

Will of Mary Kerr née Tompson (1754-1841)

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.

In the Name of God Amen I *Mary Kerr*¹ of the Town of Northampton in the County of Northampton Widow and Relict of William Kerr² late of the same place Doctor of Physic deceased do make this my last Will and Testament in manner following (that is to say)

Whereas under and by virtue of certain Indentures of lease and release bearing date respectively on or about the tenth and eleventh days of June which was in the year one thousand seven hundred and seventy three the release being of three parts and made or expressed to be made between the said William Kerr (lately deceased) by his name and description of William Kerr Surgeon of the first part me the said Mary Kerr by my then maiden name of Mary Tompson of the second part and George Tompson³ Gentleman and Henry [Locock] Apothecary of the third part being the settlement made previously to and in contemplation of my marriage with the said William Kerr my said late husband certain closes or inclosed grounds lands tithes and hereditaments situate and being in Cole Ashby otherwise Cold Ashby and Elkington in the said County of Northampton with the buildings and appurtenances thereto belonging and which he the said William Kerr had then lately purchased to him and his heirs of and from Richard Grosse Esquire and Jonathan Woodford or one of them in the event which hath happened of their being no children or issue of the said stood limited to the use of the survivor of the said William Kerr and me the said Mary Kerr his or her heirs and assigns for ever

Now I do therefor by this my Will give and bequeath unto Doctor William Charles Kerr⁴ one of the nephews of my deceased husband and who now resides at the Town of Northampton aforesaid the sum of one thousand pounds of lawful money of Great Britain to be by him laid out and disposed of for his own special use and benefit in the purchases of horses and carriages plate books and wine

and I do hereby charge subject and make chargeable all the said closes lands tithes and hereditaments in Cold Ashby and Elkington aforesaid to and with the payment of the

¹ Mary Kerr née Tompson (1754-1841), the Testatrix, daughter of Susannah née Conant (1719-1794) and George Tompson (1725?- 1787), wife of Dr William Kerr (1738-1824).

² Dr William Kerr (1738-1824), husband of the Testatrix, son of Helene née Craunston (1717-?) and William Kerr (1709-?), husband of (i) Charlotte née Dicey (1734-1772) and (ii) Mary née Tompson (1754-1841).

³ Presumably George Tompson (1726-1787), father of the Testatrix, husband of Susannah née Conant (1719-1794).

⁴ Dr William Charles Kerr (1799-1878), nephew of the Testatrix' husband, son of Anne Dick (?-1833) and Lt Gen James Kerr (1750-1821), husband of Maria Eliza Robinson née Lewis (1801-?).

said sum of one thousand pounds within the space or time of six calendar months after my decease and I do hereby declare and direct that my personal estate or any part thereof shall not be subject or liable to the payment of the said one thousand pounds or any part thereof

I give and devise unto my niece Frances Tompson⁵ Spinster for and during the term of her natural life one annuity clear yearly rent or sum of twenty pounds of like lawful money and unto my Niece Judith Tompson⁶ Spinster for and during the term of her natural life one like annuity clear yearly rent or sum of twenty pounds of like money to be respectively free of all taxes and deductions whatsoever parliamentary or otherwise and to be respectively issuing and payable out of all and every my said closes lands tithes and hereditaments on the twenty fifth day of March and the twenty ninth day of September in every year and the first payment thereof respectively to begin and be made on such of the said days as shall first happen next after my decease

And I do hereby respectively charge subject and make chargeable my said real estate at Cold Ashby and Elkington aforesaid to and with the respective payment thereof accordingly

And I do hereby give and devise unto them the said Frances Tompson and Judith Tompson respectively and do will and declare that they respectively shall and may from time to time and at all times from and after my decease have use exercise and take such and the same powers ways means & remedies for respectively recovering and receiving the said several annuities yearly rents or sums of twenty pounds and twenty pounds and every part thereof respectively and all arrears thereof respectively in case the same respectively or any part thereof respectively shall be behind or unpaid by the space of twenty eight days next after any of the said respective half yearly payments shall become due as are given to or provided for Landlords or which they can use and take for the recovery of [care] rents when in arrear

