

New Light on Jane Austen's Great-Grandmother: A Complete Transcript of Elizabeth Weller's *Memorandum* and Account Book and Seven Newly Found Letters: Appendix 6

By **Azar Hussain**

Azar Hussain (email: azarmhussain@gmail.com) is an independent researcher based in London. His research focuses on the eighteenth century and specifically Jane Austen. His work has appeared in *Notes & Queries*, *Persuasions*, *Persuasions On-Line*, and the Jane Austen Society *Annual Report*.

Appendix 6

Transcript of the Will of John Austen III (1629–1705)

Page 1

In the name of God Amen

I John Austen of Horsmonden in the County of Kent Clothier being in perfect health and of sound and disposing mind and memory (praised be God for the same) doe make and ordaine this my last Will and Testament in manner and forme following (that is to say) ffirst and principally I yield up my Soule to Almighty God my Creator hoping to obtaine remission of all my Sins in and through the meritts and mediation of Jesus Christ my Lord and only Saviour And my body I will to be decently buried according to the discretion of my Executors herein after named. Item I give and bequeath unto and amongst the poore of the severall parishes of Horsmonden aforesaid

and Goudhurst in the said County of Kent to each of the said parishes five pounds to be distributed amongst them respectively according to the discretion of my Executors within one month next after my decease. Item I given unto my Grand children Jane Stringer Hannah Stringer Elizabeth Stringer Ann Stringer Mary Stringer Ann Holman Sarah Holman Mary Holman and Frances Holman one hundred pounds a piece of lawfull money of England to be paid unto them respectively at their respective ages of one and twenty yeares or dayes of marriage which of them shall respectively first happen. Item I give and bequeath unto my Grandson John Holman the Summe of two hundred pounds of lawfull money of England to be paid unto him at his age of one and twenty yeares. Item I give and bequeath unto my Granddaughter Elizabeth Austen Daughter of my Son John Austen late of Horsmonden in the County of Kent aforesaid Gent deceased four hundred pounds of lawfull English money to be paid unto her when She shall attaine to the age of two and twenty yeares. Item I give and bequeath unto Francis Austen Thomas Austen William Austen Robert Austen and Stephen Austen the five younger Sons of my said Son John Austen deceased forty pounds a piece at their respective ages of fourteen yeares for and towards putting and placing them out to Trades or Employments as my Executors and the Survivour of them shall think fit and approve of And my will and meaning is that noe Intrest shall be allowed or paid for or in respect of any the Legacy or Legacies given as aforesaid to my Grandchildren any or either of them. And in case any or either of my said Grandchildren herein before in this my Will named shall happen to dye before his or their Legacy or Legacies shall become due and payable as aforesaid Then and in such case I give and bequeath the Legacy or Legacies of such deceased unto such of my Grand Sons Austen as shall first come and live unto the age of two and twenty yeares And my mind is that such Legacy or Legacies shall be paid unto him at his said age of two and twenty yeares and not before Item I give and bequeath unto Mary Daughter of Samuel Coleman deceased and now wife of

Page 2

John Sheffield the Summe of ten pounds of lawfull money of England to be paid within one year next after my decease And my will is that the same shall be paid into her owne proper hands and shall be at her disposall without any intermedling of the said John Sheffeld her husband therewith and that her Receipt Acquittance or Release thereof seperate and without her husband shall be a good discharge for the same. Item I give and bequeath unto Anne the Daughter of Jeoffery Austen and now the wife of William Court of Horsmonden aforesaid Tanner and unto Marg^t Peckham widow my housekeeper and unto John Osbourne of Horsmonden aforesaid Clothier to every one of them ten pounds a piece to be paid unto them respectively within one year next after my death. Item I give and bequeath unto Thomas Lake of Goudhurst Esq^e one Guinea to buy him a ring to weare in remembrance of me. Item I give unto my friend M^r William ffinch of Tenterden alsoe one guinea to buy him a ring to weare in remembrance of me. Item I give and bequeath all my plate linnen bedding and household goods of what nature or kind soever unto my Grand Son John Austen the oldest Son of my said Son John Austen deceased and to my Daughters M^{rs} Jane Stringer and M^{rs} Anne Holman to be equally divided betwixt them or such of them as shall be living at the time of my decease. Item I further give and bequeath unto every one of my five younger Grandsons ffrancis Austen Thomas Austen William Austen Robert Austen and Stephen Austen Sons of the beforenamed John Austen my son deceased two hundred pounds of lawfull money of England at their severall and respective ages of one and twenty yeares. And in case any or other of my said Grand Sons Austen shall happen to dye before he or they shall have attained to his and their respective age or ages of one and twenty years Then I give and bequeath the bequest and bequests of such deceased to the Survivour and Survivours of them upon condition and not otherwise That

