

SUMMARY: The document below is the Prerogative Court of Canterbury copy of the will, dated 4 June 1746 and proved 5 August 1747, of Sir Robert Worsley (d. 29 July 1747) of Appuldurcombe. For the original will, see the Isle of Wight Record Office, JER/WA/26/1.

The testator's signature is found in Thomas Burnet's *The Theory of the Earth* (1691), which has a pressmark 'App.' similar in appearance to the pressmark 'EEEd' in the annotated copy of Hall's *Chronicle*, thought to contain annotations by Shakespeare, which was the subject of *The Annotator* by Alan Keen and Roger Lubbock (London: Putnam, 1954).

In the will below, the testator's mentions his wife's books, as well as his own:

I give and bequeath unto my dear wife, Dame Frances Worsley, all my pearls, jewels and plate and three of my best Japan cabinets and all my Japan chests and tables and all my furniture, beds and pictures and China-ware in my house in New Burlington Street aforesaid, and also all those books called her books and in her possession during my life, and also all my goods, household stuff, beds, furniture, pictures and linen in my house at Chilton Candover. . . .

I give, devise and bequeath unto the above-named William Pick and Robert Clark, my trustees to preserve the contingent remainders hereinbefore limited on my estate in the Isle of Wight, and to their heirs and assigns, forever all my goods, household stuff, beds, pictures, linen and all other my furniture whatsoever at Appuldurcombe, and also all [f. 218r] my books there and those in town left by my late brother to me and my family, in trust for the use of and to be occupied and made use of by such person and persons as shall by virtue of this my will be entitled to the overplus of the profits of my said estate in the Isle of Wight for the said term of twenty-one years, and afterwards by the remaindermen for life or a greater estate therein, it being my will and intention that nothing of mine at Appuldurcombe except the plate shall be sold or removed from thence, but remain there as heirlooms and go along with the possession and inheritance of Appuldurcombe forever.

FAMILY BACKGROUND

For the testator's family background, see the Worsley pedigree in Burke, John and John Bernard Burke, *A Genealogical and Heraldic History of the Extinct and Dormant Baronetcies of England*, (London: Scott, Webster and Geary, 1838), p. 581 at:

<https://books.google.ca/books?id=K1kBAAAQAAJ&pg=PA581>

According to the pedigree, the testator had a brother, Sir James Worsley (1645 – 17 March 1695) of Pylewell, Hampshire, who married Mary Stuart or Steward, by whom he had a son James Worsley (d.1756) of Pylewell, the testator's first cousin. In the will

below, the testator refers to James Worsley of Pylewell, esquire, as ‘my nearest kinsman by my father’s side’, and leaves his estates to the latter’s son, Thomas Worsley, and his male heirs:

To the use and behoof of Thomas Worsley, son of James Worsley of Pylewell, esquire, my nearest kinsman by my father’s side

See also the two History of Parliament entries for the testator’s first cousin, James Worsley (d.1756) of Pylewell, at:

<https://www.historyofparliamentonline.org/volume/1715-1754/member/worsley-james-1671-1756>

and:

<https://www.historyofparliamentonline.org/volume/1690-1715/member/worsley-james-1672-1756>

MARRIAGE AND ISSUE

The testator married Frances Thynne (d.1748?), the only daughter of Thomas Thynne (1640-1714), 1st Viscount Weymouth of Longleat, Wiltshire. See the *ODNB* entry. For her will, dated 26 July 1748 and proved 12 May 1750, see TNA PROB 11/779/234.

By FrancesThynne the testator had two sons who predeceased him, and a daughter:

* **Robert Worsley** (1605-1714), who died unmarried.

* **Thynne Worsley** (1711-1741), who married Henrietta Maria Wither, but died without issue. For the testator’s daughter-in-law, Henrietta Maria Wither Worsley, see *The Topographer for the Year 1791*, Vol. IV, (London: J. Robson, 1791), p. 326 at:

https://books.google.ca/books?id=NN8Teqw_R9AC&pg=PA326

* **Frances Worsley** (d.1743), who married John Carteret (1690-1763), 2nd Earl Granville, by whom she had a son and four daughters mentioned in the will below:

-**Robert Carteret** (1721-1776), 3rd Earl Granville, for whom see the History of Parliament entry at:

<https://www.historyofparliamentonline.org/volume/1715-1754/member/carteret-robert-1721-76>

-**Grace Carteret** (1713-1755), who married Lionel Tollemache (1708-1770), 4th Earl of Dysart.

-Louisa Carteret (1712-1736) who married Thomas Thynne (1710-1751), 2nd Viscount Weymouth, for whom see the Wikipedia entry at:

https://en.wikipedia.org/wiki/Thomas_Thynne,_2nd_Viscount_Weymouth

Their second son, Henry [Thynne] Carteret (1735-1826), 1st Baron Carteret, changed his surname to Carteret when he became heir to his childless uncle, Robert Carteret (see above).

-Georgina Carteret (1716-1780) who married firstly John Spencer (1708-1746), son of Charles Spencer (1625-1722), 3rd Earl of Sunderland, and Anne Churchill, and secondly William Clavering-Cowper (1709-1764), 2nd Earl Cowper, son of William Cowper (1665-1763), 1st Earl Cowper. See the *ODNB* entry for the 1st Earl Cowper, and the Wikipedia entries for the 2nd Earl Cowper.

-Frances Carteret (1718 – 25 December 1758), who married John Hay (1695-1762), 4th Marquess of Tweeddale. See the *ODNB* entry.

TESTATOR'S LANDS

As noted above, the testator's sons predeceased him, leaving him without a male heir. In the will below, he provided for the succession of his estates by setting up three trusts.

