

Will of James Foxcroft 1569 (Borthwick Institute, V18, F211)

Summary

Testator: James Foxcroft of Sowerby
 Executors: wife Elizabeth, son Michael
 Supervisors: brother John Foxcroft, Robert Prestley, Nicholas Feney, John Hanson
 Date: 3 November 1569, proved 30 June 1570
 Witnesses: William Feney of Feney?, Thomas Cliffe, Thomas Woodhead, John Foxcroft, John Hanson and others

Will:

- £4 yearly to sons Richard & Daniel according to a deed
- Manor of Longfield enfeoffed to sons Michael and George
- 2 messuages called Shay in town of Longfield to sons Daniel and Samuel
- 2 acres in Sowerby to son Samuel
- goods divided into 3 parts
- 1st part: to wife Elizabeth
- 2nd part: 110s to servants
- 13s 4d to goddaughter Anne Meres
- beds to son Thomas, and after he dies to his son Robert
- rest to daughters Jennet and Sara equally
- 3rd part: equally among children Michael, George, Richard, Danyell, Samuel, Jennet, and Sara
- daughters only up to £100 each in bedding, pewter, pans, pots, wood vessels and napkins, etc. out of their share of 2nd and 3rd parts

In the name of God Amen

1. The third day of November in the year of our lord God 1569 and in the eleventh year of the reign of our sovereign Lady Elizabeth by the grace of God Queen of England France and Ireland defender of the Faith
2. I James Foxcroft of Sourbie in the diocese of York of whole mind and perfect memory notwithstanding ? and sickness of body do make ordain and declare this my present testament and last will in form following wherein
3. First and principally I commit me unto almighty God and to his mercy believing without any doubt or mistrust that by his grace and the merits of Jesus Christ and by the virtue of his passion and of his resurrection? I have and shall have remission of my sins and resurrection of my body and soul to everlasting life according as it is written I believe that my ? ? and that in the last days I shall rise out of the earth and in my ? shall ? saviour and this my hope is laid ? in my ?
4. As touching the burying of my body I commit it to the earth to be buried in the parish church or church garth of Halifax among the bodies of other faithful Christians there remaining at the discretion of my executors and I will that the vicar of the parish church of Halifax for the time being shall have his mortuary of my goods according to the late Act provided by Parliament for the payment of mortuaries
5. Item whereas I have by one deed dated the first day of this November instant given and granted unto Richard Foxcroft and Danyell Foxcroft my younger sons one annuity or yearly rent of four pounds to go forth and yearly to be provided of my manor of Langfeld with the appurtenances and of seven messuages and all the lands tenements and

hereditaments to and with the same demised or occupied with appurtenances in the same Langfeld to have and perceive the same annuity or yearly rent of four pounds to the said Richard Foxcroft and Danyell Foxcroft my sons their heirs and assigns in the feat of St. Martin in winter and Pentecost by even portions forever with a clause of distress for non-payment thereof as by the same deed more at large appears The tenor of which said deed follows in these words: Omnibus ppe fidelibus as quod ...

