

Will of Augustus Montgomery (1762-1797)

Note: Paragraph breaks have been added to make the will easier to read; underlines _____ indicate words that I could not read; square brackets [] are words where I am uncertain of the transcription.

This is the Last Will and Testament of me Augustus Montgomery¹ Captain of His Majesty's Ship the Theseus

I give devise and bequeath all & singular my Real & Personal Estate whatsoever & wheresoever in Possession Reversion Remainder or Expectancy & all my Right Title & Interest therein & thereto as follows

Being chargeable with the payment of all my just Debts together with my funeral Expenses (if any) & the charges of proving this my will & of carrying the same into Execution I direct that my beloved Wife Susan² shall enjoy all benefits arising from the Interest of whatever Property I may leave which Property is to revert at her death to the Children I have had or may have after the date hereof by her to be divided into equal proportions among them but in case of her marrying again she is only to have the one hundred pounds P^r Annum settled on her by the way of Jointure (as expressed in the Marriage Settlement) by the Earl of Pembroke³ and Lord Herbert as P^r Bond now in the hands of Richard Lee Esquire Junior of Broad Street London & the Interest arising from the Property I leave is to go to the Education & Maintenance of my children & at the age of twenty one years the Boys are to be paid their proportion of the principal & to the Girls (if any) at the age of nineteen years but should any of them die before having attained the aforesaid ages their share is to be equally divided among the surviving ones Should all my Children die before having attained the ages before mentioned my Wife having married again or not is then to enjoy the Interest of the whole of my Property excepting the Sum of Two hundred pounds to be deducted from it & paid to her Brother George Peter Maltass⁴ should he be alive at the time if not this deducted Legacy to him will be Null and Void

all Household furniture Linen Plate & Books (excepting Naval Professional ones) to remain at my Wife's disposal

¹ Augustus Retnuh Reebkomp aka Augustus Montgomery (1762-1797), the Testator, son of Elizabeth Catherina Orby 'Kitty' née Hunter (1740-1795) and Henry Herbert (1734-1795) 10th Earl of Pembroke 7th Earl of Montgomery, husband of Susan Maltass (1770-1851).

² Susan Montgomery née Maltass (1770-1851), wife of the Testator, daughter of Marguerite née Icard (1737-?) and William Maltass (1735-1783).

³ Presumably Henry Herbert (1734-1795) 10th Earl of Pembroke 7th Earl of Montgomery, father of the Testator, son of Mary FitzWilliam (1707-1769) and Henry Herbert (1693-1750) 9th Earl of Pembroke, husband of Elizabeth née Spencer (1737-1831).

⁴ George Peter Maltass (?-1796), brother in law of the Testator, son of Marguerite née Icard (1737-?) and William Maltass (1735-1783).

I bequeath to George Peter Maltass my Wife's Brother all my Charts Maps & Professional Books on Naval Matters & the Sum of Twenty Pounds in case he dies before me they are to go to My Eldest Son

To Thomas Lavie⁵ of the Royal Navy I bequeath my Pistols with the Choice of a Sword & a Spying Glass

To my Son George Augustus⁶ the Gold Repeating Time Keeper by Arnold (left me by my ffather) which is to be delivered to him at the age of twenty years To my Eldest Son I also leave the instrument from the Heralds Office granting me a Coat of Arms & by which my ffather the Earl of Pembroke acknowledges me as his Son

My repeating Watch with the Picture of Lady Pembroke & Lord Herbert on the Back of it I leave to M^{iss} Georgina Herbert⁷ the Sister of Henry Earl of Carnarvon

I recommend that the Servant immediately waiting upon my Person has my Wearing Apparel given to him if he is found deserving of it & this I defer to my Executors discretion

Should my Children die before they attain the Ages as before specified at the Death of my Wife the whole of the ffunded or other Property bearing Interest that I leave is to revert to George Earl of Pembroke or his Heirs should he be dead & him or them I leave Executors of this my last Will and Testament

Given under my Hand & Seal on Board the Theseus at Sea (where no stamped paper is to be had) this 13th of June 1796 *Aug^s Montgomery (SS)* Witness *Thomas Oldfield* Captⁿ of Marines — *Fred^k Morris* Chaplain — *John Snipe* Surgeon

This Will was proved at London the eleventh day of March in the Year of our Lord One thousand seven hundred and ninety seven before the Worshipful John Jewel Doctor of Laws and 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 Oath of the Right Honorable George Earl of Pembroke the sole Executor named in the said Will to who, Administration was granted of all and singular the Goods Chattels and Credits of the said deceased having been first sworn duly to administer ./.

⁵ Presumably Captain Sir Thomas Lavie RN KCB (1756-1822).

⁶ George Augustus Montgomery (1793-1842), son of the Testator and Susan Montgomery née Maltass (1770-1851), husband of Cecila née Markham (1792-1879).

⁷ Georgina Herbert (1747-1799), first cousin once removed of the Testator, daughter of Catherine Elizabeth Tewes (1719-1770) and William Herbert (1702-1757), never married.

Transcribed from images on Ancestry.co.uk [here](#)