The first of these trusts, for a term of 21 years, concerned the testator's manors of Chilton Candover and Brown Candover in Hampshire. The trustees were the testator's 'cousins':

James Worsley of Stenbury, eldest son of my late cousin, David Worsley of Stenbury aforesaid, deceased, and my cousin, Robert Worsley, only son of the Reverend Mr John Worsley of Pidford, both in the said Isle of Wight and county of Southampton, esquires. . .

For the testator's trustee, James Worsley (d. 10 April 1787), eldest son of David Worsley of Stenbury and his wife, Mary Hooke, see the History of Parliament entry at:

<http://www.historyofparliamentonline.org/volume/1754-1790/member/worsley-james-1725-87>

For David Worsley of Stenbury, son of John Worsley (1653-1727), esquire, of Gatcombe, see the pedigree in Burke, *supra*, p. 580.

For the testator's trustee, Robert Worsley, only son of the Reverend John Worsley of Pidford, see the pedigree in Burke, *supra*, p. 581.

Under this first trust, the testator's granddaughter, Frances Carteret (1718 – 25 December 1758), was to receive £5000, after which the profits from the manors of Chilton Candover

and Brown Candover were to go to the testator's grandson, Robert Carteret (1721-1776), and his male heirs, and if Robert Carteret were to die without male issue, then to Frances Carteret (1718 – 25 December 1758) and her heirs.

The second trust was also for a term of 21 years, and concerned the testator's manors on the Isle of Wight, including Appuldurcombe. The trustees were the aforementioned James Worsley and Robert Worsley, as well as the testator's steward, William Pick.

Under this second trust, the testator provided for repairs to Appuldurcombe; payment of his debts and pecuniary legacies; payment of his daughter-in-law's jointure; provision of £200 a year for his widow to provide her with a house to reside in (she having no dower house); £100 a year to his steward, William Pick, whom he appointed his receiver; £100 a year to Mary Worsley, wife of his cousin, David Worsley, deceased; and the expenses of his executors. After all these payments had been deducted, the residue of the profits from the testator's manors on the Isle of Wight was to be divided equally between his two trustees, Robert Worsley and James Worsley, with additional provisos if either of them were to die within the 21-year period.

The third trust governed the disposition of all the testator's manors after the expiration of the 21-year period under the first two trusts. The trustees were the aforesaid William Pick, and the testator's cousin, Robert Clark of Newport in the Isle of Wight. Under this third trust the testator's manors went to Thomas Worsley, whom the testator described as 'Thomas Worsley, son of James Worsley of Pylewell, esquire, my nearest kinsman by my father's side', for life, and after his death to his male heirs. Entails then followed successively for the testator's cousin, Robert Worsley, son of John Worsley of Pidford, esquire, and his male heirs; the testator's cousin, Sir Edward Worsley of Gatcombe in the Isle of Wight and his male heirs; the testator's cousin, Robert Worsley, brother of the said Sir Edward Worsley, and his male heirs; the testator's cousin, James Worsley of Stenbury, esquire, and his male heirs; the testator's cousin, Francis Worsley, second son of David Worsley, and his male heirs; the testator's cousin, Carteret Worsley, third son of David Worsley, and his male heirs; and finally, if all the persons named in these entails failed of male issue, to the testator's right heirs forever.

See also the History of Parliament entry for the testator at:

<https://www.historyofparliamentonline.org/volume/1715-1754/member/worsley-sir-robert-1669-1747>

RM: Sir Robert Worsley

I, Sir Robert Worsley of Appuldurcombe in the Isle of Wight and county of Southampton, [f. 211v] baronet, now residing in New Burlington Street in the parish of Saint James, Westminster, in the county of Middlesex, do make this my last will and testament in manner and form following:

Whereas it hath pleased Almighty God to take to himself my only son, Thynne Worsley, esquire, whereby, and his dying without issue, the reversion in fee of and in the several manors, messuages, advowsons, lands, tenements and hereditaments hereinafter mentioned which by a certain indenture quadripartite of release bearing date on or about the twenty-third day of October which was in the year of Our Lord one thousand and seven hundred and thirty-five were settled after my death to the use of my said late son for life with remainders over to his first and other sons in tail male, with divers other remainders over, all which are determined, that is to say, of all those the manors or lordships or reputed manors or lordships of Appuldurcombe, Stenbury, Nettlecombe and Wathe, Whitwell, Chale and Walpan, Wolverton alias Milton and Clavells with their and every of their rights, members and appurtenances in the Isle of Wight and county of Southampton, and of the advowsons of the churches of Chale and Saint Lawrence with their appurtenances in the said Isle of Wight, and of all that the manor of Chilton Candover with the rights, members and appurtenances thereof in the said county of Southampton and of the advowson of the church of Chilton Candover in the said county, and of all that farm called Burcotts [=Barcott?] farm lying and being in the parish of Micheldever in the said county of Southampton, and of all messuages, lands, tenements and hereditaments to the said several manors or lordships and premises and every or any of them or every or any part or parcel thereof belonging or in any wise appertaining or accepted, reputed or taken as part, parcel or member of them or any of them with their and every of their appurtenances situate, lying and being in the several towns, parishes, fields, precincts, tithings or territories of Appuldurcombe, Newchurch, Sandford, Week, Whitcombe, Godshill, Whitwell, Stenbury, Nettlecombe, Wathe Saint Lawrence, Chale, Walpan, Beading [=Beeding?], Bembridge, Wolverton, Whippingham, Arreton and every or any of them in the said Isle of Wight and county of Southampton and in the parishes of Chilton Candover and Micheldever in the said county of Southampton is revested in me and my heirs subject to the several terms and trusts in the said indenture quadripartite mentioned and expressed and also to such other charges and encumbrances as the same have been by me and my said son subjected by any deed or deeds in writing by us duly executed either on his marriage or otherwise;

And whereas I am also seised in fee of the manor of Brown Candover with the messuages, woods, parsonage, lands, tenements and hereditaments thereunto belonging situate, lying and being in the parishes of Brown Candover and Northington in the said county of Southampton;

