

Will of John Springett Yeoman of Goudhurst 1616

PROB 11/1327

Will made 20 July 1795, probate 16 July 1999

This is the last Will and Testament of me John Springett of Goudhurst in the County of Kent Yeoman made and declared the twentieth day of July in the year of our Lord one thousand seven hundred and ninety five I make and appoint my two Sons John Springett and Robert Springett Executors of this my Will I give and bequeath to my dear Wife Elizabeth Springett and at her disposal all Household Goods and Furniture Plate Linnen and China whatsoever which shall be in and about my Dwelling House at the time of my decease Also I give and devise unto my said two Sons John Springett and Robert Springett all and every my Messuages or Tenements Lands Hereditaments and Premisses and Real Estate whatsoever both Freehold and Copyhold situate lying and being in the several parishes of Eltham and Sevenoaks or elsewhere in the said County of Kent with their and every of their appurtenances to hold the same and every part thereof unto my said Sons John Springett and Robert Springett their Heirs and Assigns for ever upon Trust and Confidence nevertheless and to the Intent and Purpose that they my said Sons John Springett and Robert Springett and the Survivor of them his Heirs and Assigns do and shall as soon as conveniently may after my decease sell and dispose of all and every my said Messuages or Tenements Lands Hereditaments and Premisses and Real Estate and every part thereof either together or in parcels by Public Auction or Private Sale and in such way and manner as the my said Sons or the Survivor of them his Heirs and Assigns shall think proper for the most Money and best price or prices that can or may be reasonably had or gotten for the same And the Monies arising thereby and by and from such Sale and Sales (after deducting the reasonable and necessary Expenses attending the Sale and disposal of my said Estates) shall and do pay and apply to the uses intents and purposes herein after mentioned Also I give and bequeath unto my said Sons John Springett and Robert Springett all and every my Monies and Securities for Money and all other my Personal Estate whatsoever and wheresoever (not herein before disposed of by me) upon Trust that they my said Sons John Springett and Robert Springett and the Survivor of them his Executors and Administrators do and shall receive get in sell and dispose of the same and every part thereof and pay apply and dispose of the Monies arising thereby to the Uses Intents and Purposes herein after mentioned (that is to say) In Trust that they my said Sons and the Survivor of them his Heirs Executors and Administrators shall and do with all convenient speed after my decease lend and place out all such Monies so arising by and from the Sale and Disposition of my said Messuages Lands and Premisses and Real Estate and also the Monies arising by the Collection and Sale of my said Personal Estate and every part thereof (after payment of my Debts Funeral Expenses Probate of this my Will and Trustees Charges and Expenses) upon such good Security or Securities at Interest as they my said Sons or the Survivor of them his Heirs Executors and Admors shall think proper and from time to time to call and get in such Monies so to be lent and placed out as aforesaid and to lend and place out the same again upon such other Security or Securities as in the discretion of my said Trustees shall seem right and shall and do pay the Interest Dividends and Proceeds thereof (as the same shall be received by them) unto my said Wife Elizabeth Springett and her Assigns for and during the term of her natural life or otherwise do and shall empower her and them to receive and take the same to her and their own use And from and immediately after the decease of my said Wife then upon Trust that they my said Trustees and the Survivor of them his Heirs Executors or Admors shall and do pay assign or transfer one Moiety or full half part of the Monies arising by the Sale Disposition and Collection of my said Real and Personal Estates and so to be lent and placed out as aforesaid unto between and among my four Sons John Springett Robert Springett Samuel Springett and Thomas Springett equally between them share and

share alike to and for their own several and respective use and benefit absolutely and upon further Trust that they my said Trustees and the Survivor of them his Heirs Executors or Administrators shall and do stand possessed of and Interested in one full fourth part of the remaining moiety of the said Trust Monies and Securities (such moiety into four equal parts being divided or considered as divided) In Trust to receive the Interest Dividends and Proceeds thereof from time to time as the same shall become due and payable and pay the same unto my Son in Law William Skinner and Mary his wife (my daughter) for and during the Terms of their respective natural lives and the life of the longer liver of them or otherwise empower them and the Survivor of them to receive and take the same to and for their own use And from and after the decease of my said Son in Law William Skinner and Mary his Wife and the decease of the Survivor of them Upon Trust that they my said Trustees and the Survivor of them his Heirs Executors or Admors do and shall pay assign and transfer the whole of the said fourth part of the said remaining moiety unto and among all and each the Children of my said Son in Law William Skinner on the Body of the said Mary my Daughter begotten and to be begotten in equal parts shares and proportions and if there shall be but one such Child then do and shall pay assign or transfer the whole of the said fourth part to such only Child for his or her own use and benefit and the same shall be considered as a vested Interest in and be paid assigned or transferred to such child or children respectively on their attaining their respective ages of twenty one years and the Interest Dividends and Proceeds thereof to be paid and applied for and towards the maintenance and education or otherwise for the benefit of said Child or Children during their minorities at the discretion of my said Trustees provided always that in case there shall not be any Child of the Body of my said Daughter Mary Skinner who shall live to attain the age of one and twenty years or dying under that age shall not have any lawful Issue who shall live to attain that age Then my Will is that my said Trustees shall pay assign or transfer the said fourth part of the said remaining moiety unto such person or persons as my said Daughter Mary Skinner notwithstanding her present or any future Coverture whether Sole or Covert by any Deed or Writing or by her last Will and Testament executed in presence of two Witnesses shall declare limit or appoint and in default thereof Then to the next of kindred of my said Daughter Mary Skinner according to the Statute made for the Distribution of Intestates Estates

