

Will of Alured Clarke (1744-1832)

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 Sir Alured Clarke¹ of Mansfield Street in the County of Middlesex one of the Knights Grand Cross of The Most Honorable Military Order of the Bath a ffield Marshall in His Majesty's Army and Colonel of the Royal Regiment of ffusiliers

Whereby in the first place I direct all my just debts and ffuneral and Testamentary expenses to be paid out of my Personal Estate as soon as may be after my decease

And I give to my Niece Arabella Cheap² (the Widow of John Cheap Esquire deceased and one of the daughters of my late Brother The Reverend John Clarke³ deceased) the sum of twenty thousand pounds of lawful money of Great Britain for her own absolute use and benefit

And to my Niece Emma Clark⁴ Spinster (another daughter of my said late Brother John Clarke deceased) a like sum of twenty thousand pounds of lawful money aforesaid for her own absolute use and benefit

And I give and bequeath the sum of sixty thousand pounds of like lawful money unto Sir Coutts Trotter⁵ Baronet Edward Marjoribanks⁶ Esquire and Sir Edmund Antrobus⁷ Baronet all of the Strand in the County of Middlesex my ffriends and Bankers and the survivors and survivor of them and the Executors Administrators and assigns of such survivor Upon Trust to lay out and invest the same in their or his names or name in some or one of the Public Stocks or ffunds of Great Britain or at Interest upon Government or real Securities in England or Wales and to stand and be possessed of & interested in such Stocks ffunds and Securities upon Trust to permit and suffer and

¹ Field Marshall Sir Alured Clarke GCB (1744-1832) [[Wikipedia](#)], the Testator, son of Jane née Mullins and Charles Clarke (1700-1750).

² Arabella Anne Cheap née Clarke (1777-1856), niece of the Testator, daughter of Mary Anne née Chapman (1747-1810) and Rev John Clarke (1740-1792), wife of John Cheap (1766-1828).

³ Rev John Clarke (1740-1792), brother of the Testator, husband of Mary Anne née Chapman (1747-1810).

⁴ Emma Clark (c1780-?), niece of the Testator, daughter of Mary Anne née Chapman (1747-1810) and Rev John Clarke (1740-1792).

⁵ Coutts Trotter (1767-1837) 1st Baronet Trotter of Westville, banker and partner of Thomas Coutts in Coutts Bank.

⁶ Edward Marjoribanks (?-1837), banker and partner of Thomas Coutts in Coutts Bank.

⁷ Edmund Antrobus (1792-1870) 2nd Baronet Antrobus of Antrobus, banker and partner of Thomas Coutts in Coutts Bank.

sufficiently authorize and empower my Nephew Alured Clarke⁸ (Son of my said Brother John Clarke deceased) and his assigns during his life to receive and take the dividends Interest and annual Produce thereof for his and their own use and benefit and from and after the decease of my said Nephew Alured Clarke Upon Trust to pay assign and transfer the said sum of sixteen thousand pounds and the Stocks ffunds and Securities in or upon which the same shall be invested unto between and amongst all and every or unto or between any one or more (in exclusion of the other or others) of the Children of him my said Nephew Alured Clarke at such age or ages days or time and in such parts shares and proportions manner and form as he my said Nephew by any Deed or Deeds Instrument or Instruments in writing with or without power of revocation and new appointment to be sealed and delivered by him in the presence of and to be attested by two or more credible witnesses or by his last Will and Testament in writing or any writing in the nature of or purporting to be his last Will and Testament to be signed and published in the presence of and attested by the like number of witnesses shall direct limit or appoint and as well for want of any such direction limitation or appointment as subject to any such as may be made where the same shall be only partial or imperfect and incomplete Upon Trust to pay assign or Transfer the said sum of sixteen thousand pounds Stocks ffunds and Securities unto between or amongst all and every the Childen of my said Nephew Alured Clarke who being a Son or Sons shall live to attain the age of twenty one years and who being a daughter or daughters shall live to attain the age of twenty one years or be married under that age with the previous consent in writing of her or their Parents or Parent or Guardian or Guardians for the time being To be equally divided between and amongst such Children if there be more than one share and share alike but if there shall be only one Child of my said Nephew Alured Clarke who being a Son shall live to attain the age of twenty one years or being a daughter shall live to attain that age or be married with such consent as aforesaid Then in Trust to pay assign and transfer the whole of the said sum of sixteen thousand pounds Stocks ffunds and Securities unto such one Child be the same a Son or a Daughter for his or her own absolute use and benefit

And upon this further Trust that they the said Sir Coutts Trotter Edward Marjoribanks and Sir Edmund Antrobus and the survivors and survivor of them his executors administrators and assigns shall and do after the decease of my said Nephew pay and apply the dividends interest and annual proceeds of the said sum of sixteen thousand pounds Stocks ffunds and Securities for and towards the maintenance and education use benefit and advantage of the Child or Children respectively of him my said Nephew for the time being during their respective minorities in proportion to their respective presumption or expectant shares and interests in the principal Provided always and it is my Will that it shall and may be lawful to and for the said Sir Coutts Trotter Edward Marjoribanks and Sir Edmund Antrobus and the survivors and survivor of them his executors administrators and assigns at any time or times after the decease of my said

⁸ Alured Clarke (1781-?), nephew of the Testator, son of Mary Anne née Chapman (1747-1810) and Rev John Clarke (1740-1792).

