

Will of Henry Swymmer 1732

PCC Prob 11/654

Henry Swymmer was the youngest son of William Swymmer, a wealthy Bristol merchant, and his wife Elizabeth. He was baptised at the church of St Augustine the Less in Bristol on the 12th of June 1678. Of his three brothers the eldest John had died in 1700, Anthony in 1719 and William in 1726. The family had extensive trading connections with Jamaica, and his brother Anthony's family owned considerable plantations there. Much of the family wealth derived from the slave trade.

In the Name of God Amen

I **Henry Swymmer of the City of Bristoll Esqr One of the Aldermen of the said City** doe therefore this Nineteenth day of February in the year of Our Lord One Thousand seven hundred and thirty make and ordaine this my last Will and Testament in manner and forme following And as for such Worldly Estate as it hath pleased God to bestow on me I give and dispose thereof as followeth I give and devise to my loving **Wife Ann Swymmer** All that my Messuage Farm Lands and Hereditaments at Radford in the County of Somerset with the Appurtenances now in the Occupation of John Dando To hold to her and her Assignes during the Term of her natural Life And from and immediately after her decease I give the same Premises to my **son William Swymmer** To hold to him and the Heires of his Body And in default of such Issue Then I give the same Premises to my **Son Anthony Swymmer** To hold to him and the Heires of his Body And in default of such Issue I give the same Premises to my **Daughter Ann Swymmer, Elizabeth the Wife of Carew Reynell** Clarke Chancellor of the Diocess of Bristoll and my **Daughter Bridget Swymmer** To hold to them and their Heires for ever as Tenants in Common

Item I give and bequeath to my said Wife and Son in Law Mr Reynell and to my good Friends **Robert Smith** and **Lyonel Lyde** Esqr both Members of the Common Counsell of the said City of Bristoll All that my Messuage or Dwelling house with the Appurtenances wherein I now dwell situate

in the Colledge Green in or near the said City which I hold by long Lease determinable on Lives from the Mayor Burgesses and Comonality of the same City Together with all that my Messuage or Dwelling house with the Appurtenances situate in the Colledge Green now in the Occupation of **Mrs Ann Winter** holden by Chattle Lease from the Deane and Chapter of the Cathedrall Church of Bristoll To hold the said Messuage is with the Appurtenances to them my said Wife my said Son in Law the said Robert Smith and Lyonel Lyde their Executors Administrators and Assignes for all the Remainder of such Termes Estate and Interest I have or shall have in the said Messages and Premises respectively at the time of my decease Upon Trust that my said Wife and her Assignes shall and may hold and enjoy the same Messuage is and Premises and receive the Rents and Profits thereof to her and their own use for soe many years of such Termes respectively as she shall live And from and immediately after her decease Upon Trust as to the said Messuage now in my own Occupation with the Appurtenances to apply the Rents Issues and Profits thereof the Chief Rent Taxes and other Outgoings and all incident Charges being first from time to time deducted To the use of my Son William Swymmer till he shall attain his age of Twenty one years And from and after his attainer to such Age Then upon Trust at the sole Cost of my said Son William his Executors Administrators and Assignes to Convey and assigne the same Messuage and Premises to him and of them for all the Remainder of such Term and Estate to his and their own use But if my said Son William shall dye under such age Then upon the like Trusts in all respects for my Son Anthony Swymmer his Executors Administrators and Assignes But if my said sons William and Anthony shall both dye under such age Then upon Trust for my said Daughter Ann my Daughter Reynell and my Daughter Bridget their Executors Administrators and Assignes during all the Remainder of such Term as Tenants in Common and no otherwise And as to my said Messuage with the Appurtenances now in the Occupation of Mrs Ann Winter Upon Trust to apply the clear Rents and Profitts thereof (such Deductions as aforesaid being first made) to the use of my said Son Anthony till he shall attaine the Age of Twenty one year And from and after his attainer to such age Then upon Trust at the sole Cost of my said Son Anthony his Executors Administrators and Assignes to Convey and assigne the same Messuage and

Premises to him and them for all the remainder of such Term and Estate to his and their own use But if my said Son Anthony shall dye under the said Age Then upon the like Trusts in all respects for my said Son William his Executors Administrators and Assignes But if my said Sons shall both dye under such Age Then upon Trust for my said Daughter Ann, Daughter Reynell and Daughter Bridget their Executors Administrators and Assignes for all the Remainder of such Term and Estates as Tenants in Common and no otherwise

