

Will of Mary FitzWilliam (1707-1769)

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.

Memorandum that I Mary¹ Countess Dowager of Henry² Earl of Pembroke and Montgomery and now the Widow of Thomas Bernard³ Esquire my late husband deceased being of sound and disposing mind and memory praised be God for the same, do make publish and declare this my last Will and Testament in manner and form following (that is to say)

In the first place I give to my dear Son Henry⁴ Earl of Pembroke and Montgomery his ffather's Picture Enamelled, my Ring with his Grandfather's Picture set round with diamonds a square Gold Snuff Box and my Enamelled Watch to and for his own use.

Also I give to the Wife⁵ of my Brother⁶ Lord Viscount ffitz Williams a pair of Ear-rings called Cork de pearl

Also I give to my God Daughter Mary Sawyer Daughter of Anthony Sawyer Esquire ffive hundred pounds

Also I give to the said Anth^v Sawyer One hundred pounds

Also I give to Mr John Lamb ffifty pounds

¹ Mary née FitzWilliam (1707-1769), the Testatrix, daughter of Frances née Shelley (1681-1771) and Richard FitzWilliam (1677-1743) 5th Viscount FitzWilliam [[Wikipedia](#)], wife of (i) Henry Herbert (1693-1750) 9th Earl of Pembroke 6th Earl of Montgomery [[Wikipedia](#)] and (ii) North Ludlow Bernard (1705-1768).

² Henry Herbert (1693-1750) 9th Earl of Pembroke 6th Earl of Montgomery [[Wikipedia](#)], husband of the Testatrix, son of Margaret née Sawyer (1657-1706) and Thomas Herbert (1656-1733) 8th Earl of Pembroke 5th Earl of Montgomery [[Wikipedia](#)].

³ Presumably North Ludlow Bernard (1705-1768), husband of the Testatrix, son of Alice née Ludlow (1675-1741) and Francis Bernard (1663-1731), husband of (i) Rose née Echlin (1707-1769) and (ii) the Testatrix.

⁴ Henry Herbert (1734-1794), 10th Earl of Pembroke 7th Earl of Montgomery, son of the Testatrix and Henry Herbert (1693-1750), husband of (i) Elizabeth née Spencer (1737-1831) and (ii) Constanza _____.

⁵ Catharine FitzWilliam née Decker (1711-1786), sister in law of the Testatrix, daughter of Henrietta née Watkins (?-1759) and Mathew Decker (1679-1749), husband of Richard FitzWilliam (1711-1776) 6th Viscount FitzWilliam [[Wikipedia](#)].

⁶ Richard FitzWilliam (1711-1776) 6th Viscount FitzWilliam [[Wikipedia](#)], brother of the Testatrix, son of Frances née Shelley (1681-1771) and Richard FitzWilliam (1677-1743), husband of Catharine FitzWilliam née Decker (1711-1786).

Also I give to my Maid Servant Susannah Newman one one annuity or yearly Sum of Thirty pounds for and during the term of her natural Life to be paid to her Quarterly free and clear of all deductions and abatements whatsoever by my Executors hereinafter named the first payment to be made at the end of 3 months next after my decease And I charge all the residue of my Estate with the payment of the said Annuity

Also I give unto

Also I give unto my Maid Servant Mary Collins the sum of Twenty five pounds if she shall be living with me at the time of my decease

Also I give unto all and every other my servants both Men and Maid Servants that shall be living with me at my decease full half years Wages to each of them over and besides what shall be due to them for wages respectively

And I do hereby order and direct that all my son's Pictures which I have in my Possession shall be delivered to him as soon as conveniently may be after my decease.

And whereas the said Henry late Earl of Pembroke my late Husband in and by his last Will and Testament bearing date on or about the eleventh day of July one thousand seven hundred forty four did (amongst other things) direct the Honourable Robert Herbert Esquire and George Sawyer Esquire his Executors therein named to dispose of the sum of six thousand pounds Upon Trust that they should Invest the same in some Publick or Private Security and pay the whole yearly produce thereof from time to time unto me, for and during my life And upon this further Trust for me by my last Will and Testament only and not by any other Deed or Conveyance in my life time to give and dispose of the sum of Two thousand pounds part of the said sum of six thousand in such manner as I should think proper as by the said Will will more fully and at large appear

Now I do hereby give and bequeath unto the said Anthony Sawyer and John Lamb their Executors and Administrators the said Two thousand pounds which I have power to dispose of by virtue of the above in part recited Will together also with all the rest and residue of my Estate and Effects whatsoever and wheresoever that I shall die possessed of or Interested in Upon this special Trust and Confidence that they my said Trustees shall and do as soon as conveniently may be after my decease lay out and vest the said sum of Two thousand pounds and all the rest and residue of my said Estate (Except such parts of my Library Plate and Household ffurniture as shall be thought proper to be kept in [spirit] for my Grandson herein after named) in the purchase of Three pounds P Cent Bank Consolidated annuities in their names Upon Trust to pay the Dividends and yearly Produce of the same unto my Grandson George Herbert⁷ commonly called George Lord Herbert for and during his Minority and until he shall have attained the age of 25 years

