

last will. 1645-1646. Henry BARNES, gent. pages 1-7.

**Translation and transcription created by Deirdre Hosen for Ed Man, 18-Mar-2013
from UK Nat'l Archives pdf will scan cat ref : prob/11/198. Image Ref: 388.**

I have expanded the legal shorthand and abbreviations for ease & clarity. I've typed surnames in capital letters. I've numbered each line to enable ease in comparing my translation with the original handwritten scanned copy. -D.

Will Dated: 22-August-1645. Sole Executors wife Elizabeth and son.

Codicil dated: 6-November-1646 ; 22 Charles I.

Will Proved: 19-December-1646. At London PCC. Admin granted to wife Elizabeth and son Simon.

Observations:

- Testator Henry BARNES is son of Jane BARNES, and states she left a Will!
- Per his last will, Henry Barnes was a gentleman, married, at least twice, with a burial vault inside the St. Olave's Church; where his unnamed wife was buried.
- Named living are his wife Elizabeth and eight children: two sons, Henry, a minor & Symon an adult; and, six daughters, all minors, named Elizabeth, Martha, Mary, Rebecca, Susanna, and Sara Barnes. No use of word 'stepchildren'. There is also at least 1 unnamed married daughter as a son-in-law is named- Thomas CAUTER/ CANTER/ CARTER?
- Brother and Sister THRISCROSSE and 6 Daughters . Ed, look at line #135 bottom of pg 3- (PRO scan pg 4). I couldn't make out this part with certainty. Unsure if a surname or two or three words.
- Annuity to his present wife Elizabeth to be paid four times a year to her by son Symon Barnes. While it is not stated I have the feeling that Symon is from the marriage with first wife. As he used the word 'rent' with annuity it may be that the land where Symon lives is Elizabeth's dowry land.
- In lines 32 to 54, there is the typical clause concerning nonpayment of rent, and the right of the owner to enter the premises and seize and take personal property to sell to recoup losses. I believe this is the origin of the term, 'a distressed sale"; with the right to sue in court. I also note that atypically the testator does not use the word 'Saint' before Olave and Albon [Alban's], which gives suggest some hint to either his origin, or the social times (that alludes me).

**Last will of Henry BARNES, gentleman, of Harringey als Hornesey [Hornsey] in County of Middlesex.
(Henric Barnes) Dated 20-August-1646, temp 22nd Charles I.**

UK National Archives Catalogue Ref: prob/11/198. Image Ref: 388.

1. In the Name of God Amen I **Henry BARNES**
2. **of Harringey als [also known as] Hornesey** [Hornsey] in the County of Middlesex Gentleman beinge
3. Sick of body but of perfect mind and memory & praise be therefore
4. given unto Almighty God for the Same Doe make and ordaine this my last
5. Will & Testament in manner and forme following That is to Say first and
6. principally I Commende my Soule into the hands of Almighty God my
7. Creator hopinge & assuredly trusting by and through the merrits and
8. passions of my Blessed Savior Jesus Christ to obtaine free pardon and re:
9. mission of my Sins & Transgressions here & a Crowne of glory Hereafter
10. in the Kingdome of Heaven And my body I commit to the Earth to be buried
11. in decent manner at the discretion of my Executor hereafter named within
12. the **parish Church of [Saint] Olaves [on] Silver Street London** as neere unto the place
13. **where my late Wife was buried** as conveniently may be And touchinge on

