

Will and Codicil of Sir George Wentworth, 1655 and 1656

Original Name: [1655, indenture with seals, Sir Geo. Wentworth... \(skidmore.edu\)](#)

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Transcription/Translation: E. Jones, R. Pepin, J. White, ed. J. Dym

Archival Storytelling, Department of History, 2022-2023

1 In the name of God Amen:	In the name of god Amen
2 The [flourish] sixth day of July in the yeare of our Lord Christ accordinge to [th]e accompt vsed in	The [flourish] sixth day of July in the year of our lord Christ according to the account used in
3 England one thousand six hundred fifty and five I Sr George Wentworth of wentworth woodhouse In [th]e Countie of yorke Knt benige att this pnt of pfct health and memorie thankes be given to god	England 1655 I S[i]r George Wentworth of Wentworth Woodhouse in the county of Yorke K[e]nt (modern day Yorkshire) being at this p[oi]nt of p[er]fect health and memory thanks be given to god
4 and callinge To mind [th]e incertaintie of this mortall life doe Make and declare this My last will and testament in writenige in manner and forme follwinge That is to say first I commend my soule into [th]e hands	and calling to mind the uncertainty of this mortal life do make and declare this my last will and testament in writing in manner and form following that is to say first I commend my soul into the hands
5 of Almightye God my creator and to Jesus Christ my Redeemer and to [th]e holy ghost my Comforter trustinge assuredly to be saved	of Almighty God my creator and to Jesus Christ my Redeemer and to the Holy Ghost my Comforter trusting assuredly to be saved by the only death and passion of Jesus Christ my redeemer and concerning

by [th]e only death and passion of jesus christ my redeemer & concerninge [th]e	the
6 my worldly Estate I dispose [thereafter &] hereafter follows [First where by ]Indenture beinge ... unto the thirteenth day of June in this p[rese]nt year of Our Lord of one thousand six hundred fiftie and five and made	My worldly estate I dispose [thereafter and] hereafter follows[ First whereby] ndenture being ... unto the thirteenth day of June in this p[rese]nt year of Our Lord of 1655 and made
7 betweene me the said Sr George Wentworth and Dame Anne my wife of the one parte and francis Colley of the parish of St Martins in [th]e <b>Fields</b> in [th]e Countie of Midds of the other parte the uses of a fine then and	between me and the said Sir George Wentworth and Dame Anne my wife of the one part and Francis Colley of the parish of St Martin in the Fields in the county of Middlesex of the other part the uses of a fine then and
8 thereby Covenanted to be levied and since accordingly levied and in Trinity Terme last past in [th]e said yeare of our lord one thousand six hundred fiftie and five Between [th]e said francis Colley demandant <sup>1</sup> and	thereby Covenanted to be levied (imposed a tax) and [since] accordingly levied in Trinity Term last past in the said year of our lord 1655 Between the said Francis Colley <i>demandant</i> [plaintiff] and
9 me the said Sr George Wentworth and Dame Anne my wife deforciant <sup>2</sup> of one full whole and entire third parte of all and singular [th]e principal Messuage <sup>3</sup> and farme called and knowne by the name	Me the said Sir George Wentworth and Dame Anne my wife <i>deforciant</i> s of one full whole and entire third part of all and singular the principal <i>messuage</i> and farm called and known by the name

<sup>1</sup> Demandant, Plaintiff, *Law*. The plaintiff in a real action. A plaintiff or claimant in any civil action, OED

<sup>2</sup> Deforciant, A person who deforces another or keeps him wrongfully out of possession of an estate, OED

<sup>3</sup> Messuage, Originally: a portion of land occupied, or intended to be occupied, as the site for a dwelling house and its appurtenances. In later use (chiefly *Law*): a dwelling house together with its outbuildings and the adjacent land assigned to its use, OED

