

This is the last will and Testament of me Solomon Earle of Clatterford in the Isle of Wight Esquire late Captain and paymaster of the Honorable the East India companys depot made this tenth day of february one thousand eight hundred and twenty four I direct that all my just debts and funeral and testamentary expenses be fully paid by and out of the residue of my personal Estate hereinafter bequeathed I give to each of my children including my daughter Sophia the wife of Richard Lipscombe late of Whitbourne in the county of Hereford Yeoman one share in the Grand Western Canal I give all my Plate Books Silver and family pictures unto and equally between my children William Henry Earle John Lucas Earle Solomon Earle Elfrida Mathias Marianne Lampriere Susannah Earle Eleanor Earle Rosalie Danvers Earle and Emily Susan Rainie or such of them that shall be living at the time of my decease share and share alike and I entrust my Executors and Executrix to make a division and distribution of the same accordingly and direct that such division and distribution shall be final and conclusive on all parties and as to for and xxx all and singular my freehold leasehold and Copyhold assuages farms Lands Covenants and hereditaments and all other my real estate and as to all and singular the rest residue and remainder of my household Goods furniture ready money debts and sureties for money and all other my personal Estate and effects whatsoever and xxxxxxxx whereof xxxxxx any xxxx to dispose and have not hereinbefore disposed of I give leave and bequeath the same and every part thereof Stewart Peter Pearce of Swithins Lane London esquire William Lempriere of the parish of Carisbrooke in the isle of Wight doctor of **phisic** and Marianne the wife of the said William Lampriere their heirs executors administrators and assigns for ever or according to the nature and qualities of the same properties and all my Estate right and interest therein respectively upon the several trusts nevertheless and to and for the several ends interests and purposes hereinafter expressed as to for and remaining my freehold xxage farm lands and Estate called Whiddon situate near Ashburton in the county of Devon upon trust that they my said trustees and the Survivor of them shall and do ascertain as nearly as can be the value of such Estate by having the same valued by some competent surveyor or surveyors and shall and do offer the same to my son John Lucas Earle at such valuation or at such other price as they my said trustees shall deem the full and fair value and in case my said son John Lucas Earle shall agree to xxx the purchase at such sum then that they my said trustees shall and do so on payment of such purchase money by my said son John Lucas Earle within six calendar months after

the same shall have been so offered to him xxx and xxx the same unto and to the use of my said son John Lucas Earle his heirs and assigns forever but in case my said son John Lucas Earle shall refuse to accept the same at such price or shall not accept the same and pay the purchase money within six months after such offer being so made to him then upon trust that they my said trustees shall and do make a like offer to my son William Henry Earle on the like conditions and in case of his acceptance make the conveyance and assignation to him on his payment of the purchase money within six months after the offer shall have been made to him but in case of a refusal or nonacceptance or non payment of the purchase money by my said son William Henry Earle then upon trust that they my said trustees shall and do make the like offer to my son Solomon Earle and in case of his acceptance of the same offer the conveyance and assign to him on his paying the purchase money for the same within six months after the offer shall have been made to him but in case of the refusal or nonacceptance of such purchase or nonpayment of the purchase money by my said son Solomon Earle within six months after the offer so made to him as aforesaid then upon trust that my said trustees shall and do sell and dispose of the same <sup>x</sup>shall be sold to my sons or either of them or any other person stand possessed of the monies arising therefore upon the trusts declared and as to all other my freehold Leasehold and copyhold assuages Lands tenaments heridataments and parts and shares thereof and other my Real Estate whatsoever and wheresoever upon trust that they my said trustees shall and do as soon as conveniently can be after my decease make Sale and dispose of all the said residue of my said freehold leasehold and copyhold Estates either together or in parts and either by public auction or private contract or partly by public auction and partly by private contract to any person or persons for such price or prices as they my said trustees shall deem sufficient and shall and do receive the purchase monies for the same and stand possessed thereof upon the trusts hereinafter declared and as to all the said residue of my personal estate upon trust that my said trustees shall and do make sale and dispose of such part and parts thereof as shall not consist of money or sureties for money and shall and do collect and get in all monies due or in xxxx owing to me or my estate so that all my said real and personal estate may be converted into money and shall and do stand pofessed of all my said money upon trust that they my said trustees shall and do in the first place pay and discharge all my just debts and funeral and testamentary expenses and from and after payment thereof shall and do lay out and invest all the then