And also of several undivided parts and shares of a messuage and farm called Totford and of all and singular the lands, tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining situate, lying and being in the parish of Northington in the said county of Southampton subject to such terms and encumbrances as I have by myself or together with my said late son subjected the same:

First I do give and devise all those my said manors or lordships of Chilton Candover and Brown Candover [f. 212r] with their and every of their rights, members and appurtenances, and also all those my advowsons, donations, presentations and free

dispositions of the rectories or parsonages of Chilton Candover and Brown Candover aforesaid, and also all that my farm called Burcott [=Barcott?] with its appurtenances, and all those my undivided parts and shares of the said messuage or farm called Totford with their and every of their rights, members and appurtenances, and also all other my manors, messuages, lands, tenements and hereditaments whatsoever in the several parishes of Chilton Candover, Brown Candover, Northington and Micheldever or any or either of them or elsewhere in the said county of Southampton and not in the Isle of Wight unto my cousin, James Worsley of Stenbury, eldest son of my late cousin, David Worsley of Stenbury aforesaid, deceased, and my cousin, Robert Worsley, only son of the Reverend Mr John Worsley of Pidford, both in the said Isle of Wight and county of Southampton, esquires, and their heirs and assigns forever upon trust nevertheless to and for the several trusts, uses, intents and purposes hereinafter mentioned and declared concerning the same, that is to say:

Upon trust in the first place that they, the said James Worsley and Robert Worsley and their heirs shall as soon as conveniently may be after my decease by lease, mortgage or sale of so much of the said premises hereby given and devised to them as they shall think necessary, or by the fall of timber now standing on the said premises as to them shall seem best, raise the principal sum of five thousand pounds, and out of the rents and profits of the said premises so much more as shall be sufficient to pay off and discharge the interest of the said principal sum of five thousand pounds from the day of my death to the time of raising the same after the rate of four pounds for every hundred pounds by the year, and pay the same unto my dear granddaughter, the Lady Frances Carteret, to whom I do hereby give and bequeath the said principal sum of five thousand pounds with interest as aforesaid in case she shall be living at the time of my death, but in case she shall die before me, then the said sum not to be raised at all;

And from and after raising of the said principal sum of five thousand pounds with interest as aforesaid, and subject thereto, they, my said trustees and the survivor of them and their heirs to stand seised of the said premises to the use and behoof of my grandson, Robert, Lord Carteret, for and during the term of his natural life, he committing no wilful waste or spoil in voluntarily pulling down of the capital messuage of Chilton Candover aforesaid nor in cutting of timber of any kind except for raising of the said sum of five thousand pounds as aforesaid in case my said trustees shall choose to raise that sum that way, and for the necessary repairs of the respective premises hereby limited in use to him;

And from and after the determination of that estate to the use and behoof of the said James Worsley and Robert Worsley and their heirs and assigns for and during the natural life of the said Robert, Lord Carteret, in trust to preserve the contingent uses and remainders hereinafter limited from being destroyed, and to that purpose to make entries or bring actions as occasion shall require, but not to convert any of the profits of the said premises to their own use, but to permit and suffer the said Robert, Lord [f. 212v] Carteret, and his assigns to receive and enjoy the rents, issues and profits thereof during his natural life;

And immediately after the decease of the said Robert, Lord Carteret, to the use and behoof of the first son of the body of the said Robert, Lord Carteret, lawfully to be begotten and of the heirs male of the body of such first son lawfully issuing;

And for default of such issue to the use and behoof of the second son of the body of the said Robert, Lord Carteret, lawfully to be begotten and of the heirs male of the body of such second son lawfully issuing;

And for default of such issue to the use and behoof of the third, fourth, fifth, sixth, seventh and all and every other son and sons of the body of the said Robert, Lord Carteret, lawfully to be begotten and of the heirs male of the respective body and bodies of such son and sons lawfully issuing severally and successively one after the other as such sons shall be in seniority of age and priority of birth, and so always as that every elder of such sons and the heirs male of his body lawfully issuing shall and may always be preferred and take before the younger of such sons and the heirs male of their respective bodies issuing;

And in default of such issue to the use and behoof of my said granddaughter, the Lady Frances Carteret, for and during the term of her natural life, she committing no wilful waste or spoil in voluntarily pulling down the said capital messuage at Chilton Candover or in cutting of timber of any kind except for the purposes aforesaid;

And from and after the determination of that estate to the use and behoof of the said James Worsley and Robert Worsley and their heirs and assigns for and during the natural life of the said Lady Frances Carteret in trust to preserve the contingent uses and remainders thereof hereinafter limited from being destroyed, and to that purpose to make entries and bring actions as occasion shall require, but not to convert any of the profits of the said premises to their own use, but to permit and suffer the said Lady Frances Carteret and her assigns to receive and enjoy the rents, issues and profits thereof during her natural life;

And immediately from and after the decease of the said Lady Frances Carteret to the use and behoof of the first son of the body of the said Lady Frances Carteret lawfully to be begotten and of the heirs male of the body of such first son lawfully issuing;

And for default of such issue to the use and behoof of the second son of the body of the said Lady Frances Carteret and of the heirs male of the body of such second son lawfully issuing;

And for default of such issue to the use and behoof of the third, fourth, fifth, sixth, seventh and all and every other son and sons of the body of the said lawfully begotten and of the heirs male of the respective body and bodies of such son and sons lawfully issuing severally and successively one after the other as such sons shall be in seniority of age and priority of birth, and so always as that every elder of such sons lawfully begotten and the heirs male of his body lawfully issuing shall and may always be preferred and take before the younger of such sons and the heirs male of their respective bodies issuing;

And in default of such issue to the use of all and every the daughter and daughters of the body of the said Lady Frances Carteret lawfully issuing as tenants in common and not as joint tenants;