Provided always and my mind and will is that upon the death of either of my said nieces Frances Tompson and Judith Tompson and the survivor of them shall have and enjoy the annuity yearly rent or sum of twenty pounds of her so dying which shall be charged and chargeable upon my real estate and shall have the same powers ways and means of recovering the same as are given to or provided for the annuity originally devised to such surviving Niece and subject to and respectively charged and chargeable in the first place with the payment of the said legacy or such of one thousand pounds to the said William Charles Kerr and also subject to such payment to the said respective annuities yearly rents or sums of twenty pounds and twenty pounds and to such respective powers and remedies for the same as aforesaid

⁵ Frances Tompson (1781-1843), niece of the Testatrix, daughter of Frances née Lovell (1750-1823) and William Tompson (1749-1798), never married.

⁶ Judith Tompson (1783-1840), niece of the Testatrix, daughter of Frances née Lovell (1750-1823) and William Tompson (1749-1798), never married.

I give and devise all and every my said closes lands tithes and hereditaments in Cold Ashby and Elkington aforesaid unto Lieutenant General John Manners Kerr⁷ and his assigns for and during the term of his natural life and from and after his decease I give and devise all and singular my aforesaid hereditaments and premises unto John James Kerr⁸ the eldest son of the said John Manners Kerr his heirs and assigns for ever provided always and I do hereby declare that the respective devises hereby made of my aforesaid hereditaments and premises in Cold Ashby and Elkington aforesaid unto the said Lieutenant General John Manners Kerr and his heirs are so respectively made to them upon condition nevertheless that they the said John Manners Kerr and John James Kerr do and shall within the space or time of six Calendar months next after my decease raise borrow and take up at interest either upon the same hereditaments and premises by demise sale or mortgage thereof or any part thereof for a terme of years or by any other ways or means the sum of one thousand pounds of lawful money of Great Britain and upon receipt thereof do and shall forthwith pay the said sum unto the said William Charles Kerr in full satisfaction and discharge of the aforesaid legacy or sum of one thousand pounds so by me bequeathed unto him in the manner before set forth

And whereas the said William Kerr made and published his last I will and testament in writing duly executed and attested as the law requires for passing real estates bearing date the twenty fourth day of November In the year of our Lord one thousand eight hundred and nineteen and after bequeathing all and singular his household goods household furniture plate linen china and implements of household whatsoever and books and all his carriages horses cows and other cattle wine beer and other liquors coal wood and other fuel and also his book debts and all dividends and interest of monies in the stocks or public funds and upon mortgages bonds notes of hand and other securities which should be due to him at the time of his decease unto the said Mary Kerr to and for my own absolute use benefit and disposal he the said Testator did thereby give and devise unto me the said Mary Kerr for and during the term of my life all and every his messuages cottages closes farms lads tenements hereditaments and real estate whatsoever and wheresoever and from and after my decease he gave and devised the same premises unto his said Son Lieutenant General John Manners Kerr and Margaret Kerr⁹ his wife and all and every the said Testators Grand children whether born in his lifetime or after his decease or to such one or more of them his said Son Daughter in Law and Grandchildren for such estate and estated interest and interests and in such parts shares and proportions manner for as I the said Mary Kerr whether covert or sole should by any deed or deeds or instrument or instruments in writing with or without

⁷ Lt Gen John Manners Kerr (1766-1843), step-son of the Testatrix, son of Charlotte née Dicey (1734-1772) and Dr William Kerr (1738-1824), husband of (i) Isabella née Errington (1774-1808), (ii) Margaret née Davies (1770-1825) and (iii) Katherine Lloyd..

⁸ John James Kerr (1799-1872), step-grandson of the Testatrix, son of Isabella née Errington (1774-1808) and John Manners Kerr (1766-1843), husband of Harriett Russ (1808-1883).

