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Probate for the will of Robert Aston of Burford - Written in 1696 (with Codicil 1698), proved in 1698

Transcription

By R I Kirby (25/1/2006). Difficult text replaced by ‘*’. Line padding squiggles represented by ‘~’. References to people emboldened.

Source

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Summary

Robert Aston of Burford, Oxon, Innholder

Son Robert Aston to get freehold estate and farm in Upton in the parish of Burford (lately purchased from Mr Lenthall’s trustees). Charged to pay £200 to his daughter Anne Aston.

Son Ambrose Aston to get newly erected and unfinished house in Shipstreete, Burford, with the yard lands bought from Mr Martin and lying in the fields of Upton. Also all Plows Carts

Waggons Horses Mares Geldings and all things that belonging to my Teeme or Husbandry

Son John Aston to get messuage and Malthouse in Shipstreete (occupied by Thomas Basdale), also yard lands bought from Leonard Mills in the fields of Burford and Upton. Charged with payment of £200 to daughter Elizabeth Aston

Son Thomas Aston Messuage or Tenement in Sheep Street (occupied by Edmund Midwinter), also £50.

Son Richard Aston £100

Daughter Mary Aston £200

Daughter Susannah Warren (nee Aston) wife of Mr Thomas Warren £100 plus £50 conditional on Thomas settling certain property on Susannah.

Son in Law Robert Collyer £100.

Wife Sarah, the Bull Inn where the Testator currently lives, for rest of the tenure, together with the household stuff, furniture, ready money and the like

Codicil removes the conditional sum to Susannah and prevents Robert and John acting as Executors and claiming his wife’s share. She is named sole Executrix.

Executors: Sarah Aston (Wife)

Will Witnessed: Edward Ballard, Robt Loder, Frances Palmer (her mark) Servant to Mr Aston

Will Signed – 14 July 1696

Codicil Witnessed: John Collier, Frances Palmer (her mark) Servant to Mr Aston,
Rob^t Loder

Codicil signed – 29 July 1698

Proved - 06 September 1698

Text

In the Name of God Amen I

Robert Aston of Burford in the County of Oxon Inholder being weak in body but of sound and perfect mind and memory thanks be ~ to Almighty God Doe make this my last Will and Testament in manner following vizt Imprimis I bequeath my Soul to Almighty God who gave it and my body to the earth to be decently buried~ at the discretion of my Executors hereafter named And as for my worldly Estate which it hath pleased God to bless me with I~~ dispose thereof as followeth vizt Imprimis I give and bequeath to my **Son Robert Aston** All that my ffreehold Estate and ffarme with the appurtenances Situate and being in Upton in the parish of Burford aforesaid which I lately purchased of the **Trustees of Mr Lenthall** To hold the same promised to my said **Sonn Robert** and his hiers forever Charged Nevertheless with the payment of ~ Two hundred pounds to my **Daughter Anne Aston** within one year after my decease And in case of failer of payment within the said time my will is that my said **daughter Anne** shall enter on all and singular the said premises and receive the Rents and profitts thereof until she shall be thereout fully satisfied and paid Item I give to my **Son Ambrose** All that my new Erected House not yet finished Lying in Shipstreete in Burford aforesaid with the yard Lands which I bought of **Mrs Martin** Lying in the ffeilds of Upton aforesaid with their and every of their appurtenances To hold unto my said **Son Ambrose** and his Heirs forever Item I give to my said **son Ambrose** All my Plows Carts Waggons Horses Mares Geldings and all things that belonging to my Teeme or Husbandry Item I give to my **Son John Aston** All that Messuage and Malthouse with thappurtenances in ~ Shipstreete aforesaid wherein **Thomas Basdale** now*oed ~ Together with all that my yard Lands belonging to it with it bought of **Leonard Mills** lying dispersed in the severall fields of ~ Burford and Upton aforesaid with th'appurtenances to hold to ~ him my said **Son John** and his Heirs forever Charged ~ Nevertheless with the payment of Two hundred pounds to my **Daughter Elizabeth Aston** within one year after my Decease and in case of ffailer of payment within the said time my will is that my said **daughter Elizabeth** shall enter in and upon the same~ premises and have retrieve and take the Rents and profits thereof until she shall be thereout fully satisfied and paid. Item I give ~ to my **Son Thomas Aston** All that my Messuage or Tenement~ with th'appurtenances in Sheep streete aforesaid now in the~ Occupation of **Edmund Midwinter** To hold to him my said **Sonn**

