thissues /profittes and rentes of the said premisses the some of fiftie shillinges yearely from and after that the said Margarett shall accomplish her said age of sixtene yeares for dureng and untill she shall accomplish her said age of twentie and one yeares for her said meate drinke apparell and education but if she the said Margaret after thaccomplishment of her said age will not be Content to abide and remaine with him the said Simeon Crabtree but do make Chose of some other person to be her gardian then it is my will and minde that the said Simeon Crabtree his executores and assignes shall paie or cause to be paid /out and forth of thissues profittes and rentes of the said tenements and premisses the some of twentie shillings to that person whom the said Margaret shall elect and Chuse to be her gardian yearely and everie yeare from and after such election and Choice by her to be made the same (being after thaccomplishment of her said age of sixtene yeares for dureing and untill she the said Margrett shall accomplishe her said age of twentie and one yeares Item it is my will and minde that if my goodes and certaine trees hereafter specified will not extend to the full paiement and discharge of all my true and lawfull debtes that then the said Simeon Crabtree shall discharge and paie somuch thereof as shalbe awanting in my said goodes and trees hereafter named & out and forth of thissues [and] profittes and rentes of my said landes and tenementes above recited over and above the some before limitted and Reserved for the education of my said daughter And it is my will and minde that the said Simeon Crabtree his Executors administratores or assignes or anie other person or persones by or through his or their meanes previties or procurementes at anie tyme or tymes dureng the tearme to him or them hereby granted shall not Sell spoile or waste anie timber or trees growing upon the said tenementes and premisses other then such as are hereafter mencioned and if anie other person or persones whatsoever shall Sell spoile or waste anie the woods timber or trees groweing upon the said landes tenements and premisses then it is my will and minde that the said Simeon Crabtree by and with thadvice and Consent of William Mitchell of the high grenewood in Heptonstall and of Hugh Pilling of Cliviger and by and with their aide and assistance shall prosecute law against such parties and persones as shall Sell spoile or waste anie of the said woodes timber or trees they the said Simeon Crabtree William Mitchell and Hugh Pillinge alwaies haveing their Costes and Charges supported and borne out of thissues profittes and rentes of my said landes when and as often as they shalbe anie waie imployed in and about the prosecutiones of the said suites together with all such somes of money as shalbe discharged lade oute and spent by Reason of the same. And it is my full will and minde that the said Simeon Crabtree his Executores or administrators shall make a true and iust reckoning and accompt to the said Margaret my daughter when she shall accomplish her said age of twentie and one yeares of all such Cleare issues profittes and rentes ariseing out and forth of the said landes tenementes and premisses as he shall then have had and reteined over and above the same/to hir hereby before limitted for her education and paiement of my said debtes and over and above such Charges and expences as shalbe disbursed and spent for and about the preservation and maintenance of my said woodes and shall then paie the same to her accordinglie as my aspeciall trust and Confidence is in him reposed and the same to be paid after the rate of Tenn poundes in [the]/ a yeare for my whole said landes and the said Reckoning and acc ompte to be made after that Rate accordinglie Nevertheles it is my full will and minde and I do hereby give and bequeath to the said Simeon Crabtree fortie shillinges and to Suzsan his wife twentie shillinges which said two legacies I will shalbe taken out of it the some of the makeing of the said accomptes

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out of the issues and rentes of my said landes Item I give devise bequeath and Confirme to the said Margarett my said daughter all my/said two messuages or tenementes called Kitsonwood and Spigate Roides and all the howses buildinges barnes gardens landes tenementes meadowes Closes pastures woodes underwoodes wells waies pathes waters watercourses liberties easmentes and hereditamentes with thappurtenances in Stansfeild aforesaid in the said County of yorke To have and to hold the said two messauges or tenementes/howses landes tenementes buildings hereditamentes and premisses with thappurtenances unto the said Margaret Crabtree my said daughter or her heires and assignes imediatelie from and after the said Margaret shall accomplish her said age of twentie and one yeares for ever to be holden of the Cheiffe Lord or lordes of the Fee or Fees thereof by the rente suites and services therefore due and of right accustomed And if it please god that Margaret my said daughter shall dye and depart this life before she shall accomplish her said age of twentie and one