And in default of such issue to the use and behoof of my own right heirs forever;

And as to all those my manors, messuages, advowsons, lands, tenements and hereditaments above-mentioned situate, lying and being in the Isle of Wight, and also all other my manors, messuages, advowsons, lands, tenements and hereditaments whereunto I am in any wise entitled in possession, reversion, remainder or expectancy, as well those purchased by me since the making the above-mentioned indenture quadripartite of release as those included therein, situate, lying and being in the said Isle of Wight, I give, devise and bequeath the same unto the said James Worsley and Robert Worsley and unto William Pick, gentleman, their executors, administrators and assigns, for and during and unto the full end and term of twenty-one years, the said term to commence and begin immediately from the time of my decease upon the trusts and for the uses hereinafter mentioned concerning the same, that is to say:

That they, the said James Worsley, Robert Worsley and William Pick, their executors, administrators and assigns, shall out of the rents and profits of the said premises in the first place from time to time during the said term preserve, amend, repair and keep all that my capital messuage at Appuldurcombe aforesaid and all the outhouses, edifices and buildings thereunto belonging and the gardens, ponds, park, plantations and groves there with the walls, pales and other fences thereunto belonging in the same state, repair and condition as they shall respectively be in at the time of my decease, and shall in the said park from time to time maintain and keep a reasonable and sufficient stock of deer;

And after the necessary repairs as aforesaid, I do hereby further direct my said trustees out of the overplus of the rents and profits of the said premises so bequeathed to them for the term of twenty-one years as aforesaid to pay from time to time during the said term unto my daughter-in-law, Henrietta Maria Worsley, the annual sum of three hundred pounds by quarterly payment in lieu of the like annual sum payable quarterly settled on her in jointure before her intermarriage with my said late son, Thynne Worsley, and in case she refuses to accept thereof in lieu as aforesaid, then that they, my said trustees, do indemnify and pay the same unto the person or persons who shall pay the same to her pursuant to her said jointure, it being my mind and intention that this part of my estate in the Isle of Wight shall bear this burden, and that part in the county at large which I have above limited to my grandson, Robert, Lord Carteret, with remainders over shall be discharged therefrom;

And I do hereby further will and direct my said trustees to pay out of the rents, issues and profits of the said premises so bequeathed to them for the term of twenty-one years as aforesaid unto my dear wife, Dame Frances Worsley, the annual sum of two hundred pounds by half yearly payments, viz., at Lady Day and Michaelmas, to pay for a

convenient house for her to live it [sic] or otherwise to dispose of as she thinks fit, she having no jointure house settled on her by me;

And also to pay unto Mr William Pick, my steward, who I hereby constitute and appoint receiver of the rents and profits of the premises hereby bequeathed for the term of twenty-one years in trust as above, if he shall continue in health and strength capable so to do, the annual sum of one hundred pounds;

And unto my cousin, Mary Worsley, [f. 213v] wife of the said David Worsley, late of Stenbury, esquire, deceased, and for which her receipt shall be a discharge, the like annual sum of one hundred pounds by half yearly payments, viz., at Lady Day and Michaelmas, which said annual sums of two hundred pounds to Dame Frances Worsley and of one hundred pounds to Mr William Pick payable by half yearly as aforesaid I do hereby give, devise and bequeath to them respectively during the respective terms of their respective natural lives, and the said annual sum of one hundred pounds payable half yearly as aforesaid to my said cousin, Mary Worsley, during so long time of the said term of twenty-one years as she shall live;

And I do hereby further direct my said trustees out of the rents and profits of the said premises so bequeathed to them as aforesaid for term of twenty-one years immediately from and after payment of the said repairs and annuities as aforesaid to raise and pay all my bond and book debts in case my personal estate shall be insufficient to pay the same, and also all such pecuniary legacies and annuities as I shall hereinafter or by any codicil or codicils to be annexed hereto give to any person or persons whatsoever;

And I do hereby further will and direct that the said trustees and every of them, their and every of their heirs, executors, administrators and assigns, shall pay, satisfy and deduct to their own use out of the rents, issues and profits of the premises hereby vested in them all such costs, charges, damages and expenses as they or any or either of them shall any ways sustain or be put unto for or by reason of the trusts aforesaid or of the management or execution of the same, nor shall they, any or either of them nor the heirs, executors, administrators or assigns of them, any or either of them be charged or chargeable with or accountable for the acts or miscarriages of the other or others of them nor for any more money than the person or persons so charged or chargeable shall have respectively actually received, nor for any other than their respective acts only;

And subject to the said repairs, debts, pecuniary legacies and annual charges above and hereinafter mentioned, and after deduction of their own costs, charges, damages and expenses as aforesaid and such other payments as they may have made to the Crown or any other person or persons by virtue of or in pursuance of any deed or deeds by me alone or together with my said late son heretofore executed whereby all or any of the premises hereby devised or bequeathed in use are only charged with any payment, and such other payments or allowances as by covenant I am obliged or by my common practice hitherto I have allowed to be made to my tenants for repairs or otherwise, I do hereby order and direct my said trustees to account over for all the rest, residue and remainder of the rents, issues and profits of the said premises so devised and bequeathed

to them for the said term of twenty-one years unto my said cousins, James Worsley of Stenbury and Robert Worsley, son of John Worsley of Pidford, esquire, and their assigns and the executors or administrators of them respectively, equally to be divided between them, share and share alike, to whom I do hereby give and bequeath all such surplus and overplus money for so long time of the said term of twenty-one years as they shall respectively live;

And from and after the deaths of them, the said [f. 214r] James Worsley and Robert Worsley or either of them, I do further will and direct my said trustees and the survivors and survivor of them, their executors, administrators and assigns, to pay such surplus or overplus money as aforesaid in equal moieties as hereinafter is mentioned, that is to say:

