

Lyddington Manor History Society

John SISMEY, esquire of Thorpe by Water

Will proved 1733

TNA PROB 11/657

1 In the Name of God Amen
2 I John Sismey of Thorpe Bywater in the County of Rutland
3 Esquire being of sound mind and memory (thanks be to God) Doe
4 make and ordain this my last Will and Testament in manner
5 following Imprimis I give and bequeath unto Jane my loveing
6 Wife the Yearly Sume of Forty pounds of lawfull money of
7 Great Britain to be paid her (free from all Deductions
8 whatsoever) by my Executors hereinafter named Yearly and
9 ~~every Yearly and~~ every Year during the term of her natural life
10 out of the Interest and produce of my Personall Estate at Lady
11 day and Michaelmas by two equal Portions the first of which
12 payments shall begin and be made at such of the said Feasts as shall
13 first and next happen to be after my decease And I do hereby make
14 all my said Personal Estate Subject to and charged and chargable
15 with the payments thereof But my Will is that such Annuity
16 given to my said Wife as aforesaid shall be by her taken and
17 accepted in lieu and full satisfaction of all such Dower or thirds
18 at the Common Law which she my said Wife shall or may
19 claim to have out of or in any of my Lands Tenements or
20 Hereditaments whereof or wherein I shall ~~shall~~ happen to die
21 Seized And if my said Wife refuses to accept of and receive
22 such Annuity upon the Terms and Conditions aforesaid or to
23 Release her Title of Dower or thirds of in or to any part of my
24 said Real Estate to such Person or Persons as is are or shall
25 be Entitled to the same by virtue of this my last Will or
26 otherwise howsoever then such Annuity [crossing out]
27 of forty pounds herein before given to her shall cease and not
28 be paid Item I give and bequeath the Summe of Eight hundred
29 pounds of lawfull money of Great Britain to be paid unto and
30 amongst such of the Children of me and my said Wife as

31 shall be living at the time of her decease (Except him that
32 then happens to be my heir at Law in such manner and by such
33 payments and proportions as she my said Wife shall by any
34 Writing or Writings under her hand and Seal Attested in the
35 presence of two or more credible Witnesses or in and by her
36 last Will and Testament in like manner to be Attested direct
37 limitt or appoint and for want of such Direction Limitation or
38 appointment then I hereby Will that the said Sume of Eight
39 hundred pounds shall be paid to and divided amongst such of
40 my said Children aforesaid (Except then my heir at Law) equally
41 share and share alike each of my said Children to have his and
42 her share and part thereof paid when and as they severally
43 attain their respective Ages of One and Twenty Years and in
44 case any of them shall happen to die before that time then I direct
45 that the share and part of such of them so dyeing shall go to and
46 be equally divided amongst the Survivors of them and paid at
47 their respective Ages of One and Twenty Years And I hereby
48 declare my Will and mind to be that the yearly produce of
49 the said Sume of Eight hundred pounds given to my said
50 Children as aforesaid shall from time to time be paid and applyed
51 by my said Executors towards raising and paying the said Forty
52 pounds Annuity hereby given to my said Wife for life as aforesaid
53 Item I give to my said Wife the Furniture generally used in the
54 best Chamber of the house wherein I live Item I give and
55 devise unto my eldest Son Thomas Sismey All my Messuages
56 Closes Lands Tenements and Hereditaments with their appurtenances
57 scituate lyeing and being in Pertinhall and elsewhere in the
58 County of Bedford (which I lately purchased of Charles Snow
59 Gentleman and others) subject to and charged and chargable
60 with the Payment of Five hundred pounds unto Elizabeth my
61 youngest Daughter as herein after is mentioned To hold the
62 said Messuages Closes Lands Tenements and Premises with
63 their appurtenances (Subject and charged as aforesaid) unto my
64 said Son Thomas Sismey his heirs and assigns for ever Item I give
65 unto my said Son Thomas Sismey his Executors and Administrators the

