

Henry Young of Penshurst, yeoman 1809

Prob 11/516

Will made 7th March 1809 Probate 11th October 1810

This is the last Will and Testament of me Henry Young of Penshurst in the County of Kent Yeoman made and declared this Seventh day of March in the year of our Lord 1809 First I Direct that all my Just Debts Funeral Expenses and the Expense of proving this my Will shall be truly and honestly paid and satisfied I give and bequeath unto my Wife **Hannah Young** the Sum of one hundred pounds of lawful Money of Great Britain to be paid to her within three Months next after my decease I likewise give and bequeath one half part of all my Plate Linen and Household Furniture (except such Specific Articles of Plate as I shall hereinafter bequeath to my two Daughters **Sarah the Wife of Edward Turner** and **Elizabeth the Wife of John Skinner**) unto my said **Wife Hannah Young** to and for her own use and benefit such half part to be apportioned and allotted by my Executors hereinafter named Also I give and devise all that Messuage Tenement or Cottage with the Garden Ground thereunto belonging situate and being in the Parish of Penshurst aforesaid and now in the tenure or occupation of **John Allen** unto my said **Wife Hannah Young** for and during the term of her natural life if she shall so long continue my Widow and from and immediately after the death or second Marriage of my said Wife I give and devise the same Messuage or Tenement Garden and Premises unto my said Daughter **Sarah the Wife of Edward Turner** and to her Heirs and Assigns for Ever Also I give and devise to my said **Wife Hannah Young** and her Assigns for and during the term of her natural life if she shall so long continue my Widow one Annuity or clear Yearly rent Charge or Sum of Eight pounds of like lawful Money free from Taxes and all other deductions Parliamentary or otherwise to be issuing payable and had received and taken out of all that Messuage Tenement or Cottage with the Garden and Appurtenances thereto belonging situate and being in the Parish of Penshurst aforesaid and now in the tenure or occupation of **Benjamin Knoll** and also all that Barn with the Outbuildings and several pieces or parcels of Land thereunto adjoining or belonging containing by Estimation thirty acres be the same more or less situate and being in the said Parish of Penshurst and now in my own Tenure or occupation and which said Messuage Tenement or Cottage Barn Buildings Lands and Premises together with the first mentioned Messuage Tenement or Cottage Garden and Premises in the occupation of **John Allen** are or have been called or known by the Name or Names of Holts and Pick Hill And my mind and will is that the said Annuity or Yearly Rent Charge of Eight pounds shall be paid to my said **Wife Hannah** and her Assigns for and during the term of her natural life by equal Quarterly payments on the four most usual Feasts or Days of payment in the year (that is to say) the Feast of the Annunciation of the Blessed Virgin Mary Saint John the Baptist Saint Michael the Archangel and the Nativity of our Blessed Lord and Saviour Jesus Christ the first payment thereof to be made on such of the said Feasts or Days of payment as shall first and next happen after my decease And my will and mind is in case the same Annuity or Yearly Rent Charge of Eight pounds or any part thereof shall be behind and unpaid by the space of twenty Eight Days next after either or any of the aforesaid Feasts or Days of payment whereon the same is hereinbefore directed to be paid as aforesaid that then it shall be lawful for my said Wife and her Assigns to enter into and upon the said Messuage Tenement or Cottage Buildings pieces or parcels of Land and Premises or any part thereof so charged with the said Annuity as aforesaid and there to distrain for the same Annuity or Yearly Rent Charge or for so much thereof as shall be so in arrear

