

Will of Warden Sergison (1765-1811)

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 Warden Sergison¹ late of Butlers Green but now of Cuckfield place in the Parish of Cuckfield in the County of Sussex Esquire whereby I give and devise my manor and fforest of ffilgate and my manors or Lordships of Leigh and Slaugham in the said County of Sussex and the advowson donation presentation free disposition right of patronage of in and to the Rectory or Parish Church of Slaugham a^{fd}² and also my moiety of the manor of Cuckfield and all other the manors or lordships Capital and other Messuages mills parks ffarms lands Tenements Woods Woodlands Tythes and heredit whatsoever and wheresoever situate lying being or arising within the several Parishes of Cuckfield Worth Slaugham Balcomb Hawley Ifield Hurst Purpoint Colney Wivelsfield & Linfield otherwise Lanfield or any or either of them or elsewhere in the County of Sussex which under or by virtue of Indenture of lease ____ dated respectively and about the twentieth and twenty first days of November now last past the release being of three parcels and made between the said Warden Sergison by my [description] therein contained of the first part Thomas Charles Medwin Gentleman of the second part and Charles Mayhew Gentleman of the third part & also by virtue of a common ____ which was had and suffered in Hs majestys Court of Common Pleas at Westminster in michaelmas Term now last past in pursuance of the agreement for that purpose contained in the said Indenture of release & in which recovery I was duly vouched were and do now stand limited to the use of the said Warden Sergison my heirs & assigns for ever & also all & every my messuages Tenements [buildings] & heredit³ what soever situate or being in the ffen court or ffchurch street in the Parish of St Gabriel ffchurch or elsewhere in the City of London ____ all and every other the ffreehold and copyhold or customary messuages Lands Tenements & heredit whatsoever and wheresoever whereof or wh____ I am now seized possessed or intituled in any wise howsoever & which were or are not comprised in or affected by the settlement hereinafter ____ to have been made on my marriage with my late dear Wife Mary Ann Sergison⁴ ____ together with all and every the rights royalties ____ and appurts whatsoever to the same respectively belonging unto my ffriends The [revd] Sir Henry Poole bart Thomas Althorpe Esq and John Thoyts Esq and their heirs to hold the

¹ Col Warden Sergison né Jefferson (1765-1811), the Testator, son of Ann Warden née Sergison (1739-1806) and Francis Sergison né Jefferson (1735-1793), husband of Mary Anne née Kerr (1766-1804).

² a^{fd} => aforesaid

³ heredit => hereditaments : “any kind of property that can be inherited”

⁴ Mary Ann Sergison née Kerr (1766-1804), wife of the Testator, daughter of Charlotte née Dicey (1734-1772) and Dr William Kerr MD (1738-1824).

same unto the said Sir Henry Poole Thomas Althorpe & John Thoyts & their heirs to the uses and upon the trusts & for the several ends intents & purposes following that is to say

To the use of them the said Sir Henry Poole Thomas Althorpe and John Thoyts and their heirs during the life of my brother ffrancis Sergison⁵ upon trust to permit & suffer my said Brother ffrancis Sergison to hold use occupy possess & enjoy my Capital messuage or mansion house called Cuckfield place with the offices grounds and appurts thereto belonging and the park called Cuckfield Park and [lands] now laid and to be laid thereto in my life time he my said bror⁶ keeping they same respectively in hand and in Tenantable repair and Condition and paying all Taxes for or in respect thereof & upon further trust from time to time during the joint lives of my said brother ffrancis Sergison and my Sister Ann Pritchard⁷ now the Wife of The Reverend William Saint Pritchard⁸ of Ab___ in the county of Surry Clerk by and out of the rents issues and profits of my manors or lordships & other messuages mills ffarms lands tenements hereditaments and premises so hereby devised as aforesaid levy and raise the clear yearly Sum of Two hundred pounds free from all Taxes Charge and Deductions whatsoever and tp pay apply and dispose of the same yearly sum of two hundred pounds by equal quarterly portions unto such person or persons & for such intents & purposes as she my said sister shall by any writing under her hand direct or appoint but not so as to deprive herself of the benefit thereof by sale or otherwise by way of anticipation & in default of such direction or appointment upon trust to pay the said yearly of two hundred pounds or so much and such part and parts thereof whereof or concerning which in such direction or appointment shall be so made as aforesaid into the proper hands of her my said sister for her own sol separate & peculiar use and benefit ___ of and without being subject to the Debts Controul forfeiture intermeddling or Engagement of her said present or any future husband and I do hereby declare that the receipt or receipts of her my said sister or of such person or persons to whom she shall direct or appoint the said yearly sum of two hundred pounds to be paid as aforesaid shall be sufficient discharges for so much money as in or by such receipt or receipts shall be expressed or acknowledged to be received and that the first quarterly payment or application of the yearly sum of Two hundred pounds shall begin and be made on the expiration of three calendar months next after my decease and subject and without prejudice to the raising payment and application of such yearly sum of Two hundred pounds during such joint lives as and in manner aforesaid

⁵ Col Francis Sergison (c1767-1812), brother of the Testator, son of Ann Warden née Sergison (1739-1806) and Francis Sergison (1735-1793), husband of Elizabeth Ann 'Eliza'.

⁶ bror => brother

⁷ Ann Pritchard née Sergison (c1763-1848), sister of the Testator, daughter of Ann Warden née Sergison (1739-1806) and Francis Sergison (1735-1793), wife of Rev William Saint Pritchard (1779-?).

⁸ Rev William Saint Pritchard later Sergison (1779-?), brother in law of the Testator, son of Hannah and Thomas Pritchard.

it is my will and meaning and I do hereby direct that they the said Sir Henry Poole Thomas Althorpe and John Thoyts and the Survivors and Survivor of them & the heirs of such Survivor shall and do from time to time during the life of my said brother Francis Sergison pay apply and dispose of the rents issues and profits of my said manors or lordships & other heredit and premises hereby devised either into the proper hands and on the receipt of him my said brother or for his personal use livelihood or support in sure way and manner as may be deemed expedient and my will is that my said Brother shall not have any power to assign alienate mortgage charge encumber ____ or otherwise dispose of the provision hereby intended to be made for him and that it shall be in the option of my said Trustees or Trustee for the time being either to pay the said rents issues and profits or any part thereof into his own proper hands or to apply the same for his personal use the same to be applied either half yearly or quarterly or otherwise as to my said Trustees or Trustee shall seem meet and in Case my said brother shall at any time or time make or attempt to make my assignment alienation mortgage charge incumbranced anticipation or any other disposition of all or any part or parts of the said rents issues or profits the same shall be considered by my said trustees as null and void and neither of them shall pay any sort fo regard thereto and I do hereby authorize my said Trustees and the survivors and survivor of them and the heirs of such survivor at any time or times as and when they or he shall think fit either to abridge or [decrease] or wholly to take away or at any time or times to suspend & forbear from the payment or application of all or any part of the provisions hereby made or intended for the personal support of my said brother and to pay apply & dispose of the same or any part or parts thereof in making substantial improvements of or upon any part or parts of my said Estate hereby devised or to or between or amongst any such one or more of the creditors of my said brother for or towards the reduction in satisfaction or discharge any of the debts now due or to become due and owing by him as they my said Trustees or the Survivors or Survivor or the heirs of such Survivor shall think fit and in order & course & with such preference & priority of payment as to them my said Trustees or Trustee for the time being may seem meet it being my [express] desire & intention that neither of my said Trustees shall at any time or times be liable to be impeached or questioned on account of any such preference or priority or for or in respect of any other matter or thing relating to the application or disposition of such rents issues and profits as aforesaid during the life of my said brother and upon further trust by the usual ways and means to support and preserve the the contingent uses and Estates herein after limited from being defeated or destroyed and from amd immediately after the decease of my said brother Francis Sergison then to the use of the said Sir Henry Poole Thomas Althorpe and John Thoyts and their heirs during the life of my said Sister Ann Pritchard if she shall be then living but upon trust nevertheless to permit & suffer her my said sister to hold use occupy possess & enjoy my said capital messuage or mansion house called Cuckfield Place with the offices Grounds and appurts thereto belonging and the part called Cuckfield park and the lands now laid & to be laid thereto in my lifetime she my said siste keeping the same respectively in hand and in tenantable repair and paying all taxes for or in respect thereof and subject thereto upon trust from time to