Nephew or during his life with his consent in writing to assign transfer and advance any competent part or parts of the presumptive or expectant share or shares of any Son or Sons

Provided always and I do hereby hereby declare my Will to be that in case there shall not be any Child of my said Nephew Alured Clarke who being a Son shall live to attain the age of twenty one years or who being a daughter shall live to attain that age or be married with consent as aforesaid Then and in such case my said Trustees and the survivors and survivor of them and the executors admns and assigns of such survivor shall stand and be possessed of and interested in the said sum of sixteen thousand pounds and the Stocks ffunds and Securities in or upon which the same may be invested or so much thereof as shall not have been advanced as aforesaid and the dividends interest and annual proceeds thereof Upon the Trusts following that is to say as to one moiety thereof upon Trust for my aforesaid Niece Arabella Cheap her executors administrators and assigns and as to the other Moiety thereof In Trust for my aforesaid Niece Emma Clark her Exors admns and assigns and to pay assign and transfer the said respective moieties accordingly

And I give and bequeath unto my Niece Henrietta Maria⁹ Philips the Widow of ffrederick Philips Esquire deceased and daughter of my late Sister Henrietta Maria Griffith¹⁰ the sum of twelve thousand pounds of like lawful money of Great Britain for her own absolute use and benefit

And unto my Niece Louisa Morgan¹¹ (another daughter of my said late Sister Henrietta Maria Griffith) and now the Widow of Edward Morgan¹² late of Golden Grove in the County of fflint Esq^r deceased the sum of five thousand pounds of like lawful money for her own absolute use and benefit

And I give and bequeath unto my said Trustees and the survivors and survivor of them and the executors administrators and assigns of such survivor a further sum of twelve thousand pounds of lawful money aforesaid Upon Trust to lay out and invest the same in their or his names or name in the public Stocks of ffunds or at Interest upon Government or real Securities in England or Wales as aforesaid and to stand and be possessed of such last mentioned Stocks ffunds or Securities upon Trust to receive and take the dividends interest and annual proceed thereof and to pay the same when and as

⁹ Henrietta Maria Philipse née Griffiths (1770-1843), niece of the Testator, daughter of Henrietta Maria Clarke (1743-1813) and Thomas Griffiths (1740-1811), wife of Frederick Philipse (1765-?).

¹⁰ Henrietta Maria Clarke (1743-1813), sister of the Testator, daughter of Jane née Mullins and Charles Clarke (1700-1750), wife of Thomas Griffiths (1740-1811).

¹¹ Louisa Morgan née Griffiths (1773-?), niece of the Testator, daughter of Henrietta Maria Clarke (1743-1813) and Thomas Griffiths (1740-1811), wife of Lt Col Edward Morgan (1759-1831).

¹² Lt Col Edward Morgan (1759-1831), son of Margaret née Hesketh (1735-1810) and Peter Morgan (1725-1780), husband of Louisa Morgan née Griffiths (1773-?).