he and they shall and doe within three months then next after as he and they shall have attained his and their respective age and ages of one and twenty yeares severally and respectively convey and release by good and sufficient Conveyances in the law unto my eldest Grand Son John Austen (their Brother) and to his heires And in case of the death of my said Grandson John Austen then to the then next eldest Sonn of my said Son John Austen that shall be then living and to his heires all his and their right title and intrest which he and they now have or any or either of them shall or may then have of into or out of all that messuage Lands and premisses thereunto belonging with the appurtenances scituate lying and being in Horsmonden and Goudhurst aforesaid and called or knowne by the name of Broadford and which I settled on my said Son John Austen deceased upon his marriage with Elizabeth his now widow. And as for touching the disposition of my reall Estate I give and dispose thereof as followeth. ffirst I give and devise unto my Daughter M^{rs} Jane Stringer wife of M^r Stephen Stringer and to her heires forever all that my messuage ffarme Lands

Page 3

Tenements and Hereditaments whatsoever with their and every of their Appurtenances now in the Occupation of (?) Twopeny widow her Assignee or Assignes scituate in Goudhurst aforesaid and heretofore purchased by my ffather ffrancis Austen deceased of one Abraham Beale And alsoe all that messuage or tenement with all the Lands Tenements and hereditaments thereunto belonging with their and every of their Appurtenances or therewith now used and now in the Occupation of John Standen or of his Assignes or undertennants scituate in Goudhurst aforesaid and which I lately purchased of Titus Smith and Anne his wife and William Tirrey. Item I give and devise unto my Daughter M^{rs} Anne Holman wife of M^r John Holman and to her heires forever all my messuages Lands tenem^{ts} and hereditaments whatsoever with their and every of their

appurtenances which are scituate lying and being in Smarden in the said County of Kent. Item I give and devise all other my manors Lands Tenem^{ts} and hereditaments whatsoever and wheresoever (save what I have given to my said Daughters M^{rs} Jane Stringer and M^{rs} Ann Holman and their Heires) as followeth (that is to say) unto my Grand Son John Austen before named and to the heires of his body lawfully to be begotten forever And for default of such Issue unto my said Grand Son ffrancis Austen and to the heires of his body lawfully to be begotten And for default of such Issue unto Thomas Austen my said Grand Son and to the heires of his body lawfully to be begotten And for default of such Issue unto William Austen my Grand Son above named and to the heires of his body lawfully to be begotten And for default of such Issue unto Robert Austen my said Grand Son and to the heires of his body lawfully to be begotten And for default of such Issue unto Stephen Austen my Grand Son before named and to the heirs of his body lawfully to be begotten forever. And for default of such Issue unto my said two Daughters M^{rs} Jane Stringer wife of the before named M^r Stephen Stringer and M^{rs} Ann Holman wife of the before named M^r John Holman and to their heires forever. Item I give and bequeath all my goods chattells and personall Estate whatsoever not herein given and disposed of unto my eldest Grand Son John Austen at his age of two and twenty yeares and in case of his death then to such other of my Grand sons Austen as shall first come to the said age of two and twenty yeares. Item I doe hereby nominate make and appoint my said two Sons in Law M^r Stephen Stringer and M^r John Holman joint Executors of this my last Will and Testament And I doe give and bequeath unto them twenty pounds a piece yearly for their paines and care in and about the Execution of this my Will and managing the Trust I have reposed in them which yearly payment to continue and be untill my eldest Grand Son Austen shall accomplish his age of two and twenty yeares. And in case he should dye before as aforesaid Then until such other of my Grand Sons Austen as shall first come unto and be two and twenty

yeares old. And if either of my said Sons in law doe dye before any one of my said Grand Sons shall have attained the said age of