6. The which yearly rent of four pounds I the said James Foxcroft do by this my present testament devise and bequeath to the said Richard and Danyell my sons and their heirs forever and the said deed and the execution of the possession thereof I so also confirm ratify and approve as much as in my lies to the same Richard and Danyell my sons and their heirs according to the tenor and intent and meaning of the same deed and grant thereof to them made and executed
7. And also whereas I the said James Foxcroft by one other my deed indented dated the second day of this November instant have enfeoffed John Foxcroft Robt Prestley Adam M?nes and John Hanson and their heirs of in and upon the manor of Langfeld with the appurtenances and of in and upon all and singular my messuages houses buildings cottages milme?lands tenements meadows closes pastures rents reversions wards marriages releases escheats and the hereditaments whatsoever with all and singular their appurtenances in Langfeld Markinholmes? Risworth and Wursher? In the county of York in whose occupations ? then be to have and hold the said manors messuages houses buildings cottages milme?lands tenements and all and singular other the ? ? ? unto the said John Foxcroft Robt Prestley Adam M?nes and John Hanson and their heirs to all such uses intents and purposes as in one second indenture to the said deed annexed follows in these words: Sciat...
8. The intent of this present deed of feoffment to the which this second indenture is annexed and the will of me James Foxcroft ? in the same is such that the said John Foxcroft and other his enfeoffees and the heirs of the survivor of them ? ? ? stand and be seized of and in the said manor of Langfeld with ? ? and of and in all and singular messuages buildings cottages lands tenements meadows closes pastures and hereditaments with all and singular their appurtenances
9. In the said deed indenture specified to the use of me the said James Foxcroft any my assigns for and during my natural life without impediment of any waste And after the decease of me the said James Foxcroft then I will my said feoffees and their heirs and the heirs of the survivors of them shall be and stand ? of and in the said manor of Langfeld with appurtenances and of and in all and singular those seven messuages houses buildings cottages milne lands tenements meadows closes woods pastures rents reversions wards marriages releases escheats ? ? ? ? wayte ? and hereditaments with appurtenances in Langfeld mentioned in the said deed indentide to this codicil annexed which are now in the several occupations of me the said James Foxcroft Richard Crosley Edward Crosley the elder Richard Gibson Edward Crosley younger Robt Crosley Edward Shakilton and Richard Mitchell or their assigns to the use and behoof of Michael Foxcroft and George Foxcroft my younger sons and the heirs of their several bodies lawfully begotten and to be begotten and for default of such issue then to the use of Richard Foxcroft Danyell Foxcroft and Samuel Foxcroft brothers of the said Michael and George and the heirs of the several bodies of the said Ric Foxcroft Danyell and Samuel lawfully begotten and for default of such issue then to the use of the next heirs of me the said James Foxcroft forever

10. And also I will that the said John Foxcroft and other his cofeoffees and their heirs and the heirs of the survivors of them shall immediately from and after the day of the death of me the said James Foxcroft stand and be seized of and in two messuages called Shaye and all the lands tenements meadows woods closes and pastures to the same now used occupied or let to for me with appurtenances in Mankin?ooles in the township of Langfeld aforesaid the which are now in the occupation of Christopher Crosley and Margaret widow or their assigns and of and in one messuage and all the houses buildings lands and tenements meadows closes pastures and other the premises with appurtenances in ? in the occupation of Edmund Crosley and – Chapman or their assigns to the use of Richard Foxcroft one of my younger sons and the heirs of his body lawfully begotten and for default of such issue to the use of Danyell Foxcroft and Samuel Foxcroft my youngest sons and the heirs of their several bodies lawfully begotten and for default of such issue to the use of the said Michael and George Foxcroft my sons and the heirs of their several bodies lawfully begotten and for default of such issue to the use of the right heirs of me the said James Foxcroft forever
11. And moreover I will that the said John Foxcroft and other his coefferes and their heirs and the heirs of the survivor of them shall and immediately from and after the day of the death of me the said James Foxcroft shall stand and be seized of and in the said messuage called Bothe and of and in all the houses buildings lands tenements meadows closes woods pastures and hereditaments to and with the same messuage now demised used annexed or lettme? To for me with appurtenances in Rishworth mentioned in the said deed and now in the occupations of Rauf Bothomley and George Bothomley or their assigns to the use of Danyell Foxcroft one of my younger sons and the heirs of his body lawfully begotten and for default of such issue to the use of the right heirs of me the said James Foxcroft forever
12. Provided and nevertheless except that it shall fortune me the said James Foxcroft to be in life in the day of Saint Andrew the Apostle the which shall be an fall in the year of our lord God a thousand five hundred seventy three that then and from thence forth the said John Foxcroft and other his cofeoffees and their heirs and the heirs of the survivor of them shall from then ? ? stand and be seized of and in the manor with appurtenances in Langfeld and of and in all and singular and all other aforesaid messuages houses buildings cottages lands tenements hereditaments and all other the premises in the said deed of feoffement mentioned with appurtenances in Langfeld Mankinhooles Rishworth and Wur?on? and any part thereof to the only use and behoof of me the said James Foxcroft and of my heirs and assigns forever and to no other use purpose or intent the said deed of feoffement the present codicil or any article clause matter or sentence therein contained to the contrary notwithstanding in the said deed indented mentioned and lyney? And T?eason thereof made to the uses and intents in the said codicil expressed and any clause matter sentence and article therein contained I the said James Foxcroft so by this my present testament and last will devise confirm ratify and approve to the said John Foxcroft and other his assigns and their heirs so much as in me lies according to the tenor tone intent and meaning of the same deed and codicil
13. Item I bequeath to Samuel Foxcroft my son and to his heirs forever two acres of land and meadow with buildings thereupon with appurtenances in Sowerbie now in the tenure of John Lome and which I late had in fee of the gift of Sir Thomas Gargrave knight and Henry Savile esquire to have and to hold the same two acres with buildings thereupon

