

Lich: 7th Junij

1824.

T. Isaac Spencer.

proe Wirksworth

1. Ex. C. Infz 100[£]—

/ A. /

This is the last will and Testament of me Isaac Spencer of
 Middleton in the Parish of Winkworth in the county of Derbyshire. First I will and direct
 that all my just debts funeral and testamentary expenses be fully paid and satisfied by
 my executors as hereafter mentioned. I Give and devise unto my son Isaac Spencer his
 Heirs and Assigns forever all that piece or parcel of land situate lying and being near
 Middleton wood called Potters field with the appurtenances thereto belonging now in my
 own possession subject nevertheless to the payment thereof of the sum of ^{Twenty} Five Pounds unto
 my daughter Sarah the wife of Edward Adams of Kettle in the said county of Derby
 1 saddle within twelve months next after my decease which I hereby give devise and bequeath
 the rents or profits of all that my parcel of land or ground situate and lying in Middleton
 aforesaid called Howorth Head which is now in my own occupation) or by what
 ever other name it shall be called or known having lately exchanged the House and
 premises called the Wilkins arms in Middleton aforesaid which I purchased of Philip
 Gell Esquire for the same close called Howorth Head with my son Isaac unto and
 2 equally between all the children of my son George Spencer deceased per and towards
 their bringing up until the youngest of them shall attain the age of twelve years
 or in case of the decease of the said youngest child until the period at which he
 would have arrived at that age and from and immediately after that period
 as aforesaid then I give and devise the same piece of land unto my son
 Anthony Spencer and to his Heirs and Assigns forever he paying thereout to my
 son Job Spencer the sum of Ten pounds and to my daughter Sarah Adams
 the sum of Five pounds when he the said Anthony shall come into possession of the
 same under this devise. I Give and devise all that my house or tenement called
 3 the old house now in my own occupation with the back garden ^{and a small, rocky garden at the back end of the} barn and Pig
 Court thereto adjoining and belonging with the appurtenances unto Hannah
 Spencer the widow of my late son George and all my Household goods and Furnishings
 for and during the term of her natural life or for so long only as she shall remain
 his widow and unmarried and from and immediately after her decease or
 marriage which ever shall first happen I do hereby give devise and bequeath
 4 the same house and premises and all the said Household furniture and goods unto
 and between all the children of the said Hannah Spencer by my said son George
 their Heirs Executors Administrators and Assigns to be equally divided between
 them to take as Tenants in common and not as joint Tenants but in case of the
 death of any of them under age without lawful issue then to the Survivors or
 survivor. I Give and devise unto my son Job Spencer his Heirs

Isaac Spencer

Mark

Thomas Collinson Junr.
 The Witness
 Lydia Collinson

5 and assigns forever. All that other Mesuage or Tenement called the Over
House also adjoining the said old house with the garden and appurtenances
thereto belonging now in the possession of my grandson Isaac Spencer the
son of J^{ts} Spencer all which said premises are situate at Middleton aforesaid
I give unto my daughter in law Hannah Spencer one Mille Cow
All the rest residue and remainder of my real and personal estate and
Effects after payment thereof of my just debts funeral and testamentary
expences I do hereby give devise and bequeath unto my
6 said sons Isaac Spencer and Anthony Spencer and to their Heirs
Executors Administrators and assigns forever to take as tenants in
common and not as joint tenants. And lastly I hereby constitute
and appoint my said son Anthony Spencer sole Executor of this my
of this my last will and testament and do ~~revoke~~ all former wills by me
heretofore made declaring this only to be my last will and testament In
Witness whereof I the said Isaac Spencer the Testator have to this
my last will and testament contained in two sheets of paper
subscribed my name and affixed my seal this twenty fifth day of
July in the year of our Lord one thousand eight hundred and
twenty three.

7
Signed sealed published and declared by the said Testator
Isaac Spencer 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 subscribed our names as witnesses
hereby.

his
Isaac X Spencer
mark

Thomas Collinson Jun^r
The Collinsons
Lydia Collinson

Will.

In the *Prologis* Court of *Lichfield*

In the Goods of *Isaac Spencer*

Deceased.

Appeared Personally *Anthony Spencer of the*
Parish of Wirksworth in the County of
Derby & Diocese of Lichfield & Coventry
Miner the sole

Insert the Names,
Residences and
Professions of the
Persons making
the Affidavit.