time during the life of my said sister to pay apply and dispose of the rents issues & profits of the said manors or lordships and other messuages with farms lands Tenements hereditis and premises herein before devised when and as the same shall be received in such & the same way and manner unto or for the sole separate and peculiar use benefit & disposal of her my said sister as hereinbefore is mentioned & directed touching the payments application and disposition of the said yearly sum of two hundred pounds so hereby directed to be raised & paid or applied to or for her sole and separate use and benefit during the joint lives of her & my said Brother ffrancis Sergison & in manner aforesaid and upon further trust by the usual ways & means to support & preserve the Contingent uses and Estates hereinafter limited from being defeated or destroyed and from and immediately after the decease of the survivor of them my said brother ffrancis Sergison & my said Sister Ann Pritchard then to the use of Warden Pritchard⁹ the eldest Son of my said Sister Ann Pritchard and his assigns for the term of his natural life and from and immediately after the determination of that Estate in the life time of the said Warren Pritchard by forfeiture or otherwise to the use of the said Sir Henry Poole Thomas Althorpe and John Thoyts and their heirs during the life of the said Warden Pritchard upon trust to support and preserve the Contingent uses & Estates and remainders hereinafter limited declared and contained of & concerning my said manors or lordships and other hereditis & premises from being defeated or destroyed and for that purpose to make entries & bring actions as occasion shall require but nevertheless to permit and suffer the said Warden Pritchard and his assigns to receive & take the rents issues & profits of the same premises to & for his & their own use & benefit

And from and immediately after the decease of the said Warden Pritchard to the use of the first son of the body of him the said Warden Pritchard lawfully issuing and for default of such issue to the use of the second third fourth fifth and all & every other the son and sons of the body of the said Warden Pritchard lawfully to be begotten several successively & in remainder one after another in order & course as they & every of them shall be in priority of birth and to the use of the heirs male of their respective bodies issuing the elder of such sons and the heirs male of his body issuing being always preferred & to take before the younger of the same sons and the heirs male of his and their body and bodies issuing and for default of such issue to the use of William Pritchard¹⁰ the second and only other son now born of my said sister Ann Pritchard and his assigns for the term of his natural life & from and immediately after the determination of that Estate in the life time of the said William Pritchard by forfeiture or otherwise to the use of the said Sir Henry Poole Thomas Althorpe and John Thoyts and & their heirs during the life of the said William Pritchard upon trust by the [wants] and means af^d to support & preserve the contingent uses estates and messuages limited

⁹ Warden George Sergison né Pritchard (1801-1868), nephew of the Testator, son of Ann née Sergison (1763-1848) and Rev William Saint Pritchard (1779-?), husband of Edith Astley (1793-1871).

¹⁰ Rev William Thomas Sergison né Pritchard (1802-1874), nephew of the Testator, son of Ann née Sergison (1763-1848) and Rev William Saint Pritchard (1779-?), husband of Janette Elizabeth née Ives (1807-1846).

declared & contained of and concerning my said manors or lordships and other heredit and premises from being defeated or destroyed but nevertheless to permit and suffer the said William Pritchard and his assigns to receive & take the rents issues and profits of the said premises to & for his and their own use and benefit and from & immediately after the decease of the said William Pritchard to the use of the first son of the body of the said William Pritchard lawfully to be begotten & of the heirs male of the body of such first son lawfully issuing and for default of such issue to the use of the second third fourth fifth and all and every other the son and sons of the body of the said William Pritchard lawfully to be begotten severally and successively and in remainder one after another in order and course as they & every of them shall be in priority of birth and of the heirs male of their respective bodies issuing the elder of such sons and the heirs male of his Body issuing being always preferred & to take before the younger of the same sons & the heirs male of his and their body and bodies issuing and for default of such issue to the use of the third & every subsequently born son of the body of my said sister Ann Pritchard who shall be born during the term of my natural life severally successively & in remainder according to their respective seniorities for their respective natural lives and from and after the determination of the Estate or Estates hereby limited to such third & other subsequently born son of my said sister born in my life time by forfeiture or otherwise during the life or respective lives of such last mentioned son or sons to the use of the said Sir Henry Poole Thomas Althorpe & John Thoyts & their heirs during the life or respective lives of such son or sons whose Estate or respective Estates shall so determine upon trust by the usual ways and means to preserve the contingent uses or Estates hereinafter limited or devised from being defeated or destroyed and immediately from & after the decease or respective deceases of such (and son and other subsequently born son and sons of the body of my said sister who shall be born during my life to the use of the first & other sons of their respective bodies severally successively and in remainder according to their respective seniorities in tail male so that such third and every other older & subsequently born son and sons of the body of my said sister who shall be born during my life and the first and other sons of their respective bodies and the heirs male of the respective bodies of such [last] _____ son and sons may always take before & be preferred fourth & every other subsequently born son of the body of my said sister and his and their first and other sons and the heirs male of the body of such last mentioned first and other sons and for default of such issue to the use of all and every the son and sons of my said sister who shall be born after my decease severally successively and in remainder in order and Course as they and every of them shall be in priority of birth and of the several and respective heirs male of the body and bodies of all and every such son and sons lawfully issuing the older of such sons and the heirs male of his body issuing being always preferred and to take before the younger of the same Sons and the heirs male of his and their body and bodies issuing and for default of such Issue then to the use of all and every the Daughter and Daughters of the body of my said sister Ann Pritchard equally to be divided between or amongst them if more than one share & share alike and they to take as Tenants in Common and not as Joint Tenants and to the use of the heirs of their

respective bodies issuing and in case there shall be a failure of issue of the body or bodies of any such Daughter or Daughters then as to as well the original part or share or parts or shares of such Daughter or Daughters so dying and in case issue shall so fail as the part or parts or share or shares which shall survive or accrue to the Daughter or Daughters who shall so die and whose issue shall so fail or to her or their issue respectively to the use of the remaining or other or others of the said Daughter or Daughters equally to be divided between or among them if more than one share and share alike and they also to take as Tenants in Common & not as Joint Tenants & to the use of the heirs of their respective bodies issuing and in Case there shall be a failure of issue of the bodies of all such Daurs but one or if there shall be but one such daur then to the use of such one remaining or such only Daughter and the heirs of her body iss^s and for default of such issue to the use of all and every the Daughter and Daughters of the body of my said nephew Warden Pritchard lawfully to be begotten equally to be divided between or amongst if more than one share and share alike and they to take as Tenants in Common and not as Joint Tenants and to the use of the heirs of their respective bodies issuing and in Case there shall be a failure of Issue of the body or bodies of any such daughter or daughters then as to as well the original part or share or parts or shares of such daughter or daughters so dying and whose issue shall so fail as the part or parts or share or shares which shall survive or accrue to the daughter or daughters who shall so die and whose issue shall so fail or to her or their issue respectively to the use of the remaining or other or others of the said Daughter or Daughters equally to be divided between or amongst them if more than one share & share and they also to take as Tenants in Common and not as Joint Tenants and to the use of the heirs of their respective bodies issuing and in case there shall be a failure of issue of the bodies of all such daughters but one or if there shall be but one such daughter then to the use of such one remaining or such only Daughter and the heirs of her body issuing & for default of such issue to the use of the first second third fourth fifth and all & every other son and sons of the body of the said Warden Pritchard lawfully to be begotten severally successively and in remainder one after and in order and Course as they and every of them shall be in priority of birth & of the heirs of their respective bodies issuing the elder of such sons and the heirs of [and] body issuing being always preferred and to take before the younger of the said sons and the heirs of his and their body and bodies issuing and for default of such issue to the use of all and every the Daughter or Daughters of the body of my said nephew William Pritchard lawfully to be begotten equally to be divided between or amongst them if more than one share and share alike & they to take as tenants in Common and not as Joint Tenants and to the use of the heirs of their respective bodies issuing and in case there shall be a failure of issue of the body or bodies of any such daughter or daughters then as to as well the original part or share or parts or shares of such daughter or daughters so dying and whose issue shall so fail as the part or parts or share or shares which shall survive or accrue to the daughter or daughters who shall so die and whose issue shall so fail or to her or their issue respectively the use of the remaining or other or others of the said daughter or daughters equally to be divided between or amongst them if more than one