⁹ Margaret Kerr née Davies (c1770-1825), wife of step-son of the Testatrix, daughter of Katherine née Owen and Hew Davies, wife of John Manners Kerr (1766-1843).

power of revocation to be by me sealed and delivered in the presence of and attested by two or more credible witnesses or by my last will and testament in writing or any codicil or codicils thereto to be signed and published by me 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 the said Testator devised the same premises unto his said Son John Manners Kerr for his life and after his decease to all and every his the said Testator's Grandchildren that should be living at the time of my decease and the issue of such of them as should be then dead leaving issue as tenants in common and to their several respective heirs and assigns for ever in the proportions and manner therein mentioned

and the said Testator did thereby also give and bequeath unto me the said Mary Kerr for and during my life the dividends interest use increase and produce of all his monies in the stocks or public funds and upon mortgages bonds notes of hand and other securities which should become due after his decease and of all the rest residue and remainder of his goods chattels effects and personal estate whatsoever and wheresoever not before disposed of and after and subject to the payment of his funeral and testamentary expenses and debts with full and ample power and authority for me the said Mary Kerr by deed or will to be respectively executed and attested in manner as aforesaid from time to time and at any time or times as I shall in my discretion think proper and to take effect either in my lifetime or after my decease to pay apply 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 his 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 his said Grandchildren whether born in his lifetime or after his decease or jointly for the use and benefit of his Son Daughter in Law and Grand children or any of them in such shares way and manner as I should think fit and after my decease and subject to such disposition if any which I should have made thereof in my lifetime pursuant to the power thereinbefore for that purpose to me given the said testator made such further bequests of the same monies and residue of his personal estate and of the interest and produce thereof which should become due after my decease to and for the benefit of his said Son during his life and after his decease to his the said Testator's said Grandchildren and the issue of such of them as should be then dead leaving issue as are therein expressed and the said testator appointed me the said Mary Kerr sole Executrix of his said will

And whereas the said William Kerr my late husband by a Codicil to his said will which Codicil bears date the second day of December in the said year one thousand eight hundred and nineteen charged his personal estate with the payment of an annuity or clear annual sum of one hundred pounds unto and for the sole and separate use and benefit of Mary the Wife of George Osborn of College Street or College Lane in the said Town of Northampton Yeoman during her life and the said Testator by another Codicil to his said will which last mentioned Codicil bears date the fifteenth of the said month of

December one thousand eight hundred and nineteen did give and bequeath unto his friends Robert Farquhar Esquire William Sutton and Thomas Edward Dicey Esquire the sum of three hundred pounds to be paid to them out of his personal estate by his executrix within three calendar months next after his decease upon trust to place the same out at interest and to pay and apply the interest and proceeds and also the principal in such manner as the said trustees should think proper for the maintenance and support or advancement of William Williams therein named and in case of his death before he should have attained the age of twenty one years then upon trust to assign and transfer the said principal trust monies and interest or so much thereof as should not have been so applied as aforesaid unto such person or persons who shall or might be entitled to the rest and residue of his the said Testator's personal estate under his last will and testament

and in and by the same Codicil the said Testator bequeathed unto Mary Ann Williams an infant then of the age of about eight years an annuity of twenty pounds for her natural life and directed that the said two several annuities should be paid by his executrix out of his personal estate at the days or times and in manner therein mentioned

and whereas the said Testator William Kerr hath lately departed this life without revoking or altering his said will otherwise than by the said two Codicils thereto and his said will and Codicils were on the eighth day of October in the year one thousand eight hundred and twenty four duly proved by me the said Mary Kerr (the sole Executrix in his said will named as aforesaid) in the Prerogative Court of the Archbishop of Canterbury And whereas the said Margaret Kerr the Wife of the said Lieutenant General John Manners Kerr hath since also departed this life

Now I the said Mary Kerr in pursuance and by virtue of the power or authority for that purpose given to me by the said recited will of my late husband the said William Kerr deceased in manner aforesaid and in exercise and execution thereof do by this my last will and testament in writing by me signed and published in the presence of and attested by the three credible persons whose names are hereunto subscribed as Witnesses give and devise all and every the messuages closes farms lands tenements hereditaments and real estate whatsoever and wheresoever late of the said William Kerr deceased and by his said Will devised as aforesaid and do direct limit and appoint that the same shall immediately from and after my decease be and remain unto and for the benefit of the aforesaid Lieutenant General John Manners Kerr for and during the term of his natural life and from and after his decease unto and for the benefit of the said John James Kerr (the eldest Son of the said John Manners Kerr) and his heirs and assigns for ever and as for and concerning that part of the residue of the personal estate of my late husband the said William Kerr deceased which in and by his said will I am empowered by deed or will to dispose of either to and for the use and benefit of his said Son John Manners and the said Margaret Kerr his Wife (since deceased) or for or 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 his said Grandchildren or

