

John Fuller of Newton, Province of Massachusetts Bay, New England

Last Will written, January 13, 1695/6

Middlesex County Probate Court

Reference: Case Number 8745

Probate, 28 Feb. 1697/8, Charles Town, Middlesex,

Province of Massachusetts Bay, New England

(Born 1611, Died 7 Feb. 1697/8)

Transcribed by W. L. Fuller, D. R. J. Fuller & E. F. Fuller,

Originally, Dec 2011, last update Aug 2017

[names bolded by transcribers]

In the name of God Amen

I **John Fuller** of New Town in the County of Middlesex in his Majesties Province of the Massachusetts-Bay in New-England being weak in body, but in sound and disposing Memory, Prais be given to god for the same, do make this my last will and testament in mannor & form following, that is to say, first and principally I resign my soul into the merciful hands of almighty god my Creator, assuredly hoping through the merits of my blessed Saviour, to obtain pardon & remission of all of my sins and my body I commit to the Earth whence it was taken, to be decently buried by the discretion of my executor herein after named, and as for the worldly goods and estate the lord hath lent me I dispose thereof as follows.

- Imp[rimi]s, I give and bequeath to my loving and dear wife **Elizabeth** a comfortable maintenance out of my movable estate and if that shall not be enoufe, then to have the liberty of any of my other estate, any thing hereafter to the contrary notwithstanding, and a living in my now dwelling house and al this during her natural life, to be allowed her by my executors herein after named, out of my estate.
- 2 secondly I give and bequeath to my son **John Fuller** the housing and lands he now enjoys lying along the south side Charles River, adding thereto as much out of the farm I now live on, as shall make the same two hundred acres as I have butted and bounded the said addition to him and his heirs forever.
- 3 thirdly I give and bequeath to my son **Jonathan Fuller** the housing and land he now enjoys adding thereto out of the farmland I now live on as much as makes up the afores[ai]d land one hundred (and fifty) acres as I have bounded the same, to him and his heirs executors and administrators forever.
- 4 fourthly I give and bequeath to my son **Joseph Fuller** the lands he now enjoys and also a piece of upland and meadowland over the brook at the upper end of the grate meadow, adjoining unto the land of Jno Park to make him equal with the rest of my sons to him and his heirs forever.
- 5 fifthly I give and bequeath to my son **Joshua Fuller** the (housing and) lands he now liveth on to him and his heirs forever.
- 6 I give and bequeath to my son **Jeremiah Fuller** the lands I formerly gave him whereon he now liveth, adding thereto out of the farm abovesaid as much as maketh up what he already enjoyeth, one hundred and fifty acres as the farm is now butted and bonded, to him and his heirs forever, and it is further my will that if any of my above named sons

shall by a joynt consent agree to the altering of any of the bounds of the lands above given, and bounded to them, nary thing contrary notwithstanding, and also it is my will that my above said sons shall each & every one of the have equall liberty to dig and cart of clay from my clay pits in the above s[ai]d farm.

7 seventhly to add unto what I have formerly given unto my daughter **Elizabeth Hide** Dce[a]c[e]d, I give and bequeath unto her children the[y] which I have had the care of bringing up and maintaining what they have already had; and to my grandson, alias grandchild Jonathan Hide the youngest son of my abovesaid daughter, ten pounds in or as money to be paid to him by my son Joseph Fuller, when said Hide shall be twenty one years of age, and my said son Joseph to pay the same forth right and interest I have in the Malt house he now occupieth, and further it is my will that if the abovesaid malt house shall by casualty be burnt or any way destroyed by accidental cause, the abovesaid legacy of ten pounds to be paid to my five sons above named, and if said Jonathan Hide do not live to the age abovesaid, then my will is that the abovesaid ten pounds shall be equally divided between my three grandchildren viz Mary Brown, Elizabeth [corrected to Bethia] Hide, and Hannah Hide.

Eighthly I give and bequeath to my daughter **Bethiah Bond** twenty pounds in addition to what she hath already received of me towards her portion, to be paid her by my son Joseph Fuller, as followeth four pounds per year, until the whole sum be paid in consideration whereof I give to my son Joseph Fuller the land I purchased of Jeremiah Mass, be the same more or less.

