

Last Will and Testament of William Redfern (1774-1833)

[Redfern's original will was given to the Mitchell Library by his great-grandson. There are two copies held in London and Edinburgh. The will's codicil was dated three days before Redfern departed Sydney for the final time.

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13 November 1834

In the Name of God Amen I William Redfern of Campbellfield in the District of Airds and Territory of New South Wales Esquire being in good bodily health and a sound disposing mind and memory thanks be to God do make publish and relate this my last Will and Testament in the manner following (that is to say) I will devise and bequeath all my real Estate Lands Houses Tenements and Hereditiments to my two Sons William Lachlan Macquarie Redfern and Joseph Foveaux Redfern share and share alike and to their issue in tail forever and in the event of the death of either of my said two sons without issue I will and devise the deceased son's share to the survivor also in tail and in the event of the death of both of my said sons without issue and during their mother's Sarah Redfern my dear wife's lifetime I will and devise all my real Estates, Lands houses tenements and hereditiments to my said dearly beloved wife Sarah Redfern for the term of her natural life and at her death I will devise and bequeath them to my own right heir at law forever such devises being always subject to the dower of my said wife for the term of her natural life. And I further devise and bequeath all my personal estate stock of horned Cattle Sheep Horses and Swine and other live stock goods and chattels of every kind and description to my said dearly beloved wife Sarah Redfern and to my said two Sons William Lachlan Macquarie Redfern and Joseph Foveaux Redfern each one third share and share alike and in the event of either of my said two Sons during their minority unmarried and without issue I will and devise to the Survivor the share of the deceased one and in the event of the death of both of my said Sons unmarried and without issue during the life time of my said wife thereby give and bequeath one moiety or half of my said two sons' shares to my said wife and one fourth to each of my sisters Margaret Watt and Eliza McDowell and to their legal representatives and I do Surely charge my said Estates real and personal with all my just debts and reasonable funeral expenses and I do hereby Will and Appoint Mr. William Wentworth Esquires Henry Colden Antill Esquire Mr Thomas Wills and my said wife Sarah Redfern Executors of this my Last Will as also Trustees of the Estates real and personal therein named to my said two Sons and guardians of the persons of my said two Sons during their respective minorities And I do hereby Will direct and Appoint at my said dearly beloved wife shall provided she remains unmarried have the whole and sole care custody and direction of the persons and education of my said two Sons William and Joseph till they shall arrive at the age of 10 years when my said wife and my other executors shall cause them to be sent to such public schools and Colleges in England or elsewhere as she and they may deem most expedient. I further Will and direct that my said wife shall have the option of residing at Campbellfield during the minority of my said two Sons provided she remain unmarried without paying any rent for the house. I do further Will devise and bequeath to each of my Executors above named mourning and a mourning ring. I do hereby revoke and make void all other Wills by me at any time heretobefore made. In witness whereof I have to this my last Will and Testament in my own handwriting and written on one sheet of paper set my hand

and Seal this first day of July in the year of our Lord one thousand eight hundred and twenty five 1825. Signed William Redfern (LS) – the foregoing paper writing was duly signed published and declared by William Redfern of Campbellfield Esquire as and for his Last Will and Testament in Writing the first day of July one thousand eight hundred and twenty five 1825 in our presence who at his request in his presence and in the presence of each other have subscribed our names as witnesses thereto (signed) William Charles Wentworth Robert Wardell LLD Charles H. Chambers W. Lawson

Codicil to my Last Will and Testament In the event of my death before my brother Robert Redfern shall have paid the debt due to me for horned cattle sheep and other items I do desire and direct that £1000 shall be struck off from the said debt and that a discharge for the said £1000 be given him. I do hereby further direct that £20 per annum shall be paid to the use of my niece now in London during her apprenticeship and on the expiration of the said apprenticeship I do Will devise and bequeath £100 to my said niece Eliza Watt to put her into business or to enable her to provide for herself. I do also further direct that Hugh & William Watt my nephews now at school in Trowbridge shall be kept there so long as the Executors shall deem fit that then my said Executors shall deem most expedient and to will direct and bequeath to each of my said nephews Hugh & William Watt £150 each to be paid to them when of age and also to each of my sisters Margaret Watt and Eliza McDowell £100 each. I do hereby further will devise and bequeath unto my dearly beloved wife Sarah of her dower. I do hereby will devise and bequeath my library to my two Sons William Lachlan Macquarie Redfern and Joseph Foveaux Redfern to be divided as equally in point of value as my Executors can possibly divide the same and in the event of the death of either of my two Sons during their minority then to the survivor. And I do hereby Will and appoint in addition Mr. William Charles Wentworth Henry Colden Antill Thomas Wills Esquires and my said wife Sarah Redfern Executors of this my last Will and Testament and also Trustees of the Estates of each and personal therein devised to my said two Sons and Guardians of my said two Sons during their respective minorities. Edward Spencer Wills Esquire now student at the Temple London Executor and Trustee and Guardian in Common with my Executors above named. In witness whereof I have to this my Codicil to my Last Will and Testament in my own hand writing and written on one sheet of paper set my hand this sixth day of March in the year of our Lord One thousand eight hundred and twenty eight 1828. The words “glass china crockery ware linen” being interlined (signed) William Redfern. The foregoing paper writing was only signed published and declared by William Redfern of Campbellfield Esquire as and for his Codicil to his Last Will and Testament in writing this sixth day of March one thousand eight hundred and twenty eight 1828 in our presence who at his request in his presence and in the presence of each other have subscribed our names as witnesses thereto signed Charles H. Chambers Michael Macanliffe Thomas Wills