jointly for the use and benefit of his said Son Daughter in Law and Grandchildren or any of them I the said Mary Kerr in pursuance and exercise of the power and authority in and by the said will of the said William Kerr so given and reserved to me in this behalf do by this my last will and testament declare it to be my will and mind that such part of my said late husband's residuary personal estate which by his said will is so made subject to my disposition shall after my decease (but nevertheless subject and without prejudice to the due payment and discharge of the said several annuities or annual sums of money in and by the said two Codicils to his said will bequeathed as aforesaid during the continuance thereof respectively) be paid applied laid out expended and disposed of for the purposes and in manner hereinafter expressed (that is to say) as to the sum of five hundred pounds of lawful money of Great Britain part of the principal monies in the stocks or or public funds and upon mortgages bonds notes and other securities late the property of the said William Kerr deceased and which in and by his will I am empowered to dispose of as aforesaid I will and direct that the same shall from and after my decease be paid and applied by my executors hereafter named or become payable so far as circumstances will permit without prejudice to to the payment of the aforesaid annuities unto and for the use and benefit of the said John Manners Kerr in consideration of his having advanced or agreed to advance the like sum for purchasing a Commission in the Army for Frederick Kerr¹⁰ the second son of the said John Manners Kerr and as to the sum of five thousand pounds of like lawful money other part of the principal monies in the stocks or public funds and upon mortgages bonds notes and other securities late the property of the said William Kerr deceased and which in and by his said Will I am empowered to dispose of as aforesaid I will and direct that the same shall immediately from and after my decease be paid and applied by my said Executors (or become payable as far as circumstances will admit without prejudice to the payment of the aforesaid annuities) unto and for the use and benefit of his the said William Kerr's Grandchild John James Kerr¹¹ the eldest son of his said Son John Manners Kerr he the said John James Kerr having attained the age of twenty one years

and as to the further sum of four thousand and five hundred pounds of like lawful money other part of the principal monies in the stocks or public funds and upon mortgages bonds notes and other securities late the property of the said William Kerr deceased and which in and by his said will I am empowered to dispose of as aforesaid I will and direct that the same shall immediately from and after my decease be paid and applied by my said Executors (or become payable so far as circumstances will admit without prejudice to the payment of the aforesaid annuities) unto and for the use and benefit of the said William Kerr's Grandchild the said Frederick Kerr the second son of his said Son John Manners Kerr in case the said Frederick Kerr shall then have attained the age of twenty one years but if he shall be under the age of twenty one years at the

¹⁰ Frederick Kerr (1804-1876), step grandson of the Testatrix, son of Isabella née Errington (1774-1808) and John Manners Kerr (1766-1843), husband of Mary Ann née Winter (1821-1886).

¹¹ John James Kerr (1799-1872), step grandson of the Testatrix, son of Isabella née Errington (1774-1808) and John Manners Kerr (1766-1843), husband of Harriett née Russ (1808-1883).

time of my decease then the payment of the said principal sum of four thousand and five hundred pounds to be postponed until he shall attain that age or in such case it shall and may be lawful for my said Executors to lay out and expend the whole or any part of such principal sum in the purchase of a Commission in the Army or other preferment Office Place or situation for him the said ffrederick Kerr which they may approve of and the interest and annual produce arising from the same principal money or of so much thereof as shall nto have been laid out and expended shall from and after my decease be paid and applied for or towards the maintenance and support or otherwise for the benefit of him the said ffrederick Kerr during his minority