In case of the death of the said Robert Worsley within the said term of twenty-one years, then one moiety thereof unto his eldest son, if such he shall have, for so long of the said term as he shall live, and in case of his death within the said term of twenty-one years, then to his eldest or other son succeeding him during the said term of twenty-one years, and in case of a minority, then to the guardian of such minor for such minor's use, and so on to the second and every other son and sons of the said Robert Worsley and his and their first and other son and sons during the said term of twenty-one years as aforesaid in seniority of age and priority of birth;

And the other moiety thereof unto the said James Worsley if he shall so long live, and in case of his death within the said term of twenty-one years, then his said moiety of the said surplus or overplus money shall be by my said trustees paid over unto my cousin, Francis Worsley, second son of my said late cousin, David Worsley, deceased, if he shall be then living, for so long of the remainder of the said twenty-one years as he shall live;

And in case of his death then his said moiety to be by my said trustees or the survivors or survivor of them, their executors, administrators or assigns, accounted for and paid over unto my cousin, Carteret Worsley, third son of my said late cousin, David Worsley, if he shall be then living, for so long of the remainder of the said term of twenty-one years as he shall live;

And in case of the death of the said Robert Worsley without issue male as aforesaid within the said term of twenty-one years, and possibility of issue male through him being extinct, then my said trustees or the survivors or survivor of them, their executors, administrators or assigns, to pay all such surplus or overplus money unto such of them, the said James Worsley, Francis Worley or Carteret Worsley as would otherwise have been entitled by this devise only to a moiety thereof;

And on the deaths of them, the said James Worsley, Francis Worsley and Carteret Worsley, and the survivor of them within the said term of twenty-one years, they, my said trustees, to pay the whole surplus or overplus money unto the said Robert Worsley or his eldest or other son succeeding him as aforesaid and who otherwise would by virtue of this devise have been entitled only to a moiety thereof;

And in case of the death of the said Robert Worsley without issue male, and possibility of issue male through him being extinct as aforesaid, and the said James Worsley, Francis Worsley and Carteret Worsley being also all dead, then and in such case they, my said trustees, or the survivors or survivor of them, their executors, administrators or assigns, to pay all such overplus money during such remainder of the said term of twenty-one years unto my own right heirs;

And I do hereby further will and declare that if the said James Worsley and Robert Worsley and the other persons succeeding them who by virtue of this my will shall be entitled to the overplus of the rents and profits of my said estates in the Isle of Wight during [f. 214v] the said term shall from time to time make the necessary repairs above directed, pay my bond and book debts, the above annual annuities and pecuniary legacies and the annuities and legacies hereinafter or in any codicil or codicils hereunto annexed mentioned and other charges in manner above and hereinafter or in any codicil or codicils hereunto to be annexed directed, together with my said trustees' costs, damages, charges and expenses and the interest of such sum or sums as I have either alone or together with my said late son subjected the same or any part thereof, then it shall and may be lawful to and for the said James Worsley and Robert Worsley and the other persons succeeding them as aforesaid or their assigns in such case to receive and take to their own use during the said term the rents, issues and profits of all and singular the said premises comprised in the said term, but not to cut or fell any timber but for the necessary repairs of the said premises;

And from and after the expiration of the said term of twenty-one years and subject thereto as aforesaid, and also subject to the said three annuities of three hundred pounds per annum, two hundred pounds per annum and one hundred pounds per annum, payable as aforesaid to my said daughter-in-law (in case she releases my said other estate from her said jointure, or in case of her refusal so to do then to the persons who shall by virtue of the above devise thereof be in the possession of the same), my said wife, and my said steward, the which I hereby give and bequeath to them respectively for the term of their respective natural lives on condition only as to my said daughter-in-law, and do hereby charge the freehold and inheritance thereof with, I give and devise all and singular my said manors, messuages, advowsons, lands, tenements and hereditaments situate, lying and being in the said Isle of Wight and county of Southampton, subject as aforesaid, unto the said William Pick and my cousin, Robert Clark of Newport in the Isle of Wight, gentleman, and their heirs and assigns forever upon trust nevertheless to and for the several uses, intents and purposes hereinafter mentioned and declared concerning the same, that is to say:

To the use and behoof of Thomas Worsley, son of James Worsley of Pylewell, esquire, my nearest kinsman by my father's side, for and during the term of his natural life without impeachment of or for any manner of waste;

And from and after the determination of that estate to the use and behoof of the said William Pick and Robert Clark and their heirs for and during the natural life of the said Thomas Worsley on trust to preserve the contingent uses and remainders thereof

hereinafter limited from being destroyed, and to that purpose to make entries or bring actions as occasion shall require, but not to convert any of the profits of the said premises to their own uses, but to permit and suffer the said Thomas Worsley and his assigns to receive and enjoy the rents, issues and profits thereof during his natural life;

And immediately from and after the decease of the said Thomas Worsley to the use and behoof of the first son of the body of the said Thomas Worsley lawfully begotten and the heirs male of the body of such first son lawfully issuing;

And for default of such issue to the use and behoof of the second son of the body of the said Thomas Worsley lawfully begotten and the heirs male of the body of such second son lawfully issuing;

[f. 215r] And for default of such issue to the use and behoof of the third, fourth, fifth, sixth, seventh and all and every other the son and sons of the body of the said Thomas Worsley lawfully begotten and of the heirs male of the respective body and bodies of such son and sons lawfully issuing severally and successively one after the other as such sons shall be in seniority of age and priority of birth, and so always as that every elder of such son and sons and the heirs male of his body lawfully issuing shall and may be preferred and take before the younger of such sons and the heirs male of their respective bodies issuing;

And for default of such issue to the use and behoof of my said cousin, Robert Worsley, son of John Worsley of Pidford, esquire, for and during the term of his natural life without impeachment of or for any manner of waste;