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xxx farmlands and xxx as is  
hereinafter divided xxx xxx  
the residue of my freehold and  
copyhold estate and shall and  
do whether the same shall

residue and surplus of the said trust monies on Government East India or Real Sureties at interest in their own names and shall and do alter vary change and transpose the same as they shall from time to time think proper and shall and do apply such part and parts of the dividends and annual interest thereof as they shall think proper for and towards the comfortable support and maintenance of my dear wife Rosa Earle for and during her natural life taking into their consideration any pension or allowance which may be paid and afforded her by The Honorable The East India Company it being my will and meaning that either from such pension or allowance or from the trusts of this my will or from both the annual income of my said wife shall at all times be one hundred pounds per annum at the least and from and after so paying and applying the said sum in their discretion as aforesaid for the comfortable support and maintenance<sup>x</sup> of such of my daughters as shall be from time to time unmarried and when and as any or either of my daughters who shall be unmarried at the time of my decease shall marry shall and so pay and I do give to each daughter so marrying the sum of four hundred pounds to be paid to such daughter on the day of marriage and subject to making such payments as aforesaid shall and do from time to time apply the dividends and interest of the xxx from time to time existing trust monies in for and towards the support of my said wife and in unmarried daughters until their shall remain only one unmarried daughter and when that event shall happen shall and do set apart a sufficient part of the said trust monies to provide and pay the sum for the maintenance and support of my said wife and also the farther sum of one hundred pounds per annum for the maintenance and support of such remaining single daughter until she shall marry or die and shall and do pay and apply the same xxx accordingly and shall and do in case such one remaining single daughter shall afterwards marry pay her her portion of four hundred pounds as xxx hereinbefore provided and subject to the setting apart such portion of the said trust monies as to all other parts of the said trust monies and also after the death of my said wife as to the portion of the said trust monies so set apart for providing her support as aforesaid and likewise after the marriage or death without having been married of the daughter who shall<sup>last</sup> remain unmarried as to the portion as to the portion of the trust monies set apart for providing her income of one hundred pounds per annum and sum of four hundred pounds upon trust that may my said trustees shall and do pay and divide and I do hereby give and bequeath the same unto between and amongst all my children including the said Sophia Lipscombe who shall

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Of my said dear wife shall and do pay and apply all these residue and surplus of the said trust monies for and towards her support @ maintenance

be then living and the issue of such of them as shall be then dead leaving issue such issue to take the part or share his her or their parent or parents should have been entitled to if living share and share alike to and for her and their own use and benefit nevertheless it is my will and meaning that my said trustees shall not actually pay over any sum whatever to my said daughter Sophia Lipscombe or her husband but when and as any sum shall become payable to her under this my will my said trustees shall invest the same on Government East India or real securities at interest in their own names and pay the interest to my said daughter Sophia Lipscombe during her life exclusive of her husband and so as not to be xx subject to his xxxx debts or engagements and her script alone notwithstanding her xxx shall be sufficient discharge for the same and after the decease of my said daughter shall do and pay and I do give the interest of such sums for the maintenance of all and every daughter and daughters of my said daughter Sophia Lipscombe until they respectively reach the age of twenty one years or be married which shall first happen and as and when such daughter or daughters shall respectively attain that age or be married to pay and divide the principal between them if more than one and if but one then to pay the whole to such one but in case there shall be no daughter of the said Sophia Lipscombe who shall attain the age of twenty one years or be married under that age then I give the principal of the said trust monies xx to and amongst the sons of the said Sophia Lipscombe if more than one equally between them and if but one then the whole to such one absolutely and if there be no son or daughter of my said daughter Sophia who shall live to attain a vested interest in the said principal money then I give the same to my own legal personal representatives and my will further is in case at the time hereinbefore provided for the division of my probity any person or persons entitled to a share shall be a minor the share or shares of such person or persons shall not be paid until he she or they respectively shall attain the age of twenty one years but in the meantime the interest thereof shall be applied by my said trustees for the support of such person or persons until he she or they shall attain that age and I do declare that all powers and trusts hereby given to the said Stewart Peter Pearce William Lempriere and Marianne Lempriere shall vest in the survivors and survivor of them and the executors and administrators of such survivor and that for the purposes of xxxx this my will into execution the said Marianne Lempriere shall be deemed to be a femme sole and all her acts and xxxx as such trustee shall notwithstanding her xxxx shall be as good valid and effectual as if she were sole and