and as to the further sum of five thousand pounds of like lawful money other part of the principal monies in the stocks or public funds and upon mortgages bonds notes and other securities late the property of the said William Kerr deceased and which in and by his said will I am empowered to dispose of as aforesaid I will and direct that the same shall immediately from and after my decease be paid and applied by my said executors (or become payable so far as circumstances will admit without prejudice to the payment of the aforesaid annuities) unto and for the use and benefit of his the said William Kerr's Grandchild William ffrederick Kerr¹² in case him the said William ffrederick Kerr shall then have attained the age of twenty one years but if he shall be under the age of twenty one years at the time of my decease then the payment of the same principal sum of five thousand pounds be postponed until he shall attain that age or the whole or any part of such principal sum to be laid out and expended at the discretion of my said executors in the purchase of a Commission in the Army or other preferment office place or situation for him the said William ffrederick Kerr and the interest of the same principal money or of so much thereof as shall not be so laid out and expended to be paid and applied for his maintenance and support or otherwise for his benefit during his minority in like manner as I have hereinbefore directed in respect of the said sum of four thousand and five hundred pounds intended for the benefit of the said ffrederick Kerr and the interest thereof

and as to all the surplus and residue of principal monies in the stocks or public funds and upon mortgages bonds notes and other securities late the property of the said William Kerr decease and which in and by his said will I am empowered to dispose of as aforesaid over and above the said four several sums of five hundred pounds five thousand pounds four thousand pounds and five hundred pounds and five thousand pounds parts thereof hereinbefore directed to be paid and applied in manner aforesaid I will and direct that the dividends interest use increase and produce of such surplus and residue thereof (but nevertheless subject and without prejudice to the payment of the aforesaid annuities during the continuance thereof respectively) shall from and after my decease be paid and applied by my said executors unto and for the use and benefit of the said John Manners Kerr during his life and from and after his decease then I direct that

¹² Rev William Frederick Kerr (1804-1878), step grandson of the Testatrix, son of Isabella née Errington (1774-1808) and John Manners Kerr (1766-1843), husband of Agnes Sophia née Morris.

by and out of such surplus and residue of the same principal monies late the property of the said William Kerr deceased there shall be paid and applied unto and for the use and benefit of his said Grandchild William ffederick Kerr the further sum of five thousand pound of like lawful moey and I direct that my said Executors shall also pay thereout the sum of one thousand pounds of lawful money of Great Britain unto the said William Kerr's Grandchild Mary Ann White¹³ the wife of the Reverend Edward White of

late Mary Ann ffoster one of the two Daughters of Charlotte ffoster deceased formerly Charlotte Kerr a daughter of him the said William Kerr

and the further sum of one thousand pounds of like lawful money unto the said William Kerrs Grandchild Dorothy Riddell¹⁴ the Wife of the Reverend James Riddell of Easton near Winchester in the County of Hants Clerk late Dorothy ffoster the other daughter of the aforesaid Charlotte ffoster

and as to the ultimate surplus and residue of the said principal monies in the stocks or public funds and upon mortgages bonds notes and other securities late the property of the said William Kerr deceased and which I am empowered to dispose of as aforesaid which shall remain after a deduction of the said several capital sums hereinbefore directed and intended to be hereby made payable thereout (subject to the aforesaid annuities) as well immediately after my decease as also after the decease of the said John Manners Kerr I direct that forthwith after his decease the same shall be paid and applied or become payable so far as circumstances will admit without prejudice to the payment of the aforesaid annuities or such of them as shall be then subsisting unto and for the use and benefit of the said William Kerr's said Grandchild John James Kerr (the eldest son of the said John Manners Kerr) his executors and administrators

and I do hereby give and bequeath unto Mary Alston¹⁵ the wife of Justinian Alston¹⁶ of Harrold House in the County of Bedford Esquire (late Mary Kerr daughter of the said John Manners Kerr) all my Silver plate commonly used for dinner service

And I also give to her the said Mary Alston my copy of Marklins large Edition of the Bible in seven volumes

I give and bequeath unto my own female Servant all my clothes and wearing apparel of every sort and kind

¹³ Mary Ann White née Foster (1796-1841), step granddaughter of the Testatrix, daughter of Charlotte née Kerr (1769-1802) and John Foster (1735-1801), wife of (i) Rev Edward White (1797-1829) and (ii) James Smith (1799-?).

¹⁴ Dorothy Ridell née Foster (1799-1886), step granddaughter of the Testatrix, daughter of Charlotte née Kerr (1769-1802) and John Foster (1735-1801), wife of Rev James Riddell (1794-1878).

¹⁵ Mary Alston née Kerr (1793-1845), step granddaughter of the Testatrix, daughter of Isabella née Errington (1774-1808) and John Manners Kerr (1766-1843), husband of Justinian Alston (1780-1818).