and the Distress and Distresses then and there found to take and carry away and the same to detain and keep or to sell or dispose thereof as by Law Distresses for Rent may now be sold and disposed of until she and her Assigns shall be fully paid and satisfied so much of the Annuity or Yearly Rent Charge as shall be so in arrear and unpaid and all Costs and Charges which shall be occasioned in and about the recovery thereof Also I give and devise the same Messuage Tenement or Cottage Barn Outbuildings several pieces or parcels of Land and Premises and Hereditaments (Subject to and charged with the payment of the said Annuity or Yearly Rent Charge of Eight pounds) unto my said **Daughter Sarah the wife of Edward Turner** and to her Heirs and Assigns for Ever I likewise give and bequeath all the underwood growing Crops which shall be in and about the said last mentioned Lands at the time of my decease and likewise all the Hop poles then standing or being in and upon the same unto my said **Daughter Sarah the wife of Edward Turner** to and for her own use and benefit Also I give and bequeath my Silver Punch Ladle and Silver Waiter unto my said **Daughter Sarah the wife of Edward Turner** to and for her own use and benefit Also I give and bequeath my Silver Pepper Box my two Silver Salt Cellars and my four Silver Table Spoons unto my Daughter Elizabeth the Wife of John Skinner to and for her own use and benefit I likewise give and bequeath unto my said **Daughter Elizabeth the Wife of John Skinner** the Sum of Thirty pounds and having given her a considerable Sum of money on her marriage with the said John Skinner which said Sum of Thirty pounds I direct to be paid her within Six Months next after my decease Also I give and bequeath unto my daughter **Jane Young** the Sum of Two hundred pounds of like Lawful Money to be paid to her at her age of twenty one years and I direct that lawful Interest shall be paid or allowed to my said Daughter Jane on her said Legacy during such time as she shall remain under the Age of twenty one years such Interest to become payable immediately upon my decease and to be from time to time applied and disposed of in the Maintenance Education or bringing up of my said Daughter as my Trustees and Executors hereinafter named or the Survivor of them shall in his or their Discretion think most proper Also I give and bequeath all that Messuage or tenement wherein I now reside and dwell with the Outbuildings several pieces or parcels of Land Hereditaments and Premises thereto belonging containing by Estimation thirty three Acres be the same more or less situate and being in the Parish of Penshurst aforesaid and which Hereditaments and Premises I bought and purchased of and from **Mary Luck** and **Jane Luck** of Tonbridge in the County of Kent aforesaid Spinsters unto the said **Edward Turner** and my **Eldest Son William Young** and their Heirs to the use of them the said **Edward Turner** and **William Young** their Heirs and Assigns Also I give and bequeath all the rest and residue of my ready Money Securities for Money Farming Stock Debts Goods Chattels and Personal Estate whatsoever not hereinbefore by me disposed of unto the said **Edward Turner** and my **Son William Young** their Executors and Administrators Nevertheless as well as to my said real as my said personal Estate and effects upon the several Trusts hereinafter mentioned concerning the same (that is to say) upon Trust that the said **Edward Turner** and **William Young** and the Survivor of them his Heirs and Assigns do and shall as soon as conveniently may be after my decease either by public Auction or by private Contract make Sale and dispose of the said Messuage or Tenement Lands Hereditaments and real Estate so by me devised to them as aforesaid for the most Money and best Price as can or may be reasonably gotten for the same and that they the said **Edward Turner** and **William Young** and the Survivor of them his Executors and Administrators do and shall as soon as conveniently may be after my decease receive sell dispose of and absolutely convert into ready Money the said Personal Estate and Effects so by me bequeathed to them in trust as aforesaid and pay and apply the Money arising by the Sale Produce and Collection