<p>10 of Pococke scituate lying and being at or near Sarre. in [th]e Countie of Kent and of all Barnes stables edifices buildings corte yards and gardens thereunto belonging or appertaining are limited &amp; declared To [th]e</p>	<p>of Pococke situated lying and being at or near Sarre in the County of Kent and of all barns, stables, edifices, buildings, courtyards and gardens thereunto belonging or appertaining are limited and declared to the</p>
<p>11 use and behoofe of me the said Sr George Wentworth for and duringe [th]e terme of my nral life and from and after my deciae then to [th]e use and behoofe of such person and persons for such estate and estates as I the said</p>	<p>use and <i>behoofe</i> [behalf/benefit] of me the said Sir George Wentworth for and during the term of my n[atu]ral life and from and after my decease then to the use and behoofe [behalf] of such person and persons for such estate and estates as I the said</p>
<p>12 Sr George Wentworth by any writenige signed and sealed by me in [th]e presence of two or more credible witnesses or by my last will and testant: in writenige should nominate direct declare Lymitt and appoint and</p>	<p>Sir George Wentworth by any writing signed and sealed by me in the presence of two or more credible witnesses or by my last will and testament: in writing should nominate direct declare limit and appoint and</p>
<p>13 for want of such nominaton declaraton Lymitaton &amp; aipointm: To [th]e use and behoofe of me[th]esaid Sr George Wentworth and Dame Anne Wentwoth and of our heires and assignes for ever white said use and uses estate</p>	<p>for want of such nomination declaration limitation and appointment: to the use and benefit of me the said Sir George Wentworth and Dame Anne Wentworth and of our heirs and assigns for ever which said use and uses estate</p>
<p>14 and estates declared in and by[th]esaid Indenture to be lymitted by[th]ewritenige or last will in writienige of me the said sr george</p>	<p>and estates declared in and by the said indenture to be limited by the writing or last will in writing of me the said S[I]r George Wentworth as aforesaid were nevertheless declared and intended to be in trust for said</p>

wentworth as aforesaid were nevertheles declared and intended to be in trust for sd	
15 raisinge of such porcons for such younger children of me the said sr George Wentworth on [th]e body of the Said Dame Anne my wife begotten or to be begotten by such and porcons & in such manner & forme as	raising of such portions for such younger children of me the said Sir George Wentworth on the body of the said dame Anne my wife or to be begotten by such portions and in such manner and form as
16 I the said Sr george Wentworth by my last will and testamt.: in writeinge should nominate direct declare lymitt and appoint <b>Now</b> this my last will & testament is And I the said [sr george ]	I the said Sir George Wentworth by my last will and testament: in writing should nominate direct declare limit and appoint <b>Now</b> this my last will and testament is And I the said [Sir George]
17 Wentworth takenige advantage of [th]e said clause and power for lymitacon of uses in [th]e said Indenture contryved & of all & sdy other power & powers to me by [th]e said indenture or in any other wise xxxx?	Wentworth taking advantage of the said clause power for limitation of uses in the said indenture contryved, and of all & s[un]dry other power and powers to me by the said Indenture or in any other way xxxxx
18 reserved or belonginge Doe by this my last will and testament in writeinge nominate lymitt declare and appoint that [th]e said third part of the said principall message or farme called Pockack & all Barnes, stables,	reserved or belonging Do by this my last will and testament in writing nominate limit declare and appoint that the said third part of the said principal message <sup>4</sup> or farm called Pockocke and all Barnes, stables

<sup>4</sup> Message,Originally: a portion of land occupied, or intended to be occupied, as the site for a dwelling house and its appurtenances, <https://www.merriam-webster.com/dictionary/message>

