**BARLOW** Jane

TNA PROB 11/1353/104

#### Will date: 21 September 1797 Probate date: 3 February 1801

In the Name of God Amen I Jane Barlow of Ingleton in the West-Riding of the County of York Spinster do give and bequeath to my much honoured Father John Marlow of the Township and County aforesaid all the Interest arising from my share of the Lands and Money left by my late uncle James Redmayne Esqr. of Grays Inn London for his natural life and after his decease the Principal and Interest to go to my much beloved Brother Richard Procter Barlow his Heirs Executors Administrators or Assigns and I do hereby declare this to be my last Will and Testament In Witness whereof I have this twenty first day of September in the year of our Lord one thousand seven hundred and ninety seven set my Hand and Seal – Jane Barlow (...) \_ Signed Sealed Published & declared by the said Testatrix Jane Barlow as and for her last Will and Testament who at her request in her presence and in the presence of each other have subscribed our names as Witnesses thereto \_\_\_\_\_ Mary Morton \_\_\_\_\_ Thos. Toulmin \_\_\_\_\_ Wm. Marriner // \_\_\_\_\_

On the third day of February in the Year of our Lord One thousand eight hundred and one Administration with the will annexed of all and singular the Goods Chattels and Credits of Jane Barlow late of Ingleton in the County of York Spinster deceased was granted to Richard Procter Barlow Esquire the lawful Attorney of John Barlow the natural and lawful Father of the deceased for his use and benefit now residing at Ingleton aforesaid having been first sworn duly to Administer no Executor or Residuary Legatee being named in the said Will. // Exd

## CARR Thomas TNA PROB 11/1422/219

## Will date: 16 February 1805 Probate date: 21 March 1805

I Thomas Carr of Ingleton near Settle in the County of York Slater and Plaisterer do hereby make this my last will and Testament in manner following (that is to say) First I Will and direct that all my just Debts Funeral and Testamentary Expenses be fully paid and satisfied by my Executor hereinafter named next I will and direct that all monies or Bills in the hands of or due from my Son Thomas Carr Junr (and my Daughters Betsy Green and Nancy Greenwood or their husbands) shall be brought into hotchpot and then with the Copyhold Estate at Ingleton aforesaid belonging to me (which I desire may be sold and converted into Money as soon after my Decease as conveniently may be and all other property whatsoever and wheresover belonging to me) be equally divided among my said Son and two Daughters share and share alike and I hereby nominate constitute and appoint my said Son Thomas Carr Junr Sole Executor of this my will hereby revoking all former and other wills by me at any Time heretofore made and declaring this only to be my last will and Testament as witness my hand and seal this sixteenth day of February in the year of our Lord one Thousand Eight hundred and five Thomas Carr L(ocus) S(igilli) Signed sealed published and declared by the said Testator As and for his last will and Testament in the presence of us in his presence and in the presence of each other the Interlineation being first made / \_\_\_\_ George Eadon /-/ Edmd Rawlinson /-/ Robert.. Maskall ///~

This Will was proved at London on the Twenty first Day of March in the year of our Lord one

Thousand Eight hundred and five before the worshipful Charles Coote, Doctor of Laws Surrogate of the Right Honorable Sir William Wynne Knight Doctor of Laws Master Keeper or commissary of the Prerogative Court of Canterbury lawfully constituted by the oath of Thomas Carr the Son of the deceased and the sole Executor named in the said will to whom administration was granted of all and singular the Goods, chattels and credits of the said deceased having been sworn only to administer ///~ Exd

#### FAIRBANK John 1730 TNA PROB 11/638/428

## Will date: 11 July 1730Probate date: 28 July 1730

T(estamentu)m Johannis Fairbank sicez (?)

In the Name of God Amen I John Fairbank of Ingleton in the County of York yeoman being of sound mind memory and understanding praised be Almighty God for the same doe make my last Will and Testament in manner and form following (that is to say) First and principally I Commend soul (sic) into the hands of Almighty God who gave it trusting through his mercy and the Meritts and mediation of my blessed saviour Jesus Christ to Obtain pardon and forgiveness of my sins and my body I Committ to the Earth to be decently Interred att the discretion of my Executors hereinafter named and as for such Temporall Estate as it hath pleased God to bless me with I dispose thereof in manner following (that is to say) Imprimis I give and bequeath to my loving kinsman Jeffery Fairbank the sume of ten pounds Item I give and bequeath to my good friend James Thornbeck the sume of ten pounds in whose hands I have deposited a Note of hand for seventy pounds payable to me or my order att witsuntide next which said Note my Will and desire is may forthwith after my decease be delivered to my Executors or one of them hereinafter named Item I give and bequeath to George Sewart of Ingleton aforesaid the sume of ten pounds Item I give and bequeath to Mary Harrison daughter of John Harrison of Chiswell Street London Victualler the sume of twenty pounds Item I give and bequeath to my good friend James Booker the like sume of twenty pounds all which said Legacies and bequests I doe hereby Will and desire may be paid to the respective persons above named by my Executors within one (missing word) after they shall receive the money due on the before menconed Note and not sooner Item all the rest and residue of my Estate Goods and Effects whatsoever after payment of my Just debts Legacies and Funerall Expences I give and bequeath to the said John Harrison and James Booker to be equally divided between them share and share alike and lastly I doe hereby nominate constitute and Appoint the said John Harrison and James Booker to be Joint Executors of this my Will hereby revoking all former Wills by me att any time heretofore made and do declare this present writing to be and containe my last Will and Testament In Witness whereof I have hereunto sett my hand and seale this Eleventh day of July in the year of our Lord 1730. the mark of John Fairbank. Signed sealed published and declared by the above named Testator John Fairbank as and for his last Will and Testament in the presence of us who in the presence of the said Testator and at his request have hereunto subscribed our names in Testimony thereof Sam(ue)ll Aldridge. John Washington :

Probatum fuit hujusmodi Testamentum apud London vicesimo Octavo die mensis Julij anno domini Millesimo Septingesimo Tricesimo coram Venerabili viro Gulielmo Bramston Legum doctore Surrogato Venerabilis et Egregij viri Johannis Bettesworth Legum doctoris Curiae Prerogativae Cantuar Magistri Custodis sive Commissarij legitime constituti Juramentis Johannis Harrison et Jacobi Booker Executorum in dicto Testamento nominat Quibus Commiss... fuit administratio Omnium et Singulorum bonorum jurium et Creditorum dicti defuncti de bene et fideliter administrando eadem ad Sancta dei Evangelia Jurat: Exd.