And as for and concerning one other fourth part of the said remaining moiety of the said Trust Monies and Securities upon Trust that they my said Trustees and the Survivor of them his Heirs Executors or Administrators shall and do stand possessed of and Interested therein In Trust to receive the Interest Dividends and Proceeds thereof from time to time as the same shall become due and payable and pay the same unto my Son in Law William Duke and Elizabeth his wife (my daughter) for and during the terms of their respective natural lives and the life of the longer liver of them or otherwise empower them and the Survivor of them to receive and take the same to and for their own use And from and after the decease of my said Son in Law William Duke and Elizabeth his Wife and the decease of the Survivor of them Upon Trust that they my said Trustees and the Survivor of them his Heirs Executors or Admors do and shall pay assign and transfer the whole of the said fourth part last mentioned of the said remaining moiety unto and among all and each the Children of my said Son in Law William Duke on the Body of the said Elizabeth my Daughter begotten and to be begotten in equal parts shares and proportions and if there shall be but one such Child then do and shall pay assign or transfer the whole of the said last mentioned fourth part to such only Child for his or her own use and benefit and the same shall be considered as a vested Interest in and be paid assigned or transferred to such child or children respectively on their attaining their respective ages of twenty one years and the Interest Dividends and Proceeds thereof to be paid and applied for and towards the maintenance and education or otherwise for the benefit of said Child or Children during their minorities at the discretion of my said Trustees provided always that in case there shall not be any

Child of the Body of my said Daughter ~~Elizabeth Duke~~¹ who shall live to attain the age of one and twenty years or dying under that age shall not have any lawful Issue who shall live to attain that age Then my Will is that my said Trustees shall pay assign or transfer the said fourth part of the said remaining moiety unto such person or persons as my said Daughter ~~Elizabeth Duke~~¹ whether Sole or Covert and notwithstanding her present or any future Coverture shall by any Deed or Writing or by her last Will and Testament executed in presence of two Witnesses shall declare limit or appoint and in default thereof Then to the next of kindred of my said Daughter ~~Elizabeth Duke~~¹ according to the Statute made for the Distribution of Intestates Estates

And as for and concerning one other fourth part of the said remaining moiety of the said Trust Monies and Securities upon Trust that they my said Trustees and the Survivor of them his Heirs Executors or Administrators shall and do stand possessed of and Interested therein In Trust to receive the Interest Dividends and Proceeds thereof from time to time as the same shall become due and payable during the natural life of my Daughter Sarah ?? the Wife of Richard Beale² and pay apply and dispose thereof to and for the sole and separate appointment use and benefit independent of and not to be subject or liable to the Debts or Controul of her present or any Husband she may hereafter intermarry with and her receipt alone to be a sufficient discharge to my Trustees for the same and from and after the decease of my said Daughter Sarah Beale upon Trust that they my said Trustees and the Survivor of them his Heirs Executors or Administrators do and shall pay assign and transfer the whole of the said last mentioned fourth part of the said remaining Moiety unto and among all and every the Children of my said Daughter Sarah Beale begotten and to be begotten in equal parts shares and proportions and if there shall be but one such Child then do and shall pay assign or transfer the whole of the said last mentioned fourth part to such only Child for his or her own use and benefit and the same shall be considered as a vested Interest in and be paid assigned or transferred to such Child or Children respectively on their attaining their respective ages of twenty one years and the Interest Dividends and Proceeds thereof to be paid and applied for and towards the maintenance and education or otherwise for the benefit of such Child or Children during their minorities at the discretion of my said Trustees provided always that in case there shall not be any Child of the Body of my said Daughter Sarah Beale who shall live to attain the age of one and twenty years or dying under that age shall not have any lawful Issue who shall live to attain that age Then my Will and Mind is that my said Trustees shall pay assign or transfer the said last mentioned fourth part of the said remaining Moiety unto such person or persons as my said Daughter Sarah Beale whether Sole or Covert and notwithstanding her present or any future Coverture shall by any Deed or Writing or by her last Will and Testament executed in presence of two Witnesses shall declare direct limit or appoint and in default thereof Then to the next of kindred of my said Daughter Sarah Beale according to the Statute made for the Distribution of Intestates Estates