they shall become due and payable unto my Niece Charlotte Wynne Eyton¹³ (another daughter of my said late Sister Henrietta Maria Griffith deceased and Wife of the Reverend Robert Wynne Eyton¹⁴ Clerk) and her assigns for and during the term of her natural life for her own sole & separate use as hereinafter mentioned And in case my Niece Charlotte Wynne Eyton shall happen to depart this life in the life time of the said Robert Wynne Eyton her present husband then Upon Trust from and after her deceased to pay the Interest dividends and annual proceeds of the said last mentioned sum of twelve thousand or of the Stocks funds and Securities in or upon which the same shall be laid out or invested unto the said Robert Wynne Eyton and his assigns during the remainder of his natural life for his and their own use and benefit and from and after the decease of the survivor of them the said Robert Wynne Eyton and Charlotte Wynne Eyton his Wife Upon Trust to pay assign or transfer the said last mentioned sum of twelve thousand pounds Stock funds and Securities unto between and amongst all and every or unto or between any one or more (in exclusion of the others or other) of the Children of my said Niece Charlotte Wynne Eyton at such age or ages days or times and in such parts shares and proportions manner and form as she my same Niece alone notwithstanding her present or any future coverture and whether covert or sole by any Deed or Deeds Instrument or Instruments in writing with or without power of revocation and new appointment to be sealed and delivered in the presence of and to be attested by two or more credible witnesses or by her last Will and testament in writing or any writing in the nature thereof to be signed and published in the presence of and attested by the like number of witnesses shall direct limit or appoint and as well for want of any such direction limitation or appointment as subject to any such as may be made where the same shall be only partial or imperfect and incomplete Upon Trust to pay assign and transfer the said last mentioned sum of twelve thousand pounds Stocks funds and Securities unto between and amongst all and every the Children of the said Charlotte Wynne Eyton who being a Son or Sons shall live to attain the age of twenty one years or being a daughter or daughters shall live to attain the age of twenty one years or be married under that age with the previous consent in writing of her or their Parents or Parent or Guardians or Guardian for the time being to be divided between and among such Children if there be more in equal shares and proportions and share and share alike But if there shall be only one Child of the said Charlotte Wynne Eyton who being a Son shall attain the age of twenty one years or being a daughter shall attain that age or be married with such consent as aforesaid Then In Trust to pay assign or transfer the whole of the said last mentioned sum of twelve thousand pounds Stock funds and Securities unto such one Child be the same a Son or daughter for his or her own absolute use and benefit And upon further Trust that they the said Sir Coutts Trotter Edward Marjoribanks and Sir Edmund Antrobus and the survivors and survivor of them

¹³ Charlotte Wynne Eyton née Griffiths (1775-1843), niece of the Testator, daughter of Henrietta Maria née Clarke (1743-1813) and Thomas Griffiths (1740-1811), wife of Rev Robert Wynne Eyton (1780-1865).

¹⁴ Rev Robert Wynne Eyton (1780-1865), son of Margaret née Wynne (1754-1822) and Rev Hope Eyton (1754-1824), husband of Charlotte Wynne Eyton née Griffiths (1775-1843).

his executors administrators and assigns shall and do after the respective deceases of the said Charlotte Wynne Eyton and Robert Wynne Eyton her present husband pay and apply the dividends interest and annual proceeds of the said last mentioned sum of twelve thousand pounds Stocks funds and Securities for and towards the maintenance and education or use benefit and advantage of the Child or Children respectively of the said Charlotte Wynne Eyton for the time being during their respective minorities in proportion to their respective presumptive or expectant shares and interests in the principal Provided always and it is my Will that it shall and may be lawful to & for the said Sir Coutts Trotter Edward Marjoribanks and Sir Edmund Antrobus and the survivors and survivor of them his executors administrators and signs at any time or times after the respective deceases of the said Charlotte Wynne Eyton and Robert Wynne Eyton her present husband or during their joint lives or the life of the survivor of them with their her or his consent in writing to assign transfer and advance any competent part or parts of the presumptive or expectant share or shares of any Son or Sons of the said Charlotte Wynne Eyton of and in the last mentioned sum of twelve thousand pounds Stocks funds or Securities for or towards the preferment or advancement in the World of such Son or Sons notwithstanding the minority or minorities of such Son and Sons provided always and I do hereby direct that in case there shall not be any Child or Children of the said Charlotte Wynne Eyton who under or by virtue of the Trusts aforesaid shall live to acquire or become entitled to a vested interest or vested interests in the said last mentioned sum of twelve thousand pounds or the Stocks funds or Securities in or upon which the same shall be laid out or invested as aforesaid Then and in such case my said Trustees and the survivors and survivor of them and the executors administrators and assigns of such survivor shall stand and be possessed of and interested in the said last mentioned sum of twelve thousand pounds Stocks funds and Securities or so much thereof as shall not have been advanced as aforesaid Upon the Trusts following (that is to say) As to one equal third part thereof upon Trust for my aforesaid Niece Henrietta Maria Philips her executors administrators and assigns And as to one other equal third part thereof upon Trust for my aforesaid Niece Louisa Morgan her executors administrators and assigns and as to the remaining one equal third part thereof upon such Trusts and subject to such Trusts and subject to such powers provisoes and declarations as are hereinafter declared or expressed with respect to or concerning the sum of twelve thousand pounds hereafter given In Trust for my Niece Caroline Pennant¹⁵ and her Children as hereinafter mentioned

I give and bequeath unto my said Trustees and the survivors and survivor of them and the executors administrators and assigns of such survivor a further sum of twelve thousand pounds of lawful money aforesaid upon Trust to lay out and invest the same in their or his names or name in such Public Stocks or funds or at Interest upon Government or real Securities in England or Wales as aforesaid and to stand and be possessed of and interested in the said last mentioned sum of twelve thousand pounds

¹⁵ Caroline Pennant née Griffith (1778-?), niece of the Testator, daughter of Henrietta Maria née Clarke (1743-1813) and Thomas Griffiths (1740-1811), wife of Rev Thomas Pennant (1780-1845).