share and share alike and they also to take as Tenants in Common and not as Joint Tenants and to the use fo the heirs of their respective bodies issuing and in Case there shall be a failure of issue of the bodies of all such daughters but one or if there shall be but one such daughter then to the use of such one remaining or such only daughter and the heirs of her body issuing and for default of such issue to the use of the first second third fourth fifth and all and every other son and sons of the body of my said nephew William Pritchard lawfully to be begotten severally successively and in remainder one after another in order and course as they and every of them shall be in priority of birth and of the heirs of their respective bodies issuing the older of such sons and the heirs of his body issuing being always preferred & to take before the younger of the same sons and the heirs of his and their body & bodies issuing and for default of such issue to the use of all and every the daughter and daughters of the respective bodies of the third & every subsequently born son of the body of my said sister Ann Pritchard who shall be born during the term of my natural life severally successively and in remainder according to the respective seniorities of such third & every other subsequently born son such Daur if more than one to take as tenants in Common and not as Joint Tenants and of the heirs of the body and respective bodies of such Daughter or Daughters lawfully issuing and with such or the life cross remainders to the use of the survivor or survivors or other or others of such Daughters in tail General in Case of the death & failure of issue of the body or bodies of any or either of them as are herein before limited to the Daughters of my said two nephews Warden Sergison Pritchard and William Pritchard respectively with remainder to the use of the first and every other son and sons of the respective bodies of the third and every subsequently born son of the body of my said Sister Ann Pritchard who shall be born during the term of my natural life severally successively and in remainder according to their respective seniorities in Tail General so and in such way and manner as that the daughter or daughters of such third and every other older and subsequently born son and sons of the body of my said Sister Ann Pritchard and the heirs of the body and respective bodies of such Daughter and Daughters as aforesaid and in default of such issue the first and other son and sons of the respective bodies of such first and every other such subsequently born son and sons of my said sister and the heirs of the respective bodies of such last mentioned first and other son and sons may always take before & be preferred to the daughter and daughters and her and their issue and the heirs of their body and to subsequently born son and sons of the body of my said sister & for default of such issue to the use of all and every the son and sons of the body of my said sister who shall be born after my decease severally successively and in remainder in order and course as they and every of them shall be in priority of birth and of the several and respective heirs of the body & bodies of all and every such son and sons lawfully issuing the elder of such sons & the heirs of his body issuing being always preferred and to take before the younger of the same sons and the heirs of his and their body & bodies issuing & for default of such issue then to the use of my own right heirs for ever

and whereas under and by virtue of the limitations conformed in the settlement made upon my marriage with my late dear wife Mary Ann Sergison now deceased certain parts of the Estates therein particularly mentioned are and stand charged with an Annuity of Eighty pounds payable unto William Kerr¹¹ of Northampton Doctor in Physic the ffather of my said late dear Wife during the term of his natural life and with the further Annuity of Eighty pounds payable unto Mary Kerr¹² the now wife of the said William Kerr in Case she shall survive him from the time of his decease for the term of her natural life and subject to the said annuities by the event of the death of my said dear wife without issue all the manors or Lordships Capital & other messuages ffarms lands Tenements and hereditis comprised in the same indenture ____ and which are situate lying and being in the said County of Sussex now are and stand limited to the use of myself for life with remainder to such uses upon & for such trusts intents & purposes and with under and subject to such powers provisoes declaration and agreements and charged & chargeable with annual & other sum & sums of money and with remainders or limitations over as I the said Warden Sergison by any Deed or Deeds instrument or instruments in writing to be by me sealed and delivered as in the s^d settlement is mentioned or by my last Will and Testament in writing or by any Codicil or Codicils thereto to be by me signed and published in the presence of and attested by three or more Credible Witnesses shall from time to time direct limit or appoint and in default of such direction limitation or appointment to the use of the heirs of my body with remainders over mow therefore in pursuance & by [force] & virtue & in exercis & execution of the power or authority to me for this purpose given limited or reserved in & by the said settlement & also in pursuance and exercise & by force and virtue of all & every other power and powers authority & authorities whatsoever in me vested or in anywise enabling me in this behalf I the said Warden Sergison do by this my last Will and Testament signed and published by me in the presence of & attested by the three credible persons whose names are hereunder written as Witnesses attesting the same direct limit & appoint that subject to the two several annuities payable to the said William Kerr & Mary his Wife in manner before mentioned or such of them as shall be then subsisting the Grant release & Confirmation in the said Settlement contained shall operate & ____ and that all & singular the entirety & ____ moiety & moieties of the freehold manors messuages Lands tenements tithes hereditis & all & singular other the premises mentioned and comprised in the said settlement or intended to be with their and every of their respective rights royalties members and appurtenances shall from and immediately after my decease to go remain continue and be and that all and every the person and persons in whom the same freehold hereditis or any of them are or is or hereafter shall or may be vested shall from thenceforth stand and be seized of and in the same respectively and every of them and every part thereof and of and in the respective rights members and appurts thereunto belonging to the several uses and upon the

¹¹ Dr William Kerr (1738-1824), father in law of the Testator; son of Helenor née Craunston and William Kerr (1709-1824), husband of (i) Charlotte née Dicey (1734-1772) and (ii) Mary Tompson.

¹² Mary Kerr née Tompson, wife of the father in law of the Testator.