And as for and concerning the other or remaining fourth part of the said remaining moiety of the said Trust Monies and Securities (Subject to a Deduction or Abatement out of the same of the sum of Fifty pounds of lawful Money of Great Britain which my Daughter Martha hath had and received from me more than any of my other Daughters Upon Trust that they my said Trustees and the Survivor of them his Heirs Executors or Administrators shall and do stand possessed of and Interested therein In Trust to receive the Interest Dividends and Proceeds thereof from time to time as the same shall become due and payable and pay the same unto my Son in Law James Kine and the said Martha his Wife (my Daughter) for and during the terms of their respective natural lives and the life of the longer liver of them or otherwise empower them and the Survivor of them to receive and take the same to and for their own use And from and after the decease of my said Son in Law James Kine and Martha his Wife and the decease of the Survivor of them Upon Trust that they my said Trustees and the Survivor of them his Heirs Executors or Administrators do and shall pay assign and

transfer the whole of the said last mentioned fourth part of the said remaining Moiety (Subject to the Deduction or Abatement before mentioned) unto and among all and every the Children of my said Son in Law James Kine on the Body of the said Martha my Daughter begotten and to be begotten in equal parts shares and proportions and if there shall be but one such Child then do and shall pay assign or transfer the whole of the said last mentioned fourth part to such only Child for his or her own use and benefit and the same shall be considered as a vested Interest in and be paid assigned or transferred to such child or children respectively on their attaining their respective ages of twenty one years and the Interest Dividends and Proceeds thereof to be paid and applied for and towards the maintenance and education or otherwise for the benefit of such Child or Children during their minorities at the discretion of my said Trustees provided always that in case there shall not be any Child of the Body of my said Daughter Martha Kine who shall live to attain the age of one and twenty years or dying under that age shall not have any lawful Issue who shall live to attain that age Then my Will and Mind is that my said Trustees shall pay assign or transfer the said last mentioned fourth part of the said remaining Moiety (Subject as aforesaid) unto such person or persons as my said Daughter Martha Kine whether Sole or Covert and notwithstanding her present or any future Coverture shall by any Deed or Writing or by her last Will and Testament executed in presence of two Witnesses shall declare direct limit or appoint and in default thereof Then to the next of kindred of my said Daughter Martha Kine according to the Statute made for the Distribution of Intestates Estates provided also and my Will is that the said Sum of Fifty pounds to be deducted from my said Daughter Martha's part as aforesaid shall be added and go to the respective parts herein before given to my said other Children it being my desire and intention to make them all equal in respect to the Distribution of my Property And my Will and Mind is that the Rents and Profits of my said Real Estates until the same are sold shall be applied by my said Trustees to the same Uses and Purposes as the Monies arising by the Sale thereof are hereby directed to be paid and applied And my Will and Mind also is that in case any or either of the Children of any or either of my said Daughters begotten or to be begotten shall die having Issue of his her or their Body or Bodies before the ?? or they shall have attained the Age of twenty one years That then the Issue of every such Child of my said Daughters shall have and be intitled to the Share or Proportion which the Parent would have had or be intitled unto of and in my said Real and Personal Estate in case such Parent had attained the Age of twenty one years and the same shall be paid assigned or transferred to the Issue of every such child of my said Daughters so dying as aforesaid when and as the share or shares of such Child would have become payable by virtue of this my Will with such maintenance in the meantime as is herein before directed touching the Original Portion or Share of the deceased Parent or Parents of such Issue respectively And I do hereby declare that the Receipt and Receipts of my said Sons John Springett and Robert Springett and the Survivor of them his Heirs and Assigns under their his or their Hands or Hand shall be a good and effectual discharge or good and effectual discharges to the respective purchasor or purchasors of my said Messuages Lands Tenements Hereditaments and Premises herein before directed to be sold or any part or parts thereof and to his her and their Heirs Executors Admors and Assigns for so much of such purchase money for which such receipt or Receipts shall be given and that after such Receipt or Receipts had and given such Purchasor or Purchasors his her and their Heirs Executors Admors and Assigns respectively shall be absolutely acquitted and discharged of and from such Purchase Monies and shall not be answerable or accountable for any loss misapplication or nonapplication thereof or of any part thereof And Lastly I do hereby revoke all former Wills by me made and declare this only to be my last Will and Testament In witness whereof I the said John Springett (the Testator have to this my last Will and Testament contained in five sheets of paper set my Hand and Seal (to wit) my Hand to the four first sheets hereof and my Hand and Seal to this fifth and last sheet the day and year first before written – John Springett Signed Sealed and Declared by the said John Springett the Testator and for his last Will and

Testament in the presence of us who in his presence and in the presence of each other have hereto subscribed our Names as Witnesses Sam. P Newington - Will^m Mynn – Jn^o Pope

This Will was proved at London the sixteenth day of July in the year of our Lord one thousand seven hundred and ninety nine before the Worshipful John Sewell Doctor of Laws Surrogate of the Right Honourable Sir William Wynne Knight also Doctor of Laws Master Keeper or Commissary of the Prerogative Court of canterbury lawfully constituted by the Oaths of John Springett and Robert Springett the Sons of the Deceased the Executors named in the said Will to whom Administration was granted of all and singular the Goods Chattels and Credits of the said Deceased having been first sworn duly to administer.

¹ Elizabeth's name is blotted out at this point, but still readable

² Richard Beale died in January 1795, shortly before this will was written