14. Such worldly Substance as it Late pleased God of his infinite goodness to
15. conferre and bestowe upon me I give and dispose the Same as followeth Impri-
16. mis [i.e. first:] I give and bequeath unto **my Lovinge wife Elizabeth** the Summe of
17. one thousand pounds [**£1000.**] of lawfull money of England And alsoe all my plate
18. and houses old goods Cattle & Shattells [ie Chattles] remayninge & used in & about my
19. house (Such plate & other things that are and remaine mortgaged unto
20. me only excepted) I give & bequeath unto my Said loving Wife One Annuety or
21. yearlyly rent of fowrd fowre [**£44**] pounds of law full money of England to be
22. Issuinge and had out of all my messuages Tenements & Hereditaments Situ[-]
23. ate lyinge and Beinge with in the **parishes of Olaves Silver| Street and [Saint]**
24. **Albons [Alban's] Wood | Street** or elsewhere in within the **Citty of London** to be paid
25. unto her by **my Sonne Symon BARNES** his Heires & Assignes For and
26. duringe the terme of her naturall life at the foure [4] most usuall
27. feastes or Termes of the yeare that is to Say at the feast of St Michael
28. the Archangell The Birth of the Lord God The Annunciation of the
29. blessed Virgin Mary and the Nativity of St John the Baptist by
30. Even [**end of first page. Line 31, 2nd pg**]
31. Even and equall portions the first payment thereof to begin & be made on the first of
32. the Said feasts as shall next happen after my decease, and **if default shall happen**
33. to be made of or in the payment of the Said Annueity or Summe of fowre fowre [**£44.**] per Annum
34. or of any parte thereof upon any of the Said feast dayes wherein the Same ought
35. to be paid as aforesaid by the space of one & Twenty [21] dayes beinge lawfully
36. demanded at any of my Said Messuages or Tenements which are Situate and being
37. in the **Severall parishes of Olaves Sylver [Silver] Street and Albons' Wood Street** or in
38. either of them That then & from & after any Such default it Shall & may be
39. lawfull unto & for my Said Lovinge Wife or her Assignes into all & Singular
40. my Messuages lands Tenements houses & hereditatments Situate lyinge & beinge
41. in the Said parishes of Olaves' Sylver Street & Albons' Wood Street or also where
42. within the City of London & into every or any part or parcells of the Same to
43. enter & come & to distreyne [i.e. seize] Such goods & Chattells as Shall be then & there
44. found & the distresses Soe made to take & carry away & the Same with & on or
45. them to deteyne or keepe untill Such part of the Said Annuety or yearlyly Summe
46. of fowre fowre pounds [**£44.**] as Shall Soe happen to be behind & unpaid Shalbe well
47. & truly Satisfied & paid unto her & them. And if Sufficient distress Shall not
48. nor cannot be come by & found upon the Premises All my Said Messuage Tene-
49. ments & hereditaments what So ever in within the Said Citty of London togeather with
50. the yearely rents' if sued & C [see] fitts reserved in by & out of the Same in Such Case
51. Shall become lyable bound & Chargeable to & for the payment & Satisfaction
52. of the Annuity aforesaid & the Arrages [arrears] thereof with Said Annuety
53. Rent Charge Shall continue remaine & be paid unto my Said Wife [Elizabeth] for and
54. duringe the terme of her naturall life. Item I further give & bequeath
55. unto my Said **Wife the yearely rent of Twenty pounds [£20.]** reserved upon
56. demise or lease of my house & ground which I have granted unto **Maister**
57. **DALLISON** Situate and being in **Harringey als Hornsey** afore Said for
58. duringe & untill my **Sonne Henry BARNES** shall have by due Course of
59. time Served his **intended Apprentishood** or Shall have Attayned unto the
60. Age of Twenty & fowre [**24**] **yeares** which Shall first happen All with Severall
61. Legacies & bequests unto my Said wife and in leine & recompence of all Such
62. **Dower & Thirds** which Shee may Have Clayme or Challenge into or out of any