several expressed and declared or referred unto of & concerning the same premises that is to say to the use of the said Sir Henry Poole Thomas Althorpe and John Thoyts and their heirs during the life of my said Sister Ann Pritchard upon trust to pay apply and dispose of the rents issues & Profits of all & every the same manors messuages Lands Tenements Tithes heredit & Premises when and as the same shall be from time to time received in such & the same way & manner unto or for the sole separate and peculiar use benefit & disposal of her my said sister as herein before is mentioned touching and concerning the payment application and disposition of the said yearly sum of two hundred pounds so hereby directed to be raised during the joint lives of her and my said brother ffrancis Sergison from and out of my other Estates first hereby devised and to be paid or applied to or for the sole & separate use and benefit of her my said sister as and in manner af^d and upon further trust by the usual ways and means to support & preserve the contingent uses and Estates hereinafter limited from being defeated or destroyed and from and immediately after the decease of my said sister Ann Pritchard then to such and the same uses and upon such and the same trusts and to and for such and the same ends intents & purposes as in and by this my Will are from & immediately after the decease of the survivor of my said Brother ffrancis Sergison & my said sister Ann Pritchard hereinbefore limited expressed & declared of and concerning my several manors or lordships and other heredit and Estates so first [held] given devised and disposed of as and in manner aforesaid or to or for & upon such and so many of those uses trusts intents & purposes as at the time of the decease of my said sister shall be subsisting or capable of taking effect & in pursuance & exercise & by force and vertu of the power or authority to me for this purpose given or reserved in or by the said in part recited settlement & of all and every other power or powers authority & authorities whatsoever in any wise enabling me in this behalf I the said Warden Sergison do by this my last Will & Testament so by me signed & published and so attested as hereinbefore is mentioned direct limit and appoint that all & singular the Copyhold heredit mentioned in or affected by the said Set^{t13} and situate within or held of the manors of El__field Slaugham Clayton and Ditchling or elsewhere in the said County of Sussex with their appurts shall from & immediately after my decease go remain & continue as & to such uses upon such trusts and to and for such intents and purposes as will best & nearest correspond with the uses trusts & purposes herein before limited expressed and declared or referred unto of concerning the several freehold heredit & premises comprised in the said settlement so far as the Tenure of the said Copyhold Premises will allow and admit of & I do hereby expressly direct & declare my mind and will to be that all & every the lands which I at the time of my decease shall be laid into & form the parcel now called by the name of Cuckfield Park shall continue and be held as parcel of such park and that no part or parcel of the said Park shall ever afterwards be taken therefrom it being my wish and intention that the same park and lands whereof the same consist at the time of my decease shall forever thereafter be held and enjoyed as one entire Park and shall not be [disparcl] on any pretence whatsoever provided

¹³ Set^t => Settlement

always and I do hereby declare my mind and will to be that it shall & may be lawful to and for the several persons hereby respectively made Tenants for life either before or when they shall respectively by virtue of or under the limitations aforesaid be in the actual possession of any Land manors or lordships & other heredit and Estates hereby respectively devised and limited and appointed as aforesaid by any deed or deeds instrument or instrument in writing with or without power of revocation to be by them respectively secured and delivered in the presence of and attested by two or more Credible witnesses or by their respective last Wills & Testaments in writing or any Codicil or Codicils thereto to be by them respectively signed and published in the presence of & attested by three or more Credible witnesses but subject nevertheless and without prejudice to the Estates antecedent to the Estate of the person making such limitation or appointment and to the powers annexed or Collateral to such antecedent Estates if any such shall be then subsisting or capable of taking Effect or being exercised and also subject and without prejudice to the Estates or charges if any then to limit or appoint to or to the use of or in trust for any woman or woman whom they respectively shall or may marry for her or their life or respective lives & for her or their Jointure or respective jointures any annual sum or annual sums of money or yearly rent charge or yearly rent Charges not exceeding the yearly sum of Eighty pounds for every one thousand pounds or the value thereof either in land or money which they respectively or their respective heirs Exors¹⁴ or admors¹⁵ shall receive or be intitled to with any such woman or women respectively and I hereby declare that if the said sum or sums of one thousand pounds or the value thereof respectively to which such respectively shall at the time of making such appointment or appointments respectively as aforesaid be intitled shall consist of a contingent expectant or particular Estate or interest either in land or money it shall and may be lawful to and for the person or persons respectively making such appoint^t or appointments respectively to have the same respectively estimated or valued by the Trustees or Trustee for the time being of this my Will and to proportion such annual sum or annual sums as yearly rent charge or yearly rent charges respectively to such Estimated sum or value and I do hereby further declare that the said annual sum or annual sums respectively or yearly rent charge or yearly rent charges respectively shall not exceed in the whole the yearly sum of six hundred pounds for any one woman and that such annual sum or annual sums respectively or yearly rent charge or yearly rent Charges respectively shall be issuing & payable but of & charged & chargeable upon all or any part of the said manors and other heredit hereinbefore by me respectively devised & limited and appointed as af^t & be paid in such manner as & to the person or persons respectively appointing the same shall seem meet and that for the purpose of securing the said annual sum or annual sums respectively or yearly rent charges respectively it shall and may be lawful to & for the person or persons respectively appoint^s the same by that deed or deeds in instrument or instruments in writing will or wills codicil or codicils whereby such appointment or appointments respectively shall be made or by any such other deed or deeds instrument or

¹⁴ Exors => Executors

¹⁵ Admons => Administrators

instruments in writing will or wills Codicil or Codicils to limit or appoint to the woman or women respectively whose favor such annual sum or sums respectively or yearly rent Charge or rent charges respectively shall be so appointed as aforesaid the usual P____ powers and remedies for recovering and enforcing payment thereof respectively by distress & entry upon & [perception] of the rents issues & profits of the heredit to be charged therewith respectively & also to limit & appoint the same heredit to any person or persons for such term or terms of as to the person or persons respectively making such appointment or appointments as aforesaid shall seem meet so that all and every such term or terms of years if any shall be treated be made to determine respectively on the death of the woman or women for the benefit of whom the same shall be respectively created and the payment of the arrears of her or their jointure or respective jointures & the expenses incurred by the nonpayment thereof respectively and that such limitation or limitations appoint or appointments shall be respectively made either before or after the marriage or respective marriages of the person or persons respectively making such appointment or appointments respectively as aforesaid as to him or themm respectively shall seem meet provided nevertheless and I do hereby declare that the said manors & other heredit hereby respectively devised and limited and appointed or any of them shall not be liable to the payment of more that two such jointures at one and the same time yet my will is that [altho] two or more such jointures may have been previously limited and shall be then subsisting the said jointuring power may be exceeded but in that case the jointure to be limited during the subsistence of such two or more previous jointures shall not till the same are reduced to two such jointures as least be payable provided also and I do hereby likewise declare my will and mind to be that it shall and may be lawful to and for the said several persons hereby respectively made Tenants for life when & as they shall respectively by virtue of or under the limitations aforesaid be intitled to the actual possession of the said several manors and other heredit & Estates hereby respectively devised and limited or any of them by any such Deed or Deeds instrument or instruments in writing will or wills Codicil or Codicils as af^d to subject & charge all or any part of the same manors and other heredit and Estates whereof they shall so respectively be in the actual possession as af^d to and with the payment of any sum or sums of money for the portion or portions of the child or children of them respectively other than or besides an oldest or only son for the time being intitled to the said manors & other heredit and Estates for an Estate in tail male in possession or remainder expectant on the decease of his parent not exceeding in the whole in respect of the Children of any one person making such charge the sum of Ten thousand pounds of lawful money of Great Britain for his younger sons or daurs with interest for the same at any rate not exceeding five pounds per cent per ann to be paid to or shared and divided between or among the child or children respectively for whom the same respectively are intended to be provided at such age day or time or respective ages days or times & if more than one in such parts shares & proportions and charged with such annual sum or sums of money and subject to such conditions restrictions and limitations over for the benefit of one or more such Child or Children respectively as the person or persons respectively making such limitation or