Thomas and his Heirs and Assignes forever Item I give to my said Son **Thomas** ffifty pounds to be paid within Six Months~ after my Decease Item I give to my **Sonn Richard Aston** one hundred pounds to be paid within Six Months after my Decease Item I give to my **Daughter Mary Aston** Two hundred pounds to be paid within Six Months after my Decease Item I give to my **daughter Susannah Warren** One hundred pounds to be paid to her within Six Months next after my **Sonn Mr Thomas Warren** shal have settled the house and Lands belonging wherein my Said

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Son Warren lives on my said **Daughter Susannah** for the Event of her Natural life according to his promise and Agreement with me~ when he Married my said Daughter Item I give to my **Son in Law~ Robert Collyer** One hundred pounds to be paid within Six Months after my Decease Item I give him ffifty pounds more but withthis ~ provisoer or Condition that the same be put out to Interest for the ~ benefit of my Daughter his Wife during her life Item I give to my~ loving **Wife Sarah** All that my Messuage or **Inn called the Bull~** wherein I now live with th'appurtenances To hold the same premissis with th'appurtenances unto my said Wife and her Assignes for and~ During all the Remainder of my Tenure and Estate which is therein yet to come and unexpired Item I give to my said Loving Wife~ the rest of All and singular my goods householdstuff and~ ffurniture of what sort or kind soever they be that now are or ~ shall be at the time of my Decease in the house I now dwell in for ~ and during her Natural life and after her Decease my Will and~ desire is that the same shall be Equally Divided betweene all my~ Sons and Daughters which shall be then alive share and Share ~ alike Item I give to my Grandchildren five pounds a piece Item all all the rest of my Goods and Chattles my Debts Legacies and ffunerall Expenses being first paid and satisfied I give and bequeath to my ~ loving **wife Sarah** and my **two Sonns Robert and John Aston** equally~ between them who I make and ordaine Joynt Executors of this my last will and Testament Revoking all former Wills by me made In witness whereof I have to this my will containing two sheets of paper sett~ my hand to the first Sheete thereof and my hand and Seale to the last Sheete thereof this fourteenth Day of July in the Eighth year of the~ Reigne of our Soverigne Lord king William the Third over Englander Annagae Domini One Thousand six hundred ninty Six Robert Aston his marke Signed Sealed published and declared to be the last Will and ~ Testament of the said Robert Aston in the presence of us **Edward~ Ballard Robt Loder ffrances Palmer her marke Servt to Mr Aston**

A Codacil annex to the last Will and Testament of the said Robert Aston which he desires to be deemed and adjudged as part of ~ the Will annex

Whereas by my said Will I have thereby given to my~ **Daughter Susannah Warren** One hundred pounds to be paid her Six~

Months next after my Son Thomas Warren should settle his house~ and Lands on my **Daughter Susannah** My Will is that the said One~ hundred pounds shall not be paid according to the Devise aforesaid~ having given my **Son Thomas Warren** bond for the payment of the same hundred pounds since making of my said Will And whereas in and by my said Will I have given to my wife All my goods furniture and householdstuff in the house I now dwell onely during her life and onely the use of them during her life my Will and meaning is And I doe hereby give to my said Loving **wife Sarah** All and singular my goods householdstufte ffurniture and plate whatsoever of what sort or kinde~ soever they be which now bee or shall bee att the time of my Decease~ =====Page break=====

In the House I now dwell in for ever soe that my Sons and daughters may have noe pretence of Claiming any Share therein after my said~ Wifes Decease And Wheras in and by my said Will I have made my said Wife Joynt Executrix with my **two Sonns Robert and John Aston** but ~ now my will and meaning is And I doe hereby give and bequeath to ~ my loving **wife Sarah** All the Rest of my goods and Chattels money and plate whatsoever my Debts Legecies and funeral Expences being first paid and satisfied And I Doe hereby make her my Sole and whole Executrix of my said Will so that my said **two Sonns Robert and John Aston** may have noe pretence of clayming any Share or right in or to~ the Executorship aforesaid In Witness whereof I the said Robert Aston have to this my Codicill set my hand and Seale this Twenty ninth day of July in the Tenth year of the Reigne of our Soverigne Lord King William the Third over England &c Annaqae Domini One Thousand six hundred ninty Eight Robert Aston his marke Signed Sealed published and declared by the said Robert Aston as a Codicell to his said Last Will and ~ Testament he desiring the same to be Annexed thereto and to be as part of his said will **John Collier ffrances Palmer her marke Servant to Mr Aston Rob^t Loder**