63. reall or Personall Estate And are upon this Condicion & Soe as Shee doe not at
64. any time or tymes Hereafter Clayme [Claim] Challenge or Demand any **Dower**
65. **Thirds** or other estate or interest of into ~~or~~ unto or out of any my Messuages
66. Lands Tenements goods or Chattells what soever Having Such
67. part Share & Interest which Shee may Clayme & Have by force & vertue of
68. this my Will Item I demise give & bequeath unto my Said Sonne Symon
69. BARNES All my Said Messuage lands Tenements & Hereditaments Situate
70. & beinge in London aforesaid containinge & Standing Charged with the
71. aforesaid Annuety of fowre fowre [£44.] pounds with their & every of their
72. appurtenances & the rents issues & C fitte of the Same coferred upon any
73. Lease or Leases To have & to hold the Same Messuages or Tenements with
74. their appurtenances unto my Said Sonne Symon BARNES for & duringe the
75. terme of his naturall life And from & after his decease I give demise &
76. bequeath the Same Messuages or Tenements with their appurtenances unto the
77. **heires males** of the body of the Said Symon lawfully to be begotten And for
78. default of Such issue unto the **Heires females** of the body of the Said Symon
79. lawfully to be begotten And for default of such issue unto my Said Sonne
80. Henry for & duringe the terem of his naturall life And from & after the
81. Death of my Said Sonne Henry unto the heires of the body of the Said Henry
82. lawfully to be begotten And for want of such issue then I give & devise the
83. Same [end of page 2.]
84. Same unto my **Six Daughters Elizabeth, Martha, Mary, Rebecca, Susanna** and
85. **Sara** & unto their Heires & Assignes for ever Item I give & bequeath unto my Said
86. **Sonne Symon** the Summe of One thousand pounds [£1000.] of lawfull money of England Item
87. I give & bequeath unto my said Sonne Henry All that the Cobbyhold Messuage or Tene-
88. ment & lands and Closes with the appurtenances thereonto belongeinge & now in my owne
89. occupacion from & after his accomplishment of the age of Twenty and one [21] years for and
90. duringe the terme of his naturall life And from & after his decease I give the Same
91. unto the Heires of his body lawfully begotten & for default of Such issue then I give
92. the Same Messuage or Tenement & grounds unto my Said Sonne Symon & his heires for
93. ever Item I give & bequeath unto my Said Sonne Henry the Said Messuage or Te-
94. nement & grounds or Closes demised unto **M^r DALLISON** as aforesaid beinge also
95. Cobbyhold lands (both which said Cobbyhold Messuages I have before the ensealinge
96. & publishinge hereof surrendered to the uses & purposes expressed & declared in
97. this my Will To have & to hold the Same from and after the expiration of the terme
98. of His [Henry] Said intended apprenticeship **or** accomplishment of his Said age of Twenty and
99. Fowre yeares [error? **24 yrs; vs 21**] which [ever] Shall first happen for and duringe the terme of his naturall
100. life And from and after his [Henry] decease unto the heires of his body lawfully begotten
101. And in default of Such issue I give the Same likewise unto my Said ^Son **Symon** [Simon] and his
102. Heires and Assignes for ever Soe as and upon this Condicion (I give all my said
103. Cobbyholds lands unto my Said Sonne Symon as aforesaid That he Shall pay unto
104. my said **Daughters** the Summe of One Hundred pounds [£100] apeece at the accomplish
105. ment of every of their respective ages of Twenty and one yeares or marria -
106. ages which Shall first happen Item I give and bequeath unto my Said Sonne
107. **Henry** the Summe of Seaven Hundred pounds [£700.] of lawfull money of England
108. Item I give unto my **Daughter Elizabeth** the Summe of Sixe Hundred [£600.] pounds of
109. lawfull money of England Item I give unto my **Daughter Martha** the like Summe
110. of Sixe Hundred pounds [£600.] of lawfull money of England Item I give unto my
111. **Daughter Mary** the like Summe of Six Hundred pounds [£600.] of like lawfull money

112. Item I give unto my **Daughter Rebecca** the Summe of Five Hundred pounds [£500.] of
113. lawfull money of England Item I give my **Daughter Susanna** the like
114. Summe of Five hundred pounds [£500.] of lawfull money of England Item I give unto
115. my **Daughter Sara** the like Summe of Five hundred pounds [£500.] of like money which Said
116. Severall legacies bequeathed unto my Said Sonne & Daughters Shalbe paid
117. them as followeth viz^t onto my Said Sonne when he Shall have accomplished his
118. age of Twenty and one [21] yeares And unto my **Said Daughters** when they Shall have
119. accomplished their Severall and respective ages of Twenty and one [21] yeares or
120. Dayes of Marriage which Shall first happen Item my Will is that my Said **Wife** [Elizabeth]
121. Shall have hold and enjoy my Dwelling house & the grounds thereunto belonging
122. until my Said Sonne Henry Shall accomplish his age or time afore said in case
123. Shee [wife Elizabeth] Shall constantly reside and dwell therein without demisinge the Same to
124. any other person Item my Will is that **my Sonne in Lawe Thomas CAUTEN [CANTER, CARTER?]**
Shall
125. have the Summe of Forty pounds [£40.] as a Legacy Soe as he Shall voluntarily and
126. readily by any writinge that Shall be devised by my Executors which he Shall Seale
127. & as his Deed Deliver Disclayme all the right that in lawe he might challenge
128. out in debt owing ^un to me from the **City of London** the bond and Security for
129. which I have take in his name in trust Item I give onto **Mr COLLYER** mais-
130. ter [master] the Summe of five pounds [£5.] Item I give **the poore** of the Said Parish of
131. **Hornesey** the Summe of five pounds [£5.] Item I give to the poore of the Parish of
132. Olaves' Sylver Street aforesaid Five pounds [£5.] Item I give to **Margaret**
133. **ROBINSON** Forty Shillings [40s.] Item my Will is that Eight pounds [£8.] Should be
134. bestowed in makinge and guidinge [gilding] of Eight black enamelled Rings for my
135. **Brother and Sister THRISCROSSE [?spelling]** and their Sixe [6] Daughters to weare as
136. Memorialls [End of pg 3]
137. Memorialls of my love Item I give unto **Leonard DOLAND [*]** an Five poundes [*Note: the name
Leonard Doland appears like '*Leeward Island an* '.
138. Item I give unto **Sheppard GISH** Clerk twenty shillings Item I give unto
139. **Mary CHEYNEY** Twenty shillings [20s] Item I give unto **Amie TIFTON [TITTON?]** forty shillings
[40s.]
140. Item I give unto my **servant Anne MOSELEY** forty shillings [40s.] Item I give
141. unto my servant **Mary FISHER** Five pounds [£5] Item I give unto my Sister
142. **Moralley** Tenn pounds [£10.] and unto **her Second daughter** forowe [four] Rings of
143. Twenty Shillings [20s.] a peece price [value] Item I give unto **Mr PERRIN and his**
144. **Wife** three pounds [£3] for Rings to weare in remembrance of me Item I [**Note-** £3 is way over the typical
20 shillings bequeath for mourning rings.]
145. give unto **Nurse PRICE** five pounds [£5.] Item my Will and meaning is that
146. my ^said Executors hereafter named Shall Satisfie and pay unto my Said **Sonne**
147. **Henry** the Summe of one hundred pounds [£100.] And to my said daughter **Eliza [-]**
148. **beth** the Summe of fifty pounds [£50.] And unto my Said **daughter Martha** the like
149. Summe of fifty pounds [£50.] And unto my Said **daughter Mary** the like Summe of
150. Fifty pounds [£50.] beinge legacies bequeathed to them **by my Mother Jane**
151. **BARNES** ^in and **by her last Will whereof shee constituted me her Executor**
152. And my further Will & meaning is that the Rents and fitts [?] of the
153. said Messuage wherein I live as aforesaid And likewise of the other Coppy
154. Hold Mesuage demised onto **Mr JALLISON [or DALLISON?]** in case my **Said wife** Shall decease
155. before my Said **Sonne Henry** Shall accomplish his age or time aforesaid
156. or discontinue her dwelling in my Said House And all the Residue and

