

Comfitt Cadywould's will

[Pomeroy Collection \(ID 4383\)](#), box 65/72/1, bundle 6

3rd February 1773

Copy of Comfitt Cadywould's Will

Executed by Self and Son Clarke, the

23rd January 1781. P. S.

Thomas Badley Cadywould died Intestate and Administration granted to William Cockell Cadywould 21st February 1778 by Archdeaconry Court of Norfolk.

This is the last will and testament of me Comfitt Cadywould of Wymondham in the County of Norfolk Cordwainer. First I give and devise all and every my messuages, lands, tenements and hereditaments whatsoever as well freehold as copyhold situate lying and being in Wattlefield Division in Wymondham aforesaid now in the occupation of James Woods or his assigns. And also all and every my messuages, lands, tenements and hereditaments situate lying and being in Wymondham aforesaid and Crownthorpe in the said County which were lately purchased by me of Thomas Stafford. And also all my meadows, pastures feeding and hereditaments situate lying and being in Silfield Division of Wymondham aforesaid with their appurtenances. And also all that my messuages or tenements situate standing and being in or near the Fairland Street in Wymondham aforesaid as the same now is in the use and occupation of my daughter Lydia Spurgeon with the appurtenances unto Mary my beloved wife and her assigns for and during the term of her natural life she committing no waste and keeping the premises in good and tenable repair.

And from and immediately after her decease I give and devise all and every the said messuages, lands, tenements and hereditaments situate lying and being in Wattlefield Division of Wymondham aforesaid now in the occupation of James Woods or his assigns (except one inclosure of land and pasture called Caley Field lying eastward from the residue of the said premises and is divided therefrom by the Kings Highway or Road) unto James Johnson of Wymondham aforesaid yeoman and Mary his wife my daughter and their assigns for and during the term of their natural lives and the life of the longer liver of them they committing no waste and keeping the premises in good and tenable repair.

And from and immediately after the decease of the survivor of them the said James Johnson and Mary his wife I give and devise all and every the same premises (except before excepted) with their appurtenances unto the heirs of the body of the said Mary my daughter lawfully begotten or to be begotten. And for default of such issue then my will and mind is And I do hereby order empower devise and appoint that the premises given and devised as aforesaid with their appurtenances (except before excepted) shall with all convenient speed after the decease of the survivor of them the said Mary my wife James Johnson and Mary his wife without issue as aforesaid be sold by James Badley Cadywould my son his executors or administrators for the best price that can be had and obtained for the same. And the money arising by such sale of the premises together with the rents issues and profits thereof from the decease of the survivor of them the said Mary my wife James Johnson and Mary his wife without issue as aforesaid until sold I give to be equally divided as follows (that is to say) one moiety or half part thereof to my said daughter Lydia Spurgeon if she shall be then living but if she shall have departed this life to Mary Spurgeon her daughter. And the other moiety or half part thereof to the children of my deceased daughter Sarah the late wife of John Ellis to be equally divided amongst them or such of them as shall then be living.

And also immediately after the decease of the said Mary my wife I give and devise all and every the said messuages, lands, tenements and hereditaments situate lying and being in Wymondham and Crownthorpe aforesaid purchased by me of the said Thomas Stafford unto my said daughter Lydia Spurgeon and her assigns for and during the term of her natural life she committing no waste and keeping the premises in good and tenable repair. And from and immediately after the decease of her my said daughter Lydia Spurgeon I give and devise all and every the same premises with their appurtenances unto the said Mary Spurgeon her daughter to her heirs and assigns for ever.

Also from and immediately after the decease of her my said wife I give and devise all the said meadow pastures feeding grounds and hereditaments situate lying and being in Silfield Division of Wymondham aforesaid with their appurtenances unto my son in law John Ellis to hold to him the said John Ellis and his assigns for and during the term of his natural life he committing no waste. And from and immediately after his decease I give and devise the said last devised premises with their appurtenances unto my granddaughter Mary Badley Ellis and Moristoe Elizabeth Cadywould Ellis and the heirs of their respective bodies lawfully to be begotten as tenants in common and not as joint tenants. And in case either of them shall happen to depart this life without having such issue then I give and devise all and every the same premises and their appurtenances unto the survivor of them and the heirs of the body of such survivor lawfully to be begotten.

