

Extracted from the Registry of the
Archdeaconry of Sudbury et.

This is the last Will and Testament of me
William Rosey of Long Saint Edmunds in the County of Suffolk Merchant
made this twentieth day of May in the year of our Lord one thousand
sever hundred and sixty two as follows I give and devise unto my
beloved Wife Frances All those my Messager Lands Tenements &
Hereditaments and premises with their and every of their appurtenances
standing lying and being in Long Saint Edmunds aforesaid or elsewhere in
the said County of Suffolk and as the same now are in my own occupation
and in the Occupation of John Bridges and William Adams and others To
hold to her for the Term of her natural Life she keeping the same in
tenantable Repair And from and after her Decease I give and
bequeath all the aforesaid premises given to my said Wife to my three
Children To hold them and the issue of their prospective Bodies
lawfully begotten or to be begotten as Tenants in Common and not as
Joint Tenants And for want of such issue to my own right Heirs
I also give and bequeath unto my said beloved Wife Frances
All and every my Goods Chattels Personal Estates and Effects
whatsoever and wheresoever and of what nature or kind soever
the same be to be by her sold as soon as conveniently may be after
my Decease And the Money arising by such Sale together with what
Money that shall have by me at my Death as also all such Money
as shall be due and owing to me at my Death by Bills Bonds Notes
Mortgages or otherwise I will shall after payment of my Debts funeral
Charges Charge of proving this my Will and all other Charges incident
thereto (as well for Mourning for herself and my Children as otherwise)
equally to be Divided between each of my Children as shall be living
at the time of my Decease share and share alike But my Will is that
if either of my said Children shall be under the age of twenty one years
at the time of my Death that then the share of him her or them that shall be

Somder agd Be pntnt at Inbrest by my said Wife upon such securities as she shall think proper and the Inbrest therof in the mean Tme to be taken and applyed by her towards the Maintenance Education and bringynge up of such Child or Children as shall be so mder agd until he she or they shal^t arrive at the age of twenty one years And then the share of him her or them so arryng at the age of twenty one years shall be taken in by my Said Wife and the same to be paid to him her or them so arryng at the age of twenty one years and that his her or their receipts alone shall be a sufficient Discharge to my Said Wife for the same provided always and I do hereby declare that if at any Tme any Loss shall happen of the said principal sum or any part thereof or of the Director proceed thereof without the willfull Neglect or Default of my Said Wife by faulre of the Securities upon which the same shall or may be placed on t yet am notwithstanding my Said Wife or her Execrs or Admrs shall not be charged or chargeable to make good any such Loss but the same shall be born equally by my Said Children And I do hereby commit the Care and Guardianship of all my Said Children and of their respective Estates unto my Said dear Wife during their respective Minority if my Said Wife shall so long live and continue my Widow but if she die or marry again before my Said Children shall attin their said ages of twenty one years then my Mind and Will is that Mr John Rose of Henry Saint Edmunds an affred Blacksmith shall have the Trition and Guardianship of my Said Children while they shal^t respectively attin unto their said ages of twenty one years And my Will also is that my Said Wife if Guardian to my Said Children or the Said John Rose if he shall be Guardian shall and may at any Tme after my Said Children shall be fit to go apprentices if the Moneye shall be out at Inbrest to take in such and so much of his or their part of the Moneye so pnt out as shall be thought necessary and sufficient as well for paying for each of their Bindings as for the necessary Cloathing of them at the same Tme And Lastly I do nominate and appoint my Said Wife sole Executive of this my Last Will and Testament And I do hereby revoke and make

No id alle other Wills and Testaments by me at any time heretofore
made and do declare this present writing contained in two Sheets of
paper to be my last Will and Testament In Witness that this is
my last Will and Testament contained in two Sheets of paper to the
first I have set my Hand only and to the last my Hand and Seal the
day and year mentioned at the top in the first Sheet. (William Rose
& his Mark.) Signed sealed published and declared by the said
Testator as and for his last Will and Testament in the presence of
us who in his presence and at his request and in the presence of
each other have subscribed our Names as Witnesses thereto Sam:
Seargent, In: Papavoine, Sam: Farr Seargent.

Probate of this Will was made in common form before
John French Clerk Subl to Joseph Atwell D:D: Commissary
er: 2 July 1762 by the Oath of the Cetice to whom a Commissioner
was granted being sworn et: Saving all right et:

John Dalton D: Proff.
N: B:

I have considered this Case on the
will of William Rose: and am of opinion
that his three Children took several
Estates in Tail with respective Remainders
(in the nature of a Reversion) to the Right Heir
of the Testator.

And that such several Estates Tail were
Barable by the several Owners in Tail
as they should come respectively into Possession,
either by Fine at Common Law which
would bar the Fine; or Fine with Proclamation
under the Statute, which would bar all Persons
not making their claim within five years, except
Persons covert, Infants, Prisoners, & non sane
Persons, and Persons beyond the sea, who would
have five years after the ceasing of their several
Incapacities.

I am also of opinion that any one of the
said Children had after coming into Possession
of the respective Share devolved to the said
Child in Fee Tail, good and full Power
to convert his the Interest of the said Child
in the same into an absolute Fee Simple by com-
mon Recovery.

And that on Failure of One of any one of the
said Children the Share of such Child would descend
in Fee to such other Child or Person as might then be
entitled to claim as Right Heir of the Testator

As to the personal Estate it appears that the Testator gave
to each of his Children several Legacies amounting to one third
thereof to each respectively (subject to the Provisions and Limitations
in the will expressed) payable as they should respectively attain
the age of twenty one

Bapel Loft Boston Feb.
5. Jan: 1785.

I Give & Devise unto my wife Francis All those my
Mestes Lands &c with their & every of their Appurts sit
& being in Bury St Edmunds To hold to her for the
Term of her natural life she keep: the same in tenable
repair And from & after her decease I Give all the afo:
rmed given to my w^e wife to my three childⁿ To hold
to them & the Issue of their respective body's fully begotten
or to be begotten as Tenants in Common & not as joint
Tenants and for want of such Issue to my own right
Heirs.

The Testator diod leaving his widow & two Sons &
a Daughter. —

Upon the death of one of the Sons the Surviv^r
Conveyed his own & his Deceased Brothers Share to
Mr O: by Lease Release & Fine in the life of
the widow. — —

The surviving Son being Tenant in Tail Reversion in Fee
in himself as to his own Share; and being also as right
Heir of the Testator seized in Fee of his Brothers Share on
default of Issue of the 3 Brothers, there appears no Impediment
to his convey: the 2 shares in the manner specified.
And this explanation I give to save expence to the parties
on either side, & to obviate any inconvenience from general
expressions in my opinion formerly given.

29 Jan: 1788

Capel Loft.