yeares and at the tyme of her death have noe issue of her bodie begotten then liveing and at the tyme of her death if he the said Simeon Crabtree shall not have had reteined or taken upp sufficient cleare issues profittes and rentes out of the said landes tenementes and premisses wherewith to discharge and paie my said debtes then it is my will and minde that the said Simeon Crabtree his executores and assignes shall and maie have hold occupie possesse and enioy the said two messuages or tenementes landes tenementes and premisses with thappurtenances for dureing and untill he shall or might have had reteined and taken upp of thissues and rentes thereof as much as [had added]/shalbe sufficient to paie so much of my said debtes as shalbe awanting in my said goodes And for and untill he the said Simeon Crabtree shall or maie have reteined out of the issues and rentes of the said premisses next after the paiement of my said debtes the some of eight poundes to and for theonly sole and proper use and behoof of him the said Simeon for and in regard of his paines to be taken in and about the execution hereof and from and after that all my debtes be discharged and paid and after that the said Simeon Crabtree hath taken upp and reteined the said some of eight poundes as a foresaid Then it is my will andminde and I do hereby give and bequeath unto such and somanie of the Children of John Crosley by him begotten upon the bodie of Marie his late wife my late Sister deceased as then shalbe then liveing the full and iust some of thirtie poundes of lawfull English money to be paid to them out and forth of thissue and rentes of the said premisses which shall first arise after the paiement of my said debtes and the receipte of the said some of eight poundes equallie to be devided amongst them Item I give and bequeath to such and somanie of the Children of George Lawe of Rosindale by him begotten or to be begotten upon the bodie of Suzan his wife sister of me the said testator as shall then be liveing the full and iust some of twentie poundes of like lawfull English money to be paid to them equallie out and forth of thissue and profittes and rentes of the said messauges or tenementes landes tenementes and premisses wich shall first arise next after the paiement and discharge of the said some of thirtie poundes before bequeathed and given to the Children of the said John Crossley And it is my will and minde and I do hereby give and bequeath to Sarah my wife one Annuitie of yearely rent of tenn shillinges to be paid unto her yearelie at feastes usuall out and forth of the issues and [premisses]/Rentes of the said premisses Imediatelie from and after the paiement of my said debtes for and during the full end and tearme of sixe yeares from thence next Following and fullie to be Complete and if she the said Sarah shall solong live Any givft legacie or bequest hereby before given to the

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Contrarie in anie wise notwithstanding And it is my full will and minde that if it happen and if the said Rentes to be behinde and unpaid to any of the parties and persons before named onor and after feastes usuall by the space of fortie daies (and lawfullie asked) that then and so often as it shall so happen it shall and maybe lawfull to and for the parties and persones to whom the same shall become due according to their respective and severall givftes to them hereby given) or and of them unto the said two messuages or tenementes landes tenementes and premisses or unto and part of parcell thereof with thappurtenances to enter and distreine and the distresse or distresses then and their found and taken lawfullie to beare leade drive or Carrie awaie impart impound or other wise with them or anie of them to retaine and keepe untill of their said severall rentes so behinde together with tharerayes thereof if anie such be they be fullie and severallie Contented and paid Item it is my will and minde that if the said Simeon Crabtree at the death of the said Margaret my daughter (dyeing within age and without issue as aforesaid) shall have then received and taken upp moe cleare issues profittes and rentes out of the said messuages Landes tenementes and premisses then will amountt and extende to the said some of eight poundes to him hereby Limitted and intended that then he the said Simeon shall paie the overplus thereof towards the paiement and discharge of the said somes of thirtie poundes and twentie poundes before bequeathed and given to the Children of the said John Crosley and George Lawe and the said some of eight poundes to retaine and keepe to himself in leue and discharge of his said givft Item it is my will and minde and I do hereby give devise bequeath and Confirme unto Margaret now wife of Abraham Cheetam sister of me the said testator and to the said Suzan wife of George Lawe All my said two messuages or tenementes howses buildinges barnes gardens landes tenementes closes pastures woodes underwoodes wells wayes Waters water Courses easementes and hereditamentes with thappurtenances in Stansfeild aforesaid (Charges with the said severall paiements of thirtie poundes twentie