#### GREENWOOD William TNA PROB 11/2261/389

# Will date: 26 March 1855First Codicil date: 28 June 1856Second Codicil date: 18 June 1857Probate Date: at York 13 November 1857 andat London 21 December 1857Probate Date: at York 13 November 1857 and

This is the Last Will and Testament of me William Greenwood of Ingleton in the County of York Gentleman made and published the twenty sixth day of March one thousand eight hundred and fifty five hereby revoking all former wills codicils and testamentary dispositions by me made First I order and direct all my just debts funeral and testamentary expences to be paid by my Executors out of my personal estate Then I give devise and bequeath all my real estate and chatttels real and also all my personal estate and effects whatsoever and wheresover unto William Hartley of Catterall Hall near Settle and John Himsworth of Settle both in the County of York Gentlemen their heirs executors administrators and assigns Nevertheless Upon the trusts and for the ends intents and purposes following that is to say Upon trust to receive and take the whole of the rents interest dividends and profits thereof and thereout to pay to my wife an Annuity of four hundred pounds a year during her life if she so long continues my widow but not otherwise payable half yearly the first half yearly payment to be made immediately after my death and the next payment six calendar months after my death and to continue payable half yearly during her life or widowhood and also to pay thereout unto Sarah Jane Sutton of Buxton the widow of Allan Sutton deceased formerly Sarah Jane Greenwood Bennett Spinster the daughter of Mary Bennett an Annuity of Twenty pounds a year during her life for her sole and separate use independently of the debts control or interference of any husband she may hereafter marry and so that she shall have no power to sell alien or anticipate the same and her receipt to be notwithstanding coverture an effectual discharge for the same I give and bequeath to each of my trustees and Executors the sum of One hundred pounds each for the care and trouble they will have in executing the trusts of this my will and upon trust to apply so much of the residue of the said rents interest dividends and proceeds as they my said trustees shall think fit in the maintenance and education of all my children now born or thereafter to be born if more than one or my only child if only one and to accumulate the surplus until my children respectively attain the age of twenty one years And on my daughter Adda\* attaining her age of twenty one years I give devise and bequeath unto her all that my messuage tenement or dwellinghouse with the outbuildings garden and the close of land behind the same now in the occupation of Jane Illingsworth situate at Spring Gardens in the parish of Buxton in the county of Derby To hold to her her heirs ^executors^ administrators and assigns for ever or for all my estate and interest therein And in case my said daughter Adda shall die under the age of twenty one years without leaving lawful issue at her death then I give devise and bequeath the said messuage and premises at Buxton aforesaid unto my daughter Jennet To hold to her her heirs executors administrators and assigns for ever or for all my estate and interest therein I give devise and bequeath unto my said daughter Jennet on her attaining the age of twenty one years all those closes inclosures and parcels of land called Cold Springs with the Hay shed shippon and other buildings and appurtenances to the same belonging now in the occupation of the said Jane Illingsworth situate in the Parish of Fernilee in the said County of Derby To

hold to her her heirs executors administrators and assigns for ever or for all my estate and interest therein and in case my said daughter Jennet shall die under the age of twenty one years without leaving lawful issue living at her death Then I give devise and bequeath the said closes of land and premises at Furnilee aforesaid unto my said daughter Adda To hold to her her heirs executors administrators and assigns for ever or for all my estate and interest therein And in case both my said daughters shall die under the age of twenty one years and without leaving lawful issue living at their respective deaths Then I give devise and bequeath the whole of my said property at Buxton and Furnilee aforesaid unto my Son William Norman Greenwood To hold to him his heirs executors administrators and assigns for ever or for all my estate and interest therein And in case all my said children shall die under the age of twenty one years and without leaving lawful issue living at their respective deaths I give devise and bequeath the whole of my Property at Buxton and Furnilee aforesaid to my next youngest child in case another child shall be born his or her ^heirs^ executors administrators and assigns for ever and if no such child shall be born I give devise and bequeath the same to my own right heirs for ever And upon trust on my said children now born or hereafter to be born respectively attaining the age of twenty one years to pay and divide the clear surplus of my estate and effects and the accumulations thereof unto and equally amongst my children now born or hereafter to be born if more than one equally on their respectively attaining twenty one years of age and if only one child attains that age then to such only child And I declare that in case any of my said children should die under age the shares of him her or them so dying and all surviving and accruing shares shall go to the survivors or survivor of them my said children And in case all my children should die under the age of twenty one years and without leaving lawful issue living at their respective deaths Then and in that event I give my Wife five thousand pounds in case she is then unmarried but not otherwise And I leave my residue undisposed of but I do not intend it to go to my trustees and Executors And I declare that the provision hereby made for my said wife shall be in lieu and full satisfaction of all dower thirds and freebench\* which at common law or by any othet custom she can shall or may or otherwise might claim or be entitled to have in from or out of any of the lands tenements or hereditaments of which I have been or now am or shall at any time hereafter be seized for any estate of inheritance or to which freebench is incident and that she shall if requested at the cost of the person requiring the same release the same Lands tenements and hereditaments and my trustees in respect thereof from all right and title thereto Provided always And I hereby declare that the scripts in writing of the said William Hartleyand John Himsworth or the survivor of them or the heirs executors or administrators respectively of such survivor or other the trustees or trustee for the time being of this my Will for any sum or sums of money payable to them or him under or by virtue of any of the powers and authorities hereinbefore contained or otherwise in the execution of the truts of my Will shall be effectual discharges for the same respectively or for so much thereof respectively as in such scripts shall be expressed or acknowkedged to be received and that the person or persons to whom the same shall be given his her or their heirs executors or administrators or assigns shall not afterwards be answerable or accountable for any loss or misapplication thereof with full powers for my said Trustees or Trustee in their or his discretion tom refre to arbitration or arbitration and umpirage any dispute concerning any debts or credits owing by or belonging to or claimed to be owing by or belonging to my estate And also to compound for any monies due or owing to my estate without being answerable for any loss in respect thereof and to pay any debt or debts claimed to be owing by me notwithstanding the want or defect of strict legal evidence or title in support thereof and likewise to sell and convert into money all other my residuary personal estate with power to invest in the funds or on mortgage or on old established Railways or Canals or to continue my money on the security or securities on which the same shall happen to be invested whether the same shall be in