¹⁶ Justinian Alston (1780-1848), step grandson in law of the Testatrix, son of Elizabeth née Raynsford (1756-?) and Thomas Lee Alston (1755-1823), husband of Mary Alston née Kerr (1793-1845).

and I give and bequeath to each of my Servants that shall be living with me at the time of my decease (among whom I mean to include my Coachman and Gardener who do not live in my house) one Guinea for each year they shall have lived in my service inclusive of the current year in which I shall happen to die

And as to all the *rest residue and remainder* of my goods chattels monies personal estate and effects whatsoever and wheresoever not hereinbefore otherwise disposed of and which shall remain after payment of my debts and of my funeral and testamentary expenses I give and bequeath unto the said John Manners Kerr

all the interest dividends use increase and produce to arise or be had or derived therefrom during his life and from and after his decease I give and bequeath all such residuary estate and effects whatsoever unto the said John James Kerr the eldest Son of the said John Manners Kerr for his own absolute use and benefit

and I do hereby nominate and appoint John Armitage of the Town of Northampton Esquire Henry Barne Sawbridge of East Haddon in the said County of Northampton Esquire and William Tyler Smyth of Little Houghton in the said County of Northampton Gentleman *Executors* of this my will

And I revoke all former wills and declare this only to be and contain my last Will and Testament whereof I the said Mary Kerr have to each sheet of this my last will and testament contained in ten sheets of paper set my hand and to this tenth and last sheet thereof my seal also this twenty eighth day of June in the year of Our Lord one thousand eight hundred and thirty /—/ *Mary Kerr (SS)* /—/ *Signed* sealed published and declared by the above named Testatrix Mary Kerr as and for her last Will and Testament in the presence of us who in her presence and at her request and in the presence of each other have hereunto subscribed our names as witnesses /—/ *Geo Rubbra W^m Tomalin* /—/ *Geo Norman,* } *Clerks to Mr Smyth Sol^r Northampton .//.*

It is my request to my Executor that he pay ten pounds to my Sister Abbey¹⁷ on every 25th of March during her life — *Mary Kerr ./..*

Sheep Street
Northampton
18th february 1831

¹⁷ Ann Abbey née Tompson (1757-1847), sister of the Testatrix, daughter of Susannah née Conant (1719-1794) and George Tompson (1725?- 1787), wife of Robert Abbey (1754-1823).

It is my request that at my death my Brother George Tompsons¹⁸ Portrait by Stavelly may be consigned to George Abbey Esq^{re} Attorney in this Town — *Mary Kerr (SS)* — 17th December 1831 .//.

This is a Codicil to be added to and taken as part of the last will and testament of me Mary Kerr of the Town of Northampton in the County of Northampton Widow and Relict of William Kerr late of the same place Doctor of Physic deceased which bears date the twenty eighth day of June in the year of our Lord one thousand eight hundred and thirty

Whereas in and by my said will I have nominated and appointed John Armytage of East Haddon in the said County Esquire and William Tyler Smythe of Little Houghton in the same County Gentleman Executors of my said Will and whereas the said William Tyler Smyth hath requested me to nominate and appoint some other person in his place or stead Now I do by this Codicil to my said last will and testament revoke and make void the appointment of him the said William Tyler Smyth as one of my Executors and in his place or stead do hereby nominate [institute] and appoint Samuel Percival of the Town of Northampton aforesaid Banker to be one of my *Executors* with the said John Armytage and Henry Barne Sawbridge Hereby for every purpose and in every respect substituting and appointing the said Samuel Percival a Co-Executor of my said last will and testament jointly with the said John Armytage and Henry Barne Sawbridge as fully and effectually to all intents and purposes as if the said Samuel Percival had been originally in and by my said will nominated and appointed one of the executors thereof

In all other things I ratify and confirm my said will and do declare that my said will and Testament In Witness whereof I have hereunto set my hand and seal this twenty second day of April in the year of our Lord one thousand eight hundred and thirty six /—/ *Mary Kerr (SS)* /—/ *Signed* sealed published and declared by the above named Testatrix Mary Kerr as and for a Codicil to be added to and taken as part of her last will and testament in the presence of us who in her presence and at her request and in the presence of each other have hereunto subscribed our names as witnesses /—/ *Geo: Rubbra* /—/ *Tho^s Frost Northampton Accountant* /—/ *Tho^s Bellingham Butler to M^{rs} Kerr* .//.