<p>19 buildings courts yards &amp; gardeins thereunto belongnige &amp; all and singular [th]e rented premisses whereof [th]e said fyne was levyed shalle and goe [flourish?] And that [th]e said fyne shall enure and [th]e conusee<sup>5</sup> therein named</p>	<p>buildings, courts, yards and gardens thereunto belonging and all and singular the rented premises whereof the said fine was levied shall and go on and that the said fine shall enure and the conusee named therein</p>
<p>20 &amp; his heyres shalbe &amp; stand therof seised to [th]e only use and behoofe of my wife [th]e said Dame Anne Wentworth Sr George Savill of Thornehill in [th]e county of Yorke Barronett and William Chadwell of</p>	<p>and his heirs shall be and stand thereof seized to the only use and benefit of my wife the said Dame Anne Wentworth, Sir George Savill of Thornhill in the country of Yorke Baronet and William Chadwell of</p>
<p>21 <u>Lincolnes Inne</u> on [th]e county of Midds. Esquire their heires and assignes for ever upon trust neverthelisse. That they [th]e said Dame Anne Wentworth Sr George Savill and William Chadwell the</p>	<p>Lincoln's Inn on the country of Middlesex Esquire their heirs and assignes forever upon trust nevertheless. That they the said Dame Anne Wentworth Sir George Savill and William Chadwell the</p>
<p>22 Survivors &amp; survivor of them and the heires of such survivors shall within three years next after my decease sell [th]e same &amp; for [th]e raisinge of one thousand pounds of lawfull money of England for [th]e porcon</p>	<p>Survivors and survivor of them and the heirs of such survivors shall within three years after my death (decease) sell the same &amp; for the raising of one thousand pounds of lawful money of England for the portion</p>
<p>23 of my sonne William Wentworthe to be paid unto him at his age of one and twenty years &amp; for [th]e raisinge of five hundred pounds more</p>	<p>of my son William Wentworth to be paid unto him at his age of 21 years and for the raising of 500 pounds more of like lawful money for the portion of my son</p>

<sup>5</sup> Conusee, Conusee is another word for cognizee, which refers to the person who receives land in a legal agreement called a conveyance by fine, <https://www.lsd.law/define/conusee>

of like lawfull money for [th]e porcon of my sonne Rushee	Rushee
24 Wentworthe to be paid unto him att his age of one and twentie years and for [th]e raisinge of thousand pounds more of like lawful money of England for [th]e porcon of my daughter Elizabeth Wentworth	Wentworth to be paid to him at his age of 21 years and for the raising of 1,000 pounds more of like lawful money of England for the portion of my daughter Elizabeth Wentworth
25 to be paid unto her att her age of eighteen years or day of Marriage whiche shall first happen or soe much of the said porcons as [th]e said third parte and premises in [th]e said fyne comprised	to be paid to her at her age of 18 years or her day of marriage which[ever] shall first happen or so much of the said portions as the said third part and premises in the said fine comprised
26 can be sold for <b>And</b> my will is th]t if either of my said younger Sonns or daughter shall die without issue before their respective porcons shall become payable That then [th]e porcon of him	can be sold for And my will is that if either of my said younger sons or daughter shall die without issue [children] before their respective portions shall become payable That then the portion of him
27 or her soe dynige without issue before their porcon shall become payable as a foresaid shall be paid to & equally be devided betwixt the two survivors of my said younger children But if	or her so dying without issue before their portion shall becoming payable as said before shall be paid to and equally be divided between the two surviving of my said younger children But if
28 two of my said younger children shall happen to die without issue before their said porcons shall become payable as aforesaid	two of my younger children shall happen to die without issue [children] before their said portions shall become payable as aforesaid Then my will is