appointments shall deem meet and shall by the deed or deeds instrument or instruments in writing will or wills codicil or codicils whereby such Charge or Charges for portion or portions respectively shall be made or by any other such Deed or Deeds instrument or instruments in writing or will or wills Codicil or Codicils as aforesaid direct or appoint and that for the purpose or raising such portion or portions & interest for the same respectively as aforesaid it shall and may be lawful to & for the person or persons respectively making such Charge or Charges for portion or portions by the same or any other such Deed or Deeds instrument or instruments in writing will or wills Codicil or Codicils as aforesaid to limit or appoint all or any part of the hereditis so to be charged as aforesaid to any person or persons whomsoever for any term or number of years whatsoever without impeachment of waste upon trust to raise the money so to be received by way of mortgage so that the Estate or Estates so to be limited or appointed be made to cease and be made redeemable on full payment of the sum or sums of money so to be charged and the interest thereof by the person or persons who for the time being shall be intitled to the freehold or inheritance of the hereditis so to be limited or appointed provided always and I do hereby declare my will and mind to be that the same hereditis shall not be subject or liable to the actual raising or payment of any sum or sums of money exceeded the Principal sum of Twenty thousand pounds in the whole for the portions of younger Children provided also and I do hereby declare my will and mind to be that it shall and may be lawful to and for the said Sir Henry Poole Thomas Althorpe and John Thoyts and the survivors and survivor of them and the Exors Admons or assigns of such survivor at any time or time during the life of my said brother Francis Sergison and at the discretion and of the proper authority of my said Trustees or Trustee for the time being as to my said manors and other hereditis and Estates first hereby given and devised and by and with the consent and approbation of my said sister at any time or times during her life as to the said manors and other hereditis and Estates hereby directed limited and appointed and also with her consent and approbation during her life after the decease of and in the event of here surviving my said Brothers as to my said manors and other hereditis and Estates first hereby given and devised and from and immediately after the decease of the survivor of them my said brother and sister then to & for the person or persons who by virtue of or under the devises or limitations hereinbefore contained shall be Tenant for life or in tail male or in tail general of the said Manors and other hereditis Estates so hereby respectively devised & limited & appointed as hereinbefore contained they shall successively and respectively be in the actual possession of or intitled to the rents issues & profits of the said manors and other hereditis & Estates respectively if such person or persons respectively shall have attained his her or their age or ages of 21 years and also to & for my said Trustees and the survivors and survivor of them & the heirs Exors admons & assigns of such survivor from time to time and at all times during the minority or respective minorities of any such person or persons who by virtue of any of the devises or limitations as aforesaid shall be so in possession or intitled as aforesaid by any Indenture or indentures to be sealed & delivered by them or him respectively in the presence of & attested by two or more credible Witnesses to demise & lease or grant all

or any part or parts of my said real Estate so hereby respectively devised and limited as aforesaid with their appurts save and except my said Capital messuage or mansion house called Cuckfield place and the offices Grounds and appurts thereto belonging and the said park and lands called Cuckfield Park to any person or persons for any term or number of years absolute not exceeding twenty one years to take effect in possession and not in reversion or by way of future interest so as there shall be reserved on every such demise lease or Grant the best or most unproved yearly rent or rents to be incident to the immediate reversion of the heredit and premises so to be demised that can or may be reasonably had or gotten for the same without taking any fine premium or foregift or any thing in the nature of a fine premium or foregift for the making thereof & was then to be contained in every such devise or lease a condition of reentry on nonpayment of the rent or rents thereby to be respectively reserved and so as the lessee or lessees do execute a counterpart or counterparts thereof respectively and do thereby ___ for the due payment of the rent or rents thereby to be respectively reserved & be not by any Change or words therein to be contained made dispunishable for waste or exempted from punishment for committing waste provided always & I do hereby declare my Will and mind to be that it shall and may be lawful to & for the said Sir Henry Poole Thomas Althorpe & John Thoyte & the Survivors & Survivor of them & the Exors admons & assigns of such survivor at any tme or times thereafter of his or their own proper authority & at his or their own discretion during the life of my said bror ffrancis Sergison as to my said Manors & other heredit & Estates first hereby given & devised and with the consent & approbation of my said Sister at any time or times during her life as to the said last mentioned manors & other heredit & Estates from & after the decease of & in the event of her surviving my said brother and with the consent and approbation of my said Sister during her life as to the said manors & other heredit & estates hereby directed limited & appointed and from and after the decease of the survivor of them my said Brother & Sister then with the consent & approbation of the person or persons who for the time being shall be in the actual possession or intitled to the rents issues & profits of the said Manors & other heredit & Estates hereby respectively devised limited & appointed under or by virtue of this my will in Case such person or persons shall be then of full age or otherwise with the Consent and approbation of his and their Guardian or Guardians respectively such consent and approbation as is hereby made necessary to be testified by any writing under the hand and seal or hands and seals of the person or persons whose Consent & approbⁿ is hereby made requisite as aforesaid & to be attested by two or more Credible Witnesses either for the purpose of raising and paying such of my debts and ffuneral and Testamentary Expenses and the legacies hereinafter bequeathed as my residuary personal Estate shall fall short and of be insufficient to pay or satisfy or for any other purpose or purposes that may be deemed expedient by my said Trustees or Trustee for the time being to make sale and absolutely dispose of or convey in exchange for or in lieu of other manors lands or heredit to be situate some where in that part of Great Britain called England all or any part or parts of the said manors or lordships & other heredit & Estates hereby respectively devised and limited & appointed with the appurts thereof save & except my

said Capital messuage or mansion house called Cusckfield Place and the offices grounds & appurts thereunto belonging and the said park and land called Cusckfield Park also except my Capital messuage called Butlers Green & the lands & appurts now occupied therewith by Edmund Smith Esquire to any person or persons whom soever for such price or prices in money or for such other Equivalent or recompense in lands or hereditas as to them the said Sir Henry Poole Thomas Althorpe and John Thoyts the Survivors or survivor of them or the Exors Admons or assigns of such survivor shall seem reasonable & upon payment of the money arising by the sale of the said manors or other hereditas and premises or any part or parcel thereof to give & sign receipts for the money for which the same shall be so sold which receipt shall be a sufficient discharge to any purchaser or purchasers for the purchase money for which the same shall be so sold or for so much thereof as in such receipts shall be acknowledged or expressed to be received and such purchaser or purchasers his her or their heirs Exors admons or assigns shall not afterwards be liable to see to the application or be answerable or accountable for any loss misapplication or nonapplication of such purchase money or any part thereof and when any of the said hereditas & premises hereby respectively devised and limited & appointed shall be so sold for a valuable consideration in money & such receipts shall be given for the purchase money as aforesaid & also when any of the said hereditas & premises shall be so sold or disposed of or conveyed in exchange for or in lieu of any such other manors lands or hereditas as aforesaid & the fee simple & maintenance of such last mentioned Manors lands or hereditas shall upon the face of the Conveyance or Conveyances thereof appear to be well vested in them the said Sir Henry Poole Thomas Althorpe & John Thoyts or the Survivors or Survivor of them or the heirs Exors admons or assigns of such Survivor all and every the hereditas & premises so sold disposed of or conveyed shall be & remain for ever thenceforth freed & absolutely discharged of & from all & every the uses Estates Trusts Declarations & Provisoes in and by this my will expressed limited declared and contained touching and concerning the same and from thenceforth the devises & limitations hereinbefore contained and hereby made as aforesaid shall operate & ____ as to such & so many of the said hereditas & premises as shall be so respectively sold or disposed of or conveyed to the use & behest of such purchaser or purchasers or of such other person or persons to whom the same shall be respectively sold disposed of or conveyed & of his & their heirs & assigns respectively for ever subject only to such leases as shall have been made thereof or of any part thereof pursuant to the powers hereinbefore contained provided nevertheless I do hereby further declare my will and mind to be that when all or any part or parcel of the said manors & hereditaments & premises so hereby made saleable as aforesaid shall be sold in pursuance of this my will all & every or any of the Sum or sums of money which shall arise by or from such sale or sales of any part or parts of my said manors & other hereditas & Estates first hereby devised shall and may be paid applied and disposed of in or towards the payment satisfaction or discharge of such of my debts funeral and Testamentary Expenses & the legas^{s16} hereby bequeathed as my residuary personal