Notes

1. No further information is available about son Robert ASTON
2. Mr LENTHALL would probably have been John LENTHALL who married Jane HILL (daughter of Jane JORDAN) and was Lord of the Manor from 1686 to 1763, or possibly his father William LENTHALL
3. Daughter Anne ASTON married Henry TASH who leased the Bull Inn in later years
4. Son Ambrose ASTON. One Ambrose ASTON left a legacy in 1712 to provide bread for the poor of Burford (source 'Burford Town and Parish' in Gardner's Directory of Oxfordshire, 1852, accessed via the GENOOT Library, URL: <http://www.genoot.com/eng/oxf/b/burford/gardner.html>)
5. No further information is available on son John ASTON
6. No further information is available on Thomas BASDALE
7. Leonard MILLS. The Oxfordshire Record Office: Oxford Archdeaconry Papers contain a deposition for a court case brought against Mary Mills the wife of Leonard Mills by a Burford grocer (The date range on the papers is

- 1672 – 1686. The IGI has no record of a Leonard MILLS christening in the local counties and only one possible marriage Leonard MILL & Marye HOOPER in Saint Gregory By Saint Paul, London in 1662.
8. One Leonard MILLS a Wagoner in Sheep St, Burford is mentioned in a book on trade tokens, see J.R.S. Whiting, Trade Tokens (Indexed online at TRADE TOKENS - Their makers.
URL:<http://www.genuki.org.uk/big/Indexes/TOKEN.txt>), Pg 55. Cit. Date: 13 Mar 2007
 9. Daughter Elizabeth ASTON. In 1705 her mother left a bequest to her 'Daughter Mrs Elizabeth CROMWELL and her husband'. I have been unable to trace this marriage.
 10. Son Thomas ASTON had sons Robert and John who are mentioned in the 1705 Will of his Mother. However, no marriage has been located yet.
 11. Son Richard ASTON had died by the time of his Mother's Will in 1705 but he left a daughter Sarah ASTON. Sarah is probably the Sarah ASTON christened in Toot Baldon, Oxon in 1700 by Richard ASTON (no mother mentioned)
 12. Daughter Mary ASTON married first William TASH, Innkeeper at the Bull and was then the 3rd wife of John JORDAN
 13. Daughter Susannah WARREN (nee ASTON) wife of Mr Thomas WARREN. One Thomas WARREN of Swinbrook received £20 in the 1686 Will of William LENTHALL.
 14. Wife Sarah. In her 1705 Will she refers to 'my Sister Mary the Wife of Joseph overbury'. In 1683 one Mary SOUDLY married Joseph OVERBERRY in Burford. Sarah also mentions 'my late Cozen Benjamin Overbury deceased'.
 15. No further information was found for Edward BALLARD
 16. The Witness Robert LODER is possibly Robert LODER Gent of Lechlade. On 25 June 1718 land in Swindon was mortgaged to one Robert LODER gent, of Lechlade by one John SANDERS gent, of Woolston (see Wiltshire and Swindon Record Office: The Goddards of North Wiltshire, 1461/275). Robert then granted an additional mortgage to John SAUNDERS on 24 Dec 1720 (see 1461/280). On 1 Apr 1724 Robert, at the direction of John and Richard GODDARD Esq of Swindon, assigned the property to Thomas Somner HIPPISEY gent. of Swindon (see 1461/295). On 22 July 1738 Robert was assigned a mortgage by Thomas POPE gent. of West Hendred (see 1461/614). On 15 Apr 1740 Martha LODER, administratrix of Robert's Will, made an assignment at the instance [sic insistence?] of HAINS & BENDRY (see 1461/618)
 17. A second possibility for Robert LODER is that he was from Milton in Berkshire. In that area there are a lot of LOADER/LODERs and a fair number of GODFREYs
 18. No further information is available on Frances PALMER
 19. John COLLIER was probably a relation of the Robert COLLIER who married the testators daughter Sarah ASTON