9 ninthly I give and bequeath to my five sons abovesaid my mansion house, barns, outhouses, orchard and land containing two hundred and fifty acres be the same more or less to them and their heirs forever, to be equally divide between them at my decease provide my five sons abovesaid do comfortably and honorably maintain my abovesaid wife in sickness and health during her natural life, and further my will is that my abovesaid sons shall not allinate the above given and granted lands unto any stranger until first the next relation of the above said Fullers have the offer of it; and all the rest and residue of my estate goods and chattels, not herein before bequeathed after my debts and funeral expenses discharged, I do give and bequeath unto my vary dutifull sons John Fuller, Jonathan Fuller, Joseph Fuller, Joshua Fuller and Jeremiah Fuller, whom I do make sole executors of this my last will and testament revoking all other will by me heretofore made. In witness whereof I have hereunto set my hand and seal this thirteenth day of January one thousand six hundred ninty five[/]six, & the seventh year of his Majesties Reign.

Memorandum the word on the line between the fourteen & fifteen lines (and Fifty) [are] allowed before sealing, and between eighteen and nineteen (housing and) were all allowed of with the _those dash[e]s [^]

Signed Sealed and Published
in the presence of witness,
Isaac William [signed]
John Ward [signed]
Munings Sawin [sigid]

the mark of
John
Fuller



Probate: [Bold, Charles Town, Febr 28th, 1697/8 by ye Hon. James Russell, Esq.,

<p>Thou Munings Sawin and Isaac Williams and also all ye Executors in said will named with John, Jonathan, Joseph, Joshua & Jeremiah Fuller did testify that the named Elizabeth in ye testament of ye 7th paragraph was caused by amoot mistake of said. Sawin ye writer of said will and ought to have been written Bethiah Hide as appears by ye copy taken from ye deceases mouth by which was stated for said will.</p> <p style="text-align: right;">Attest: Samuel Phipps Registrar</p>	<p>Capt. Isaac Williams, John Ward, Munings Sawin the witness subscribed, personally appearing made oath & they were personally present and saw ye subscriber, John Fuller, deceased, sign and seal & heard him publish and declare the above written to be his last will and testament & ye when he so did he was of a disposing mind. - Jeremiah Coram</p> <p style="text-align: right;">James E. Russell [signature] Seal Placed - Samuel Phipps, Registrar</p>
--	--

Inventory

The Inventory of the estate of John Fuller late of Newtown who deceased the 7th day of February 1697/8: taken the 15th day of February the year above said.

To waring Apparrill -----	011-00-00
To houshold stuff in the parler -----	010-06-00
To houshold goods in the kitchin and other iron ware ---	016-06-00
To houshold goods in the West Chamber -----	034-07-00
To houshold goods in the East Chamber -----	004-01-00
To provision and other goods in the seller -----	003-14-00
To Meat Cattle and swine -----	008-17-00
To Housing and land -----	320-00-00
To Debts Due to the Estate -----	125-14-00
the Sum total -----	534-05-00
To Debts due from the Estate -----	030-19-10

Aprised by us
Isaac Williams
Thomas Oliver

Charles Town, Feb 28, 1697/8 By ye Honorable James Russell, Esq.
John, Jonathan, Joseph, Joshua & Jeremiah Fuller all admitted executors personally appearing made oath of ye above written contains a true Inventory of ye

estate of thine honorable father John Fuller of Newton deceased as far as comes to their knowledge and if more appears they will cause it to be added.

Executed: Sam[uel] Phipps Reg[istrar] Jeremiah Coram

James E. Russell, Esq. [Signature]

Source: .

Middlesex County, MA: Probate File Papers, 1648-1871. New England Historic Genealogical Society, online database, 2014. From records supplied by the Massachusetts Supreme Judicial Court Archives, Boston, MA, USA. The original copy of this Will was obtained from the Jackson Homestead and Museum in Newton, MA.