

LAST WILL AND TESTAMENT OF

MATTHEW FLINDERS

Transcribed from the copy deposited in the Probate Registry, London.

In the Name of God Amen. I, Matthew Flinders, Esquire, Captain in the Royal Navy, now residing in London, being at this time in sound mind and understanding and in health of body, think it just and necessary to provide against accidents by making this my last will and testament in the form and manner following. I do name and appoint my dear wife, Ann Flinders, my friend, Mr. Charles Hursthouse, farmer of Tydd St. Marys in the County of Lincoln, and my friend John Newbald, Esquire,[?] of Hull, in Yorkshire to be the Guardians, Trustees, and Executors of this my will and testament; and in case of the death or the incapacity or refusal of John Newbald, Esquire, to act as above, I do name and appoint Mr. Robt. Newbald, his Son, to be trustee and executor in the place of his father; and should any of the above circumstances occur to Mr. Charles Hursthouse, I do name and appoint Mr. [blank] to act in his stead.

And my Will is that the said three trustees and executors do dispose of my monies, securities for money, real or personal Estate and property of every description, whether in my possession, or that may devolve to me by bequest or otherwise in the form and manner following: first, in the case where I should die without issue lawfully begotten either actually existing, or posthumous, then my will is that the following distribution of my monies etc. do take place: first, I give and bequeath the sum of twelve hundred pounds lawful money of Great Britain to my dear wife Ann Flinders; of, if she refuse that sum, then such part thereof as she may think proper to specify.

Second to my dear Sister Susanna, wife of George Pearson, now residing at St Ives in Huntingdonshire, I give the sum of five hundred pounds Sterling, she to enjoy the interest arising therefrom during her life, and the principal at her death to be equally divided amongst her surviving children.

Third, to my dear brother, Samuel Ward Flinders, Lieutenant in the Royal Navy, I bequeath all the monies and property belonging to me in the Isles of France and Bourbon, for the obtaining of which he is to be furnished with the necessary papers and authority, but is to do it at his own cost and trouble; and if the said monies and property do not amount to five hundred pounds Sterling, then they are to be made up to that sum from my property in England; and in case his demise takes place before mine, and he leaves issue lawfully begotten, then I give the said sum of five hundred pounds from the general mass of my property to his child, or by equal proportions to his children.

Fourth, to Hannah, wife of Joseph Dodd, of Donington, and to Henrietta Flinders, my two sisters of the half blood, I bequeath one hundred pounds Sterling each; but in case of the previous death of one or both of them, and she or they leave lawful Issue, then the part of the parent [sic] to be given to the children in equal proportions.

Fifth, I will that the sum of one hundred pounds be expended in four marble slabs to be set up by permission of the Minister and Churchwardens in the parish church at Donington, in the County of Lincoln, against the Wall facing the Communion Door of the same Church; and the said four slabs to have engraved upon them such inscriptions to the memory of my great grandfather [John Flinders,

1689-1741] grand-father [John Flinders, 1713-1776] father, and myself as the pious sentiments of my brother Samuel, with the approbation of my wife, may dictate.

Sixth, I give and bequeath the following Legacies: to my nephew, James Harvey, of Donington, and to his sister, Susannah, each fifty pounds; to my Uncle, Mr. John Flinders, of Spalding, fifty pounds; to my Aunt, Mrs. Eliz. Carr, of Louth, fifty pounds; to my half-Uncle, William Flinders, of Boston, fifty pounds, or in case of his death, the same sum to his Son, William; to my half-Aunt Mary Cawthorn, of Spalding, twenty pounds; to my half-Aunt Penelope Proctor, of London, twenty pounds; to my dear Cousin Henrietta Newbald, of Hull, twenty pounds; to Mr. Charles Hursthouse, and to John Newbald, or to their substitutes, on undertaking the trust oath, twenty pds.

Seventh, I bequeath to the following persons mourning rings of the value of two Guineas each, and bearing two letters MF as a motto-the RI Hon. Sir Joseph Banks Bt, Osborn Standert Esq. [his agent's son ?] of London, Captain William [?] of the Royal Navy Marines, Paul Labauve, of the Isle of France, Mons. Thomas Pitot, of DO, Mons. Charles Desbassayns, of the I. of Bourbon, Mr. Thomas Flinders, of Spalding, Lincolnshire, Mrs. Henrietta Newbald, of Hull, in Yorkshire, and Miss Isabella Tyler, of Beverley, Do.

Eighth, my household goods, plate, clothes, linen, books and papers I give to my dear wife and Executrix, Ann Flinders, she to give out of them all manuscript books and paliers relating to my voyage (with the exception of letters) to my brother Samuel Ward Flinders, and to dispose of the rest as she shall see good.

