

Emailed by Toni Smith MBE.

Transcribed by Frances Rouse, with thanks to KGW Mackenzie who assisted with legal terminology. January 2012

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This is the last Will and Testament of me John Sultzer (signed) of Burton Overy in the County of Leicester. Imprimis\* give and bequeath unto my dear wife Christian all my household Goods Plate Linen and other household furniture and desire she will dispose thereof at her Decease amongst all my children. And I also give her the Sum of forty pounds to be paid her by my Executors hereinafter named upon my Decease or as soon after as possible the same can be raised out of my personal Estate and whereas upon my Marriage with her I entered and into a Bond to secure to her for Life the Interest of one thousand Pounds which was placed with other Money out to interest and owing to the perfidy of old Pares(?) and the villainy of the Walkers is all lost I therefore in her thereof give unto my said dear Wife for an during the Term of her natural Life all that my freehold Estate situate in Great Bowden in the said County of Leicester and from and after her Decease I do hereby give the same unto my oldest son and his heirs for ever (inserted above previous line. FR) and I do also give unto my said son and his heirs forever all my freehold Estate situate in Burton Overy aforesaid Then I give and bequeath unto my Wife's sister Mary Woodward in case her fortune shall not be recovered all the Dividends that I shall be entitled to from the Effects of that Rascal Henry Walker a Bankrupt and in case the whole of such Dividends shall not make five hundred pounds then I direct the same to be made up that sum out of my personal Estate trusting to the goodness of her heart to return it equally amongst my younger children shall she shall die without children of her own Then I give and bequeath unto the Reverend Mr Samuel Topp Rector of Burton Overy aforesaid William Lee son of the formere Rector of Burton Overy aforesaid Thomas Lovell of Haselbeeche of Northampton gentlemen all the Rest and residue of my personal Estate Nevertheless upon the Trusts and for the purposes hereinafter mentioned that is to say to convert my said personal Estate into money when and as they shall see convenient and by and out of the Money arising therefrom and from the Profits thereof in the mean time in the first place to satisfy all my just debts and funeral expenses and then after deducting and retaining thereout to themselves all their reasonable Charges and Expenses touching the Execution of the Trusts hereby in them reposed to divide the residue of the said Money to and amongst all the younger children that I now have and hereafter shall have by my said Wife in equal Shares and to pay apply and dispose of their respective Shares thereof for their respective use and Benefit at such times and in such manner as they my said Trustees or the Survivors or Survivor of them his Executors and administrators or Assigns shall think proper or convenient and my Mind and Will is that if any of my younger children shall depart this life under the age of twenty one years and unmarried the Share or Proportion Shares or Proportions of him her or them or them his Executors thereof as shall then remain unapplied for his her or their respective use or Benefit or the Survivors or Survivor Assigns shall by my said Trustees administrators or Assigns be applied for the use and Benefit of the rest of my younger children share and share alike at such times and in such manner as aforesaid and that if any younger son of me by my said wife shall become my heirs at Law before the Provision hereby made for him shall have been laid out for his use the share or proportion of such younger Son or so much thereof as shall at such time remain unapplied on his account shall be applied for the use and Benefit of the rest of my younger children share and share alike at such times and in such manner as they my said Trustees or the Survivors or Survivor of them his Executors Administrators or Assigns shall see fit and further my Mind and Will is that in case my children should all die before the age of twenty one years and unmarried then I direct my said Trustees to pay and apply any

Rents and Profits of my Estates to the use of my said Wife and after her Decease then I give and advise the Same and all other my Estates to my wife's Sister Mary Woodward for Life and then to her children if she shall have any and in default thereof equally amongst the children of my Wife's sisters Ann Nichols and Elizabeth Hartshorne and I do hereby further declare that none of my said Trustees shall be answerable for the other of them but each of them only for his own Act and Receipt and that none of them shall be answerable or liable to make good any Loss or Losses that shall happen by placing out of interest for the use or Benefit of all or any of my said children all or any part of the Monies arising by means aforesaid unless the same shall happen through their joint or one their wilful default and neglect and lastly I hereby appoint from my said Trustees Executors of this my last Will and Testament and also together with my said Wife, Guardians for all my children during their respective Minorities In Witness whereof and that I do hereby revoke all Former Wills by me made I have to this my last Will and Testament set my Hand and Seal the fifth day of June in the year of our Lord one thousand seven hundred and Eighty two John Sultzer (signed) Signed sealed published and delivered by the abovementioned Testator as and for his last Will and Testament in the Presence of us who subscribe our Names as witnesses thereto in his Presence and at his request and in the Presence of each other ]

Susanna Leach(signed)

Will'm Leach (signed) John Mattock (signed)

This Will was proved at London the thirty first day of January in the year of our Lord one thousand seven hundred and eighty three before the Right Worshipful Peter Calvert doctor(?) of Laws Master Keeper or commissary of the Prerogative Court of Canterbury lawfully constituted by the oaths of the Reverend Samuel Topp clerk William Lee and William Hartshorn three of the Executors named the said Will to Whom Administration was granted of all and singular the Goods Chattels and Profits of the aforesaid having been first sworn by commission duly to administrator Power reserved of making the like Grant to Thomas Lovell the other Executor named in the said Will when he shall apply for the same.

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Notes by Frances Rouse

"Imprimus" (a term derived from the Latin "in primis" (=in the first {place})), used at least until the 19thC to introduce a list of things or considerations. (KGWM)

£1000 in 1780 = £62,850 in 2005 (National Archives Currency Converter)

GREAT BOWDEN – a small village now part of Market Harborough. It was inclosed in 1777, which may be the time when JS organized his property there?

MARY WOODWARD - Christian's sister – b.1755

REV. SAMUEL TOPP – Rector of St Andrew's after Lee, from 26 Sept. 1774 to 1786 when his son-in-law Rev. William Southworth Lee took over.

WILLIAM LEE – son of Rev. John Lee, Rector of St Andrew's from 20 Sept.1758; his mother was Elizabeth, daughter of the previous Rector Paul Southworth.

THOMAS LOVELL of Haselbeech.

HASELBEECH– a small village on the border of Leicestershire-Northamptonshire. The name Lovell appears in connection with Haselbeech Hall going back to the 1300's, though not as owner, including a mention of a "Lovell's Close" as part of the property.

ANN NICHOLS - Christian's sister – b. 1747; married John Nichols of Spa Garden, Leicester, 5 March 1771. There is a memorial to them both and 2 children in St Andrew's. She died 20 June 1805, 3 weeks before her niece Ann Sultzer married John George Barnard in Leicester. John Nichols died 6 October 1815. Their daughter Ann died in 1806; and son George in 1811.

ELIZABETH HARTSHORN - Christian's sister – married William – can't find anything about them as yet

WILLIAM HARTSHORN

SUSANNA LEACH

WILL'M (WILLIAM) LEACH – there are memorials to Edward and Elizabeth Leach in St Andrew's, probably William's parents; there is a slate headstone for William – he died March 2<sup>nd</sup> 1806, aged 68.

JOHN MATTOCK – lived in Burton Overy and the family had a long connection to the village, the most recent Mattock burial being in 1971; married to Susannah from c.1783, prior to that to Sarah; they had a number of children at the same time as the Sultzers and Davenports (Samuel D. was John's sometime surveying partner).