Canals Railways Bank Shares or any other manner and which they are hereby authorized to do during such time as they or he shall think fit and whatever may be the nature of such security and to vary and transpose the same from time to time as they shall think fit Provided also And I hereby further declare that it shall be lawful for my said Trustees or Trustee for the time being at any time or times hereafter to raise at their discretion all or any part of the then expectant share of any of my children or any person under or by virtue of any of the trusts powers or authorities herein contained and pay and apply the same in putting them out to professions or trades or otherwise for his her or their advancement or benefit as they or he the said trustees or trustee shall think fit Provided always that no such advancement shall be made of the capital of any such monies funds or securities whereof the income shall be for the time being be payable to any person for her or his life under any of the trusts powers or authorities aforesaid without her or his consent in writing I declare that if any person hereby named or hereafter being a Trustee of my Will be now dead or should die or go to reside or be resident out of or be absent for a year from England and Wales or suffer his estate or effects to become vested in Assignees in Bankruptcy or Insolvency or make any Assignment for the benefit of his Creditors or disclaim neglect refuse or be incapable to perform or desire to retire from the office it shall be lawful for the disclaiming or retiring trustee or trustees being competent and willing to exercise this power jointly with the continuing trustees or trustee (if any) or if no trustee disclaim or retire and be competent and willing to exercise this power for the other trustees or trustee (being competent) or in case of the death of an only Trustee for susch Trustee by his or her will or in default thereof and if there be no such trustee for the acting executors or administrators of the last surviving or continuing trustee to appoint by writing attested by one witness a Trustee in the room of such person And that it shall not be necessary to supply several vacancies at the same time Nevertheless it is my desire that so far as may be consistent with convenience there be always two Trustees of my Will and that every instrument purporting to be made in pursuance of the foregoing power and not appearing on the face of it to be invalid shall though not so made be valid for all purposes other than the exoneration of parties to the making thereof from responsibility And that every trustee appointed under this power shall immediately have all the powers of a trustee although the trust property be not then vested in him and that the acting executors or administrators of an only trustee may exercise all the powers of such trustee Provided also and I further declare that the Trustees for the time being of this my Will shall not be answerable or accountable the one for the others or other of them or for the acts deeds defaults receipts payments or disbursements of the others or other of them or be charged or chargeable with or accountable for any further or other sum or sums of money or other trust property and effects than what shall actually come to the hands of and be received by them respectively notwithstanding they or any or either of them shall give or sign or join or consent? in giving or signing any receipt or receipts for the sake of conformity And that they or any or either of them shall not be answerable or accountable for the insufficiency defect or failure of any Banker Broker Auctioneer Agent or other person in whose hands and part or parts of the aforesaid trust monies or other property shall or may at any time or times hereafter happen to be by them or any or either of them placed or lodged for safe custody nor who may be allowed to receive the same in the course of the execution of the trusts of these Presents or for any loss or damage which shall or may happen or arise of or to all of the aforesaid trust estates monies effects and premises or the proceeds or produce thereof or of any part thereof provided the same shall happen without any wilful neglect or default on the part of such trustees respectively And especially I hereby declare it to be my will and meaning that in case and as often as any trustee for the time being of this my Will shall pay over to or cause or permit any co-trustee to receive any sum or sums of money in order and to the intent that the same may be applied by such co-trustee for the purposes of this my Will it

shall not be incumbent on the trustee making such payment or causing or permitting such receipt to see or so enquire into the application of the said monies or to ascertain the truth or accuracy of any representations made by his co-trustee concerning the same nor shall the Trustee who shall make default in any of the particulars aforesaid be responsible for any loss which shall arise to the said trust estate by reason thereof Nevertheless I declare that this exemption from legal responsibility shall not abridge or affect the right of any trustee to inquire into the transactions of his cotrustee or cotrustees And I feel convinced that it will not abate the friendly circumspection of my trustees And I declare that it shall be lawful for every trustee for the time being of this my Will from time to time and at all times to retain to and reimburse himself respectively and to allow to his cotrustees or cotrustee by and out of the said trust estate monies and premises or the income or proceeds thereof all such loss costs charges and expences as they or any or either of them shall or may sustain pay expend or be put unto by reason of the trusts hereby in them respectively reposed or the management or execution thereof or otherwise relative thereto and shall have a reasonable allowance fo rtheir care and trouble herein And I especially declare that the said trustees for the time being shall be allowed their full costs as between Attorney and Client an dthat every Trustee who may happen to be of the profession of an Attorney or Solicitor or Auctioneer or Appraiser shall be entitled to make the usual professional charges for advice given and business transactes and done for and on the behalf of my trust estate any rule of equity to the contrary notwithstanding I give and devise unto the said William Hartley and John Himsworth a;ll such real estates as are now vested in me as mortgagee or trustee To hold the same unto and to the use of the said William Hartley and John Himsworth their heirs and assigns for ever or for all my estate and interest therein Subject nevertheless to the equities affecting the same respectively and to the intent that such of the trusts and purposes affecting the said trust premises as at the time of my decease shall be subsisting may be carried into effect And I appoint the said William Hartley and John Himsworth joint Trustees and Executors of my Will and my said Executors and the survivor of them Guardians of my children In witness whereof I have to this and the five preceeding sheets of paper set my hand the day and year first herein written – William Greenwood – Signed by the said William Greenwood the Testator as and for his last Will and Testament in the joint presence of us present at the same time who in his presence at his request and in the presence of each other have hereunto subscribed our names as witnesses - George Hartley Sol. Settle --- John Sellers Surgeon Ingleton

