

Will of William Kerr (1738-1824)

Note: Paragraph breaks have been added to make the will easier to read; underlines _____ indicate words that I could not read; square brackets [] are words where I am uncertain of the transcription.

This is the last Will and Testament of me William Kerr¹ of the Town of Northampton in the county of Northampton Doctor of Physic that is to say

I give and bequeath all and singular my household goods house hold furniture plate linen China and implements of household whatsoever and books and all my Carriages horses _____ and other Cattle wine beer and other liquors Coal wood and other fuel and also all my book debts and all dividends and interest of money in the stocks or public funds and upon mortgages bonds notes of hand and other securities which shall be due to me at the time of my decease unto my dear Wife Mary Kerr² to and for her own absolute use benefit and disposal

also I give and devise unto the said Mary Kerr my Wife for and during the term of her life all and every my messuages cottages closes farms lands tenements heredit and real estates whatsoever and wheresoever

and from and after her decease I give and devise the same premises unto my Son Lieutenant General John Manners Kerr³ and Margaret Kerr⁴ his Wife and all and every my Grand children whether born in my lifetime or after my decease or to such one or more of them my said Son daughter in law and Grandchildren for such estate and estates interest and interests and in such parts shares and proportions manner and form as she my said Wife Mary Kerr whether covert or sole shall by any writing deed or deeds or instrument or instruments in writing with or without power of revocation to be by her sealed and delivered in the presence of and attested by two or more credible Witnesses or by her last Will and Testament in writing or any Codicil or Codicils thereto to be signed and published by her in the presence of and attested by three or more credible Witnesses give devise direct limit or appoint the same

and in default of such gift devise direction limitation or appointment and as to such part or parts of the premises to which such gift devise direction limitation or appointment

¹ Dr William Kerr MD (1738-1824), the Testator, son of Helenor née Crainston and William Kerr (1709-?), husband of (i) Charlotte née Dicey (1734-1772) and (ii) Mary née Tompson.

² Mary Kerr née Tompson (1754-1841), wife of the Testator, daughter of Susannah and George Thompson (1725-1787).

³ General John Manners Kerr (1766-1843), son of the Testator and Charlotte née Dicey (1734-1772), husband of (i) Isabella née Errington (1774-1808), (ii) Margaret née Davies (1770-1825), and (iii) Katherine Lloyd.

⁴ Margaret Kerr née Davies (1770-1825), daughter in law of the Testator, daughter of Katherine née Owen and Hugh Davies, wife of John Manners Kerr (1766-1843).

shall not extend then I give and devise the whole of the same premises or such part or parts thereof to which such gift devise direction limitation or appointment shall not extend unto my said Son John Manners Kerr for and during the term of his life and from and after his decease I give and devise the same premises unto all and every the Grand Children that shall be living at the time of the decease of my said Wife Mary Kerr and the issue of such of them as shall be then dead leaving issue to take as tenants in common and not as joint tenants and to their several and respective heirs and assigns for ever but my Will is and I do hereby declare that the issue of any such deceased Grandchild shall not in such case have or be entitled to a greater share of my said real estate than his or her parent would have been entitled to if living also

I give and bequeath unto the said Mary my Wife for and during her life the dividends interest and increase and produce of all my monies in the other securities which shall become due after my decease and of all the rest residue and remainder of my goods chattels effects and personal estate whatsoever and wheresoever not before disposed of and after and subject to the payment of my funeral and testamentary expenses and debts with full and ample power and authority for her my said Wife by deed or Will to be respectively executed in manner as aforesaid from time to time and at any time or times as she shall in her discretion think proper and take effect either in her lifetime or after her decease to pay apply and lay out expend and dispose of all or any part of the said principal monies in the stocks or public funds and upon mortgages bonds notes and other securities either to and for the use and benefit of my said Son John Manners Kerr and Margaret Kerr his wife or for in or towards the maintenance education putting out or advancement in the world or otherwise for the use and benefit of all or any one or more of my said Grandchildren whether born in my life time or after my decease jointly for the use and benefit of my said Son daughter in law and Grand Children or any of them in such shares way and manner as she my said Wife shall think fit and from and after the decease of the said Mary my Wife and subject to such disposition if any which she shall have made thereof in her life time pursuant to the power hereinbefore for that purpose to her given