<p>Then my will is [th]t [th]e survivor of my said three children shall</p>	<p>that the survivor of my said three children shall</p>
<p>29 have his or her porcon made upp to be [th]e full sume of fifteen hundred pounds and noe more and that [flourish] to be in lieu of all Demands and [th]e rest &amp; residue of [th]e porcons of my said sonns and</p>	<p>have his or her portion made up to be the full sum of fifteen hundred pounds and no more &amp; that [flourish] to be in lieu of all Demands &amp; the rest &amp; residue of the portions of my said sons and</p>
<p>30 daughter soe dyinge without issue as aforesaid shalbe(shall be) paid unto my said wife And in case all my said younger children shall happen to die without issue before their procons become payable then ye</p>	<p>daughter so dying without issue as aforesaid shall be paid unto my said wife And in case all my said younger children shall happen to die without issue before their portions become payable then the</p>
<p>31 whole whether In Land or money shal be and goe to my said wife her heires and assignes forever. Prouided nevertheles and upon this conditon that if any or eyther of my younger children shalbe</p>	<p>whole whether in Land or money shall be and go to my said wife, her heirs and assigns forever Provided nevertheless and upon this condition that if any or either of my younger children shall be</p>
<p>32 preferred in marriage by me or otherwise p vded for by me in my life tyme for [th]e value of their respective porcons before memoned then [th]e porcon of him or her soe advanced or provided for by me shalbe</p>	<p>preferred in marriage by me or otherwise provided for by me in my lifetime for the value of their respective portions before mentioned then the portion of him or her so advanced or provided for by me shall be</p>
<p>33 extinct and the benefit thereof shalbe and goe to my said wife and her heirs Prouided also and my will nevertheles is that if my eldest</p>	<p>extinct and the benefit thereof shall be and go to my said wife and her heirs Provided also and my will nevertheless is that if my eldest son shall in his</p>

sonne shall in his life tyme or in default thereof in	lifetime or in default thereof in
34 case my said wife shall after his decease and before sale made of [th]e said third part of [th]e said ffarme lands tenem[en]ts and premisses by any other waies or meanes raise and pay unto all & every my said younger	case my said wife shall after his decease and before sale made of the said third part of the said farm lands tenem[en]ts and premises by any other ways or means raise and pay unto all and every [one] of my said younger
35 children [th]e severall summs before menconed(mentioned) foe their several porcons Then [th]e said third parte of [th]e said messuage or ffarme called Pockocks and all other [th]e lands and premises in [th]e said fine comprised shalbe	children the several sums before mentioned for their several portions Then the said third party of the said messuage <sup>6</sup> or farm called Pockocke and all other of the lands & premises in the said fine comprised shall be
36 and goe and [th]e said fine shalbe and in vre <sup>7</sup> and [th]e Conusee therein named and his heires shall stand and be there of seised to [th]e use of such of them my said wife and oldest sonne as shall pay all the said	and go and the said fine shall be and in use and the Conusee therein named and his heirs shall stand & be thereof seized to the use of such of them my said wife and eldest son as shall pay all the said
37 severall porcons to my said younger children and of her or his heirs which shall so pay [th]e said porcons forever And my will is [th]t [th]e rents issues and profitts of [th]e said third parte	several portions to my said younger children and of her or his heirs which shall so pay the said portions forever And my will is that the rents issues and profits of the said third part

<sup>6</sup> Messuage, Originally: a portion of land occupied, or intended to be occupied, as the site for a dwelling house and its appurtenances, <https://www.merriam-webster.com/dictionary/messuage>

<sup>7</sup> In Ure (obs, used in 17c), in ure: In or into use, practice, or performance. Often with verbs, as *bring*, *come*, *have*, and esp. *put* (frequently c1510–1630). Also rarely with *into*. OED