and the Stocks ffunds and Securities upon which the same shall be laid out or invested upon Trust to receive and take the Interest dividends and annual proceeds thereof and to pay the same when and as they shall become due and payable unto my said Niece Caroline Pennant (another daughter of my said deceased Sister Henrietta Maria Griffith and Wife of the Reverend Thomas Pennant¹⁶ Clerk) for and during the term of ner natural life for her own sole and separate use as hereinafter mentioned and in case my said Niece Caroline Pennant shall happen to depart this life in the lifetime of the said Thomas Pennant her present husband then upon Trust from and after her decease to pay the said Interest dividends and annual proceeds of the said last mentioned sum of twelve thousand pounds or of the Stock ffunds or Securities in or upon which the same shall be placed out or invested unto the said Thomas Pennant and his assigns during the remainder of his natural life for his and their own use and benefit and from and after the decease of the survivor of them the said Thomas Pennant and Caroline his Wife upon Trust to pay assign or Transfer the said last mentioned sum of twelve thousand pounds Stocks ffunds and Securities unto between and amongst all and every or unto or between any one or more (in exclusion of the others or other) of the Children of her my said Niece Caroline Pennant at such age or ages days or time and in such parts shares and proportions manner and form as she my said Niece Caroline Pennant alone notwithstanding her present or any future coverture and whether covert or sole by any deed or deeds instrument or instruments in writing with or without powers of invocation and new appointment to be sealed and delivered bu her in the presence of and to be attested by two or more credible witnesses or by her last Will and Testament in writing or any Writing in the nature of or purporting to be her last Will and Testament in writing or any Writing in the nature of or purporting to be her last Will and Testament to be signed and published in the presence of and attested by the like number of witnesses shall direct limit or appoint and as well for want of any such direction limitation or appointment as last aforesaid as subject to any such as may be made where the same shall be only partial or imperfect and incomplete upon Trust to pay assign and transfer the said last mentioned sum of twelve thousand pounds Stocks ffunds or Securities unto or amongst all and every the Children of mysaid Niece Caroline Pennant who being a Son or Sons shall live to attain the age of twenty one years or who being a daughter or daughters shall live to attain the age of twenty one years or be married under that age with the previous consent in writing of her or their Parents or Parent or Guardians or Guardian for the time being to be divided between such Children (if there be more than one) in equal shares and proportions and share and share alike but if there shall be only on Child of my said Niece Caroline Pennant who being a Son shall live to attain the age of twenty one years or being a daughter shall live to attain that age or be married with such consent as aforesaid then in Trust to pay assign or transfer the whole of the said last mentioned sum of telve thousand pounds Stocks ffunds and Securities unto such one Child be the same a Son or a Daughter for his or her

¹⁶ Rev Thomas Pennant (1780-1845), son of Anne née Mostyn (1733-1802) and Thomas Pennant (1726-1798) [[Wikipedia](#)], husband of (i) Caroline née Griffith (1778-?) and (ii) Emma née Brudenell (1804-1846).

own use and benefit And upon this further Trust that they the said Sir Coutts Trotter Edward Marjoribanks and Sir Edmund Antrobus and the survivors and survivor of them his executors administrators or assigns shall and do after the respective decease of the said Caroline Pennant and Thomas Pennant her present husband pay and apply they dividends interest and annual proceeds of the said last mentioned sum of twelve thousand pounds Stocks funds and Securities for and towards the maintenance and education or use benefit and advantage of the Child and Children respectively of the said Caroline Pennant for the time being during their respective minorities in proportion to their respective presumptive and expectant shares and interests in the principal Provided always and it is my Will that it shall and may be lawful to and for the said Sit Coutts Trotter Edward Marjoribanks and Sir Edmund Antrobus and the survivors and survivor of them his executors administrators and assigns at any time or times after the respective deceases of the said Caroline Pennant and Thomas Pennant her present husband or during their joint lives or the life of the survivor of them with their her or his consent in writing to assign transfer and advance any competent part or parts of the presumptive or expectant share or shares of any Son or Sons of the said Caroline Pennant of and in the last mentioned sum of twelve thousand pounds Stocks funds and Securities for or towards the preferment or advancement in the World of such Son or Sons notwithstanding the minority or minorities of such Son or Sons Provided always and I do hereby direct that in case where shall not be any Child of the said Caroline Pennant who under or by virtue of the Trusts aforesaid shall live to acquire or become entitled to a vested interest in the said last mentioned sum of twelve thousand pounds or the Stocks funds or Securities in or upon which the same shall be laid out or invested Then and in such case my said Trustees and the survivors or survivor of them and the executors administrators and assigns of such survivor shall stand and be possessed of and interested in the said last mentioned sum of twelve thousand pounds Stocks funds and Securities or so much thereof as shall not have been advanced as aforesaid upon the Trusts following (that is to say) as to our equal third part thereof In Trust for my said Niece Henrietta Maria Philips her executors administrators and assigns

and as to one other equal third part thereof upon Trust for my aforesaid Niece Louisa Morgan her executors administrators and assigns and as to the remaining one equal third part thereof upon such Trusts and subject to such powers provisoes and declarations as are hereinbefore declared or expressed with respect to or concerning the said sum of twelve thousand pounds hereinbefore given In Trust for my said Niece Charlotte Wynne Eyton and her Children as aforesaid