with appurtenances to the said Samuel Foxcroft my son his heirs and assigns to the proper use and behoof of the said Samuel and of his heirs and assigns forever

14. Item my debts paid and funeral expenses made I will that my goods shall be divided into three equal and just parts whereof I will that Elizabeth my well-beloved wife shall have one third part thereof in full satisfaction and payment of all her interest right and title in all my said goods and chattels
15. and out of one other third part thereof I bequeath unto my servants that is to say to my cousin William Foxcroft 20s to Margaret Foxcroft 20s to Margaret Hervison 20s to Edward Prolefelde 10s to John Lome 10s to Isabel Hawlyworth 10s to Mathew Bitterworth 10s to Leonde Brigg 10s to Henry Pollend 10s and to Anne Meres my goddaughter 13s 4d And I bequeath the use and possession of three stand beds which I have appointed unto Thomas Foxcroft my son for his life and after his death the use and possession to be and remain to Richard Foxcroft son and heir of the same Thomas for his life so to the heirs of the same Richard forever as heirlooms and the residue of that third part I do freely give and bequeath to Jennet Foxcroft and Sara Foxcroft my daughters equally to be divided betwixt them
16. And the other third part of all my said goods I will that Michael Foxcroft George Foxcroft Richard Foxcroft Danyell Foxcroft Samuel Foxcroft Jennet Foxcroft and Sara Foxcroft my said children shall have equally divided amongst them in full payment of their filial and child's portions Provided nevertheless that at the appraising and division of my said goods I will that the said Elizabeth my wife Jennet and Sara my daughters shall have in their parts after the rent they shall be ? to all my bedding pewter pans potsnappware and wood vessels within my house and that the said Micheal George Richard Danyell and Samuel my sons shall have all the residue of my household stuff after the rest the same shall be ? my wife's third part excepted Provided also that if my goods shall extend so that the said Jennet and Sara my daughters shall and may have two hundred pounds (that is to say) either of them one hundred pounds with two parts of my said beddings pewter pans pots wood vessels naxerieware and either of them two ? that then they shall hold themselves and either of them contented with the same in full payment and satisfaction of their and either of their sole child's portions and the residue of my said household stuff that shall remain of my goods over and above the said two hundred pounds the said two parts of all the said bedding pewter pans pots wood vessels napperieware and senn? Arks? Beside my wife's said third part to go to the said Michael, George, Richard, Daniel and Samuel my sons equally to be divided amongst them, and bequest ? or other gift before mentioned to the contrary notwithstanding Provided also that if the said Jennet and Sara my daughters or either of them do not in their marriages follow the advice and counsel of my executors and supervisors hereafter named in this my present testament or the most part of them Then I will that either or both of them as shall so do shall have no more of my goods nor other part thereof but only their child's portion that ? with such like part as their other ? shall have, any gift or bequest above mentioned to the contrary notwithstanding
17. And of this my present testament and last will I do ordain and make the said Elizabeth my wife and Michael Foxcroft my son my sole executors trusting them and either of them with the due execution of the same

18. And of this present testament and last will I do also make and constitute John Foxcroft my brother Robert Prestley Nicholas Feney? And John Hanson? Supervisors to correct my executors if they or either of them shall be negligent ? my present testament and last will
19. The which I have made and declared in the presence of William Feney of Feney? Thomas Cliffe Thomas Woodhead the said John Foxcroft and the said John Hanson with others

Proved 30 June 1570