poundes and tenn shillinges) in manner and forme aforesaid To have and to hold the said two messuages and tenementes landes tenementes hereditamentes and premisses with thappurtenances unto them the said Margaret Cheetam and Suzan Lowe their heires and assignes to their owne uses equallie Imediately from and after the death and decease of her the said Margaret my daughter (Dyeing before thaccomplishment of her said age of twentie one yeares without issue of her bodie begotten and from and after the paiement of my debtes and receipt of the said some of eight poundes to the said Simeon Crabtree) from thenceforth forever They the said Margarett Cheetam and Suzan Lawe their heires and assignes yeilding and paieing out and forth of thissues profittes and rentes of the said tenementes and premisses the said severall somes of money to the parties and persons before named and in manner and forme before expressed Item it is my will and minde and I do hereby give bequeath and set apt five oke trees marked with J: C: towardes the paiement and discharge of my said debtes two of them groweing in one Close called the Roide one in the uppermost holme and other two in the wood and I do hereby authorise and appoint my Executors hereafter named to Fell and sell the same awaie at his will and pleasure for and to thuse aforesaid any gift grant or devise herein before made in any wise notwithstanding And it is my full will and minde that if any partie or person to whom any legacy or givft is hereby given be discontent with the said legacy or givft to him/or hir or them hereby intended that then the parties or persons to displeased or discontented shall loose and forego the whole benefitt of everie legacy and givft to them any waie arising by vertue of this my

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present will and testament and the part portion legacy and givft of him her or them so being discontent shall wholly befall and remaine to and amongst thother of the Legataries above named who shall hold and rest themselves Content with their severall legacies and bequeathes to them hereby intended and given And as Concerneing my worldly goodes First it is my will and minde that all my true and lawfull debtes Funerall expenses ecclesiastical duties and the probacion of this my present testament be paid and discharged out and forth of the same After which done it is my will and minde that Sarah my said wife shall have such lawfull and Canonicall part thereof as to her of right belongeth according to the laudable Custome within the province of yorke. the rest and residue of all my said goodes Chattells Credittes and Debtes I give and bequeath to the said Margaret my/said daughter And I Comitt the Rule tuicion and goverment of the said Margaret my said Daughter and of her portion of goodes to the said Simeon Crabtree dureing her minoritie and nonage which said Simeon I nominate make and appoint sole and whole Executor of my present will and testament trusting him with the true and faithfull execution hereof as my trust is in him reposed and I would desire the said William Mitchell and Hugh Pilling to be supervisors and overseers of this my said will to be aiding and assisting to my said Executor on the execution of the same my said Executor and overseers haveing their/costs and Charges borne out of my goodes or rentes of my said landes when and as often as they shalbe imployed in and about the execution hereof lastly it is my full will and minde and the true intent and meaning of me the said James Crabtree the testator is that if the said Margaret my daughter dye before she accomplish her said age of/xxjty yearesand yet at the tyme of her death have any issue of her bodie begotten then living that then that issue shall have hold and enioy all my said messuages landes and tenementes and appurtenances to it and it heires from and after the paiement of my said debtes and of the said some of three poundes to the said Simeon Crabtree and Suzan his wife forever yeilding and paieing to Sara my said wife the said yearelie some of tenn shillinges for and dureing so many yeares of the said tearme of sixe yeares as then shalbe to come and expend by vertue hereof and noe more any thing above rehearsed to the Contrary hereof in any wise notwithstanding In witnes whereof I the said James Crabtree the testator have hereunto sett my hand and seale the/daie and yeare first above written Sealled published and Readd in the presence of theis witnesses Edmond Shackleton Robert Stell William Crosley Teste me William Hindle Et vicesimo quinto die mensis Januarij Anno domini 1621 Probatum fuit huiusmodi testamenti [*sic*] per testes nominatos iuratos Comissaque fuit administratio bonorum eiusdem defuncti Simeoni Crabtree soli executori in dicto testamento nominato prius iurato Salvo iure Cuiuscumque etc.

And on the 25th day of the month of January in the year of Our Lord 1621 this man's will was proved by the testimony of the witnesses named and sworn. And administration of the goods of the same deceased was granted to Simeon Crabtree, sole executor named in the said will and first sworn, saving the right of whomsoever etc.