Provided always And I do hereby declare my Will to be that if there shall not be any Child of either of my said Nieces Charlotte Wynne Eyton and Caroline Pennant who under or by virtue of the Trusts aforesaid shall acquire or become entitled to a vested interest in the said two several sums of twelve thousand pounds and twelve thousand pounds so hereinbefore given in Trust for my said two last named Nieces respectively and their respective Children as aforesaid Then and in such case my said Trustees or Trustee for the time being shall stand and be possessed of and interested in the same

two several sums of twelve thousand pounds and twelve thousand pounds and the Stocks funds or Securities in or upon which the same shall be laid out or invested as aforesaid or of and in so much thereof respectively as shall not have been advanced as aforesaid Upon the Trusts following (that is to say) As to one equal Moiety or half part thereof Upon Trust for my aforesaid Niece Henrietta Maria Philips her executors admns and assigns And as to the other Moiety thereof upon Trust for my said Niece Louisa Morgan her executors administrators and assigns

And I bequeath unto the Son and to each of the six daughters now living of my said Niece Arabella Cheap the sum of five thousand pounds Sterling apiece and unto the Son and daughters now living of my said Niece Henrietta Maria Philips the like sum of five thousand pounds a piece & unto the daughter and younger Son now living of my said Niece Louisa Morgan the like sum of five thousand pounds apiece

And I give and bequeath unto each of the Grandchildren of my aforesaid Nieces Arabella Cheap Henrietta Maria Philips and Louisa Morgan respectively who shall be living at my death the sum of two thousand pounds apiece and in case any one or more of such Grandchildren shall be under the age of twenty one years at the time of my death I direct that his her or their Legacy or Legacies shall be paid for his or their use and benefit to to their respective Parents or Guardians for the time being whose receipt or receipts for the same shall be good and effectual discharges to my Trustees and Executors

And I give unto my Nephews in Law the before named Robert Wynne Eyton and Thomas Pennant the sum of one thousand pounds apiece as a token of my affection and regard for them respectively

And I give and bequeath unto Maria¹⁷ the Wife of Barlow¹⁸ Esquire Dame Charlotte Goodricke¹⁹ and Emily²⁰ the Wife of Charles Grantham²¹ Esquire (the three surviving Children of Mrs Mary Fortescue²² deceased who was Sister to my late Wife) the sum of

¹⁷ Maria Catherine Barlow née Fortescue (1763-1853), daughter of Mary Henrietta née Hunter (1736-1814) and Rt Hon James Fortescue (1725-1782), wife of (i) Captain John Sloper and (ii) Colonel George Francis Barlow (1749-1847).

¹⁸ Colonel George Francis Barlow (1749-1847), son of Elizabeth née Carter (1726-1781) and Francis Barlow (1694-1771), husband of Maria Catherine Barlow née Fortescue (1763-1853).

¹⁹ Charlotte Goodricke née Fortescue (1766-1842), daughter of Mary Henrietta née Hunter (1736-1814) and Rt Hon James Fortescue (1725-1782), wife of Henry Goodricke (1765-1802) 6th Baronet Goodricke of Ribston.

²⁰ Emily Grace Grantham née Fortescue (1778-1864), daughter of Mary Henrietta née Hunter (1736-1814) and Rt Hon James Fortescue (1725-1782), wife of Captain Charles Grantham RN (1790-1859).

²¹ Captain Charles Grantham RN (1790-1859), son of Margaret née Webber (1768-1842) and Captain Thomas Bennett Grantham (1759-1818).