I William Greenwood of Ingleton in the County of York Gentleman declare this to be a Codicil to a will formerly made by me dated on or about the twenty sixth day of March One thousand eight hundred and fifty five and I hereby confirm the same in all particulars except in so far as any part thereof may be revoked or altered by the present Codicil I give and devise to my dear Wife All that my messuage or dwellinghouse with the appurtenances thereunto belonging now in the occupation of Mrs Nicholson situate in New Street Lancaster To hold to her her heirs executors administrators and assigns for ever in addition to the provision made for her in my will I give and bequeath unto my kind friend John Sellers Surgeon of Ingleton the sum of five hundred pounds I give and bequeath to Moses Hollies now living with me the sum of One hundred pounds And I give and bequeath the like sum of One hundred pounds to Dorathy Howson these legacies I wish my trustees and executors to pay within twelve months after my decease And whereas by my Will the residue is left undisposed of in case all my children should die unedr the age of twenty one years without leaving lawful issue This part of the Will I revoke and in the event of all my children dying without attaining the age of twenty one years or leaving lawful issue then and in that case I give Five hundred pounds to the Ingleton National School to be applied as the Clergyman and Chapelwardens of the said Chapelry for the time being shall think best and all the rest and remainder I give and bequeath unto my dear Wife her heirs executors administrators and assigns And in addition to the two Trustees and Executors named in my will I constitute and appoint The Reverend Richard Denny of Ingleton a Co-trustee and Co-Executor with them and I give unto him the like remuneration and authority in all matters connected with the trust as I have in my will given unto them And I constitute these my three Trustees and Executors Guardians of my chuildren in conjunction with my wife In witness whereof I the said William Greenwood have to this my Codicil set my hand this twenty eighth day of June in the year of our Lord one thousand eight hundred and fifty six – Willm. Greenwood – Signed by the Testator William Greenwood in the presence of us present at the same time who have hereunto subscribed our names as witnesses in thhe presence of the said Testator and of each other – William Hodgson Farmer Ingleton – James Tomlinson, Farmer Ingleton.

A second Codicil to the Will of William Greenwood of Ingleton in the County of York Gentleman made and published the eighteenth day of June one thousand eight hundred and fifty seven whereas my Brother John Greenwood late of Ingleton aforesaid made his will dated the twenty seventh day of June one thousand eight hundred and forty three as follows

"I John Greenwood of Ingleton in the Parish of Bentham and County of York do make this my last Will and Testament as follows I give and bequeath to my Niece Jenny the wife of Joseph Hunter for her sole use and the use of her children the sum of five hundred pounds I also give and bequeath the sum of Five hundred pounds to my Niece Harriet Brown the wife of Richard Brown for her sole use and the use of her children I give and bequeath to my Niece Margaret the wife of John Thomas Coates the sum of One hundred pounds I also give and bequeath the like sum of One hundred pounds to the said John Thomas Coates I also give to my Nephew Christopher Jackson Greenwood the sum of One hundred pounds And I give to the three children of my Niece Ann Holden late wife of James Holden the sum of One hundred pounds each to be paid when they arrive at the age of twenty five years I give and bequeath all my houses and lands and (sic) Ingleton ^and^ elsewhere whatsoever to my Brother William Greenwood now of Buxton in the County of Derby for the term of his natural life and to his lawful male child if he should have any such born to him in lawful wedlock but if he have no such lawful male child or if such child should die leaving no male issue lawfully born then I give and bequeath all the said houses and lands in Ingleton Moorgarth or wheresoever to Joseph Hunter of the Wenning John Thomas Coates and Richard Brown of Ingleton In trust for the use of Joseph Hunter the son of the aforesaid Joseph Hunter and Jenny his wife and my will is that they the said Trustees do keep the said houses and lands in good repair and that they do after paying all reasonable expences out of the rents and receipts they put the remainder to the best use they can at interest or otherwise for the benefit of the said Joseph Hunter the younger and my will is that the said Trustees shall pay the sum of Five hundred pounds to Richard Brown the son of the said Richard Brown and harriet his wife when he shall be twenty five years of age and my will is that the aforesaid Joseph Hunter the younger do take the name of Greenwood next after Hunter when he comes into possession of the said houses and lands which I will that he do not until he be twenty fiv eyears of age And my will is that if it should so happen that Joseph Hunter the younger die before he be twenty five years of age without any male child then alive born in lawful wedlock then I will that the said Richard Brown the younger shall have the said houses and lands and shall pay the sum of One thousand pounds to Jenny Hunter my Niece or her children share and share alike I also give and bequeath all the monies securities for money plate linen and household furniture cattle carriages and horses whatsoever to my Brother William after paying all my just debts and funeral expences but my will is that the said plate

books linen and furniture shall be and remain in the house at Ingleton as heir looms for the use and benefit of whomsoever it may happen to come into lawful possession of according to this my will and my will is that if Richard Brown the younger shall happen to come into possession of the said houses and land as aforesaid that he do take the name of Greenwood after Brown. My will is that my said Brother William Greenwood shall pay all the legacies mentioned in this my will out of my ready money if there be enough for that purpose except the sum of Five hundred pounds to Richard Brown or One thousand pounds to Jenny Hunter and family as it may happen but if it should so happen that I buy land with my ready money then in that case I charge the the lands and houses with so much as may be short of paying the said legacies I make my brother William Executor of this my will I declare this to be my last will and Testament revoking all former wills made by me dated this twenty seventh day of June One thousand eight hundred and forty three. As witness my hand and seal John Greenwood Edmd F Lodge – Ann Lodge witnesses" –

And whereas I have made my will dated the twenty sixth day of March One thousand eight hundred ^and fifty five and a Codicil thereto dated the twenty eighth day of June One thousand eight hundred^ and fifty six and I have taken no notice in my said will or Codicil of the charge made by my said Brother's will on the houses and lands thereby devised to me in terms for my life of what might be short of paying the legacies therein named and the money of my said brothet fell far short of paying the legacies named in his will he being owing to purchases of Land considerably indebted at the time of his death at the Bank and I as his Executor have since his death paid out of my own money the following legacies given by the said will to wit To Jenny Hunter five hundred pounds. To Harriet Brown five hundred pounds. To Margaret Coates one hundred pounds. To John Thomas Coates one hundred pounds. To Christopher Jackson Greenwood one hundred pounds. To James Holden one hundred pounds and to Christopher Holden one hundred pounds And I shall have to pay to Ann Eliza Holden her legacy of one hundred pounds on her attaining twenty five years of age all which are by my said Brother's will charged upon the premises devised to me in terms for my life but as to which premises I am advised that under that Will I am probably tenant in tail thereof and that if I am not so my son is entitled thereunto in fee simple in remainder expectant on my decease and that in that case the executory devise over of the same premises in the event of my male child dying leaving no issue lawfully born is void And whereas I have a lien or claim upon the hereditaments charged by my said Brother's Will with what might be short of paying the aforesaid Legacies for the amount of the Legacies so paid and to be paid by me as aforesaid Now I declare my intention to retain that lien or claim for the benefit and in (sic) increase of my personal estate if contrary to the opinion of those by whom I have been advised the aforesaid executory devise should be held vaild and come into operation but otherwise I forego and relinquish such my lien or claim for the benefit of the person or persons in whom on my decease the freehold and inheritance of the same lands shall be vested And I give my trustees and executors and the survivors and survivor of them and other the trustees or trustee of my said Will and Codicils full and discretionary power as to what if any proceedings they shall take And I exonerate them and every of them from all responsibility if they shall take no proceedings regarding the said matter. In witness whereof I have to this and the three preceding sheets of paper set my hand the day and year first herein written --- Wm. Greenwood --- Signed by the said William Greenwood ^the Testator^ as and for a second Codicil to his last Will and Testament in the joint presence of us present at the same time who in his presence at his request and in the presence of each other have hereunto subscribed our names as witnesses --- Wm. Hodgson, Farmer Ingleton --- James Tomlinson Grocer, Ingleton