I give and bequeath unto my said Son John Manners Kerr for and during the term of his life the dividends interest and increase and produce which shall become due after the decease of my said Wife of all my s^d monies in the stocks or public funds and upon mortgages bonds bills notes of hand and other securities and of all the rest residue and remainder of my goods chattels effects and personal estate

and from and after his decease I give and bequeath the same monies in the stocks or public funds and upon mortgages bonds notes of hand and other securities and all the rest residue and remainder of my goods chattels effects and and personal estates of which I have hereinbefore given and bequeathed the dividends interest use increase and produce unto my said Wife and Son for their respective lives in manner as aforesaid unto all and every of my said Grandchildren whether born in my lifetime or after my decease and the issue of such of them as shall be then dead leaving issue equally to be

divided between or amongst them and such issue share and share alike but my Will further is and I do hereby also declare that the issue of any such deceased grandchild shall not in such case have or be entitled to a greater share or proportion among them than his or her parent would have been entitled to if living

I make constitute and appoint the said Mary my Wife sole Executrix of this my last Will and Testament and do hereby revoke and make void all former and other Wills by me made declaring this and this alone to be and contain my last Will and Testament contained in this and the two preceeding sheets of paper set my hand and seal to wit my hand to the two preceeding sheets of paper and my hand and seal to this third or last sheet thereof the twenty fourth day of November in the Year of our Lord one thousand eight hundred and nineteen /—/ /—/ *William Kerr (SS)* Signed sealed published and declared by the said Testator William Kerr as and for his last Will and Testament in the presence of us who have hereunto and also to a Duplicate thereof executed at the same time subscribed our names as Witnesses at his request in his presence and in the presence of each other — *W^m T^m Smyth Solicitor in Northampton Jno: Rubbra Jun^r /—/ J S T Chambers Clerks to the said M^r Smyth ./.*

I William Kerr of the Town of Northampton in the County of Northampton Doctor in Physic do make this Codicil to be added to and taken as part of my last Will and Testament that is to say

I give and bequeath unto Mary Wife of George Osborn of College Street or College Lane in the said Town of Northampton yeoman one annuity or clear annual sum of one hundred pounds of lawful money of Great Britain to be paid to her during her natural life by four equal quarterly payments in each and every year by my Executrix in my said Will named out of my personal estate on the twenty fifth day of March the twenty fourth day of June the twenty ninth day of September and the twenty first day of December the first payment thereof to begin and be made on such of the said quarter days as shall first and next happen after my decease and I do direct that the said annuity or annual [sum] shall be paid unto the said Mary the Wife of the said George Osborn for her own sole and separate use and benefit independent of her present or any future husband and that the said annuity or annual sum shall not be subject to the debts engagements ____ ____ of her present or any future husband and that her receipt alone notwithstanding any coverture which she may be [under] shall be a good and sufficient and discharges from time to time for the said annuity or annual sum and every part thereof

And I do hereby ordain and declare the present [writing] to be a Codicil to my last Will and Testament and that the same shall be annexed thereto and taken as part thereof and to confirm my said Will in every particular thereof that is not hereby altered or revoked In Witness whereof I have to this Codicil set my hand and seal this second day of December in the year of our Lord one thousand eight hundred and nineteen, *William Kerr (SS)* Signed sealed and declared by the said William Kerr as and for a Codicil to be

annexed to his last Will and Testament to be taken as part thereof in the presence of us who in his presence at his request and in the presence of each other have subscribed our names as Witnesses /—/ *Joseph Jayes* /—/ *W Sawbridge* /—/ *H^r Briggs* ././.