²² Mary Henrietta Fortescue née Hunter (1736-1814), daughter of Mary née Heming (1707-1749) and Thomas Orby Hunter (1714-1769), wife of Rt Hon James Fortescue (1725-1782).

two hundred pounds each as a token of the affection and regard I have always borne to them

Provided always And it is my Will that the dividends interest and annual proceed hereinbefore directed to be paid to or which may by virtue of this my Will become payable to my Nieces the aforesaid Charlotte Wynne Eyton and Caroline Pennant and Iso the several Legacies hereinbefore given to the said Maria Barlow and Emily Grantham shall be for the sole and separate use of and be paid to them the said Charlotte Wynne Eyton Caroline Pennant Maria Barlow and Emily Grantham respectively or to such person or persons as they shall respectively in writing after the same shall have become due and payable but not by way of anticipation assign or give or authorize or appoint to receive the same and that such Interest dividends annual proceed and Legacies shall be totally independent of the present or any future husband of them the said Charlotte Wynne Eyton Caroline Pennant Maria Barlow and Emily Grantham or any or either of them who shall not intermeddle therewith nor shall the same be anywise subject or liable to their or his debts control or engagements and I hereby further direct & declare that the receipts of them the said Charlotte Wynne Eyton Caroline Pennant Maria Barlow and Emily Grantham alone or of the person or persons to whom they shall respectively assign or give or whom they shall respectively authorize or appoint to receive their said respective interest dividends annual proceed and legacies as aforesaid and the receipt or receipts of no other person or persons whomsoever shall from time to time be good and effectual discharges to my Trustees and Executors for the time being of the same respectively

And I give to Charlotte Orby Hunter Lady Cecelia Paulet Mary Ballard Beckford Bevan The Honorable Dame Lucy Morris (late Miss Byng) Louisa Johnson James Gray Alured Gibson Charles Alured M^c Murdo Alured Terry John Thornhill Sir Harry Verney Baronet and [Alureda] Darby Daughter of the late Colonel Darby to whom I have at the request of and out of the friendship for their Parents stood Godfather the sum of one hundred pounds each And I direct that such of the Legacies hereinbefore given to such of my Godchildren if any as may be under age at the time of my death shall be paid for their use and benefit to their respective Parents or Guardians for the time being whose receipts for the same shall be good and effectual discharges to my Executors

and I give to Major William Campbell (late Major of the 36th Regiment) the sum of one thousand pounds

and to the aforesaid Charles Alured Mc Murdo (an addition to his Legacy as a Godson) the sum of five hundred pounds

And I give to the Man Servant who shall be attendant upon my person at my death all my Wearing Apparel and Body Linen except (swords Stars Watches Chains Seals Rings Snuff Boxes Buckles and Lace Ruffles and other Trinkets or Articles of Ornament and Dress of the like nature) and in case my present Servant John Gillan shall be the Man attendant on my person at my death I also give him a Legacy of three hundred pounds and likewise

an Annuity of fifty pounds for his life the said Annuity to be paid quarterly and the first payment thereof to be made at the end of three Calendar Months next after my death And in addition to the Legacy and Annuity which the said John Gillan may become entitled to under the bequests aforesaid I give to him and also to every other SErvant or Servants who may be living with me at my decease decent Mourning and one years wages over and above what may be then due to them respectively And I further direct that in addition to such years Wages the Wages of each Servant living with me at my death shall be paid up to the end of the then Current year of their respective Service

I give all the Miniatures and other Pictures which I may be possessed of at my death and which formerly belonged to or are in any degree connected with the family of my late dear and much lamented Wife Elizabeth Catherine Hunter unto her Nephew Thomas Orby Hunter of Crowland Abbey in the County of Lincoln Esquire as a mark of the affection I bear him and of the esteem in which I have always held the Relatives of that House and the true Interest I take in their future welfare and Honor

And I give devise and bequeath all and singular my ffreehold Copyhold and Leasehold Messuages Lands Tenements Hereditaments and Estates whatsoever and wheresoever with their and every of the respective rights members and appurtenances and likewise all my monies Securities for money Stock in the Public or Government ffunds or Annuities and all other my Goods Chattels and Personal Estate and Effects whatsoever and of what nature kind or description soever the same may be (but as to my said Personal Estate and Effects subject to the payment of all my just debts and funeral and Testamentary expenses and also to the payment of the several Legacies and annuity hereby given and bequeathed and such other Legacies and Annuities (if any) as I may hereafter give direct to be paid by any Codicil or Codicils to this my Will or by any other Writing under my hand and likewise subject to the payment of the Legacy duty to be imposed upon or payable for or in respect of all and every the said Legacies and annuities respectively (and which I direct to be paid by my Executors accordingly out of my residuary estate) Unto and to the use of the said Sir Coutts Trotter Edward Marjoribanks and Sir Edmund Antrobus their heirs executors administrators and assigns according to the different natures and quality of the same Hereditaments estates and Premises respectively upon the Trusts nevertheless and subject to the proviso hereinafter declared or expressed of & concerning the same (that is to say)

As to for and concerning six full and equal seventh parts or shares (the whole into seven equal parts or shares to be divided) of and in my said ffreehold Copyhold Leasehold and residuary Personal Estates respectively upon Trust to convey and surrender assign transfer and pay the same unto my aforesaid Nieces Arabella Cheap Emma Clarke Henrietta Maria Philips Louisa Morgan Charlotte Wynne Eyton and Caroline Pennant to be equally divided between and among them share and share alike as Tenants in common and to their heirs executors administrators and assigns respectively