The Will of William Greenwood late of Ingleton in the County of York Gentleman deceased was proved at York (with two Codicils thereto) on the thirteenth day of November in the year of our Lord one thousand eight hundred and fifty seven before The Right Worshipful Granville Harcourt Vernon Master of Arts Commissary and Keeper General of the Exchequer and Prerogative Court of York lawfully constituted by the oaths of William Hartley and John Himsworth the Executors named in the Will and The Reverend Richard Denny the Executor named in the firts Codicil to whom Administration was granted of all and singular the goods chattels and credits of the said deceased they having been first sworn before the Reverend John Howson Clerk Surrogate duly to administer ---

Wm Hudson Josh. Buckle Deputy Registrars

Proved at London (with two Codicils) the 21<sup>st</sup> December 1857 before the Judge by the oaths of William Hartley and John Himsworth the Executors named in the will and the Reverend Richard Denny Clerk the Executor named in the first Codicil to whom Admon was granted they having been first sworn (by Commission) duly to administer.

\*Note: freebench is a legal term referring to an ancient manorial custom in parts of England whereby a widow, until she remarried, could retain tenure of her late husband's land.

\*Daughter's name Adda confirmed in Ancestry.com

## GUY William TNA PROB 11/256/565

## Will date: 11 December 1651 Probate date: 27 June 1656

(NB Date of burial from burial register 13 December 1652. But date 1652 appears to be error in register for 1651, as it follows 1650 and 1652 begins overleaf on p. 146 of register. Therefore assume date of burial is 13 December 1651. Will date in probate register is written <u>above</u> will entry, and reads: December the 11<sup>th</sup> 1651)

## December the 11<sup>th</sup>. 1651./

In the name of God Amen I William Guy of the bancke of Ingleton and in the Countie of yorke husbandman Sicke in bodye but in good and perfect memorie praised be God for the same Doe make this my Last Will and Testament in manner and forme followinge First I bequeath my Soule into the handes of Almightie God my maker and Redeemer And to be buryed in the Churchyard of Ingleton As for my temporall estate I dispose of it as followeth Item I give unto my daughter Alice Guy my whole estate whatsoever except my dugdalle mire Close and one dale which lyeth in Widdowe Gibsons Close called the Foxe Dale which I give to my wife dorothie Guy her heires Executors administrators or Assignes towards the payinge of my debtes And it is my Will that my daughter Alice Guy shall pay to my daughter Mary Guy the summe of Fortie poundes when she enters to the said estate out of the same Item I give unto my Wife dorothie Guy all my goodes moveable and unmoveable whatsoever she payinge my debts & funerall expences And I make dorathie my whole Executrix of this my Last will and Testament in manner and forme followinge I make Christopher Foster and Thomas Guy younger Supervisors of this my Will In wittnesse whereof I have sett my hand and Seale the day and yeare first above written William Guy Witnesseth hereof John Firbancke his marke, William Hatthorwaite ~ John Wilson Thomas Gayler, William Craven,

#### Robert Wilkinson /

This will was proved at London before the Judges for probate of Wills and grannting administracons the Seaven and twentieth day of June in the yeare of our Lord God one thousand sixe hundred fiftye sixe by the oathe of Dorothie Guy the sole Executrix named in the last will and Testament of the said deceased To whom was committed administracon etc Shee beinge first sworne by Commission truelie to administer. /

## HORSENAILE or HORSENAILS John TNA PROB 11/360/304

## Will date: 3 May 1679 Probate date: 14 July 1679

In the name of God Amen ~ I John Horsnails of Ingleton in the Cou(nty) of Yorkshire marriner being sicke and weake in body But (Thanks be to God) in good and perfect memory Doe declare and ordaine this my last will and Testament in manner and forme following hereby annulling and making void all manner of will or wills heretofore by me made or declared either by word or writing And this onely to be taken for my Last will and Testament and none other Imprimis I bequeath my Soule unto God Almighty my Creator Trusting by his infinit mercy and the blood of our Saviour Jesus Christ to be saved And my body to be buryed in xpian (Christian) buryall. 2ly (secondly) I give and bequeath unto Andrew Nagle All that the wadges due unto me by Tickett for my service on Board his Majesties Shipp the Royall Oake and the Bristoll Friggott thereof to dispose to his owne proper use and benefitt 3ly (thirdly) I give and bequeath /un\to the said Andrew Nagle All the debts due unto me for or by bills bonds or obligacons And I doe hereby Ordaine the said Andrew Nagle and Richard Jaxon to be Executors of this my Last will and Testament Witnes my hand and seale this Third day of May Anno d(omi)ni 1679 ./ John Horsnaile his marke ./ Witnesses present at the Signing Sealing and dec(laration) Wm Ewers Samuell Bayly Jonathan Robins ./

Probatum fuit Testamentum suprascriptum apud London Coram ven(erabi)li viro Henrico Fauconberge Legum D(o)c(to)re Surrogato ventis et Egrigij viri D(omo)ni Leolini Jenkins Militis Legum etiam D(o)c(to)ris Curie Prerogative Cant(uariensis) Mag(ist)ri Custod(is) sive Com(m)issarij l(eg)itime Constitut(i) Decimo Quarto die Mensis Julij Anno D(omi)ni Mill(esi)mo Sexcentesimo Septuagesimo Nono Juramento Andree Nagle unius Ex(ecu)torum in hu(ius)mo(d)i Testo no(m)i(n)ate Cui Com(m)issa fuit Administrato Om(n)ium et Singulor(um) bonor(um) Jurium et Creditor(um) dict(i)defunct(i) De bene et fideliter Administrand(o) ead(e)m Ad S(an)cto Dei Evangelia Jurat. Reservata patestate similem Comissionem facendi Richardo Jaxon alteri Ex(ecu)torum in d(ic)to Test(ament)o norat Cum venerit eandem petitur etc ./ Exd **TNA PROB 11/1519/81** 