This is a Codicil to the last Will and Testament of me *Mary Kerr* of Northampton Widow Whereas I have lately purchased from the Reverend Robert Green Feston the next turn or right of presentation in and to the Rectory and Parish Church or Living of Long Marston or Marston Sicca in the County of Gloucester and which said next turn or right of presentation has been conveyed together with the next turn or right of presentation in and to the Rectory and Parish Church of Avon Bassett in the County of Warwick by a certain Grant bearing date the tenth day of this present month of May unto William

¹⁸ George Tompson (1747-?), brother of the Testatrix, son of Susannah née Conant (1719-1794) and George Tompson (1725?- 1787).

Charles Kerr of Northampton Esquire Doctor of Medicine and George Barker of Grays Inn Square in the County of Middlesex Esquire upon certain trusts therein mentioned Now I do hereby give back and bequeath all that the said next turn or right of presentation power of nomination and appointment in and to the said living of Long Marston or Marston Sicca aforesaid and all other the turn rights of presentation power of nomination and appointment and premises which were conveyed for my use and benefit unto the said William Charles Kerr and George Barker under and by virtue of the said Grant so as aforesaid dated the tenth day of may instant into my Grand son The Reverend William ffrederick Kerr his executors administrators and assigns for his and their own use and benefit and in addition to what I have in and by my said will given to him

In Witness whereof I the said Mary Kerr have to this Codicil to my last Will and Testament set my hand and seal this eighteenth day of May in the year of our Lord one thousand eight hundred and thirty seven /—/ *Mary Kerr (SS)* /—/ *Signed* sealed published and declared by the said Mary Kerr as and for a Codicil to her last will and testament in the presence of us who in her presence at her request and in the presence of each other have hereto set our names as Witnesses thereto *W^m Tomalin /—/ Tho^s Billingham /—/ George Roe ././*.

This is a Codicil to be added to and taken as part of the last will and testament of me Mary Kerr of the Town of Northampton Widow which will bears date on or about the twenty eighth day of June one thousand eight hundred and thirty

Whereas I have in to and by my said will given and bequeathed unto Mary Alston the Wife of Justinian Alston Esquire all my Silver Plate commonly used for the dinner service and my copy of Marklins large edition of the Bible in seven volumes Now I do by this Codicil revoke the said bequest and I give and bequeath unto my Niece ffrances Tompson the said Bible and direct that the said plate may sink into become part of and applied in the same manner as the residuum of my personal estate is by my said will directed

In I Witness whereof I have hereunto set my hand and seal the third day of ~~february~~ March in the year of Our Lord one thousand eight hundred and forty /—/ *Mary Kerr (SS)* /—/ *Signed* sealed published and declared by the said Mary Kerr as and for a Codicil to be added to and taken as part of her last will and testament in the presence of us who in her presence at her request and in the presence of each other have hereunto subscribed our names as witnesses /—/ *W^m Tomalin /—/ George Roe ././*.

*In the Prerogative Court of Canterbury
In the Goods of Mary Kerr Widow deceased*