And as for and concerning the remaining full and equal seventh part or share (the whole into seven equal parts or shares to be divided as aforesaid) of and in my said freehold Copyhold Leasehold and residuary personal estates upon Trust to pay the rents issues and profits interest dividends and annual proceeds thereof unto my aforesaid Nephew Alured Clarke for and during the term of his natural life & from and after his death Then upon Trust to convey and surrender assign transfer and pay the said remaining seventh part or share of my said freehold Copyhold Leasehold and residuary personal Estates unto all and every the Children of the body of him the said Alured Clarke who shall live to attain the age of twenty one years or to be married under that age with such previous consent in writing as hereinbefore is mentioned to be equally divided between and among such Childrn if more than one share and share alike as Tenants in common and to their respective heirs exors administrators and assigns and if there be only one Child of the body of the said Alured Clarke who shall live to attain the age of twenty one years or to be married under that age with such previous consent in writing as aforesaid Upon Trust to convey and surrender assign transfer and pay the whole of the said remaining seventh part or share of my said freehold Copyhold Leasehold and residuary personal estates unto such only Child and his or her heirs executors administrators and assigns and I direct that after my said Nephew's decease the rents issues profits dividends and annual proceed of such seventh part shall be applied for the maintenance and education of all his Children respectively according to their respective presumptive or expectant shares in the said seventh part But if there shall not be any Child of the body of my said Nephew Alured Clarke who shall live to attain the age of twenty one years or to be married under that age with such previous consent in writing as aforesaid Then upon Trust to convet and surrender assign transfer and pay the said remaining seventh part or share of my said freehold Copyhold Leasehold and residuary Estates respectively unto my said Nieces Arabella Cheap and Emma Clark in moities or equal shares as Tenants in common and to their respective heirs executors administrators and assigns respectively Provided always & I hereby direct and declare that it may and shall be lawful for my said Trustees or the survivors and survivor of them or the heirs executos administrators or assigns of such survivor at any time or times after my decease upon the request and with the consent & approbation of my said nephew Alured Clarke or of any two or more of my aforesaid Nieces Arabella Cheap Emma Clark Henrietta Maria Philips Louisa Morgan Charlotte Wynne Eyton and Caroline Pennant to be testified in writing under his or their hand or hands to sell and dispose of either together or in parcels and by Public Auction or Private Contract all and singular my said freehold Copyhold and Leasehold Hereditis and Estates hereinbefore given and bequeathed to them my said Trustees as aforesaid or any of them or any oart or parts thereof respectively unto any person or persons who shall be willing to become the purchaser or purchasers thereof for such price or prices or consideration in money as they my said Trustees or the survivors or survivor of them or the heirs executors administrators or assigns of such survivor shall be able to obtain or shall think proper to accept for the same and to convey surrender and assign the Hereditaments or estates so to be sold and disposed of unto the purchaser or respective purchasers thereof and his her or their

heirs executors administrators and assigns And for promoting and facilitating such Sale and disposition of my said freehold Copyhold and Leasehold Hereditaments and Estates as aforesaid I hereby direct and declare that the receipt or receipts of my said Trustees and Executors and the survivors or survivor of them or the heirs executors administrators or assigns of such survivor shall be a good and effectual discharge and good and effectual discharges to the purchaser or purchasers of the same Hereditaments and Estates or any part or parts thereof respectively for his her or their purchase money or so much thereof as in such receipt or receipts shall be expressed or acknowledged to be received and that after such receipt or receipts shall be given the said purchaser or purchasers his her or their heirs executors administrators or assigns shall not nor shall any of them be concerned or obliged to see to the application or be in anywise answerable or accountable for the misapplication or the nonapplication of his her or their purchase money or any part or parts thereof respectively But nevertheless my Will is and I hereby direct and declare that my said Trustees and Executors and the survivors and survivor of them and his executors administrators and assigns shall stand and be possessed of and apply all the net monies to arise from the Sale and disposition of my said freehold Copyhold and Leasehold Hereditaments and Estates or any part or parts thereof respectively Upon such Trusts and for such intents and purposes as are hereinbefore declared or expressed of and concerning my residuary personal Estate my intention being that such net monies when received shall become and be considered as part of my said residuary Personal Estate