Execut^{or} named in the last Will and Testament of the said *Isaac*
Spencer late of *Middleton*
in the parish of Wirksworth in the County of *Derby*
Miner Deceased; and made Oath, that the Estate and
Effects of the said Deceased, for, or, in respect of which a Probate of the
said Will is to be granted exclusive

If one or more
Codicils state so.

of what the said Deceased may have been possessed of, or entitled to, as a Trus-
tee for any other person or persons, and not beneficially, but including the
Leasehold Estate or Estates for Years of the Deceased, if any, whether absolute
or determinable on Lives, and without deducting any thing on account of
the Debts, due and owing from the said Deceased are under the value of
One hundred Pounds, to the best of this Deponent's
knowledge, information and belief.

Sworn on the *Thirtieth*
day of *May* 182*4* } *Anthony Spencer*
before me,

N. Mubbersty Surr.

Appeared Personally Thomas Collinson
the Elder of the parish of Wirksworth
in the County of Derby Gentleman and
made oath that the Insertions of the
word "Twenty" between the sixth and
seventh lines and also of the words "and
" a small square garden at the Barn end
" with " between the twenty third and
twenty fourth lines on the first Sheet of
the last Will and Testament of Isaac
Spencer late of Middleton in the parish
of Wirksworth in the County of Derby
Miner deceased hereunto annexed marked
with the Letter /A/ beginning " This is the
" last Will and Testament of me Isaac
" Spencer of Middleton in the parish of
" Wirksworth in the County of Derby Miner "
and ending " In Witnes whereof I the said
" Isaac Spencer the Testator have to this
" my last Will and Testament contained in
" two Sheets of paper subscribed my name
and

and affixed my Seal the twenty fifth day
of July in the year of our Lord One thousand
eight hundred and twenty three and
subscribed "Isaac ^{his} X Spencer" were made
before the execution of the said Will by the
said Testator.

Thos. Hollinson Esq.

On the Fourth day of June 1824
The said Thomas Hollinson the Elder was
duly sworn to the truth of the foregoing
Affidavit, before me,

N. Habbersty Swr.

JAMES THOMAS LAW, Clerk,

Master of Arts, Vicar General of the Honourable and Right Reverend
Father in God ~~Henry~~ by Divine permission, Lord Bishop of LICH-
FIELD and COVENTRY, To *Nathan Hubberty*



Clerks, jointly, and severally,
Sendeth Greeting, WHEREAS it has been alledged, before the Rev.
CHARLES BUCKERIDGE, D. D. our Surrogate, that *Isaac*
Spencer late of *Middleton in the Parish*
Wirksworth in the County of *Derby*
and Diocese of *Lichfield and Coventry*, *Miner*
deceased, duly made and executed, his last Will and Testament,
in writing, and therein named *his son Anthony Spencer*

of the Parish
of *Wirksworth, Miner*, the Executor thereof
We therefore by these presents, Commit and Grant, to you jointly,
and severally, full power and authority to administer the Oath under-
written, to the *said Anthony Spencer*

the sole Executor and also to Swear the Persons
whose names are Subscribed to the Affidavit annexed to the truth thereof, and the said Oath being
administered, you are to certify the same to US or our said Surrogate, and subscribe your Name
thereto, together with these presents, within three Months from the date hereof. *Provided never-*
theless that this Commission shall be of no effect, unless so certified and transmitted to US within
that time. Dated at LICHFIELD, the _____ day of _____ in the
Year of our Lord, 18 _____

9/12/1824

The Oath.

YOUR Oath is, that the writing, now shewed unto you, contains the original last Will, and
Testament, of *Isaac Spencer* deceased, so far as you know and believe ;
that you are *the sole* Executor named therein, and
will faithfully perform that Office, by paying his Just Debts, and the Legacies therein be-
queathed, so far as his Personal Estate will Extend, and the Law require from you ; that
you will make a true, and perfect, Inventory thereof, and Exhibit the same into the Registry
of the Bishop's Consistory Court of LICHFIELD, and also a just account of your Executorship;
when you are thereunto lawfully required, and that the Goods Chattels and Credits of the said
Deceased as they were at his Death without deducting any debts owing by the said deceased
therefrom, did not amount in value to the Sum of *One Hundred*
Pounds and that the Contents of the Affidavit hereto annexed to which you have sub-
scribed your name were and are true,

So help you God, &c.

QRY. When he died?

ANS. *Jan: 12th 1824.*

On the *Thirtieth* day of *May* 1824
this Commission was duly executed and the said *Anthony Spencer*

Miner
of the Parish of *Wirksworth aforesaid* was duly
sworn according to the above oath before me

N. Hubberty B.D. Commissioner.

Probate extracted at Lich 7 June 1824.