<p>38 [Flourish]- of [th]e said messuage or farne &amp; of [th]e said lands tenemts &amp; the primisses until sale made &amp; from after such sale made [th]e pffit (abbrev) or interest of [th]e money raised there by shall be paid unto my said</p>	<p>of the said messuage or farm and of the said lands tenem[ent]s and the premises until sale made, and from and after such sale made, the profit or interest of the money raised thereby shall be paid unto my said</p>
<p>39 younger children pporconably acording to their severall porcons &amp; shares before menconed for &amp; towards their maintenance &amp; educacon untill their severall and rispective porcons befor menconed</p>	<p>younger children [pro]portionally according to their several portions and shares before mentioned for and towards their maintenance and education until their several and respective portions before mentioned</p>
<p>40 shall be paid And my will further is and I doe hereby devise That all my goods chattell and personall estate shallbe sould &amp; disposed of by my executors herein after named for paymt of my</p>	<p>shall be paid And my will further is and i do herby devise That all my goods chattel and personal estate shall be sold &amp; disposed of by my executors herein after named for payment of my</p>
<p>41 debts and to [th]e purpose I doe give [th]e same unto them and my will and meaninge further is &amp; I doe herebywill and devise yt in case soe much money cannot be raised by sale of [th]e ^said third parte of the</p>	<p>debts and to the purpose I do give the same unto them and my will and meaning further is And I do hereby will and devise that in case so much money cannot be raised by sale of the said third part of the</p>
<p>42 said messuage farms and premises as will raise [th]e said sums of two thousand &amp; five hundred pounds to be distributed for porcons of my said Daughter and younger Sonns as aforesaid That then [th]e reside[?]</p>	<p>said messuage, farms and premises as will raise the said sums of two thousand and five hundred pounds to be distributed for portions of my said daughter and younger sons as aforesaid That then the residue / rest</p>

<p>43 of my goods Chattells and parsonall estate remayninge after my debts paid shalbe applyed and disposed of for and towards [th]e raisinge and makeinge upp of [th]e said severalll sumes before</p>	<p>of my goods chattels and personal estate remaining after my debts paid shall be applied and disposed of for and towards the raising and making up of the said several sums before</p>
<p>44 mentioned for porcons of my said daughter [covered section] [likewise]– and I doe herby desire th[a]t my said wife or oldest Sonne shall pay or give unto my servant Francis [covered section]</p>	<p>mentioned for portions of my said daughter [Covered Section-Missing Text] - and I do herby desire that my said wife or oldest son some shall pay or give unto my servant Francis [Colley?]</p>
<p>45 [covered section] in her or his respective service – after my decease And of this my last will and testament I make &amp; ordaine</p>	<p>[covered section] ...in her or his respective service. And of this my last will and testament I make &amp; ordain</p>
<p>46 [covered section] [ex]ecutors to whom I also give twentie pounds apiece to buy them Black or mourning for me And to my said</p>	<p>[covered section] [ex]ecutors to whom I also give twenty pounds apiece to buy them Black or mourning [clothes] for me And to my said</p>
<p>47 [covered section] debts ready money plate &amp; personall estate remayninge after my debts Legacies Funerall and other charges</p>	<p>[covered section] debts, ready money, plate [silver] &amp; personal estate remaining after my debts, legacies (bequests), funeral and other charges</p>
<p>48 [covered section] performed And i doe herby revoake and make voyd(void) all for my wills &amp; testam.ts – made by me In witness</p>	<p>[covered section] performed. And I do hereby revoke &amp; make void all form[er] wills and testaments made by me In witness</p>

49 [covered section] – yeare above written

[covered section] year above written

VERSO  
(back)

Left:

[Same handwriting as the person who wrote the will]

Signed and sealed by the said Sr. George Wentworth  
and by him published as his last will and  
testam.t the day and year within written  
in the p.sence (presence) of us:

Signatures:

Robt. Price

H. Edmundes

Ri: Heaton

Will Price

Francis Colley

Right:

This will was provided and  
shewn unto Thomas Radcliff, Esq. and Margarett Trapps,

spinster at [th]e time of their  
severall Examinations in this Cause  
by us.

Wm. Mount  
A?Ridgate?

To the side: Sr. John Willam , Baronett  
Ffrancis Colley, [goute?]  
George Viscount Hallifax  
Ruishee Wentworth, Esq.  
Edward Pek[s/e], Esq. & his wife (sig)  
Defts. (Defendants?)