66 Lease which I hold from Corpus Christi College in Oxford of
67 certain Lands and Closes with their appurtenances in Pertinall
68 aforesaid and all my [crossing out] Estate Interest and term of
69 years which are to come and unexpired of in and to the same
70 Item I give and devise unto my second Son John Sismey All my
71 Messuages Cottages Closes Lands Tenements and Hereditaments
72 with their appurtenances Scituate Standing and being in East
73 Norton in the County of Leicester and in Belton in the said
74 County of Rutland and in either of them To hold the said
75 Messuages Cottages Closes Lands and Tenements with their
76 appurtenances unto my said Son John Sismey and to his heirs
77 and assigns for ever Item I give and devise unto my youngest
78 Son James Sismey and to his heirs and assigns for ever All
79 my Freehold Lands and Tenements with their appurtenances
80 lyeing and being in Liddington in the said County of Rutland
81 Item I give and bequeath unto my Daughter Mary Sismey Five
82 hundred pounds of lawfull money of Great Britain to be paid
83 her by my Executors herein after named at her age of One and
84 twenty years or Day of Marriage which shall first happen
85 And I hereby direct that the Interest or produce of her said Portion
86 shall in the mean time be paid and applyed for and towards her
87 maintenance and education in such manner as my said Executors
88 shall think fitt Item I give and bequeath unto my said Daughter
89 Elizabeth Sismey the said Sume of Five hundred pounds (chargable
90 upon my said Estate in Pertenall as aforesaid) And I direct the
91 same to be paid her at her Age of One and twenty years or day of
92 Marriage which shall first happen by my said Son Thomas Sismey
93 And likewise that he my said Son Thomas Sismey and his heirs
94 shall pay and apply the interest thereof after the rate of Five
95 pounds per Cent per Annum for and towards the maintenance and
96 education of my said Daughter Elizabeth in such manner as he
97 my said Son Thomas Sismey and my Trustees herein after
98 mentioned shall think fitt and in case either of my said Daughters
99 Mary and Elizabeth shall happen to dye before her Legacy shall
100 become \due/ and payable as aforesaid that then the Legacy of her so

101 dyeing shall go to and be paid unto the Survivor at such time as
102 her Originall Portion shall become due and payable as aforesaid
103 Item I desire my Executors herein after named to pay unto my
104 Daughter Jane Wife of Robert Cumbrey Gentleman Ten pounds
105 per Annum dureing her life by two half yearly payments (viz) At
106 Michaelmas and Lady day the first payment thereof to be made
107 at such of the said times as shall first happen to be after my decease
108 And I direct that the said Annuity shall be for my said Daughters
109 own separate use and that her said Husband shall not intermeddle
110 therewith nor that the same shall be lyable to his Controul nor to
111 the payment of his Debts And I hereby direct my said Executors to
112 pay and divide the Sume of Two hundred pounds to and amongst
113 such younger Children of my said Daughter Jane \of the said Robert Cumbrey/ as shall be living
at
114 the time of her decease equally share and share alike Item all other
115 my Personall Estate of what nature or kind soever I give and
116 bequeath unto George Denshire of Stamford in the County of
117 Lincoln Gentleman my Brother Edmund Sismey and my said Son
118 Thomas Sismey upon trust to sell and dispose of the same for
119 the raising of money to pay and discharge all my Debts Legacies
120 and Funerall Expences and after the same are duly paid off
121 and discharged then I direct them to pay and divide the overplus
122 thereof (if any shall happen to be) unto and amongst my said
123 two Children Mary and Elizabeth equally share and share
124 alike And I do make and appoint the said George Denshire
125 Edmund Sismey and Thomas Sismey Executors of this my last
126 Will and Testament and do also appoint them my said Executors
127 and my said wife so long as she continues my Widow Trustees
128 and Guardians of and for all my said Children and do give unto
129 the said George Denshire and Edmund Sismey Two Guineas apeice
130 Item I do Further direct that my said Trustees shall and may in
131 the first place deduct detain and keep to him her and themselves out
132 of my said Personall Estate all such reasonable costs and charges
133 as they or any of them do or shall necessarily expend sustain or are
134 put unto in or about the Execution of this my Will or any thing

135 relating thereunto and that my said Trustees or any of them shall
136 not be answerable or accountable [crossing out] for any loss
137 that shall happen to be either by the placing out or continueing
138 at Interest the moneys that shall arise and be made off of and
139 from my said Personall Estate or any part thereof (not occasion'd
140 by or through their or any of their wilfull neglect or Omission) nor
141 shall be answerable for the default or neglect of each other of
142 them nor be accountable for any more of my said Estate then
143 what shall come to their respective hands And I do hereby revoke
144 all former Wills by me made In Witness whereof I have to this
145 my last Will and Testament contained in four Sheets of Paper
146 sett my hand to the three first Sheets and my hand and Seal to the
147 Fourth and last Sheet the Thirtieth day of August in the Fourth
148 year of the Reign of our Sovereign Lord George the Second by the
149 Grace of God King of Great Britain etc Anno Domini One thousand
150 seven hundred and Thirty John Sismey Signed Sealed
151 Published and Declared by the said John Sismey the Testator to be
152 his last Will and Testament in the presence of us who subscribed
153 our names as Witnesses thereto in the said Testators presence
154 Richard Wilson James Gregory William Litchford Executors

Summary of Latin Probate clause

Proved at London 13th February 1732 by Edmund Sismey Thomas Sismey George Denshire
(senior), executors

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Key words

Appurtenances (cottages, tenements), Family, Land, Location (Lyddington, Belton, East Norton, Thorpe by Water, Pertenhall)