unmarried and I do give to my trustees and the survivors and survivor of them full and complete power to sell and survey all my freehold leasehold and copyhold estates and to make and execute all deeds conveyances and assignxx to which shall be necessary for carrying this my will into execution with such deeds and conveyances shall be valid and effectual to all intents and purposes without the concurrence of my heir at law or of any person beneficially interested under this my will and that the receipt or receipts in writing of my said trustees for the time acting in the execution of the terms of this my will for any purchase or other monies payable or to be received under this my will shall be a sufficient and effectual discharge for the same respectively or so much thereof respectively as in such receipt or receipts respectively shall be expressed or acknowledged to be received and that the person or persons to whom the same shall be given his her or their heirs executors administrators or assigns shall not afterwards be answerable or accountable for any loss missappropriation or nonappropriation thereof or xx in xxx xxx obliged or xxx to see to the application of the money xxx expressed or acknowledged to be xxxx and that they my said trustees and the survivors or survivor of them his her or their heirs executors xxx or assigns shall be charged or chargeable only for such monies as they shall respectively actually arrive by virtue of the trusts thereby in them xxposed notwithstanding his her or their giving or signing or joining in xxx giving or signing any receipt or receipts for the sake of conformity and any one or more of them shall not be answerable or accountable for the other or others of them but each and every of them only for his her and their own arts scripts and defaults respectively and that they or any of them shall not be answerable for any other misfortune loss or damage which may happen to the said trust monies or xxx in the execution of the aforesaid trusts or in relation thereto except the same shall happen by or through their his or her own willful defaults respectively and that it shall be lawful to and for my said trustees and the survivor of them his executors and administrators by and out of the monies to which shall come to their respective hands by virtue of the trusts aforesaid to retain and reimburse himself and themselves and also to allow to his and their cotrustee and cotrustees all costs charges damages and expenses which they or any of them shall or may suffer sustain expend or be put into in or about the execution of the aforesaid trusts or in relation thereto and lastly I do hereby nominate constitute and appoint the said Stewart Peter Pearce William Lempriere and Marianne Lempriere joint guardians of all my said daughters who shall be living and unmarried at the time

of my decease and joint executors of this my will and I do hereby revoke all former wills by me heretofore at any time made and so declare this to be my only true last will and testament in witness tohereof I the said Solomon Earle the testator have to first five sheets of this my will set my hand and to this sixth and last sheet hereof set my hand and seal the day and year first above written *S Earle* Signed sealed published and xxx by the said Solomon Earle the testator as and for his last will and testament in the presence of us three together who in his presence at his request and in the presence of each of other have subscribed our names as witnesses thereto Hx Maynard HW Galpine HWJ Harvey.

***Proved*** at London 13<sup>th</sup> Jan<sup>y</sup> 1825 before the judge by the oaths of William Lempriere doctor of medicine and Marianne Lempriere the wife of the said William Lempriere the daughter@ Stewart Peter Pearce Esq and the Exrs. to whom admin was granted xxx xxxx xx xxx that is to say the said William Lempriere and Marianne Lempriere by xxx the said Stewart Peter Pearce Esq before the worshipful xxx xxx xxx