Codicil

1 Memorandum that I Sr George Wentworth of Dublin by the name of	Memorandum that I Sr George Wentworth of Dublin by the name of
2 Sr George Wentworth of Wentworth Woodhouse in the county of Yorke knight	Sir George Wentworth of Wentworth Woodhouse in the county of York knight

3 did make And deliver My last will testament in writing the sixth day of July	did make and deliver my last will and testament in writing on the sixth day of July
4 in the yeare of our Lord God one thousand six hundred fifty and five; which said	in the year of our lord god 1655. Which said
5 will and testament I doe by this my codicill thereunto amend in all points	will and testament I do by this my codicil thereunto amend in all points
6 confirme and ratifie. Neverthelssse whereas I did by my said will and testament	confirm and ratify. Nevertheless whereas I did by my said will and testament
7 make and ordaine my Deare wife dame Anne Wentworth, sr George Savill and	make and ordain my dear wife dame Anne Wentworth, S[i]r George Saville and
8 william Chadwell my Executors. And seeing it hath pleasd God since the making	William Chadwell my executors. And seeing it has pleased God since the making
9 of my said will to call out of this world my said Deare wife, and the said william	of my said will to call out of this world my said dear wife, and the said William
10 Chadwell I doe hereby make and ordaine my beloved friend Francis Colley to be	Chadwell I do hereby make and ordain my beloved friend Francis Colley to be

11 one of my executors together with Sr Geoge Savill my surviving executor named	one of my executors together with S[i]r George Savill my surviving executor
12 in my will and whereas the portions provided by my will for my younger Children	In my will and whereas the portions provided by my will for my younger children
13 seeme to me to be too small for them I doe hereby will and bequeath to every one	seem to me to be too small for them I do hereby will and bequeath to every one
14 of them five hundred pounds more, over and above the provision made for them	of them five hundred pounds more, over and above the provision made for them
15 by my will; that is to say, to my son william five hundred pounds; to my son Rushee	by my will; that is to say, to my son William Five hundred pounds; to my son Ruish
16 five hundred pounds and to my daughter Elizabeth five hundred pounds to be paid	five hundred pounds and to my daughter Elizabeth five hundred pounds to be paid
17 by my oldest son and heire out of the lands left unto him in such manner, and att the	by my oldest son and heir out of the lands left to him in such manner, and at the
18 times mentioned in my will for the former payments; which my son & heir	times mentioned in my will for the former payments; which my son and heir

19 hath undertaken by this promise to doe and perform and I am confident that he will	have undertaken by this promise to do and perform and I am confident that he will
20 punctually perform the same and that this is a true Codicill and part of my last will	punctually perform the same and that this is a true codicil and part of my last will
21 and testament I Doe herby declare and have hereunto sett My hand and seale the third	and testament I Do hereby declare and have hereunto set My hand and seal the third
22 day of july one thousand six hundred and fifty-six	day of july one thousand six hundred and fifty-six

Signed & sealed by the said Sr. George Wentworth & by him published as a codicill & part of his last will & testament the day & yeare above written in presence

Signed & sealed by the said Sir George Wentworth & by him published as a codicil & part of his last will & testament the day & year above written in presence

[Signatures]

Ja: Armachanus. / Marg. Trappe[s] Tho: Radcliffe

V[ictor?] Reilly G Wentworth

Ja[mes?] Armachanus, Marg[aret?] Trappe[s], Thomas Radcliffe, V[ictor?] Reilly G. Wentworth

VERSO

(back)

Left:

Sr. John William, Bart.

Francis Colley, [ge?t?]

George Viscount Hallifax

Ruishee Wentworth, Esq.

Edward Peke, Esq and his wife

Defte? Defts?

Right:

This Deed or Codicill was showed to Thomas

Radcliffe Esq. and Margarett Trapp[s/e?] at [th]e time

of their respective Examinations in this Cause by us. Wm. Mount. A? Ridgate