157. remainder of my estate unbequeathed together with there of certine
158. legacies bequeathed unto my Said **Sonne Henry** and my Said
159. **Daughters Elizabeth, Martha, Mary, Rebecca, Susanna and Sara** my
160. funerall chardges beinge deducted Shallbee imployed disposed and
161. put forth by Executors in the most Secure and most Safe manner
162. and for the best and most advantage that they may or can ; And by and
163. with the Same & the c reed and c [see?] fitt thereof they Shall in decent and
164. fittinge manner mainteyne educate and bring up my Said **Sonne Henry**
165. and in Conveniente time place and put him foorth an **Apprentice**, and
166. all my **Said daughters** alsoe untill the accomplishment of their respective
167. ages of Twenty and one [21] yeares or Marriages , And for and towards
168. Such bad debts losses and casualties that may arise by Such Disposicon [disposition] &
169. puttings fourth of my Said estate by my Said Executors as aforesaid And
170. for and **towards the engagement and marriage** of my said childrens
171. respective parts and portons [portions] before bequeathed onto them necessary
172. and meet allowance and Deductrands [?] beinge made deducted and allowed
173. from time to time in respect of any Suits of & on other necessary
174. Chardges Expens & labor and tr????? [blackened scan] which my Said Executors with or
175. of them Shall expend or be put unto in expense for the Execution of this my
176. Will Item my further Will and ??? that of any of my said Daughters
177. Shall marry without the consent and good ?? of my Said wife thereon to first
178. had and obteyned Then and in Such I doe annull and make void two hundred
179. pounds of every of the Said porcions bequeathed unto Such of my Said Daughters
180. as Shall Soe marry without the consent of my Said Wife And that every Two
181. Hundred pounds [£200.] to be taken out of every Such Daughters porcon [portion] my Said Wife Shall
182. & may dispose of to Such of my other Daughters as Shee Shall nominate and
183. appointe Item my further mind is That my said Executors Shall not pay the
184. Said Legacy of forty pounds unto my **Said Sonne in law CANTEN** untill he Shall
185. further have Secured them by bond from a bond of Five Hundred Pounds whereon
186. I stand bound unto His Maister for his truth Item I doe make and ordaine
187. my lovinge Wife and my loving Sonne Symon BARNES Sole Executors of this
188. my Will earnestly intreatinge and desiringe them carefully to expend [?]
189. perform

[End page 4]

190. perform the Same Item my Will and true meaninge is that my Wife Shall have
191. hold and enjoy my Messuage herein I now live and all closes gardens outhands
192. and Commodities with the appurtenances whatsoever to the Same belonginge
193. or in any wise appertaininge for and duringe the terme of her naturall life
194. without any manner of rent to be rendered therefore And not withstandinge
195. any former limitacion or direction expressed in this my Will and Testament conteyned in Eleavon [11]
196. Sheets of paper Set my hand to every Sheet and Heereto put my Seale
197. This two and Twenty day of August Anno Dui 1646 [22-August-1646] And in the two
198. and twentieth yeare of the Raigne of our Sovereigne Lord Kinge Charles [22 Charles I]
199. & Henry BARNES / Signed sealed published and declared to be his last
200. Will and Testament in the presence of **John GIFFORD** [,] **Giles COLLYER** [,] **Fran:**
201. **PRUIEANZ** [,] **Martyn DALLESON** [,] **Robert YARWAY Sr** ./.