Page 4

two and twenty yeares from thenceforth I give unto the Survivor of them the said yearly Summe of twenty pounds as before given unto such deceased. And my mind further is and I doe hereby will direct and appoint that my Sonnes in law before named shall act in the Execution of this my Will yearly by turnes One, one year the other the next year (my said Son in law Stringer acting the first year after my death) untill one of my Grand Sons Austen shall come to the age of two and twenty yeares as aforesaid And that my said Sons in Law shall severally and respectively yearly on Christmas day or within twenty days after in every yeare make yield up and give an account in writing of all and every their severall and respective and seperate receipts payments and disbursements for touching and concerning my Estate unto S^r Thomas Roberts Baronett and the said Sr Thomas Roberts auditing allowing and signing the said Accounts to be conclusive and a barr against all persons therein concerned. And I doe give unto the said S^r Thomas Roberts my respected friend two guineas yearly for his trouble and care in and about his auditing the said accounts And in case the said S^r Thomas Roberts dye before anyone of my said Grand Sons shall be of the age of two and twenty yeares as aforesaid Then I will order and appoint my Sonnes in law before named and the Survivour of them to account yearly for my Estate unto Edward Beason of Hunton in the County of Kent Gent in such manner as I have herein before directed to be given and yielded up unto the said S^r Thomas Roberts and the said M^r Beason allowance and signing of such accounts to be conclusive against all persons therein and I doe give unto him the said M^r Beason yearly two guineas for the time he shall and doe audite the said accounts for his paines and care thereabout. And my will and mind further is and I doe hereby

committ direct and appoint the Guardianship bringing up and Tuition of my said eldest Grand Son John Austen untill his age of two and twenty yeares as aforesaid and in case of his death the next of my eldest Grand Sons Austen and soe successively untill the said age of two and twenty yeares unto my Sons in Law M^r Stephen Stringer and M^r John Holman before named and the Survivour of them and the Executor of such Survivour And in case the Mother of such eldest Grand Son or any other person who shall have right of guardianship of him shall obstruct refuse or denye his being educated or brought up by my said Sons in Law as beforementioned Then in such case only I give and bequeath the Summe of two thousand pounds parcell of such my Eldest Grand Son Austens portion unto my Sons in Law M^r Stephen Stringer and M^r John Holman. And I doe charge the Lands tenements and reall Estate devised to such eldest Grand Son as aforesaid with the payment thereof And my will and meaning further is that my said Sons in Law M^r Stringer and M^r Holman and the Survivor of them and the Executor or Executrix of such Survivor shall and may have full power and authority when they or the Survivour of them shall see occasion to cutt downe the underwoods

Page 5

and to fell any of the decaying and not thriving timber from any parte of the Mannors lands and premisses in this my Will devised to my said eldest Grand Son John Austen and the monies arrising and made therefrom together with such monies as shall be made of and arrise out of and from my personall Estate doe place out and continue at Intrest upon such Security or Securities as they any or Either of them shall think fitt and approve of or lay the same moneys out upon the purchase of Lands or Tenements to be settled on such eldest Grand Son Austen and his heires as aforesaid And that they shall in noe wise be answerable and chargeable with any loss that may happen or come thereby. And that they shall not be liable and subject to account for or allow any intrest of the monies

that shall come to their any or either of their hands from for or
in respect of any Rents arising out of my real Estate And my
will and mind further is and I do hereby direct and appoint that
my said Sons in Law M^r Stephen Stringer and M^r John Holman
or the Survivour of them or the Executor or Executrix of such
Survivour shall not and do not account (otherwise than as
herein before in this my Will is mentioned and directed) for any
part of my Estate given and devised to my eldest Grand Son
Austen or pay or deliver the same over unto until such oldest
Grand Son shall come unto and accomplish his said age of two &
twenty years. And I do hereby revoke all former Will and Wills
by me made. In Witness whereof to this my last Will and
Testament contained in these Six Sheets of paper together affixed
I have sett to every Sheet hereof my hand and to the first and
last Sheet affixed my Seale. Dated this twelfth day of May in
the fourth yeare of the Reigne of our Souveraigne Lady Anne by
the grace of God Queen of England and &c Anno Domini one thousand
Seaven hundred and five.// John Austen. Signed sealed published
and declared by the said John Austen the Testator for and as
his last Will and Testament in the presence of us and attested
and witnessed by us in his presence. Ric. Purty Richard Thorpe
Thomas Birch William ffinch.