Item I give to my said Daughter Ann the summe of Two Thousand pounds of lawfull Money of Great Brittain to be paid within twelve months after my decease with lawful Interest for the same from the time of my decease This Legacy I declare to be in full Satisfaction of and for two certain Legacys of Two hundred pounds and Two hundred pounds formerly bequeathed to my said daughter Ann in and by the last Wills of **my late father Wm Swymmer** and my **late brother Anthony Swymmer** Esqrs deceased respectively and since paid into my hands and for all the Interest thereof

Item I give to my said Son in Law Carew Reynell Clerke the Sum of Five hundred pounds of like money to be paid in twelve months after my decease with legall Interest from the time of my decease This Legacy I give him in full performance of certain Articles of Agreement to that purpose entred into by me upon his Marriage with my said Daughter his Wife And I further give him Fifty pounds for Mourning

Item I give to my said Son Wm and to my said Son Anthony to each of them the Summe of Two Thousand pounds of like money to be paid to them respectively (but without any Interest) when they shall respectively attaine their Age of Twenty one years and not otherwise

Item I give to my said Daughter Bridget the Sum of One Thousand Five hundred pounds of like money to be paid (but without Interest) when she shall attaine such Age or be married and not otherwise For it is my Will and accordingly I do hereby declare that if my said Sons and Daughter Bridget or either of them shall dye before his her or their Portion or Portions shall respectively become due and payable as aforesaid Such Portion or Portions shall not be deemed an Interest vested in him her or them so dying but shall sink into my Residuary Estate for the Benefit of my

Residuary Legatee And further I do hereby declare that whenever the said Portions of my said Sons and Daughter Bridget shall respectively become payable the same shall be deemed to be and shall accordingly be accepted by them respectively in full Satisfaction of and for certain Legacys of Two hundred pounds to each of them respectively bequeathed in and by the last Will of my said late Brother Anthony and since paid into my hands and of and for all the Interest thereof Provided if I shall hereafter in my lifetime give Portions to my said Children or any of them by way of Advancement in marriage or otherwise such Portions shall goe in Satisfaction and Extinguishment of the said Legacys respectively as far as [such?] Portions respectively shall amount unto I have not bequeathed the Interest of my said Sons and Daughter Bridget's Portions to them untill the same Portions may respectively become payable nor appointed Maintenance for them to such time haveing a Confidence in my Wife (to whom I devise the Guardianship of the Persons of my said Sons untill they shall respectively attaine the Age of Twenty one year And of my Daughters Bridget and Katharine untill they shall respectively attaine such Age or be married that she will discharge Mothers part towards them whom as well as the rest of my Children I charge to behave themselves towards their Mother with all Duty and Obedience

It haveing pleased God to visit my **Daughter Katharine** with great Infirmitys I do not think it advisable to make any certain Provision for her but leave her to the Care of my Wife whose Prudence and Parentall Tenderness will I doubt not make Provision for her in such way as all Circumstances considered will be most expedient

Item I give to my **Sister Anne Swymmer** Twenty pounds for Mourning This Legacy as well as all other Legacys hereby given for Mourning only shall be payd within three Months after my decease And all the Residue of my Monys Goods and Merchantdize Ships part of Ships Chattle Lease or other my Personal Estate whatsoever (my Debts Legacys and Funerall Expenses being first payd and discharged) I give and bequeath to my said Wife And Lastly I Constitute and appoint my said Wife my said Son in Law Mr Reynell and the said Robert Smith and Lyonel Lyde joynt Executors of this my Will bequeathing to the said Robert Smith and Lionel Lyde Ten pounds apiece for Mourning And I do

hereby declare that my said Trustees shall be fully reimbursed all Expenses they shall be at in and about the said Trusts (such Expenses to be charged on such parts respectively of my Estate on Account whereof the same shall happen) And that my said Trustees shall not be accountable for more of my Personall Estate than shall come to their hands respectively nor any of them for the Acts Receipts or Defaults of the other but each of them for his own Acts Receipts or Defaults only

In Witness whereof I have to this my last Will contained in three Sheets of Paper written all with my own hand to the first two Sheets set my hand and to this last Sheet my hand and Seal this nineteenth day of February in the year of Our Lord 1730./ . Henry Swymmer./ . Signed Sealed Published and Declared by the above named Testator as and for his last Will and Testament in the presence of us who in presence have hereto set our hands./ . **Edw.Foy Jos.Jefferis Edwd.Buckler**

Probate, in Latin, granted on 1 October 1732 to **Anne Swymmer widow, the Rev Carew Reynell, Robert Smith and Lionel Lyde.**

Transcribed by Anne M Powers

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