¹⁶ legas^s => legacies

Estate shall be insufficient to pay or satisfy or be otherwise disposed of in or towards the pay^t satisfaction or discharge of any mortgage or mortgages or other incumbrance or incumbrances that shall be then subsisting of or upon any of my said manors & other heredit & Estates first hereby devised & all & every or any of the Sum or sums of money which shall arise by or from such sale or sales of any part or parts of my s^d manors and other heredit and Estates so hereby directed limited & appointed as af^d shall or may be applied & disposed of in or towards the payment satisfaction or discharge of any mortgage or mortgages or other encumbrance or encumbrances that shall be then subsisting of or upon any of the said last mentd manors & other heredit & Estates & that subject to such discretionary powers as af^d respecting the applicⁿ of all or any of the monies to arise by or from such respective sales as aforesaid the same monies respectively or the residue thereof shall with all convenient speed be laid out & invested by them the said Sir Henry Poole Thomas Althorpe & John Thoyte or the Survivors or Survivor of them or the Exors Admons or assignees of such Survivor in the purchase of other manors messuages land or heredit in fee simple in possession to be situate lying & being some where in that part of G^t Britain called England of a clear and feasible Estate of [inheritance] & as well [ten] manors messuages lands & heredit so to be purchased as all & every the manor or manors messuages lands & heredit which shall be vested in the said Sir Harry Poole Thomas Althorpe & John Thoyte or in the Survivors or Survivor of them or their or his heirs Exors admons or assigns by way of or in exchange for or in lieu of all or any part of the s^d manors & other heredit & premises so hereby made saleable or exchangeable as af^d shall be settled conveyed & assured to such & the same uses upon such & the same Trusts & for such & the same intents & purposes & under & subject to such & the same powers provisoes conditions and agreem^{ts} as are in & by this my will limited expressed declared & contained of & concerning such & so many of the said manors & other heredit & premises hereby made saleable or exchangeable as aforesaid shall be so sold or exchanged as af^d or as near thereto as the deaths of parties & other inter____ residents will then admit of & also that in the meantime & until the money arising by such sale or sales as aforesaid shall be invested in a purchase or purchases or otherwise applied or disposed of for any of th purposes and in the manner hereinbefore directed it shall & may be lawful to & for the s^d S^r Henry Poole Thomas Althorpe & John Thoyts & the Survivors & Survivor of them & the Exors admons & assigns of such Survivor by & with such consent & approbation as af^d or at their or his own discretion & of their or his own proper authority as the case may happen to place out or invest any part or parts of such money either at interest in the parliamentary Stocks or public ffunds or in Government or upon real Securities in England in the names of such Trustees or Trustee or their or his Exors or admons from time to time with such consent & approbation as aforesaid or of their or his own proper authority as the case shall happen to call in the s^d Principal money so placed out & to place out the same again at interest on such new or other stocks ffunds or securities of the like nature as they shall think proper & that the interest dividends & annual produce arising from such stocks funds or securities shall ___ & be paid to such person & persons & be applied to & for such uses intents & purposes & in such manner as the rents and

profits of the said heredit and premises to be purchased therewith would go or be payable or applicable unto in Case such purchase or purchases & settlement was or were then actually made provided also & We I do hereby further declare my will and mind to be that it shall & may be lawful to & for the said Sir Henry Poole Thos Althorpe & John Thoyts & the survivors or survivor of them or the Exors admons or assigns of such survivor at any time or times thereafter by & with such Consent & approbation as aforesaid and at their or his own discretion & of their or his own proper authority as the Case may happen to make or join and concur in making any partition or division or partitions or divisions of all or any of the freehold or copyhold manor or manors or lordships messuages ffarms lands Tythes or heredit whereof any undivided part or share or parts or shares is or are hereby devised or directed limited or appointed in order& to the intent that it & entire messuages lands tenements Tithes or heredit may be allotted to be held in severally for or in lieu of any such undivided part or share or parts or shares as last af^d & they the s^d Sir Henry Poole Thomas Althorpe & John Thoyte the survivors & survivor of them & the Exors Admons & assigns of such survivor shall & may & are & is hereby accordingly authorized & required to make do perform execute all & every such acts deeds Conveyance matters & things as shall be advised or thought necessary in order to or for the purpose of effecting any such portion or division or portions or divisions as af^d but so nevertheless as that such so many & such parts of the sd entire manor or manors or lordships messuages ffarms lands Tythes Tenements or heredit whereof any undivided part or share or parts or shares is or are hereby respectively devised & directed limited & appointed to be held in severally for or in lieu of any or either of the same undivided part or share or parts or shares shall be forthwith respectively conveyed limited captures to such & the same uses & upon such & the same trusts & to & for such & the same ends intents & purposes & with under & subject to such & the same provisoes powers & declarations as are in & by this my will limited expressed & declared & contained of & touching the said undivided part or share or parts or shares hereby devised or directed limited or appointed of & in the same entire manor or manors or lordships messuages farms lands Tythes Tenements or heredit whereof any such partition or Division shall be so made as af^d or such & so many of [those uses] trust intents & purposes as shall be then subsisting or capable of taking effect provided also & I do hereby further declare my will & mind to be that it shall & may be lawful to & for the said Sir Henry Poole Thomas Althorpe & John Thoyte & the survivors & survivor of them & the Exors or admons of such survor upon any such exchange or partition or division as shall or may be made or effected in pursuance of this my will to take any sum or sums of money shall be applied in the same manner as is hereinbefore directed or [ment] of or concerning the money arising from the sale or sales to be made under the power of sale hereinbefore contained

& I give devise & bequeath all the household Goods & furniture implements of household household linen Plate Pictures China & books whatsoever which at the time of my decease shall be in or about my said Capital messuage or mansion house call Cuckfield Place or the offices thereto belong^g and also all the stock of Deer which shall

then be in the Park & lands called Cuckfield Park & the offspring & increase thereof unto the said Sir Henry Poole Thomas Althorpe & John Thoyte their Thank Exors admors & assigns upon trust to permit and suffer the same respectively to be held posseses & enjoyed by my said bror ffrancis Sergison during his life & after his decease upon trust to permit and suffer the same respectively to be held and enjoyed by my said Sister Ann Pritchard if then living during her life & form & after her the decease of the Survivor of them my said brother and sister then upon and for such trusts intents & purposes & with under & subject to such powers & provisions as allowing for the different nature & quality of the premises will best and nearest correspond with the uses trusts intents & purposes powers & provisoes hereinbefore limitted expressed or contained of & concerning my said Capital messuage or mansion house of Cuckfield Place & my said Park & Lands called Cuckfield Park so that the same household Goods & furniture implements linen Plate pictures Chins & books & stock of Deer last hereby bequeathed by me as af^d may respectively from time to time so far as the rules of law & Equity will permit be held in trust for the person or persons who for the time being shall be intitled to the possession of my said last mentioned Capital messuage or mansion house & park under or by virtue of the limitations hereinbefore contained yet so that the park household goods & furniture & implements linen plate pictures China books & stock of Deer shall not as to the effect or purpose of transmission vest absolutely in a son or daur of any person hereby made tenants for life unless such son or daughter shall attain the age of 21 years or depart this life under that age leaving issue of his or her body living at the time of his or her decease but nevertheless the son or daur so for the time being intitled as aforesaid shall after the death of his or her respective Parent & during such suspense of absolute vesting as afores^d be usufructuary of the same Household Goods & furniture implements linen plate Pictures China books & stock of Deer respectively

and I give & bequeath all my live & dead farming stock & implements of husbandry & all the growing Crops on such land as I shall have in hand at the time of my decease unto & for the benefit of my said brother ffrancis Sergison

& I give & bequeath all my household Goods & furniture implements of household plate linen China books pictures & other Effects which at the time of my decease shall be in or about my said Capital messuage or mansion house called Butlers Green unto & for the benefit of my said sister Ann Pritchard