And from and immediately after the determination of that estate to the use and behoof of the said William Pick and Robert Clark and their heirs and assigns for and during the natural life of the said Robert Worsley in trust to preserve the contingent uses and remainders thereof hereinafter limited from being destroyed, and to that purpose to make entries or bring actions as occasion shall require, but not to convert any of the profits of the said premises to their own uses, but to permit and suffer the said Robert Worsley and his assigns to receive and enjoy the rents, issues and profits thereof during his natural life;

And from and immediately after the decease of the said Robert Worsley to the use and behoof of the first son of the body of the said Robert Worsley lawfully begotten and of the heirs male of the body of such first son lawfully issuing;

And for default of such issue to the use and behoof of the second son of the body of the said Robert Worsley lawfully begotten and of the heirs male of the body of such second son lawfully issuing;

And for default of such issue to the use and behoof of the third, fourth, fifth, sixth, seventh and all and every other son and sons of the body of the said Robert Worsley lawfully begotten and of the heirs male of the respective body and bodies of such son and sons lawfully issuing severally and successively one after the other as such son shall be in

seniority of age and priority of birth, and so always as that every elder of such son and sons and the heirs male of his body lawfully issuing shall and may be preferred and take before the younger of such son and sons and the heirs male of their respective bodies issuing;

And for default of such issue to the use and behoof of my cousin, Sir Edward Worsley of Gatcombe in the Isle of Wight, knight, for and during the term of his natural life without impeachment of or for any manner of waste;

And from and immediately after the determination of that estate to the use and behoof of the said William Pick and Robert Clark and their heirs and assigns for and during the natural life of the said Sir Edward Worsley in trust to preserve the contingent uses and remainders thereof hereinafter limited from being destroyed, and to that purpose to make entries or bring actions as occasion shall require, but not to convert any of the profits of the said premises to their own uses, but to permit and suffer the said Sir Edward Worsley and his assigns to receive and enjoy the rents, issues and profits thereof during his natural life;

And from and immediately after the decease of the said Sir Edward Worsley to the use and behoof of the first son of the body of the said Sir Edward Worsley lawfully begotten and of the heirs male of the body of such first son issuing;

And for default of such issue to the use and [f. 215v] behoof of the second son of the body of the said Sir Edward Worsley lawfully begotten and of the heirs male of the body of such second son lawfully issuing;

And for default of such issue to the use and behoof of the third, fourth, fifth, sixth, seventh and all and every other son and sons of the body of the said Sir Edward Worsley lawfully begotten and of the heirs male of the respective body and bodies of such son and sons lawfully issuing severally and successively one after the other as such son shall be in seniority of age and priority of birth, and so always as that every elder of such son and sons and the heirs male of his body lawfully issuing shall and may be preferred and take before the younger of such sons and the heirs male of their respective bodies issuing;

And for default of such issue to the use and behoof of my cousin, Robert Worsley, brother of the said Sir Edward Worsley, for and during the term of his natural life without impeachment of or for any manner of waste;

And from and immediately after the determination of that estate to the use and behoof of the said William Pick and Robert Clark and their heirs and assigns for and during the natural life of the said Robert Worsley in trust to preserve the contingent uses and remainders thereof hereinafter limited from being destroyed, and to that purpose to make entries and bring actions as occasion shall require, but not to convert any of the profits of the said premises to their own use, but to permit and suffer the said Robert Worsley and his assigns to receive and enjoy the rents, issues and profits thereof during his natural life;

And from and immediately after the decease of the said Robert Worsley to the use and behoof of the first son of the body of the said Robert Worsley lawfully begotten and of the heirs male of the body of such first son lawfully issuing;

And for default of such issue to the use and behoof of the second son of the body of the said Robert Worsley lawfully begotten and of the heirs male of the body of such second son lawfully issuing;

And for default of such issue to the use and behoof of the third, fourth, fifth, sixth, seventh and all and every other son and sons of the body of the said Robert Worsley lawfully begotten and of the heirs male of the respective body and bodies of such son and sons lawfully issuing severally and successively one after the other as such son shall be in seniority of age and priority of birth, and so always as that every elder of such son and sons and the heirs male of his body lawfully issuing shall and may be preferred and take before the younger of such sons and the heirs males of their respective bodies issuing;

And in default of such issue to the use and behoof of my said cousin, James Worsley of Stenbury, esquire, for and during the term of his natural life without impeachment of or for any manner of waste;

And from and immediately after the determination of that estate to the use and behoof of the said William Pick and Robert Clark and their heirs and assigns for and during the natural life of the said James Worsley in trust to preserve the contingent uses and remainders thereof hereinafter limited from being destroyed, and to that purpose to make entries or bring actions as occasions shall require, but not to convert any of the profits of the said premises to their own uses, but to permit and suffer the said James Worsley and his assigns to receive and enjoy the rents, issues and profits [f. 216r] thereof during his natural life;

And immediately from and after the decease of the said James Worsley to the use and behoof of the first son of the body of the said James Worsley lawfully begotten and of the heirs male of the body of such first son lawfully issuing;

And in default of such issue to the use and behoof of the second son of the body of the said James Worsley lawfully begotten and of the heirs male of the body of such second son lawfully issuing;

And for default of such issue to the use and behoof of the third, fourth, fifth, sixth, seventh and all and every other son and sons of the body of the said James Worsley lawfully begotten and of the heirs male of the respective body and bodies of such son and sons lawfully issuing severally and successively one after the other as such son shall be in seniority of age and priority of birth, and so always as that every elder of such son and sons and the heirs male of his body lawfully issuing shall and may be preferred and take before the younger of such sons and the heirs male of their respective bodies issuing;

And in default of such issue to the use and behoof of my said cousin, Francis Worsley, second son of the said David Worsley, for and during the term of his natural life without impeachment of or for any manner of waste;