And for default of such issue then my will and mind is and I do hereby order impower direct and appoint that the said last devised premises with their appurtenances shall as soon as conveniently may be after the decease of the survivor of them the said Mary my wife John Ellis and my said grandchildren, without issue as aforesaid be sold by the said Thomas Bradley Cadywould my son his executors or administrators for the best price that can be had and obtained for the same. And the money arising by sale thereof together with the rents issues and profits thereof from the decease of the survivor of them my said wife, John Ellis and my said grandchildren without issue as aforesaid until sold I give to be divided into three equal parts. One part of which I give and bequeath to my said daughter Lydia Spurgeon if she shall be then living but if she shall have departed this life to Mary Spurgeon her daughter. One other part thereof to my said daughter Mary the wife of James Johnson if she shall be then living but if she shall have departed this life to all and every of her children that shall be then living in equal shares and dividends. And the remaining third part thereof I give and bequeath to my grandson John Steel Ellis.

And also immediately after the decease of her my said wife I give and devise all that my said enclosures of land and pasture called Caley Field in Wattlefield Division in Wymondham aforesaid with its appurtenances unto my grandson John Steel Ellis and the heirs of his body lawfully to be begotten. And for default of such issue I give and devise the same premises with their appurtenances unto my said granddaughters Mary Badley Ellis and Moriscow Elizabeth Cadywould Ellis and their heirs of their respective bodies lawfully to be begotten as tenants in common and not as joint tenants. And in case either of them shall happen to depart this life without having such issue then I give and devise the said last mentioned premises and every part thereof with their appurtenances unto the survivor of them and the heirs of the body of such survivor lawfully to be begotten.

And for default of such issue I do hereby order impower direct and appoint that the said last devised premises with their appurtenances shall with all convenient speed after the decease of the survivor of them my said wife and grandchildren without issue as aforesaid be sold by the said Thomas Badley Cadywould my son his executors or administrators for the best price that can be procured for the same and the money arising from such sale together with the rents and profits of the said premises from the decease of the survivor of them my said wife and grandchildren, without issue as aforesaid until sold I give to be equally divided as follows (that is to say) one moiety or half part

thereof to my said daughter Lydia Spurgeon if she shall be then living but if she shall have departed this life to Mary Spurgeon her daughter. And the other moiety or half part thereof to my said daughter the wife of James Johnson if she shall be then living but if she shall have departed this life to all and every of her children that shall be then living in equal shares and dividends.

And also from and immediately after the decease of my said wife I give and devise all that my said messuages or tenements situate standing and being in or near the Fairland Street in Wymondham aforesaid with the appurtenances unto my said daughter Lydia Spurgeon and to her heirs and assigns for ever.

Also I give and bequeath to my said son Thomas Badley Cadywould the sum of five pounds of good and lawful money of Great Britain to be paid him out of my personal estate within six calendar months next after my decease.

Also I give and bequeath all and every my household furniture linen plate and china of whatsoever nature kind or quality the same be to my said wife to be used and enjoyed by her during the term of her natural life. And from and immediately after her decease it is my desire that the said Thomas Bradley Cadywould my son his executors or administrators shall divide the same into three equal parts one part thereof I give and bequeath to my said daughter Lydia Spurgeon whom it is my will and mind shall have the first choice, another part of which I give and bequeath to my said daughter Mary the wife of the said James Johnson. And the remaining third part thereof I give and bequeath to all and every the children of my said deceased daughter Sarah the late wife of the said John Ellis to be equally divided amongst them or such of them as shall be then living.

And all the rest residue and remainder of my personal estate ready money and securities for money of whatsoever nature kind or quality the same be after payment of executrix and executor hereinafter named shall be, at in the due execution of the same I give and bequeath unto the said Mary my beloved wife.

And I do hereby nominate constitute and appoint the said Mary my wife and Thomas Badley Cadywould my son executrix and executor of this my will. And I do hereby also appoint the said Thomas Badley Cadywould my son guardian of the persons and estates of them my said granddaughters Mary Badley Ellis and Moriscow Elizabeth Cadywould Ellis and it is my will and mind that he shall pay and apply the neat produce arising from the said premises so devised to them my said granddaughters Mary Badley Ellis and Moriscow Elizabeth Cadywould Ellis as aforesaid for and towards the support and maintenance of them respectively during their minorities.

In witness thereof I the said Comfitt Cadywould have to this my last will and testament contained in four sheets of paper affixed together at the top to the first three sheets hereof set my hand and to this the last sheet my name and seal the third day of February in the year of our Lord one thousand seven hundred and seventy three.

Comfitt Cadywould signed sealed published and declared by the said Comfitt Cadywould the Testator as and for his last will and testament (the word 'arising' having been first interlined between the twenty fourth and twenty fifth lines of the first sheet and the word 'thereof' in the first line of the second sheet) in the presence of us who in his presence at his request and in the presence of each other have subscribed our names as witness hereto. Sarah Ransome, Joseph Hepworth, Anthony Ransome.