⁷ George Augustus Herbert (1759-1827), 11th Earl of Pembroke 8th Earl of Montgomery [[Wikipedia](#)], grandson of the Testatrix, son of Elizabeth née Spencer (1737-1831) and Henry Herbert (1734-1794) 10th Earl of Pembroke 7th Earl of Montgomery, husband of (i) Elizabeth née Beauclerk (1766-1793) and (ii) Catherine Simonova Voronzov (1783-1856).

to and for his own use and benefit and when and as soon as he shall have attained his said age then I order and direct my said Trustees to Transfer the said 3 per Cent Consolidated Annuities and deliver the said residue unto my Grandson the Honourable George Herbert commonly called George Lord Herbert his Executors Administrators and Assigns to and for his and their own proper use and behoof for ever

And I do hereby nominate constitute and appoint the said Anthony Sawyer and John Lamb joint Executors of this my Will

and I desire I may be buried at Wilton in the Vault where my late Lord Pembroke is Buried and to have only one Mourning Coach to attend my funeral

And lastly I do hereby revoke and make void all former and other Wills by me at any time heretofore made, declaring this only to be my last Will and Testament

In Witness whereof I the said Mary Countess Dowager of Pembroke have to this my last Will and Testament, contained in two sheets of paper, set my hand and Seal to each of the said Sheets this 17th day of January in the year of our Lord one thousand seven hundred and sixty six. *M. Pembroke*. Signed sealed published and declared by the said Mary Countess Dowager of Pembroke the Testatrix as and for her last Will and Testament in the presence of us who have subscribed our names as Witnesses hereto in the presence of the said Testatrix and of each other — *Nath^l Sheffield. James Norres — James Walker*.

As a Codicil to my above Will I give to Susannah Harriot Winder Neice of my late deceased Husband Thomas Bernard one thousand pounds to be paid her at her Age of Twenty one years and the Interest thereof in the mean time to be paid towards her Maintenance and Education

Witness my hand and seal this 17th day of January 1766 *M. Pembroke* Witness *Nath^l Sheffield. James Norres James Walker*.

A

Novemb^r y^e 25 1766

I desire Eliz: Jackson may have 25 pds at my death if she is then my servant.

M Pembroke.

B

January y^e 7 1768

I have left in my last Will and Testament that my servants should have half a years Wages apiece I herein desire they may have a years Wages apiece Witness my hand.

M Pembroke.

C

Decemb^r y^e 6 1768

I desire that my Sister Lady Carbery may have one hundred pound at my decease Witness my hand.

M. Pembroke.

10th March 1769

Which day appeared personally The Honourable Lady Frances Brown Widow of the parish of Saint George Hanover Square in the County of Middlesex and John Morris of Whitehall in the County of Middlesex Gentlemen and being sworn on the Holy Evangelists to depose the truth made Oath as follows That they knew and were acquainted with the Right Honourable Mary Countess Dowager Lady Pembroke and Montgomery late of the parish of S^t George Hanover Square in the County of Middlesex Widow deceased for some time before and to the time of her death and also with her manner and character of Handwriting and Subscription, he the said John Morris having seen her write and subscribe her Name and the said Lady Brown having seen her Handwriting and having now viewed and carefully perused the several Papers Writing hereunto annexed severally marked A, B, and C purporting to be and contain three Codicils or additions to the last Will and Testament of the said deceased, that marked (A) containing these Words and figures "Novemb^r y^e 25. 1766 I desire Eliz. Jackson may have 25 p^{ds} at my death if she is then my servant" and thus subscribed "M. Pembroke" that marked B containing these Words and figures "January y^e 7 1768 I have left in my last Will and Testament that my Servants should have half a years Wages apiece I herein desire they may have a years wages apiece, Witness my hand" and thus subscribed "M Pembroke" that marked (C) containing these Words and figures "Decemb^r y^e 6. 1768 I desire that my Sister Lady Carbery may have One hundred pound at my decease Witness my hand" and thus subscribed "M. Pembroke" they these Deponents say that they verily and in their Consciences believe the whole Series and Contents of the said several Papers Writing marked as aforesaid and the Names thereto respectively subscribed to be all of the proper Handwriting and Subscription of the said deceased. *Frances Browne.*

John Morris. Same day the said Lady Frances Browne and John Morris were duly sworn to the truth of this Affidavit before me *Geo: Harris, Surrogate. P^t R^d Jenner, Not pub.*

This Will was proved at London with four Codicils the eleventh day of March in the year of our Lord one thousand seven hundred and sixty nine before the Worshipful Thomas Bever Doctor of Laws and Surrogate of the Right Worshipful George Hay Doctor of Laws Master Keeper or Commissary of the Prerogative Court of Canterbury lawfully constituted by the Oaths of Anthony Sawyer and John Lamb Esquires the Executors named in the said Will to whom Administration was granted of all and singular the Goods Chattels and Credits of the deceased having been first sworn duly to administer.
Ex^d.

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