CODICIL dated 6-November-1646 ; 22 Charles I.:

202. Whereas I Henry BARNES of **Harringey als Hornesey in County**
203. **of Middlesex, Gentleman** in and by a writing declaringe my last Will and
204. Testament bearing date the two and twentieth day of August last past [22-Aug-1646]
205. before the date hereof (whereof I hand constituted and appointed my
206. loving **Wife [Elizabeth] and Sonne Symon BARNES Sole Executors**) and bequeathed
207. unto **my Sonne Symon and his Heires my Two Coppyhold Messuages -**
208. and Coppyhold Lands and Closes with the appurtenance Scituate in
209. **Hornesey** afore Said from & After the Death and Decease of my Sonne
210. Henry and the Heires of his body upon Condiçion that my Said Sonne
211. Symon and his Heires Shall pay unto **my Sixe Daughters** the Summes of
212. one Hundred pounds a peece [**£100 x 6**] at the accomplishment of every of their
213. ages of Twenty and one yeares [21] or Marriages And have Since or by my
214. said Will given & demised the remainder of my estate to Severall Uses
215. and purposes in that my Will expressed were unto relaçon beinge had
216. more fully may appearth More this present Codicill or writinge wit[-]
217. nesseth That I the Said **Henry BARNES** haveing taken into further
218. Consideraçon that my said recited Will and the Severall bequests &
219. disposicions therein & expressed doe give and bequeath unto my
220. **Said lovinge Wife** (over & beside the Said severall legacies in that my
221. Said Will past given and bequeathed) unto her the Summe of
222. Two hundred pounds of lawfull money of England And I doe by these
223. presents revoke adnull and make void and frustrate the Said Summes
224. of One hundred pounds given unto every of my **Said Daughters** and
225. charged upon my Said **Sonne Symon** in case the Said Coppyholds
226. Messuages lands and Tenements Shall discend [descend] and come onto my Said
227. **Sonne Symon** after the death and decease of my Said Sonne Henry
228. and his Heires by forme of my Said recited Will And Doe Hereby
229. Declare my Will and Minde to be that in Case the Said Coppyhold
230. Messuages and lands Shall come onto my Said Sonne Symon by and
231. accordinge to the tenour of my Said recited Will That then Hee and
232. his Heires and Assignes Shall Have Hold and inioy [enjoy] the Same Freed
233. Exempted and Discharged of and from the payment of the Severall
234. Hundred pounds unto my Said Daughters Soe charged upon him as
235. aforesaid And that to all other intents and purposes I doe hereby
236. Confirme establish that my Said recited Will In Witnes where
237. of I Save to this present Codicill conteyned in three [3] Sheetes of
238. paper and Annexed to my Said Will Sett my hand and Seale this
239. Sixth

[End page 5]

240. Sixth day of November Anno Dui 1646 [**6-November-1646**] And in the two and Twentieth yeare
241. of the Raigne of our Sovereigne Lord Kinge Charles & Henry BARNES ./.
242. Signed sealed published and declared in the presence of [:] Sara Zelon [.]
243. **Mary F^eISSHER** [Feisser?] [.] **Robert YARWAY** [**Senr?** ;] **Elizabeth PRICE** her Marke ./.

244. PROBATUM fuit Testamentum supra scriptum apud London Coram
245. Dui Nathaniel BRENT milito Legum Doctore Curie Prerogative
246. Magro sine Custodo Decimo non dui Decembris Anno Dui Millesimo
247. Sexreino QuadrageSimo sexto [19-December-1646/47], juramentis Elizabeth BARNES relicta
248. et Symonio BARNES filii et Execut dicti Defunct in testamento per Dicto

249. noiat Quibus Commissa fuit Administratio omnium et Singulorum bonorum
250. iurium et Creditorum dicti Defuncti Debent et fideliter administranda
251. eadem ad Sancta Dei Evangelia (vigore Commissionis) virat / Exd

[END of 6 of 6 pages.]

[I don't know what the Latin ' iurium et Creditorum dicti Defuncti Debent' means.
other than of the good .. pay off creditors the debts and faithfully administer]