And from and immediately after the determination of that estate to the use and behoof of the said William Pick and Robert Clark and their heirs and assigns for and during the natural life of the said Francis Worsley in trust to preserve the contingent uses and remainders thereof hereinafter limited from being destroyed, and to that purpose to make entries or bring actions as occasion shall require, but not to convert any of the profits of the said premises to their own uses, but to permit and suffer the said Francis Worsley and his assigns to receive and enjoy the rents, issues and profits thereof during his natural life;

And immediately from and after the decease of the said Francis Worsley to the use and behoof of the first son of the body of the said Francis Worsley lawfully begotten and of the heirs male of the body of such first son lawfully issuing;

And for default of such issue to the use and behoof of the second son of the body of the said Francis Worsley lawfully begotten and of the heirs male of the body of such second son lawfully issuing;

And for default of such issue to the use and behoof of the third, fourth, fifth, sixth, seventh and all and every other son and sons of the body of the said Francis Worsley lawfully begotten and of the heirs male of the respective body and bodies of such son and sons lawfully issuing severally and successively one after the other as such son shall be in seniority of age and priority of birth, and so always as that every elder of such son and sons and the heirs male of his body lawfully issuing shall and may be preferred and take before the younger of such sons and the heirs male of their respective bodies issuing;

And in default of such issue to the use and behoof of my said cousin, Carteret Worsley, third son of the said David Worsley, for and during the term of his natural life without impeachment of or for any manner of waste;

And from and immediately after the determination of that estate to the use and behoof of the said William Pick and Robert Clark and their heirs and assigns for and during the natural life of the said Carteret Worsley in trust to preserve the contingent uses and remainders thereof hereinafter limited from [f. 216v] being destroyed, and to that purpose to make entries or bring actions as occasion shall require, but not to convert any of the profits of the said premises to their own uses, but to permit and suffer the said Carteret Worsley and his assigns to receive and enjoy the rents, issues and profits thereof during his natural life;

And immediately from and after the decease of the said Carteret Worsley to the use and behoof of the first son of the body of the said Carteret Worsley lawfully begotten and of the heirs male of the body of such first son lawfully issuing;

And in default of such issue to the use and behoof of the second son of the body of the said Carteret Worsley lawfully begotten and of the heirs male of the body of such second son lawfully issuing;

And for default of such issue to the use and behoof of the third, fourth, fifth, sixth, seventh and all and every other son and sons of the body of the said Carteret Worsley lawfully begotten and of the heirs male of the respective body and bodies of such son and sons lawfully issuing severally and successively one after the other as such son shall be in seniority of age and priority of birth, and so always as that every elder of such son and sons and the heirs male of his body lawfully issuing shall and may be preferred and take before the younger of such sons and the heirs male of their respective bodies issuing;

And in default of such issue to the use and behoof of my own right heirs forever;

And I do hereby further will and declare that it shall and may be lawful to and for my said grandson, Robert, Lord Carteret, and all [+and?] every other person and persons who by virtue of this my will shall have any estate for life or a greater estate of or in any of the premises in the said county of Southampton at large hereby limited in use to him or them as aforesaid, and also to and for the said Thomas Worsley and all and every other person who by virtue of this my will shall have any estate for life or greater of and in the premises in the said Isle of Wight hereby limited in use to him or them after the determination of the said term of twenty-one years but not before or during the said term, from time to time as he or they shall be respectively in possession by virtue of the above respective limitations by any deed or deeds indented under their respective hands and seals to demise, lease or grant all, every or any of the respective manors, messuages, lands, tenements and hereditaments so respectively limited to them as aforesaid whereof he or they shall be then in actual possession to any person or persons for any term or number of years not exceeding twenty-one years, so as there be reserved upon every such demise, lease or grant so much yearly rent as can really and bona fide be got for the same without taking any fine, premium or foregift, and also by any deed or deeds indented under their respective hands and seals to demise, lease or grant for ninety-nine years determinable on the death or deaths of one, two or three life or lives of any of the said respective premises which at the time of my death shall be let on such tenure, and so as no one farm so to be let exceed the value of twenty pounds by the year and at the time of my death shall be let out on such tenure, and so as in every such lease or leases to be made as aforesaid there be contained a condition of re-entry for non-payment of the rent or rents thereby to be reserved, and so [f. 217r] as the respective lessee to whom such leases shall be made seal and execute counterparts thereof, and so as no clause be therein contained giving power to any such lessee to commit waste or exempting him [-him], her or them from punishment for committing of the same;

And whereas I have ordered and directed my said trustees out of the rents and profits of the premises so limited to them for the term of twenty-one years as aforesaid, after payment of the repairs and annuities above-mentioned and of all my bond and book debts, to pay such legacies and annuities as I should hereinafter or in any codicil or codicils to be annexed hereto give to any person or persons whatsoever, I do hereby give

and bequeath and thereby order and direct my said trustees to pay accordingly unto my grandchildren, Robert, Lord Carteret, the Countess of Dysart, the Lady Georgina Spencer, and the Lady Frances Carteret, and to my kinsman, James Worsley of Pylewell, esquire, the sum of fifty pounds each to buy them rings;

Unto my old servant and kinsman, Sir Richard Burleigh, the sum of two hundred pounds;

Unto my old servant, Mr Jacob Simpson, the annuity or yearly rentcharge of forty pounds during his life by half yearly payments at Lady Day and Michaelmas, the first payment thereof to become due and to be made at such of the said days as shall first happen after my decease if he shall be on such day living, and also mourning and all my wearing apparel and linen;

Unto every other servant living with me at the time of my death one year's wages and mourning;

Unto my executors hereinafter named for completing and finishing the monument made for my brother and myself and to be placed in Godshill church at the end of the north short aisle, one hundred pounds unto them;

The further sum of one hundred pounds equally to be distributed by them between twenty poor housekeepers living on any part of my estate in the Isle of Wight;