#### Will date: 12 May 1810

#### Probate date: 6 February 1811

This is the last Will and testament of me John Procter of Ingleton in the West Riding of the County of York yeoman being of sound and disposing mind memory and understanding whereby I give and devise unto my Son Richard all that my Freehold Estate Messuages Lands and Hereditaments situate lying and being at Green Gill in Keasden in the Parish of Clapham in the County aforesaid now in the tenure or occupation ^ of Thomas Wallbank and as Farmer thereof to hold the said Estate Messuages Lands and Premises with the appurtenances unto ^ of my said Son Richard his heirs and assigns for ever Subject to and nevertheless charged and chargeable with the payment of the several Legacies or Sums of money hereinafter mentioned which I order and direct to be paid thereout accordingly that is to say I give and bequeath to my oldest Son William the Sum of forty pounds and to each of my other children now living namely to my daughter Elizabeth Wife of Robert Chapman to my Son John to my daughter Isabella Wife of John Parker to my daughter Jane to my Son Matthias and to my daughter Margaret the Sum of eighty pounds each to be paid as paid to them severally and respectively by my said Son Richard his heirs or assigns at the expiration of twelve months next after my decease and I give and bequeath to my Grandson son John Procter Son of my said Son Robert Procter deceased the Sum of eighty pounds to be paid to him by my said Son Richard when he shall have attained the age of twenty four years but in case any of my said children or grandchildren son shall happen to die before his or her or their said Legacy or Legacies shall become due and payable as aforesaid without issue and unmarried then and in such case it is my Will and mind that the share or shares of him her or them so dying as aforesaid shall be divided and paid equally amongst the Survivors of any said children or their issue such issue to take their Parents share thereof And I do hereby nominate constitute and appoint my said Son Richard sole Exor to this my Will to whom I give and bequeath all the rest residue and remainder of my Estate and Effects whatsoever wheresoever and of what nature kind or quality soever the same may be and not hereinbefore given and disposed of he paying thereout all my just debts funeral expenses Probate of this my Will and Legacies before mentioned should my real Estate on which the same are charged fall short and prove inadequate to pay the amount thereof And whereas I have lately diverted an Action to be commenced against James Balderstone for the loss I have sustained by the injury which he has done to my said daughter Jane Row I do hereby order and direct my said Son Richard to prosecute the same action or otherwise commence and prosecute such other action against the said James Balderstone after my decease as shall be legal and necessary until satisfaction for such injury shall be recovered or obtained And lastly I do hereby revoke all and every other Will and Wills at any time heretofore by me made and declare this to be my last Will and Testament In Witness whereof I the said John Procter the Testator have to this my Will contained in two Sheets of Paper set my hand to the first sheet thereof and my hand and Seal to this second and last Sheet thereof this twelfth day of May in the year of our Lord one thousand eight hundred and ten # John Procter / L(ocus) S(igilli) Signed Sealed published and declared by the said John Procter the Testator as and for his last Will and Testament in the presence of us who in his presence at his request and in the presence of each other have subcribed our names as Witnesses thereto # Ann Hodgson # William Waller # John Tennant ./

Proved at London 6<sup>th</sup> February 1811 before the Judge by the Oath of Richard Procter the Son & sole Exor to whom admon was granted having been first sworn ^ by comon^ duly to administer./ Exd.

#### TOULMIN Thomas TNA PROB 11/1365/34

#### Will date: 12 December 1796 Codicil: 7 June 1801 Probate date: 10 October 1801

I Thomas Toulmin of Ingleton in the west Riding of the County of York Gentleman being of sound and disposing Mind & Memory and understanding do make publish and declare this to be my last Will and Testament in manner and form following that is to say I order and direct all my just Debts Funeral Expences and the Charge of the Probate of this my will to be paid with all convenient speed after my Decease out of my real or personal Estate I give and bequeath to George Procter who now at the time of making this my Will resides with Master Braddyll the Son of Wilson Braddyll Esquire of Conishead Priory in the County Palantine of Lancaster the Legacy or Sum of three hundred Pounds which I order and direct to be paid to the said George Procter at the expiration of twelve Calendar Months next after the decease of the Survivor of my two Aunts Mary Procter and Elizabeth Procter both of Ingleton aforesaid Spinsters I give grant and devise unto the said George Procter from and after the decease of the Survivor of them the said Mary Procter & Elizabeth Procter for and during the term of his natural life One Annuity (deletion) yearly rentpart charge or Sum of twenty pounds of lawful Money of Great Britain to be issuing and payable out of all and every my Freehold Estates hereinafter mentioned and devised (or intended so to be) and to be paid to the said George Procter or his assigns at or by two equal portions or payments in the year that is to say on the first day of June and the first day of December the first payment thereof to commence and be made on such of the said days appointed for payment as shall happen next after the death of the Survivor of them the said Mary Procter and Elizabeth Procter to be free and clear of Taxes Charges Assessments and outgoings whatsoever and if it shall happen that the said Annuity or yearly rentcharge of twenty pounds or any part thereof shall be behind or unpaid by the space of twenty days next after the days or times whereon the same ought to be paid as aforesaid then and from thenceforth and so often as the same or any part thereof shall be so in arrear and unpaid it shall and may be lawful to and for the said George Procter and his Assigns into and upon all or any part of my Estates Lands and Hereditaments hereinafter mentioned and intended to be hereby devised to enter and distrain and the distress and distresses there found to take lead drive and carry away and to impound and detain or to sell and dispose of the same until thereby or otherwise the said George Procter or his Assigns shall be fully satisfied and paid the said Annuity or yearly rent Charge or so much thereof as shall be in arrear together with all Costs Charges and Expences whatsoever which may be occasioned by such Entry Distress and Sale I give and bequeath to my esteemed Friend Bryan Waller of Masongill in the west Riding of the County of York Gentleman the Legacy or Sum of ten pounds I also give and bequeath to my Friend William Marriner of Ingleton aforesaid the Sum of five pounds which said two last mentioned Legacies I order and direct shall be paid within six Calendar Months next after my decease I give devise & bequeath all those my three Estates with the Messuages Tenements Buildings Lands Grounds Hereditaments rights privileges and Appurtenances thereto belonging commonly called and known by the several Names of Bellemount Standerlands and Hest Bank situate and being within and part of the Manor of Slyne with Hest in the said County Palatine of Lancaster and now in the possession of John Parkinson John Rawlinson and Thomas McClellan or their undertenants and which said last mentioned Estates Tenements and Premises I some time ago surrendered to the uses of this my Will according to the custom of the said Manor of Slyne with Hest and all those my several Closes Enclosures or parcels of Freehold Land or Ground with their appurtenances situate and being in the Township of Skerton in the said County Palatine of Lancaster containing by estimation eight acres or thereabouts be the same more or less and also all that Messuage or Dwelling House by me lately built and wherein I now reside with