[Clerk's writing almost indecipherable]

Proved at London with the copy of the Codicil 20th October 1834 before the Judge by the Oath of Sarah Alexander (wife of James Alexander) formerly Redfern widow the [?] out of the Executors named in the Will to whom [?] was granted limited with the original Will and Codicil or more authoritative copy thereof shall be brought into and left in the Register of this Court but no further or [?] being first sworn by Commissioner duly to administer power [?] of [?] the [?] like grant to William Charles Wentworth Esquire Henry Colden Antill Esquire and Thomas Wills the other Executors as named in the said will when they shall apply for the same Edward Spencer Wills Esquire the Executor named in the said Codicil died in the Testators life time.

[Inventory of Redfern's Edinburgh residence at 18 Lothian St. The furniture was auctioned 21 Oct 1833. Other effects, including medical books, were auctioned 23 Nov 1833.]

Redfern

£11

At Glasgow the 13 day of November 1834 Commissary Inspector appeared Rob. Moir Writer in Glasgow and gave in the Inventory to be recorded whereof the tenor follows

Inventory of the personal Estate situated in Scotland of W^m Redfern of Campbellfield in the District of Airs and Territory of New South Wales residing at Edinburgh Esquire who died there on the 17th day of July 1833.

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| To Cash found in Mr Redfern's desk | £5.0.0 |
| " Cash in Forbes & C Bank with interest | 65.3.0 |
| " Cash due by the College in Edinburgh deposit for books | 1.0.0 |
| " Cash amount of furniture sold by auction sale by auctioneer | 149.16.3 |
| " Cash amount of books sold by auction per Roup[?] Roll | 100.5.6 |
| " Cash received for rent of house in Edinburgh possessed by decd | 2.5.0 |
| " Cash received for plate | 99.18.0 |
| " Furniture and books retained | 85.0.0 |
| " Gold watch chain seals and rings | 53.0.0 |
| " One share in the London University | 21.0.0 |
| | ————— |
| | £582.7.9 |

To the amount of affects in England proved in the Prerogative Court of Canterbury of the value of £2,000 and under the value of £3,000 Sterling to amount of effects in the New South Wales not yet known.

At Glasgow the 13th day of November 1834

In presence of Walter Moir Esquire Commissary Depute of Lanarkshire appeared Sarah Wills formerly spouse of the said William Redfern now James Alexander Merchant in Glasgow who been solemnly sworn and examined deposes that the said William Redfern died on 17 day of July 1833 and the deposes has entered upon the possession and management of the deceased's personal estate along with Henry Colden Antill Esquire and Mr. Thomas Wills as executors and trustees nominated by the said William Redfern in a Will and Testament executed by him on the 1st day of July 1825 and Codicil thereto dated 6th day of March 1828 and proved at London 20th day of October 1834 before the Master Keeper or Commissary of the Prerogative Court of Canterbury in contract from the register of which court is now exhibited and signed by the deponent and by the said Commissary of Lanarkshire of this date as relative hereto. That the deponent does not know of any Settlement or writing relative to the deceased's personal estate or effects or any part of them other than that of which an Extract is now exhibited. At the said Inventory signed by the deponent and the said Commissary as relative hereto is a full and true Inventory of the personal and moveable Estate and Effects of the said deceased William Redfern wherever situated already discussed or known to be existing belonging or due to him then officially at the time of his death and that the value of the said Estate situated in Scotland is of the value of £450 Stg and under the value of £600 Stg. All which is truth as the Deponent shall answer to God.

(Signed) Sarah Wills and Walter Moir