Unto them such other sum as shall be necessary for my interment, which I desire may be in a decent but a private manner in Godshill church;

Unto each of my executors the sum of one hundred pounds apiece for their trouble herein, the which is all I intend they shall receive for their own use by virtue of their executorship, and do therefore hereby order and direct that they do account over to my said trustees for the said term of twenty-one years for whatever else they shall receive by virtue of their executorship, and to be applied by them in ease or increase of the surplus thereof;

And I do hereby further give and bequeath and hereby order and direct my said trustees according to pay unto the five daughters of my said late cousin, David Worsley, deceased, and to the two sisters of my said cousin, Robert Worsley of Pidford, and unto each and every of them which shall be living at the time of my decease the sum of two hundred pounds apiece as is hereafter mentioned, that is to say, they, my said trustees, shall in the first place out of the rents and profits of the premises so devised to them for the term of twenty-one years as aforesaid, and with such of my personal estate as shall come to their hands from my executors or otherwise after keeping down(?) of the annuity above devised and the other yearly payments and charges thereon, pay all my debts, funeral expenses and the pecuniary legacies above by me given and bequeathed, and as soon as they are all paid off and discharged, shall [f. 217v] yearly apply the sum of two hundred pounds a year towards paying the last-mentioned legacies of two hundred pounds apiece to the daughters of my said late cousin, David Worsley, and the sisters of

my said cousin, Robert Worsley of Pidford, till they are all paid their said principal sums; for interest I give to neither of them except as hereinafter is mentioned;

And that there arise no doubt who of them shall be first paid and on preference given to any, I do hereby direct that the eldest of such seven persons shall be first paid, and so regularly one after the other according to their seniority of age, and to be paid into their own hands, whether married or sole, if living, and if dead to their respective executors or administrators, provided they outlive me and attain their age of eighteen years, but the legacy to each and every of them so dying before me and under the age of eighteen years to be paid;

And I do hereby further declare my will and meaning to be that in case my said wife, Dame Frances Worsley, shall die before me, that then these last-mentioned seven legacies shall become due and be paid to each and every of the persons above described who shall be entitled thereto by being living at the time of my death and of the age aforesaid at the end of one year after my death, and if not then paid, shall carry interest at the rate of five pounds for every hundred pounds by the year which shall so remain unpaid and due as aforesaid, and so from time to time as they shall become due afterwards by the respective parties attaining their respective ages of eighteen years as aforesaid;

And further in case my said wife shall outlive me and die afterwards at any time before all the said last-mentioned seven legacies shall be paid, that then at the end of one year to be accounted from the day of her death all the remaining unpaid legacies of the said seven last shall become due and be paid to the respective persons of age as aforesaid, or carry interest as aforesaid;

And I do hereby nominate, constitute and appoint my said cousin, James Worsley of Stenbury, Mr William Pick, my steward, and my cousin, Robert Clark of Newport in the Isle of Wight, executors of this my last will and treatment in trust and to account over as aforesaid;

I give and bequeath unto my dear wife, Dame Frances Worsley, all my pearls, jewels and plate and three of my best Japan cabinets and all my Japan chests and tables and all my furniture, beds and pictures and China-ware in my house in New Burlington Street aforesaid, and also all those books called her books and in her possession during my life, and also all my goods, household stuff, beds, furniture, pictures and linen in my house at Chilton Candover;

I give and bequeath unto my executors all my plate at Chilton Candover and at Appuldurcombe to be by them sold at the best price that can be got for the same, and the money arising thereby to be applied towards discharge of my debts, and the residue to be accounted over for as aforesaid;

I give, devise and bequeath unto the above-named William Pick and Robert Clark, my trustees to preserve the contingent remainders hereinbefore limited on my estate in the Isle of Wight, and to their heirs and assigns, forever all my goods, household stuff, beds,

pictures, linen and all other my furniture whatsoever at Appuldurcombe, and also all [f. 218r] my books there and those in town left by my late brother to me and my family, in trust for the use of and to be occupied and made use of by such person and persons as shall by virtue of this my will be entitled to the overplus of the profits of my said estate in the Isle of Wight for the said term of twenty-one years, and afterwards by the remaindermen for life or a greater estate therein, it being my will and intention that nothing of mine at Appuldurcombe except the plate shall be sold or removed from thence, but remain there as heirlooms and go along with the possession and inheritance of Appuldurcombe forever;

In witness whereof I, the said Sir Robert Worsley, have to this my last will and testament contained in three skins of parchment at the bottom of the writing of each skin set my hand and seal this fourth day of June in the year of Our Lord Christ one thousand seven hundred forty and six. Robert Worsley.

Signed, sealed, published and declared by the said testator, Sir Robert Worsley, as and for his last will and testament in the presence of us who in his presence and at his request and also in the presence of each other have subscribed our names as witnesses hereunto. Thomas Graham, apothecary in Pall Mall. Thomas Southwell, baker in New Burlington Street. Joshua Lantrow of Syons(?) Jun[ior](?).

I do hereby give and bequeath and order and direct my executors to pay to my cousin, Richard Burleigh of Dublin in Ireland, one hundred pounds six months after my decease to be by him distributed in a secret charity to a poor widow where he knows I intend it, as witness my hand and seal. Robert Worsley. Witness: Thomas Graham, Thomas Southwell, Joshua Lantrow.

This will was proved at London with a codicil the fifth day of August in the year of Our Lord one thousand seven hundred and forty-seven before the worshipful Arthur Collier, Doctor of Laws, Surrogate of the right worshipful John Bettesworth, also Doctor of Laws, Master, Keeper or Commissary of the Prerogative Court of Canterbury lawfully constituted by the oaths of James Worsley, esquire, William Pick and Robert Clarke, the executors named in the said will, to whom administration was granted of all and singular the goods, chattels and credits of the deceased, being first sworn duly to administer.