

## John Austin of Etchingam, Yeoman 1819

PROB 11/1618

Will made 24 February 1819 Proved 2 July 1819

This is the last Will and Testament of me John Austen of Belhurst in the Parish of Etchingam in the County of Sussex Yeoman made published and declared the twenty fourth day of February in the year of our Lord one thousand eight hundred and nineteen in the first place I will and direct that all my just Debts Funeral and Testamentary Expenses be fully paid and discharged and subject thereto and Charged and Chargeable therewith I give and dispose of my Temporal Estate which it has pleased God to bless me with in manner following (that is to say) I give and bequeath unto James Austen of Dale Hill in the Parish of Ticehurst in the said County of Sussex Farmer and William Watson of Ticehurst aforesaid Farmer their Heirs Executors and Administrators all and every my Messuages or Tenements Lands and Hereditaments as well Freehold Copyhold as Leasehold or of whatsoever forme or kind and all and singular my money Securities for money Goods Chattels and Personal Estate and Effects upon trust that they the said James Austen and William Watson and the Survivor of them and their Heirs Executors or Administrators of such Survivor shall and do as soon as conveniently may be after my decease and as they shall think proper sell and dispose of all and singular the said Messuages or Tenements Lands and Hereditaments Goods Chattels and Personal Estate and Effects by Public Sale or Auction or by Private Contract or in such other manner or to such Person or Persons and for such Sum or Sums of Money as shall be by them thought fit and most conducive to the benefit and advantage of the Trusts hereinafter mentioned and do and shall for that purpose make and Execute all such Deeds Conveyances and Assurances as they the said James Austen and William Watson or the Survivor of them or the Heirs Executors Administrators or Assigns of such Survivor shall think fit and collect get in and receive all such Part or Parts of my said Personal Estate as shall not consist of money or Securities for money and the money to arise from such Sale or Sales and to be so collected got in and received as aforesaid I do hereby direct shall go and be applied by my said Trustees or the Survivor of them or the Heirs Executors Administrators or Assigns of such Survivor upon the several trusts and for the several ends intents and purposes hereinafter mentioned expressed and declared of and concerning the same that is to say upon trust in the first place to pay all my just Debts whether on Mortgage Bonds Simple Contract or otherwise my Funeral Expenses the Charges of Proving this my Will and other incidental Expenses and after payment thereof and subject thereto to lay out and invest the residue or remainder in some or one of the Public Stocks or Funds or on Government or Real Securities at Interest and pay and apply the Interest Dividends and Annual Proceed or Produce thereof unto my dear Wife Mary and during the time or term of her natural life if she shall so long continue my Widow and from and after the Decease or second Marriage of my said Wife upon trust to pay assign or transfer the said trust monies or the Stocks Funds or Securities in or upon which the same shall or may be placed out or invested unto and amongst or between all my Children as well Sons as Daughters that is to say John Daniel Charlotte and Celia equally to be divided between them share and share alike the share of each such Children to be paid to them him or her respectively on their his or her respectively attaining the age of twenty one years and the Interest thereof in the meantime and such part of the Principal as may be necessary I direct shall be applied for and towards their respective maintenance Education bringing up and support Provided always and I do hereby declare my will and mind to be

that upon payment of the money to arise by such Sale or Sales of the said Messuages Lands and Hereditaments and Personal Estate hereby made saleable or any of them or any part or parts thereof respectively it shall and may be lawful to and for my said Trustees respectively or the Survivor of them or the Heirs Executors Administrators or Assigns of such Survivor respectively to give and sign any receipt or receipts for this money to arise by such Sale or Sales or any part thereof respectively which receipt and receipts shall be a good and sufficient discharge or discharges to any Purchaser or Purchasers his her or their respective Heirs Executors Administrators or Assigns for so much of the said purchase money as shall be therein expressed or acknowledged to be received And such Purchaser or Purchasers his her or their respective Heirs Executors Administrators or Assigns shall not afterwards be obliged to see to the application of such Purchase money or be answerable or accountable for any loss misapplication or nonapplication thereof or of any part thereof respectively Provided also and my will and mind further is that it shall and may be lawful to and for my said Trustees and Executors and the Survivor of them his Heirs Executors or Administrators to carry on my said Business and the Farm at Belhurst aforesaid at their or his discretion under the management of my said Wife during her widowhood or otherwise as they shall think proper if they or he shall conceive it most Conducive to the advancement and benefit of my Family and of the trusts hereby reposed in them and to employ the whole or such part of my said trust monies as may be necessary instead of investing the same as hereinbefore mentioned in the management and carrying on of the same And I direct that my said Trustees shall not be answerable for any loss that may be sustained thereby or in Consequence thereof And I do hereby make ordain constitute and appoint the said James Austen and William Watson Executors of this my last Will and Testament provided always and I do hereby further declare my will to be that it shall and may be lawful to and for my said Trustees and Executors their Heirs Executors or Administrators respectively from time to time and at all times to retain and deduct by or out of all or any of the monies which by virtue of this my Will or any of the Trusts therein contained shall come to their or any of their hands all Costs Charges Expenses Losses and Damages whatsoever which they or any of them shall expend or be put unto or in any wise sustain in or about the Execution or Performance of all or any of the trusts or Powers aforesaid or otherwise by reason of this my will or any trust hereby in them reposed and that they each and every of them shall be Charged or Chargeable only for and with his and her own respective receipts payments acts and wilful defaults and not otherwise and shall not be Charged or chargeable with any Sum or Sums of money other than such as shall actually and respectively come to his her or their own hands respectively by virtue of this my will nor with any loss or damage which may happen in depositing the same in any Bank or Bankers hands or elsewhere for safe Custody nor for any loss or damage which shall or may happen in or about the Execution of the Trusts hereby in them reposed without his her or their respective gross wilful neglect or default And lastly I do hereby revoke and make void all former wills by me at any time heretofore made and do declare this only to be my last Will and Testament In witness whereof I the said John Austen the Testator have to this my last Will and Testament contained in three sheets of paper set my hand to the two first sheets and to this third and last sheet thereof my hand and seal on the day and year above written - John Austen – Signed sealed published and declared by the said John Austen 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 - Thomas Reed - The Mark of Ambrose Anderson – James Doubell Clerk to Mr Wardroper Hawkhurst

Proved at London 2<sup>nd</sup> July 1819 before the Worshipful Augustus Gostling Dr of Laws & Surrogate by the Oath of James Austen the Brother & one of the Executors to whom Administration was granted being first Sworn duly to Administer Power reserved to William Watson the other Executor