I William Kerr of the Town of Northampton in the County of Northampton Doctor in Physic do give and bequeath unto my friends Robert ffarquhar of Portland Place in the County of Middlesex Esquire William Sutton of Bow Church yard London and Thomas Edward Dicey of Craybrook Hall in the County of Leicester Esquire and to the survivors and survivor of them his executors admors and assigns the sum of three hundred pounds of good and lawful money of Great Britain to be paid to them out of my personal estate by my Extrix within three months next after my decease upon trust to place the same out at interest and pay and apply the interest and proceeds and also the principal in such manner as they my said Trustees or the survivors or survivor of them shall think proper for the maintenance clothing education and support or otherwise for the advancement of William Williams now an apprentice to Henry Bullivant of Guilsborough in the said County of Northampton Surgeon and apothecary and my mind and desire is that no part of the said principal or interest monies shall be so applied during the Apprenticeship of the said William Williams and that the same shall be over and above any engagement which I have already entered into for or on his account during such apprenticeship and in case of the death of the said William Williams before he shall have attained the age of twenty one years at which age if he attains is I expect his education will be completed then upon further trust to assign and transfer the said principal trust monies and interest or so much thereof as shall not have been so applied as aforesaid unto such person or persons who shall or may be so entitled to the rest and residue of my personal estate under my last Will and Testament

also I give and bequeath unto Mary Ann Williams now an infant of the age of about eleven years one annuity or clear annual sum of twenty pounds of like lawful money during her natural life

also I give and bequeath unto Jane Williams an infant now of the age of about eight years one annuity or clear annual payment of twenty pounds of like lawful money during her natural life

which said Mary Ann Williams and Jane Williams have been for some time past under the care of Mrs Eleanor [Warnait] of [Lillie] Braunston in the said County of Northampton and I do direct that the said two several annuities shall be paid by my Executrix out of my personal estate by four equal quarterly payments in each and every year on the twenty fifth day of March the twenty fourth day of June the twenty ninth day of September and the twenty fifth day of December during the natural lives of the said Mary Ann Williams and Jane Williams respectively without any deduction or abatement whatsoever and that during their respective minorities the said annuities shall be paid and applied for their maintenance clothing and support and education respectively the

first payment of the said annuities to be made on such of the said quarter days as shall first happen after my decease

and I do ordain and declare this present writing to be a Codicil to my last Will and Testament and that the same shall be added thereto and taken as part thereof and I do confirm my said Will and all and every Codicil and Codicils thereto in every particular not hereby altered or revoked

In Witness whereof I have to this Codicil contained in two sheets of paper to the first sheet set my hand and to the last sheet thereof have set my hand and seal this fifteenth day of December in the Year of our Lord one thousand eight hundred and nineteen William Kerr (SS) Signed sealed published and declared by they said William Kerr as and for a Codicil to be added and taken as part of his last Will and Testament in the presence of us who in his presence at his request and in his presence of each other have subscribed our names as Witnesses /—/ Thomas Jeyes /—/ W. Sawbridge /—/ H Briggs ./.

Proved at London with two Codicils 8th of October 1824 before the Judge by the Oath of Mary Kerr W^d the Relict and sole Extrix to whom Admon was granted having been first first sworn by Comon duly to Adm^r

N^o 2 John S^t Berkeley Square

On the 14th [Feby] 1842 Admon with the Will and 2 Codicils annexed of the Goods Chattels and Credits of William Kerr late of the Town of Northampton in the County of Northampton Dr of Physic deceased left unadmird by Mary Kerr ____ deceased whilst living the Relict of the said deceased and the sole Executrix and Residuary Legatee for life named in the said Will was granted to John Manners Kerr Esquire the Son of the said deceased and the Residuary Legatee for Life [so established] in the said Will having been first sworn by Comon duly to administer the said Executrix . . . her Will with 5 Codicils and by her said Will appointed John Armytage and Henry Barne Sawbridge Esquires and by her third Codicil Samuel Percival Esquire . . . who have respectively . . . the Probate and Execution of the said Will and Codicils —

. . . 1843 Admon with the Will and two Codicils __ed of the Goods Chattels and Credits of William Kerr late of the Town of Northampton in the County of Northampton Doctor of Physic deceased left unadminrd by Mary Kerr Widow deceased whilst living the Relict of the said deceased and the Sole Executrix and Residuary Legatee for life named in the said Will and also by John Manners Kerr Esq^r deceased whilst living the Son of the said Deceased and the Residuary Legatee for life ____ ____ in the said Will was granted to

John James Kerr Esq^r one of the lawful Grand Children of the said deceased and as such one of the Residuary Legatees ____ in the said Will he having been first sworn by Comon duly to administer the said ____ then annexed her Will (with five Codicils) and in the said Will named John Armytage ...

Transcribed from images on Ancestry.co.uk [here](#)