

The Will of Theobald Rossiter

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"In the name of God amen I Theobald Rossiter of the Town of Newbawn farmer being weak and feeble of body but of sound mind and understanding do make this my last Will and Testament Imprimus I give my soul to God hoping he will have mercy on me thro the merits of my blessed redeemer Jesus Christ. In order that one hundred mass be said for me within one month after my decease and that the anniversary held at Ross or elsewhere be continued of during my lease of part of the lands of Newbawn- Item I do bequeath to my dear wife Mary Rossiter (during her life and no longer) and to my third son Tobias all my farm together with crop stock farming utensils and furniture that I now hold by lease from Robert Leigh saveing and excepting such restrictions and incumberances as I will hereafter mention viz that the said Mary can neither by finals bett, sell, divide or dispose of her part separately from her son Tobias but live and regulate in conjunction with him and after her death the whole is to be devolve to the said Tobias and if the said Mary may think proper at any time not to live with her son on said grounds the said Tobias is to pay the said Mary the sum of forty pounds yearly to be paid by two equal payments on each twenty fifth of March and twenty ninth of September in each year the first payment to commence and any of the above days that will first happen after my decease provided she immediately may think proper to live elsewhere. In case the above Tobias refuses to pay said sums in that case the above Mary can levy and destian said farm as the law dictates the above being paid regularly and duly during her life the said Mary hereby has no further claim or title to the said farm stock utensils or functions before mentioned-Item I do bequeath to my daughter Elenor the sum of three hundred pounds sterling which sum is to be immediately after my decease put to interest for her until she arrives to the twenty fifth year of her age or the day of her marriage which first happen-I also order and entitle her to have in the house I now lives as usual and at the sole expenses of Tobias and my wife Mary (provided said Mary lives with said Tobias) in diet lodging clothing and such education as my executors may think proper until the above mentioned age of twenty eight years or the day of her marriage should said Mary not live with said Tobias then and that case at the sole expense of said Tobias should the same Elenor Mary without the consent of her guardians in that case she shall not be entitled to any part of the above three hundred pounds except such part as my guardians may think proper-item do bequeath to my son Patrick the sum of three hundred pounds sterling with diet lodgings clothing and education as usual at the expenses of the above mentioned Tobias and my wife Mary until the age of twenty one years-item do bequeath also to said Patrick the sum of one hundred pounds sterling which sum is to be paid him by the above Tobias at the age of twenty one years-item I do bequeath to my daughter Ann Frayne alias Rossiter the sum of one hundred pounds sterling and no more-item I do bequeath to my son Richard Rossiter the sum of one hundred pounds sterling and no more-item I bequeath to my son John Rossiter all my right title claim and interest in the lands and houses in the town of Wexford which I hold in conjunction with my brother Patrick Rossiter share and share alike-item I do

bequeath to my grandson John Rossiter the sum of fifty pounds sterling and no more which sum is to be paid by my son Tobias-To my son Richard father to the said grandson John Rossiter in trust for him when said John arrives to the age of eighteen or sooner if my executors think proper-item I bequeath to my son John all the rest and residue of my property in cash bonds (not willed as above) in order to pay my debts and funeral expenses part to be giving to the poor of this parish and the rest to be divided by him in such sums as he will think proper amongst my wife and children (the above Tobias excepted) Theobald Rossiter (seal) James Doyle-Frank Scallan-item in case the before mentioned Patrick and Elenor Rossiter should die before they die by law entitled to make a will or without a will in that case I do bequeath their respective dividents to my wife and children (Tobias excepted) to be divided share and share alike deducting nevertheless the expenses of sickness and funeral expenses and should my son Tobias who succeeds me in this farm as before mentioned or any of my children displease or act contrary to the commands of my executors of this my last will and of their guardians by me hereafter nominated I do hereby recall annul and make void every part of my will which is in favour of them who will act contrary to them or their commands empowering said executor and guardians by me nominated and do hereby empower and entitle them to transfer and make over their share or shares to any other part of my children they think proper to transfer make over or assign the share or shares to which they were by this my will entitled-item I do appoint my dear brother Patrick Rossiter of Ballygarvan and my son John Rossiter guardians to my before mentioned children-item I do hereby appoint and nominate my dear brother Patrick Rossiter, my son John Rossiter and my much esteemed friend Edmond Sweetman of Newbawn executors of this my last will and testament Newbawn August 1st 1796 six Theobald Rossiter (seal) witness present-James Doyle, Francis Scallon-9th September 1796 on which day Patrick Rossiter on of the executors named in the foregoing will was sworn as well to his belief of the truth of said will as well and faithfully to execute the same and probate thereof was granted to him saving right of the other executors and all person whatever-before me-John Elgee-Surrogate A true copy which I attest to Enniscorthy 16th June 1827 signed by the registrar of Newbawn"