

Thomas Wither of Andwell, gent, 1701

Ref: TNA PROB 11/459/237

In the name of God Amen I Thomas Wither of Andwell in the county of Southampton gentleman, do make and ordain this my last will and testament as follows. **First** I commend my soul into the hands of God my heavenly Father hoping for a remission of all my sins and for salvation by our Lord Jesus Christ my redeemer. **My body** I commit to the earth to be buried with the least expense that my executors hereafter named can with decency contrive (if possible), in the parish church of St Lawrence Wootton in the county of Southampton, in or near the grave of my dear wife in hope of a happy resurrection thereof and reunion with my soul in a blessed and glorified estate forever. **As for** my worldly estate I have by six several surrenders dated the four and twentieth day of May in the five and thirtieth year of the reign of our sovereign Lord Charles the Second, King of England etc. surrendered into the hands of the lords of the manor of Crondall in the county of Southampton by the acceptance of Richard Harris Esq., then deputy steward of the said manor, all those my copyhold lands and tenements with their appurtenances lying within the parish of Yateley within the said manor of Crondall to the use of my last will and testament. **And** of such person or persons and in such manner and form, and for such estate and under such conditions, limitations, trusts and confidences and for such purposes as shall be by my last will and testament, limit and appoint the same in pursuance of the power, I have thereby according to the custom of the said manor of Crondall I do, by this my last will and testament, give and devise all those my copyhold lands and tenements with their appurtenances lying within the said parish of Yately within the said manor of Crondall, unto my eldest son William Wither and his heirs according to the custom of the said manor of Crondall, but upon these conditions following vizt. **That** my son William Wither, his heirs or assigns, do pay or cause to be paid unto my daughter Mary Wither, my sons George Wither and John Wither the several legacies given unto them, or either of them, by the last will and testament of their grandmother Mrs Eleanor Fulkes deceased. **And** also that my son William Wither, his heirs and assigns, do pay unto my son George Wither the sum of one hundred pounds of lawful money of England when he, the said George Wither, shall have attained the age of one and twenty years. **And** also that my said son William Wither, his heirs and assigns, do pay unto my son John Wither the sum of two hundred pounds of lawful money of England when he, the said John Wither, shall have attained the age of one and twenty years. **And** also that my son William Wither, his heirs, executors, administrators and assigns do well and truly pay or cause to be paid all such debts as shall be justly due from me at the time of my decease unto any person or persons whatsoever. **But** in case my said son William Wither, his heirs or assigns, shall refuse to pay the said several legacies and debts and sums of money wherewith I have charged my said estate at Yately with as aforesaid, then and in such case (and not otherwise), I do hereby give and devise all those my said copyhold lands and tenements with their appurtenances situate in the said parish of Yately in the manor of Crondall aforesaid, unto my two brothers in law Mr Thomas Bethell and Mr Lovelace Bigg and their heirs in trust to be sold for the payment of the said legacies, debts and sums of money wherewith I have charged the said premises with as aforesaid, and to render and pay the overplus money for which the said lands shall be sold for unto my said son William Wither his heirs and assigns. **Item** I give unto my daughter Mary Wither the

benefit and advantage of one hundred pounds lawful money of England which I have paid into the Exchequer of my own money and made myself nominee to receive an annuity of fourteen pounds per annum during the life of my said daughter Mary Wither, out of the King's Exchequer pursuant and upon the credit of an Act of Parliament made in the fourth year of King William and Queen Mary entitled an Act for the Granting to their Majesties Certain Rates and Duties of Excise Upon Beer, Ale and other Liquors for securing certain recompenses and advantages in this said Act mentioned to such persons as shall voluntarily advance the sum of ten hundred thousand pounds towards carrying on a war against France. **Item** I give unto my daughter Mary Wither my wife's wedding ring and the reason why I have given my said daughter and my son George so little is because they have grievously offended God their heavenly Father. **If they** shall repent and forsake their offences I desire my son William to be kind to them. **Item** I give to my son John Wither five twenty shilling pieces of broad gold. **Item** I give unto my nephew William Wither Esq. and to my niece Mary Wither, my sister Barbara Wither, my brother and sister Bethell, my brother and sister Bigg and to each of them five pounds to buy them mourning. **Item** I give unto my uncle and aunt Erule, my aunt Bigg, to my cousin William Bigg, Mary Bigg, Dorothy Bigg, Henry Bigg, Alethea Bigg, Elizabeth Bigg, Sara Bigg and Thomas Bigg and to my cousins Alatheia Cotton, Chambers Slaughter and Susann his wife, John Pottenger and William Pottenger, Elizabeth Erule, Thomas Plydell, and Rachel his wife, Mary Erule and Edward Erule and to each of them a mourning ring of ten shillings value as a small token of the true love I bear them my near relations. **All the** rest and residue of my lands and tenements, goods and chattels, real and personal estate whatsoever after my debts and legacies paid as aforesaid I give and bequeath unto William Wither his heirs, executors and administrators whom I make residuary legatees of this my last will and testament. **I pray** God give him grace that he may live a virtuous life and endeavour that his two brothers and sisters may do so likewise and then and not otherwise, God will bless them. **And lastly** I make my said son William Wither and my brothers in law Mr Thomas Bethell and Mr Lovelace Bigg executors in trust of this my last will and testament desiring them to assist and advise my children in what they can. **And** I charge all my children to observe and follow their advice which is my last request to them. **In witness** whereof I have hereunto set my hand and seal this five and twentieth day of August on the twelfth year of the reign of our sovereign Lord William the Third by the grace of God of England, Scotland, France and Ireland King defender of the faith etc. Anno Domini 1700.

Thomas Wither.

Signed, sealed and published by the said Thomas Wither as his last will and testament in whose presence we have subscribed our name as witnesses thereunto. Witnesses hands - John James, John Eggar, Elizabeth Ponder

Probate granted to William Wither son and executor 17 Feb 1701.