the Garden Yard Backbuildings and appurtenances thereto belonging situate and being in Ingleton aforesaid and within and parcel of the Manor of Ingleton and all other my real Estate Lands Tenements and Hereditaments whatsoever and wheresoever and also all my Household Goods and Furniture Money Securities for Money Stock Funds Chattles and other my personal Estate and Effects whatsoever and wheresoever not hereinbefore otherwise disposed of and subject and charged and chargeable as aforesaid unto my Friends the said Bryan Waller and William Marriner their Heirs Executors Admors and Assigns upon the several Trusts and for the several uses intents and purposes hereinafter mentioned limited and declared of and concerning the same that is to say upon Trust that they they (sic) the said Bryan Waller and William Marriner or the Survivor of them his Heirs Executors or Admors shall and do put or continue my Money out at Interest upon good and satisfactory Security or Securities And that they or some of them do pay and apply the Rents Issues Interest Dividends and Profits to arise and be received from all my real and personal Estates and Effects unto or to the use of my said two Aunts the said Mary Procter and Elizabeth Procter during their joint natural lives and unto or to the use of the Survivor or longer Liver of them the said Mary Procter and Elizabeth Procter during her natural life and from and after the decease of the Survivor of them the said Mary Procter and Elizabeth Procter it is my will and Mind and I do hereby order and direct that the said Bryan Waller and William Marriner or the Survivors or Survivor of them his Heirs Executors and adm(inistrat)ors shall stand and be seized and possessed of all my said real and personal Estates subject nevertheless and charged as aforesaid To and for the proper use benefit and behoof of my two half Sisters Jane Ansley of Broad Street in the City of London widow and Ann Bainbridge the wife of George Bainbridge of Broad Street aforesaid Merchant their Heirs Executors Admors and Assigns for ever the said Jane Ansley and Ann Bainbridge to take and hold the same as Tenants in common and not as joint Tenants to whom I give devise and bequeath the same accordingly. but if either or both of them the said Jane Ansley and Ann Bainbridge shall happen to die in my Lifetime or in the Livestime or Lifetime of the said Mary Procter and Elizabeth Procter or the Survivor of them leaving lawful issue of the body or bodies of them the said Jane Ansley and Ann Bainbridge. Then and it is my will and Mind and I do hereby order and direct that the said Bryan Waller and William Marriner or the Survivor of them his Heirs Executors and Admors shall stand and be seized and possessed of the part or share of my said real and personal Estates hereinbefore given devised bequeathed and limited to the said Jane Ansley and Ann Bainbridge or either of them as shall so die as aforesaid to and for the proper use and benefit of such of her or their issue as shall live to attain twenty one years of age his her or their Heirs Executors Adm(inistrat)ors and Assigns for ever equally amongst them if more than (word missing) as Tenants in common and not as joint Tenants. It being my Will and Mind that such issue if any of the body of the said Jane Ansley as shall live to attain twenty one years of age shall be absolutely entitled to the Moiety or part of my real and personal Estates hereinbefore given devised bequeathed and limited to her the said Jane Ansley as aforesaid as Tenants in Common if more than one and that such Issue if any of the body of the said Ann Bainbridge as shall live to attain twenty one years of age shall be absolutely entitled to the Moiety or part of my real and personal Estates hereinbefore given devised bequeathed and limited to her the said Ann Bainbridge as aforesaid as Tenants in common if more than ^one^ And if it shall so happen that all the issue of the body of the said Jane Ansley shall die under the age of twenty one years then it is my Will and Mind and I order and direct that the said Bryan Waller and William Marriner or the Survivor of them their Executors and Admors shall stand and be seized and possessed of the part or share of my real and personal Estates to which such Issue of the said Jane Ansley might in the events aforesaid have been entitled to and for the proper use and benefit of such of the Issue if more than one of the body of the said Ann Bainbridge as shall live to attain