& I give & bequeath unto my uncles [Robat] John & William Jefferson the sum of one hundred pounds each (to be paid them respectively within twelve Calendar months next after my decease)

& I give to my said Brother in law William Saint Pritchard the Sum of one hundred pounds as a remembrance

and I give unto the before named Dr Kerr & Mrs Kerr the sum of Twenty pounds each as a small token of my regard for them

and I give the said Sir Henry Poole and Thomas Althorpe and John Thoyts the sum of one hundred pounds each for their trouble in the Trusts and Exorship hereby in them reposed which said several legacies I direct shall be also paid within twelve Calendar months next after my decease

and I give unto the Servants who shall be living in my Service at the time of my decease the five Guineas each

and I also give to John Perry Elizabeth the Wife of the said John Perry & John [ffilders] the Sum of Ten pounds each

& I give ~~& bequeath~~ to the Clergyman who shall perform my funeral service the Sum of five Guineas & to the Clerk & sexton one Guinea each

& I give & remit unto my said Brother ffrancis Sergison all & every the debts or sums of money which he may owe me on bond or otherwise at the time of my decease

& I give mourning rings to each of the persons next hereinafter mentioned that is to say my brother & sister & the said William St Pritchard the said Sir Henry Poole Thomas Althorpe & John Thoyts and my ffrriends Mr & Mrs Kerr Brigadier General John Manners Kerr Edmund Rolfe Nathaniel Winter [Darcey Tauried] and Thomas Charles Medwin Esqrs

& subject to the payment of my Just Debts & funeral & Testamentary Expenses & also the several legacies hereby respectively bequeathed I do hereby give & bequeath all the residue & remainder of my ready money estates funds & securities for money & also all & singular other my personal Estate & Effects whatsoever & wheresoever which is or are not hereby otherwise specifically bequeathed or disposed of unto & for the proper use & benefit of my said Sister Ann Pritchards her Exors Admons & assigns

Provided always & I do hereby also declare my will and mind to be that if the said Trustees in and by this my will nominated and appointed or any future Trustee or Trustees to be appointed in the stead or place of them or any of them as hereinafter is mentioned shall happen to die or be desirous of being discharged of & from or refuse or declare or be incapable to act in the Trusts I do hereby in them reposed as aforesaid before the said trusts shall be fully executed performed or discharged than and in such case & when & so often as the same shall happen it shall & may be lawful to & for my said Sister during her life & after her decease to & for the person or persons who for the time being shall be or would be in case my said brother was then dead intituled to the rents and Profits of my said manors & other hereditis & Estates hereby respectively devised & limited & appointed under or by virtue of the devises & limitations in this my will contained if such person or persons respectively shall be of full age but if such person or persons respectively shall be under the age of 21 yrs then to & for his her or their Guardian or respective Guardians by any writing or writings under his her or their hands & seals or hand & seal & to be attested by two or more credible Witnesses from

time to time to nominate substitute or appoint any other person or persons to be a Trustee or trustees in the stead or place of the Trustee or Trustees so dying or being desirous to be discharged or refusing declining or becoming incapable to act as aforesaid and that when and so often as any new Trustee or Trustees shall be nominated and appointed as aforesaid all the Trust Estates monies & Premises which shall be then vested in the Trustee or Trustees so dying or desiring to be discharged or refusing declining or becoming incapable to act as a^d either solely or jointly with the other Trustee or Trustees shall be thereupon with all convenient speed conveyed assigned and transferred in such sort & manner & so as that the same may be legally & effectually vested in the surviving or continuing Trustee or Trustees of the said trust Estates monies & premises respectively & such new or other Trustee or Trustees or if there shall be no such surviving or continuing Trustee or Trustees of the said trust Estates monies & Premises respectively then & in such new Trustees only to the same uses & upon the same Trusts & for the same intents & purposes as are hereinbefore limited expressed & declared of & concerning the same trust Estates monies and premises respectively the Trustee or Trustees whereof shall so die or be desirous of being discharged or refuse decline or be incapable to act as a^d or such of them as shall or may be then subsisting or capable of taking Effect & that every such new Trustee or Trustees shall & may in all things act & assist in the management carrying on & execution of the trusts to which they shall be so appointed in conjunction with the other then surviving or continuing Trustee or Trustees of the same trust Estates monies & premises respectively if there shall be any such surviving or continuing Trustee or Trustees or if not them but themselves as fully & Effectually & with all the same power & powers authority & authorities of discretion calling in laying out & investing giving & signing receipts & effectual indemnifiⁿ & discharges to purchasers or others & all other powers & authorities whatsoever to all intents Effects [constructions] & purposes whatsoever as if he or they had been originally in & by this my will nominated a Trustee or Trustees for the purposes for which such new Trustee or Trustees respq shall be appointed Trustee or Trustees & as the Trustee or Trustees in this my will named & his or their heirs Exors or admons in or to whose place or places such new Trustee or Trustees shall respectively come or succeed are or is enabled to do or could or might have done under and by virtue of these presents if then living & continuing to act in the Trusts hereby reposed in them or him any thing herein before contained to the contrary thereof in any wise notwithstanding

and I do hereby nominate constitute and appoint the said Sir Henry Poole Thomas Althorpe and John Thoyts Exors of this my will & I desire to be buried at Cuckfield in the same vault & in the same manner as nearly as can be as my late beloved Wife and my will is and I do hereby declare that my said Trustees & Exors & also such new or other Trustees as may be so nominated or appointed as a^d & also such new or other Trustees as may be so nominated or appointed as a^d & each of them their & each of their heirs Exors & admons respectively shall & may from time to time deduct & retain to by & out of the money which by virtue of this my will or any of the trusts hereinbefore declared

shall come to their or any of their hands all charges Expenses losses & damages whatsoever which they or any of them shall Expend or be put unto or sustain in or about the execution or performance of all or any of the trusts of this my will & that they my said Trustees & Exors & each of them their & eash of their heirs Exors & admons respectively shall be charged and chargeable only for his own receipts Payments Acts & wilful defaults & shall not be charged or chargeable with or for any Sum or sums of money other than such as shall actually come to his or their hands respectively by virtue of this my Will nor with or for any loss or damage which may happen in or about the management or execution of the Trusts hereby in them respectively reposed or any of them without their respective wilful default

And lastly I hereby revoke all former wills by me at any time heretofore made

In Witness whereof I the said Warden Sergison have to this my last Will & Testament contained in twenty nine sheets of paper set my hand to the twenty eight first sheets thereof & my hand & seal to this twenty ninth & last sheet thereof this eighth day of December in the year of our Lord 1806 — *Warden Sergison* (—) Signed sealed published & declared by the above named Warden Sergison the Testor as & for his last Will & Testament in the presence of us who at his request in his presence & in the presence of each other have hereunto subscribed our names as Witnesses *N Silverlocke Serjeants Quarters* ___ *Medwin* — *Horskamp* — *Cornelius Colclough* — *Clerk to Mr Silverlocke* /