If any of the Legatees mentioned in any of the preceding paragraphs should be deceased before me, then his, her, or their Legacies, except where the Legacies are specified to descend to children, shall go to increase the Sums left in the first, second, third, fourth, and sixth paragraphs, the person therein mentioned being living; and the respective augmentations shall be in proportion to the Legacies of each. Also, if the whole of my property as above specified should be more than sufficient to pay Legacies so left as above, then the surplus is to go to the augmentation of them in the same proportionate manner; but with respect to the third paragraph, if the monies therein left exceed the Sum of £500 clear of expense, then the augmentation is not to make it exceed what the sum left in the second paragraph will amount to when so augmented; my instruction being that the Sums left to my brother and sister should be equal if, after the expenses attending on my interment (of which my wife or such person as she may appoint is to have the direction [?] my monies) should be found insufficient to pay and provide for all the above Legacies, then a reduction of those contained in the second, third, fourth, and sixth paragraphs proportionally to the Sums left, is to take place. The sums specified in the first, fifth, and seventh paragraphs are to suffer no reduction. Such is the Disposition I desire to be made of my monies and property of whatever kind in case I should die and leave no lawful issue. But if in the contrary case [which in fact occurred.] I should leave issue one or more children, then my desire is that my said three Executors and trustees dispose of my monies, Securities for money, real and personal property, Estate and property of every description whatever, then belonging to me, or afterwards descending or devolving by bequest or otherwise, in the form and manner following: First, the expenses attending my interment at such place and in such manner as my dear wife Ann Flinders, or a person of her appointment may direct, are to be paid, and the sum of one hundred pounds set aside for the four marble slabs as directed in the fifth article preceding.

Second, I bequeath the following annuities and legacies in lawful money of Great Britain: to my dear wife Ann, the clear annuity during her natural life of fifty five pounds; to my mother in law, Mrs. Elizabeth Flinders, one clear life annuity of ten pounds; to my Sister Susanna Pearson, or to her children in equal proportions in case of her death previous to my decease, the sum of One hundred Pds.; to my brother, Samuel W. Flinders, or to his lawful children if any in the same case, the sum of one hundred pounds; to each of my half-sisters, Hannah Dodd and Henrietta Flinders, or in the above case to the children (if any) of each, the sum of fifty pounds; to my nephew, James Harvey, of Donington, twenty pounds; to his sister, Susanna Harvey, twenty pounds; to my Aunt, Mrs. Elizabeth Carr, the sum of twenty pounds; to my half-Uncle, William Flinders, or in case of his previous death to his son William, twenty pounds; to my half-Aunt, Mary Cawthorn, ten pounds; to my half-Aunt, Penelope Proctor, ten pounds; to my second and third above-named Executors, or to their substitutes, on undertaking the trust oath, the sum of twenty pounds.

Thirdly, the mourning rings to the persons specified in the seventh paragraph preceding are to be given, and to make part of the present disposition of my property.

Fourth, my household furniture, plate cc., as specified in the eighth paragraph preceding, are to be disposed of in the way therein directed.

Fifth, after all the above bequests and arrangements are satisfied and done so far as the existence of the legatees or of their children before specified will require and allow, then my will is that all my remaining monies etc. of every kind, as well those in actual possession as those that may extend or be devised to me, or that may arise in any way whatever after my decease and including the legacies to such persons as may be deceased with no children, are specified, or being specified, are specified if those are deceased, then the whole of my said remaining monies etc. shall go to my child or children, and if I leave more than one then the said remaining monies are to be divided amongst them in equal proportions, the child or children to receive the whole Sum or division with the interests due thereon, deducting the expenses of bringing up and education as he, she, or they may respectively attain the age of twenty one years.

Sixth, in case my said child or children existing at my decease should nevertheless die before the age of twenty one years, and he, she, or they, or any of them should leave no lawful issue, then my will is that all the above-mentioned monies etc. should be divided into four equal parts or portions, of which I give one part to James Harvey and Susanna Harvey, or their survivor, if the deceased leave no children. The second part I give to my brother, Samuel Ward Flinders, or if he be deceased, to his lawful issue, if any is then existing.

The third part to my nephew, Matthew Flinders Pearson; and the fourth and last part I give to the remaining children of my Sister, Susanna, in equal proportion. And if any of the persons to whom these four parts are to descend in the case above specified should be deceased, and have left no lawful issue, then the part of such person or persons is to be employed in augmenting the remaining part or parts so bequeathed in equal proportions.

Lastly and generally, I do hereby direct and authorize my three Executors and trustees, or my wife Ann Flinders, conjointly with either one of the others, to sell and dispose of any part of my said remaining property in trust during the minority of my child or children, and to replace and invest it in any other way which they may judge advantageous to the interest of the said child or children; also to call in and replace all or any of my said remaining trust monies and Securities for money, when and as often they shall find or suppose it necessary. And I do hereby order and direct that the receipt or receipts of my said three trustees or of my wife, Ann Flinders, with either one of the other two shall be good and sufficient discharge or discharges from time to time for any part of my said remaining trust monies etc. for which the same shall be given. Also, that it shall and may be lawful for my said Executors and trustees to secure and retain to himself, herself, or themselves all such costs, charges, damages, payments and expenses as they may respectively bear, pay, expend or be put unto in the execution of the trust and executorship hereby imposed and confided, or in the defense and protection thereof. Also that my said three executors and trustees shall not be answerable the one for the other or others of them for the acts, receipts, or defaults of the other, but each of them for his or her own acts, deeds, receipts, and defaults only, nor for any loss that may happen to the said trust of monies, property or any part thereof by failure of any Security on which the same may be placed out at interest, unless the same shall happen by their, or out of their wilful neglect or default. For witness and confirmation of this my last will and testament and of every part thereof, I the said Matthew Flinders have hereunto set my hand and seal this sixth day of July in the year of our Lord 1812. [Matthew Flinders (signed)]