And I give and devise all the freehold Manors Messuages Lands Tenements Hereditaments and Estates whatsoever which are now vested in me by way of Mortgage or otherwise for securing the payment of any sum or sums of money And also all the freehold Manors Messuages farms Lands Tenements Hereditaments and Estates whatsoever which are now vested in me alone as a Trustee for or for the benefit of any other person or persons and in which I have no Interest but as such sole Trustee unto and to the use of my said Trustees their heirs and assigns Upon Trust to reconvey or transfer the said Mortgaged Estates unto the owner or owners thereof respectively or as he or they shall direct or appoint upon payment unto my said Executors of all the Principal money and Interest secured thereon respectively and to convey or stand seized of the said Trust Estates unto or for the benefit of the person or persons beneficially entitled thereto under or by virtue of of the Trusts created and declared of or concerning the Trust Estates respectively

And I appoint the said Sir Coutts Trotter Edward Marjoribanks and Sir Edmund Antrobus to be the Trustees and *Executors* of this my Will And I request their acceptance of two hundred pounds each as a mark of my esteem and regard for them and I give to my said Trustees and Executors and the survivors and survivor of them his executors and administrators full power and authority from time to time at their or his discretion to sell and dispose of all or any part or parts of my said Personal Estates property and effects hereinbefore given and bequeathed in such manner as they or he shall think proper and to give effectual discharges for the money to arise from the Sale thereof and

also full power and authority from time to time at their or his discretion to sell transfer and dispose of and to change alter vary and transpose all or any of the Stocks ffunsor Securities which shall be vested in them or him for the time being under this my Will And upon the Trusts or any of the Trusts hereinbefore declared in such manner and as often as he or they shall think fit And I hereby direct and declare that my said Trustees and Executors for the time being shall not on any account be answerable or accountable for any loss or damage that may happen to any of my Estates Property or effects without their respective wilful neglect or default and that each of them shall only be answerable for his own acts receipts and gross or wilful neglects and defaults And further that my said Trustees and Executors respectively shall and may without regard to the Legacies hereinbefore given to them by and out of any of the monies and premises aforesaid deduct and retain all charges and also all costs charges damages and expenses whatsoever which they or any of them shall or may be reasonably entitled to or shall or may sustain incur or be put unto in or about the execution of this my Will or the Trusts thereof or in anywise relating thereto

Provided always and my Will is And I do hereby expressly order direct and declare that if the said Sir Coutts Trotter Edward Marjoribanks and Sir Edmund Antrobus the Trustees hereinbefore named and appointed or any or either of them or any future Trustees or Trustee to be appointed as hereinafter is mentioned shall die or be desirous to be discharged from the Trusts and powers hereinbefore vested in or given to or in pursuance of this my Will to be vested in or given to them or him respectively at any time or times before the same Trusts and powers shall be fully executed and performed then and in such case and from time to time so often as any such event shall happen it shall and may be lawful to and for the surviving or continuing Trustees or Trustee for the time being or the executors or administrators of the last surviving or continuing Trustee by any Deed or Deeds Writing or Writings under their or his hands and seals or hand and seal nominate and appoint any other person or persons to be a Trustee or Trustees of the Estates monies and Premises hereby given devised and bequeathed In Trust as aforesaid in the places and steads or place and stead of the Trustees or Trustee do dying or desiring to be discharged as aforesaid and upon every such nomination and appointment as aforesaid to make due and execute all such acts deeds conveyances transfers assignments and assurances in the [Law] as may be necessary for legally and effectually vesting the said Trust Estates monies and premises in such new or other Trustee or Trustees only or jointly with such continuing Trustee or Trustees as the case shall require and their respective heirs exors administrators and assigns upon the same Trusts and for the same purposes as shall be then subsisting undetermined and capable of taking effect and then and in such case all and every such new Trustee or Trustees shall and may in all things act and assist in the management carrying on and execution of the same Trusts to all intents effects constructions and purposes whatsoever and shall have and be vested with such and the same powers and authorities in every respect as if they or he had been originally nominated and appointed Trustees or Trustee for these purposes in and by this my Will

And hereby revoking all other Wills by me heretofore made I declare this only to be my last Will & Testament In Witness whereof I the said Sir Alured Clarke have to this my said last Will and Testament contained in twelve sheets of paper set my hand and seal that is to say my hand to the first eleven sheets and my hand and seal to this twelfth and last sheet thereof this fifteenth day of December in the year of our Lord one thousand eight hundred and thirty one. *Alured Clarke (SS)* This writing was signed sealed published and declared by the said Testator Sir Alured Clarke as and for his last Will and Testament in the presence of us who in his presence at his request and in presence of each other do hereunto subscribe our names as witnesses. *Tho^s Atkinson Ja^s Curtis Eastmure /—/ Hen. Hope Wernick } 66 Lincolns Inn ffields Gentⁿ —*

Proved at London 26th October 1832 before the Worshipful John Haggard Doctor of Laws and Surrogate by the Oaths of Sir Coutts Trotter Bar^t Edward Marjoribanks Esquire and Sir Edmund Antrobus Bar^t the Executors to whom Admon was granted having been first sworn duly to administer /—

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