I Warden Sergison of Cuckfield Place in the Parish of Cuckfield in the County of Sussex Esqr do hereby declare this to be a Codicil to my last Will and Testament and direct the same to be annexed thereto and taken as part thereof whereas since the making and publishing my last will and testament bearing date the eighth day of December in the year of our Lord 1806 I have purchased of the devisees in trust of the last will and testament of my late mother Ann Sergison deded certain ffreehold Parcels of meadow Land containing three acres & A__ half or thereabouts called moreCross and the Tithes thereof situate in the parish of Cuckfield af^d & also certain Customary lands and Tenements ___ part of [Hoadsheel] and [Holmehill] or [Innholms] situate in Cuckfield af^d and holdon of the manor of Cuckfield to which the said customary lands and Tenements James J___ Esq hath been admitted as my Trustee And whereas my Cousin Robert Jefferson Esq hath bee admitted to the moieties of divers ___ Customary messuages ffarms lands Tenements & hereditis situate in Cuckfield aforesaid & holdon of the said manor of Cuckfield to the uses upon and for the trusts intents and purposes mentioned and expressed in a certain Deed all of Appointment bearing date the fifteenth day of March in the Year of our Lord 1791 by virtue of & under which uses & ___ I am now legally intituled to the said moieties and hereditis & the said Robert Jefferson holds the same as my Trustee only and whereas I have also since the making of my last will and Testament purchased of John Picknell certain Customary lands and Tenements called stroods in Cuckfield aforesaid and holdon of the same manor of Cuckfield

together with a Piece of Ground thereto adjoining late 1 [areal] of the waste of the manor aforesaid to which last mentioned Customary Heredits and Premises Thomas Cecil Grainger Esquire hath been admitted as my Trustee and and whereas I have also purchased of William Clatton Gent the freehold ___ Tythes of a Close or parcel of land containing by estimate Eight acres called the Sloops and situate in Cuckfield aforesaid on the West side of the Turnpike road leading from St Johns Common to Anstey Cross parcel of a certain ffarm & lands belonging to me called the Reddens now in the occupation of Thomas Packham and I have also purchased of the said Thomas Cecil Graniger Esquire certain other freehold Corn Tythes issuing out of certain ffarms lands and heredits belonging to me the said Warden Sergison called __low ffarm situate in Cuckfield aforesaid in the occupatⁿ of Thomas Cook and a Garden & Close of land thereto adjoining in the occupation of James Juniper & out of a certain other ffarm and Lands belonging to me the said Warden Sergison situate in Cuckfield aforesaid called Sparks Hodons Croft & F___ in the occupation of Thomas Crowther & out of certain other lands and heredits situate in Cuckfield af^d call Courtlands partly in the occupation of the said Thomas Crowther and the residue thereof in my own possession and also out of a certain other ffarm and lands situate in Cuckfield af^d called Whitehouse in the occupation of of William Burland by the conveyance of the said Tythes bearing date the twentieth and twenty first of October 1809 will more fully appear and I have likewise purchased of the Revd Henry [Chaffield] a certain customary messuage barn and Lands situate in the Parish of Keymer in the Coultly of Sussex & holdon of the mayor of Keymer af^d called the Burnthouse late in the occupation on John Holcombe now in my own possession now I the said Warden Sergison do by this my said Codicil to my last Will and Testt give devise direct limit & appoint all and singular my said after purchased ffreehold and customary messuages ffarms lands Tenements moieties tythes & heredits & also all other my real Estate whatsoever not comprise in or devised appointed or disposed of by my said will with their respective appurts to such and same uses and upon such and the same trusts etc and for such and the same ends intents & purposes & with & under & subject to such & the same provisoes & declarations as by and in my said last Will and testament are limited expressed declared & contained of & concerning my manors or Lordships capital and other messuages farms lands tenements Tythes [entirety & entireties] moiety & moieties & other heredits & premises so comprised and mentioned in the settlement made upon or previous to my marriage with my late dear wife Mary Ann Sergison now deced or to for & upon such & so many of those uses trusts intents & purposes as at the time of my decease shall be capable of taking effect and I do by this my said Codicil direct declare and appoint that the said James Ingram Robert Jefferson and Thomas Cecil Grainger and their respective heirs and all and every other person or persons in whom the said customary messuages lands Tenements moieties and premises or any of them are or is or hereafter shall or may be vested as my Trustees or Trustee as af^d shall from and immediately after my decease stand and be ~~possessed~~ seized of & in the same Customary heredits respectively and every part and parcel thereof with their respective appurts to the several uses & upon the several trusts and

for the several ends intents and purposes herein before by this my Codicil limited are possesses and declared or referred unto of or concerning the same

and I do hereby give and bequeath unto my dear Sister Ann Pritchard the Wife of the revd William Saint Pritchard Clerk the prayer book and bible bound in red morocco which were given me by my late dear Wife

also I give unto the Wife of John ffielders the sum of ten pounds

and I direct that all the servants who shall be living in my service at the time of my decease shall have decent and proper mourning also I do hereby give devise and bequeath unto Mary Ann Saunderson and her infant Daughter by me one clear annuity or yearly rent charge of Two hundred pounds sterling to be paid to her the said Mary Ann Saunderson for the use and benefit of herself and the said Child until such Child shall attain the age of 21 years or be married which shall first happen and from and after the said Child shall attain the said age of twenty one years or be married then I give unto the said Child one clear annuity of one hundred pounds for the term of her ~~natural~~ life & unto the said Mary Ann Saunderson if she shall be then living one [clear] anny of one hundred pounds for the term of her life in lieu and stead of the before mentioned annuity of two hundred pounds but in case the said Mary Ann Saunderson shall die before the said Child shall attain the age of twenty one years or be married the I give the said Child one annuity of one hundred pounds to commence from the death of her mother and to continue for the term of her life as before mentioned and in case the said Child shall die before she shall attain the said age of 21 years or be married then I give the said Mary Ann Saunderson an annuity of one hundred pounds only to commence from the death of the said Child and to continue for the term of her life as before ment^d in lieu and stead of the said anny of two hundred pounds & I do hereby will & direct that the said respective annuities as they shall happen or accrue shall be paid to the said Mary Ann Saunderson & the said Child by equal half yearly payments at Lady Day & Michaelmas Day and that such of them as shall be then payable shall commence at the ensuing lady Day or Micaelmas Day after my decease and I hereby charge such of the said anns as under or by virtue of this Codicil shall become & continue payable upon my Butlers Green Estate comprised in my marriage Settlement and also upon the freehold & Copyhold lands & hereditis mentioned in this Cod^l to my said Will and I direct my trustees Sir Henry Poole & Thomas Athorpe Esquire in my said Will called by mistake Thomas Althorpe & John Thoyts Esq^r & the Survivors or Survivor of them & the heirs so Survivor to pay such of the said Annuities as for the time being shall become & continue payable from & out of the said respective Estates accordingly

also I do hereby give & bequeath unto my Servant Nanny Stone for her long and faithful Service & diligent attention to my late Mother during her illness and infirmities the Sum of Two hundred pounds Sterling to be paid unto her within six months after my decease & to be raised out of my Butlers Green Estate and the said after purchased ffreehold and Customary lands & hereditis hereby devised

& I do hereby in all other respects whatsoever ratify & confirm my said Will but de hereby revoke & declare void all former & other Codicils & test^y Instruments by me at any time heretofore have signed & executed

In Witness whereof I the s^d Warden Sergison have to this my Codicil to my s^d last Will & Testament set my hand & seal the twenty third day of ffeby 1810 — *Warden Sergison (-)* — Signed sealed published & declared by the said Warden Sergison as & for a Cod^l to his last Will & Testament in the presence of us who in his presence & in the presence of each other and at his request have subscribed our names as Witnesses *Thos Reynolds* — Maj^t 28 2nd Dragoon — *Tho^s Medwin Horsham* — *John Collin* Madox Street

Ex^d

Proved at London with a Codicil 24th October 1811 before the Worp^{fl} John Danbery Dr of Laws & ___ by the oaths of Thomas Athorpe by mistake in the will written Althorpe and John Thoyts Esquire two of the Exors to whom Admon was granted having been first sworn duly to adm^r. Power [reserved] to the Reverend Sir Henry Poole Baronet the other Exor.

Ex^d

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