Appeared Personally *William Tomalin* of the Town of Northampton in the County of Northampton Gentleman and Thomas Billingham of the Town of Northampton Collector of rates and jointly and severally made Oath that they respectively knew and were well acquainted with Mary Kerr late of the Town of Northampton Widow deceased for several years before and down to the time of her death and that having during such their acquaintance with the said deceased frequently seen her write and subscribe her name to writings they have thereby become respectively well acquainted with the manner and character of her handwriting and subscription and the deponents having now respectively viewed and perused the paper writings which are hereto annexed and which purport to be and contain two Codicils to the last Will and Testament of the said deceased the first of which said Codicils is contained in the words following namely "It is my request to my Executor that he pay ten pounds to my Sister Abbey on every 25th of March during her life" and is thus subscribed "Mary Kerr" and thus dated "Sheep Street Northampton 18th february 1831" and the second of which said Codicils is contained in the words following namely "It is my request that at my death my brother George Tompson's Portrait by Stavely may be consigned to George Abbey Esq^{re} an Attorney in this Town" and is thus subscribed "Mary Kerr" and thus dated "17th December 1831" and having respectively particularly noticed and observed the said recited signatures or subscriptions and dates appearing to the said Codicils respectively they further jointly made Oath that they verily and in their consciences believe the whole contents of each of the said Codicils respectively and also the said respective signatures or subscriptions and dates appearing to the said Codicils to be all of the own proper handwriting and subscription of the said deceased and the said William Tomalin having now viewed and inspected the further paper writing which is hereto annexed and which purports to be and contain the fifth and last Codicil to the said I will of the said deceased and which said Codicil bears date the third day of ~~february~~ March in the year of our Lord one thousand eight hundred and forty and having noticed and observed that the writed date of the same has been altered by the said recited word "March" being interlined therein over the word "february" which is struck through with a pen in the last line save one of the said Codicil he for himself further made Oath that the said Codicil was duly executed by the said deceased on the said third day of march in the said year one thousand eight hundred and forty in the presence of him the deponent and of George Roe the other subscribed Witness to the same both of whom were present at the same time and subscribed their names thereto as Witnesses and that the said writed alteration in the date if the same was so made thereon by him the deponent previous to the aforesaid execution the said Codicil by the said deceased and the said William Tomalin having now also viewed and inspected the further paper writing which is also hereto annexed and which purports to be the last Will and Testament of the said deceased and which is contained on ten sheets of paper and bears date the twenty eighth day of June in the year of our Lord one thousand eight hundred and thirty and having particularly noticed and observed the word "Tompson" which appears interlined between the twenty third and twenty fourth lines from the top of the second sheet of the same will and the word "Son" which appears interlined between the second and third lines from the bottom of

the third sheet of the same will and also the word "William" which appears written upon an erasure on the twenty fourth line from the top of the sixth sheet of the same will and also the words or names "Easton", "Winchester" and "Hants" which appear written respectively upon erasures in the fifth line from the top of the ninth sheet of the said will and also the words "Coachman and" which appear interlined between the twenty sixth and twenty seventh lines from the top of the same ninth sheet of the said will and also the words "above named" which appear interlined between the first and second lines of the attestation written upon the tenth sheet of the said will he for himself further made Oath and saith that the said will was prepared for execution by the said deceased in the Office of Mr William Tyler Smith then a Solicitor at Northampton aforesaid but who is since deceased and in whose office this deponent was at such time a Clerk and that he this deponent is one of the subscribed witnesses of the execution of the said will by the said deceased and that he well knows that the whole of the said interlineations and words appearing written upon erasures in the said will as before written were so made and written in the said will by the said deceased /—/ *W^m Tomalin* /—/ *Tho^s Bellingham* /—/ On the eighth day of January 1842 the said William Tomalin and Thomas Bellingham were duly sworn to the truth of the foregoing affidavit by virtue of the commission hereto annexed before me /—/ *W^m Bultin Commissioner* ./.

On the 22nd January 1842 Admon (with the will and five Codicils annexed) of the Goods Chattels and Credits of Mary Kerr late of the Town of Northampton in the County of Northampton Widow deceased was granted to John Manners Kerr Esquire the Residuary Legatee for life named in the said will having been first sworn by Commission duly to administer. John Armytage and Henry Barne Sawbridge Esquires the Executors named in the will and Samuel Percival Esquire the Executor named in the third Codicil having respectively renounced the Probate and execution of the said Will and Codicils (as by Acts of Court appears) ./.

On the 17th June 1843 Admon with the Will and 5 Codicils annexed of the Goods Chattels and Credits and hereditals of Mary Kerr late of the Town of Northampton in the County of Northampton Widow deceased left unadmin^d by John Manners Kerr Esq^r deceased whilst living the Residuary Legatee for life named in the said Will was granted to John James Kerr Esquire the Residuary Legatee [substituted] in the said Will having been first sworn by Comon duly to administer John Armytage and Henry Barne Sawbridge Esq^{rs} the Executors named in the said Will and Samuel Percival Esquire the Executor named in the third Codicil having heretofore renounced the probate and execution of the said Will and Codicils X^d

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