This writing was signed and sealed by the said Matthew Flinders, Esquire, Captain in the Royal Navy, by him published and declared as and for his Last Will and Testament in the presence of us who have hereunto subscribed our names as witnesses hereunto in his presence-Witnessed-Isabella Tyler, Spinster, Joseph Hayes, Surgeon.

'Proved at London 26th August 1814 before the Worshipful Samuel [?] Parson LL.D. and surrogate by the oath of Ann Flinders widow, the relict and one of the Executors to whom administration was granted having been first sworn duly to administer power to Charles Hursthouse and John Newbald Esquire, the other Executors.'

The following extracted from the book by James D. Mack "Matthew Flinders 1774 – 1814" published by Thomas Nelson (Australia) Limited in 1966.

In a letter to Madame D'Arifat at Mauritius in mid-1812, he had confessed, 'I am now, indeed, as near to perfect happiness as is usually permitted to man. There is, however, always some *crocodile* [italics F's] lurking at the bottom of the lucid spring;

and my crocodile at present is, that my fortune is far from being adequate to my expenses.'⁶⁹ He had always been concerned over his finances. Ann had nearly lost him on that account. And if the full pay of an officer was inadequate, how could one possibly manage on half-pay? The answer was simple: one could not. Fortunately, he had a few other resources.

In the first place, he and his brother had each been left a patrimony of £600. Whether Matthew's was now gone is not known. Without children he and Ann may have saved it through the years. But then, in November 1811, he felt compelled to ask the Admiralty for the allowance of a marine surveyor—a guinea a day—to sustain his work on the narrative.⁷⁰ Instead, he had been granted an imprest, that is, an advance chargeable against the Admiralty's budget for the publication, to cover his expenses.⁷¹

Besides this, it appears that Flinders had invested a fair amount of money—actually it was a loan—in a plantation at Mauritius owned by a family named Desbassayns. The exact value of his original outlay is not clear, but from his Will it would appear to have been in the neighbourhood of £500. In any case, the investment did not turn out at all well. To be more exact, Ann was still waiting for a modest return in 1843.⁷²

Flinders's personal estate and monies arising out of real estate, as accounted for at the Probate Office on 26 August 1814, were as follows:⁷³

Monies Received, consisting almost entirely of bank annuities and Consols, sold in settlement:			£3,498. 16. 1.
Expenses, including:			
Cost of Probate	£	68. 17. 0.	
Funeral		73. 17. 0.	
Debts		326. 10. 1.	
Pecuniary legacies		420. 0. 0.	
Monuments		101. 3. 6.	
Mourning Rings		14. 6. 0.	
Annuity payments		65. 0. 0.	1,069. 13. 7.
Residue			£2,429. 2. 6.

Footnotes next page.

⁶⁹ S.L.V., 'Flinders Papers'.

⁷⁰ Flinders to Admiralty, 14 November 1811. P.R.O., Adm. 1/1808.

⁷¹ Admiralty to Flinders, 18 November 1811. P.R.O., Adm. 2/869. Flinders was irritated that the Board had seen fit to do no more than lend him the £200. (S.L.V., 'Flinders Papers'.) Here again was something the bookkeepers could get their teeth into. On 16 July 1814 the Navy Board asked the Admiralty whether they should call upon Flinders for an accounting of the £200 or charge it off against the narrative. (P.R.O., Adm. 106/2264. 95.) Two days later, on the very day of publication, the Secretary replied that their Lordships had commanded him 'to observe to you that they are not aware that the work in question is ready for publication [!]' (P.R.O., Adm. 2/682.) This the day before Flinders died! Finally, on 13 September, Flinders's solicitor, Robert Brine, Esq., requested a clearance of the Imprest, and it was so ordered. (P.R.O., Adm. 1/1811. F137.)

⁷² As was pointed out in Chapter 13 above, Flinders had become convinced that a prudent planter might reasonably hope for 20 per cent. All available documents on this venture are contained in N.M.M. 60/017. FLI/29.

⁷³ N.M.M. 60/017. FLI/6. It may seem a curious treatment, if not actually in dubious taste, to close the present chapter on this note. Yet the fact seems to be that in Flinders's eyes money matters were not merely a question of subsistence. They were that indeed; but one has the feeling that he was fascinated by finance, that he wished he could spend more time at it. Else, why his early plans for entering the China trade (see Chapter 3 above)? Why the careful gamble (which was not really a gamble) at Mauritius? Or why the sophisticated, if safe, portfolio of bank annuities and consols?