of such real and personal Estate unto and amongst my said son William Young and my other Sons **Henry Young Richard Young Edward Young** and **Thomas Young** in case any of my Sons shall happen to be dead leaving Issue in equal Shares and Proportions such payment and disposition to be made to them respectively who at my decease shall have attained the Age of twenty one years within twelve Months next afterwards and to such of them as shall not have attained the said Age of twenty one years at my decease within twelve Months after he or they shall attain that Age but the Issue of such of my Sons as shall happen to be dead shall be entitled to no more or greater Share than his her or their Father or respective Fathers would have been entitled to if living and in case any of my Sons shall happen to depart this life without Issue before his or their Share or Shares respectively shall become due and payable then the Share and Shares of him or them so dying shall go and be paid unto and equally amongst the Survivors and Survivor of my said Sons in manner aforesaid when and as his or their Original Share or Shares shall become due and payable And I hereby direct my said Trustees and the Survivor of them his Executors and Administrators during the respective Minorities of my Sons to put and place out their respective Shares of and in the said Trust Money at Interest either in the Public Funds or upon real or private Securities which Stocks Funds or Securities it shall or may be lawful to and for my said Trustees and the Survivor of them his Executors and Administrators to change and transpose when and so often as to them and him shall seem requisite and pay and apply the Interest Dividends and Annual Profits thereof or so much as shall be necessary in their Maintenance and Education as they the said **Edward Turner** and **William Young** or the Survivor of them his Executors or Administrators shall in his or their discretion think most fit provided always that it shall and may be lawful to and for my said Trustees and the Survivor of them his Executors or Administrators during the respective Minorities of my Sons to lay out or apply any part of their respective Shares of the said Trust Monies for the putting or placing out him or them to any Business or Employment or otherwise for his or their advancement or preferment in the World in such manner as they or he shall think proper provided also And I do hereby declare my will to be and I do hereby direct that the Receipt and Receipts of the said **Edward Turner** and **William Young** or the Survivor of them or the Heirs or Assigns of such Survivor shall be sufficient Discharge or Discharges to any Purchaser or Purchasers for the Purchase Money for which the said Messuage or Tenement Outbuildings Lands and Hereditaments by me hereinbefore devised to them and their Heirs in Trust as aforesaid shall be sold or disposed of pursuant to this my Will or for so much thereof as in such Receipt or Receipts shall be expressed to be received and such Purchaser or Purchasers his her or their Heirs Executors or Administrators respectively shall not afterwards be required to see to the application thereof or be answerable or accountable for any Loss Misapplication or nonapplication of such Purchase Money or any part thereof provided also And I do hereby declare and direct that the provision by me hereinbefore made for my said **Wife** is upon Condition that she shall and do relinquish all her Right and Title of Dower or thirds at the Common Law or by Custom or otherwise which she may or can or otherwise might claim or demand in or out of all or any of the Messuages or Tenements Lands and Hereditaments whereof or wherein I may die seized or intrusted for any Estate of Inheritance provided also that it shall and may be lawful to and for my said Trustees and the Survivor of them and the Executors and Administrators of such Survivor from time to time in the first place to deduct and reimburse to themselves respectively by and out of the said Trust Monies Estate and Effects all such Costs Charges Damages Loss of time and Expenses as they or either of them their or either of their Heirs Executors Administrators or Assigns or any of them shall or may pay sustain or be put unto in and about the Performance and Execution of the

several Trusts hereby in them reposed or in any wise concerning the same and that neither of them their nor either of their Heirs Executors Administrators or Assigns shall be answerable or accountable for more of the said Trust Monies Estate and Effects than they shall respectively actually receive nor the one of them for the other of them nor for the Acts Deed Receipts Defaults Disbursements of the other of them nor shall they or any other of them be answerable or accountable for any Loss or Losses which shall or may happen of the said Trust Monies Estate and Effects or any part thereof by any ways or means whatsoever without their or either or any of their wilful neglect or default And I do hereby make and ordain the said **Edward Turner** and my said **Son William Young** joint Executors of this my last Will and Testament hereby revoking and making void all former Wills by me at any time made In witness whereof I the said Henry Young the Testator have to this my last Will and Testament contained in five sheets of paper set my hand and seal (that is to say) my hand to the four first sheets thereof and my hand and seal to this fifth and last sheet the day and year in the first sheet first above written

Henry Young

Signed sealed published and declared by the said Henry Young the Testator 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 hereunto subscribed our Names as witnesses

George Stidolph – George Lingard – George Oliver all of Tunbridge

Proved at London 11 October 1810 before the Judge by the Oaths of Edward Turner and William Young the Son and Executors to whom Administration being sworn by Commission duly to Administer