twenty one years of age his her or their Heirs Executors Admors and Assigns for ever as Tenants in common and not as joint Tenants and if it shall so happen that all the issue of the body of the said Ann Bainbridge shall die under the age of twenty one years then it is my will and Mind and I do order and direct that the said Bryan Waller and William Marriner or the Survivor of them his Heirs Executors and Adm(inistrat)ors shall stand and be seized and possessed of the part or share of my real and personal Estates to which such issue of the said Ann Bainbridge might in the events aforesaid have been entitled to and for the proper use and benefit of such of the issue if more than one of the body of the said Jane Ansley as shall live to attain twenty one years of age his her or their Heirs Executors Adm(inistrat)ors and Assigns for ever as Tenants in common and not as joint Tenants and in case both or either of them the said Jane Ansley and Ann Bainbridge shall happen to die in the livestime or lifetime of the said Mary Procter and Elizabeth Procter or the Survivor of them leaving lawful issue of their or her bodies or body . then it is my will and Mind and I do authorize and empower my said Trustees or the Survivor of them his Heirs Executors and Admors to pay and apply the rents issues dividends and profits of such part or share of my real and personal Estates as such issue of the said Jane Ansley and Ann Bainbridge or any of them would in the event of his her or their living to attain twenty one years of age be entitled unto /under\ or by virtue of this my will to and for the Maintenance education and bringing up of any such Issue or the Putting them out clerks or apprentices to any Profession or Trade or Business until such issue shall attain twenty one years of age in such manner as they my said Trustees shall in their discretion think proper and in case the said Jane Ansley and Ann Bainbridge shall leave lawful Issue of their or her Bodies or body and such Issue shall die under twenty one yeas of age. then it is my will and Mind and I do hereby order and direct that the said Bryan Waller and William Marriner shall be stand and be seized and possessed of all my said real and personal Estates whatsoever. To and for the proper use behoof and benefit of my own right Heirs for ever and it is my Will and Mind that my said Trustees or either of them their Heirs Executors and adm(inistrat)ors shall not be liable to answer or make good any Losses that may happen in the placing out at Interest of any Trust Moneys according to the directions of this my Will or in the depositing any Trust Monies according to the directions of this my Will or in the depositing any Trust Moneys in the hands of any respectable Banker or Bankers for safe Custody or otherwise in the execution of the Trusts of this my Will unless the same shall appear to happen by or through their or either of their wilful neglect or Default Nor shall either of them my said said (sic) Trustees be answerable or accountable for the Acts deeds receipts or disbursements of the other of them but each of them for his own separate acts deeds receipts and disbursements only. And I do hereby order and direct that my said Trustees shall and may pay retain & reimburse to reimburse themselves and himself out of the Trust Moneys which shall from time /to time \ come to their or his hands all reasonable and necessary Costs Charges and Expences whatsoever which they or either of them shall expend incur or be put unto in or about the execution of this my Will or the Trusts hereby in them reposed and Lastly I do hereby name constitute and appoint the said Mary Procter and Elizabeth Procter and the said Bryan Waller and William Marriner joint Executrixes and Executors of this my last will and Testament and I do hereby revoke and make void all former Wills by me made and do declare this alone to be my last Will and Testament In Witness whereof I have at the bottom of the four first sheets of this my Will the whole whereof is contained in five sheets of paper subscribed my name and to this the fifth and last sheet subscribed and set my hand and Seal this twelfth day of December in the year of our Lord one thousand seven hundred and ninety six (1796) Thomas Toulmin L(ocus) S(igilli) Signed Sealed published and declared by the said Testator Thomas Toulmin as and for his last Will and Testament in the presence of us who at his request in his presence and in the presence of each other have subscribed our Names as witnesses thereto. J Barlow/-/ Adam

Shephard /-/ Jn Taylor Wilson \_

Whereas I Thomas Toulmin of Ingleton in the West Riding of the County of York Gentleman have made and duly executed my last Will and Testament in writing bearing date the twelfth day of December in the year of our Lord one thousand seven hundred and ninety six. And whereas since the making and executing my said Will I have purchased all that Messuage or Tenement or dwelling House situate in Settle in the West Riding of the County of York aforesaid commonly called and known by the name of the Golden Lion with the Buildings Lands and appurtenances Now therefore I do in and by this my Codicil annexed to my said Will and which I desire may be taken as part thereof give and devise unto my Cousin George Procter and unto his Heirs and Assigns for ever all that my said Messuage Tenement or Dwelling House situate in Settle aforesaid with the Buildings Lands and Appurtenances subject to the Mortgage with which it is now charged In Witness whereof I the said Thomas Toulmin have to this Codicil set my hand and Seal the seventh day of June in the year of our Lord one thousand eight hundred and one Thos Toulmin L(ocus) S(igilli) Signed Sealed Published and Declared by the said Thomas Toulmin as and for a Codicil to be annexed to and to be as part of his last Will and Testament in the presence of us who have subscribed our Names in his presence and in the presence of each other. Jane Jackson /-/ Edmd F Lodge /-/ Janes (sic) Lindsay.

This Will was proved at London with a Codicil the tenth day of October in the year of our Lord one Thousand eight hundred and one before the Right Honorable Sir William Wynne Knight Doctor of Laws Master Keeper or Commissary of the Prerogative Court of Canterbury lawfully constituted by the oaths of Mary Procter Spinster Elizabeth Procter Spinster Bryan Waller and William Marriner the Executors named in the said Will to whom Admon was granted of all and singular the Goods Chattles and Credits of the said deceased having been first sworn by Common duly to administer.

## WEATHERHEAD Richard TNA PROB 11/244/605

#### Will date: 13 February 1653 (old calendar) Probate date: 16 August 1655

#### (NB burial from burial register 19 February 1653, old calendar, i.e. 1654 new calendar)

In the name of God: Amen: the Thirteenth day of February in the yeare of our Lord God one thousand sixe hundred fiftie three I Richard Wetherhead of the Dale in the parishe of Ingleton and Countye of yorke husbandman beinge sicke in body but of good and perfect remembrance (praised be Almightie God for the same) Doe make this my last Will and Testament in manner and forme followinge First and above all other thinges I Commit my Soule in to the mercifull handes of Almightie God my maker and Redeemer Trustinge that by his death and passion my Soule shalbe saved and received into his eternall Kingdome And my bodie to be buryed within my parishe Churche of Ingleton honestlie at the discretion of my freindes And for my temporall Estate as followeth Imprimis It is my will and minde and I doe give grannt and bequeath unto Elizabeth Wetherhead my wife and Leonard Wetherhead my sonne and to their heires and Assignes for ever All the moiety or thone halfe of all my messuage and Tenement with all houses and appurtenances thereunto belonginge beinge all that part which I am in possession of And I give grannt and bequeath as aforesaid the moyetie or the other halfe of all my said messuage or Tenement from and imediately after the

day of the death and decease of Leonard Wether *(sic)* the elder my Father, beinge that part of my saide messuage and Tenement which he is possession *(sic)* of unto the said Elizabeth my wife and Leonard Wetherhead my sonne ioyntlie and to the longer liver of them Twoe their heires and Assignes for ever Allsoe I give and bequeath unto Elizabeth my wife all my goodes and Cattells quicke and dead moveable and unmoveable whatsoever payinge my debtes legacies and funerall expences And I make Elizabeth my said wife sole and whole Executrix of this my last Will and Testament And all former and other wills I utterlie make voyd and of noe effect In wittnes whereof I have hereunto put to my hand marke and Seale the day and yeare above menconed Richard Wetherhead his marke Wittnesses hereof Christopher Foster his marke, Isabell Butterfeild her marke, John Butterfeild./

#### Twisleton 22 maij 1654 ./

Seene and allowed soe much as in me lyes accordinge to the Custome of Indenture, soe as it be not preiudiciall to any person or persons that can make a better Clayme – By me Geo: Langton nowe Steward of the Court there

This will was proved at London before the Judges for probate of wills and granntinge administracons the sixteenth day of August in the yeare of our Lord God one thousand sixe hundred fiftye five by the oath of Elizabeth Weatherhead the Relict and sole Executrix To whome administracon was committed she being by Commission first sworne truly to administer./