

# The Will of Charlotte Stuart Duchess of Albany.<sup>1</sup>

“CONSIGNATIO TESTAMENTI SUÆ CELESTUDINIS DÑE

CARLOTTE STUARD, DUCISSÆ D’ALBANY NEC NON

Die 17 ejusdem Aperitio, et publicatio ejusdem

TESTAMENTI et Successiva consignatio Codicil-

larum Suprade Dñe Ducisse, ab Eñõ, et Rñõ

Dño D. ANDREA CARDINALE JOANETTO mihi

fact. In Christi Nomine Amen

Anno ab illius Nativite 1789 Indictione 7<sup>a</sup> die vera Lune

16 Mensis Novembris hora 18 cum, dimidio circiter Tempore

Pontificatus SS<sup>i</sup> in Christo Patris et Dñi Nñi Pii Sexti Divina

Providentia summi Pontificis.

I, the undersigned notary, being summoned by his Eminence the Lord Cardinal Don Andrea Giovannetti, worthy archbishop of this city, to the palace of the noble house of Lambertini, the present habitation of Her Grace, Charlotte, Duchess of Albany, repairing thither forthwith and was introduced into the chamber where she lies seriously ill and almost at the last extremity. The said duchess, in the presence of the aforesaid Lord Cardinal Archbishop, and the undersigned reverend gentlemen summoned to be witnesses, with her own hands, consigned to me, the public notary, a packet wrapped in white paper sealed in the shape of a letter with the following superscription on the face:—Will of the Duchess of Albany written by me. D. Andrea Card Giovannetti Archbishop of Bologna, at the request of the said duchess, in accordance with the Capitolo *Cum esses*; with three seals in red sealing-wax on the back, the middle one being that of the said Lord Cardinal Archbishop, those on either side being the seals of the said duchess, and both alike. Upon the delivery of the said packet to me the notary, by the said duchess, she on account of her grievous sickness, being incapable of speech, but in full possession of her consciousness, the said Lord Cardinal Archbishop, in a clear and audible voice, declared that the said packet contained the last will and testament of the said duchess; which was consigned to me the notary, to be held in safe custody, and opened at the request of those interested after the natural death of the said duchess; who hearing this spoken aloud

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<sup>1</sup> *Add, MSS.* 30, 475, fol. 245, British Museum.

by his Eminence the said Cardinal, and in answer to the question put by me, the notary, whether the packet did in truth contain her will, by repeated signs and nods, in sight of the undersigned witnesses, and in a feeble but sufficiently audible voice affirmed and asserted that such was the case. After which I, the said notary, taking the said packet, showed it to the said witnesses, calling upon them to bear witness of its consignment to me.

Loc  Sig

In Christi Nomine Amen etc..... (17 November 1789)

The fatal loss of her Grace, Charlotte, Duchess of Albany, by death having taken place at one o'clock this night as is affirmed and attested by those here present. His Eminence the Lord Cardinal, D. Andrea Giovannetti, most worthy archbishop of this city of Bologna, and the very Reverend Father Maestro Giuseppe Terzi, at present parish priest of the parish church of the defunct duchess. I the undersigned notary, having on the 16 of the current month received the consignment of her last will and testament in a packet wrapped in a sheet of white paper in the shape of a letter, with the following inscription on one side, viz:—

Will of the Duchess of Albany written by me D. Andrea, Cardinal Giovannetti, Archbishop of Bologna, at the request of the said duchess, in accordance with the Capitolo *Cum esses*. And on the other side three seals in red sealing-wax, the middle seal bearing the arms of his aforesaid Eminence the Archbishop, and those on either side the arms of the testatrix the said duchess, his Eminence, the Lord Cardinal Archbishop, made application to me, the undersigned notary, for the opening of the said will. Being therefore assembled in the chamber where the said duchess lies dead, in the presence of his Eminence the Lord Cardinal Archbishop, witness above-said, of me, the undersigned notary, the very reverend fathers Maestro Terzi, Augustiniæ of the Congregation of Lombardy dwelling in the convent of St Blaise, at present parish priest of the aforesaid Church, Father D'Ignazio Agostino Scandellari, religious of the Barnabite order, dwelling in the college of St Paul, public lecturer in sacred theology, and examiner to the Synod, both witnesses and present at the consignment made to me on the said 16 day of the current month, of the packet containing the last will of the said defunct Duchess of Albany. The packet consigned to me, the notary, being exhibited to the reverend fathers above said, in the presence of the said Lord Cardinal Archbishop, and the undersigned witnesses, and being by them closely examined, together with the three seals upon the same, they unanimously recognised and do recognise it to be the same packet consigned to me by the duchess, and further state and declare that the said packet has been faithfully kept and preserved by me, and thereupon before me the notary, both made oath upon

the Holy Gospel, *tactis et more sacerdotalium omnium*. The said packet was then deposited by me the notary, in the hands of his said Eminence, who received it and opened it with a pair of scissors, and delivered it to me the undersigned notary and it was found to be all in the handwriting of his Eminence the Lord Cardinal Archbishop, which is well known to me and I read it aloud in a clear voice in the presence of the said archbishop and the under signed witnesses, and its purport is as follows *viz.*—

In the name of God Amen. This 14 day of November 1789 Her Grace the Duchess of Albany, Charlotte by name, being grievously sick of body, but of sound mind, and in full possession of her senses, thanks be to God, not wishing to leave this world without disposing of these goods of fortune of which she is possessed, after having received the Holy Viaticum and humbly commended her soul to God, her Creator and Redeemer, and again beseeching His pardon for all even to the least offence which she may have given Him during the whole course of her life, and trusting to His infinite mercy—

Declares in the first place that she desires to be buried without any pomp whatever, asking only such suffrages for her soul as may be decided upon by the Lord Cardinal Archbishop, whom she has requested to take down her will in writing, further recommending him not to allow her body after her death to be opened in anyway, and if possible that it may be kept aground for four days, not enclosed in a coffin. In the second place she desires to be buried in the parish church of St Blaise of Bologna, to the poor of which she leaves a hundred scudi to be distributed to them by the Curate of the said church. Coming to the legacies, or pensions, she requests her royal uncle, hereinafter constituting him her sole heir, to send to her lady mother in Paris an annual pension of fifteen thousand francs during the term of her natural life, and further, to allow her the power of disposing at her death of fifty thousand francs in favour of any of her necessitous relations.

She leaves to Mrs Norton an annuity of two thousand francs for the term of her natural life, also a gold enamelled box, and the English clock which her Grace uses daily, further requesting her royal uncle to provide for the lady more abundantly should this pension not suffice.

To Canon Cesarini, rector of Frascati, she leaves an annuity of a hundred scudi, for the term of his natural life, as a mark of her attachment, and more especially on account of the respectful and particular affection which he has for her royal uncle.

To the Count Monsignor Consalvi she leaves an enamelled box as a remembrance.

To the Abbate Waters, as a mark of her gratitude for his services to her royal father and herself, she leaves an annuity of a hundred

scudi for the term of his natural life; further requesting him, if such be the pleasure of her royal uncle, to be her testamentary executor as hereinafter set down.

To the Abbate Count Castaldi she leaves a plain gold box as a remembrance, particularly requesting her uncle to be pleased to prefer him upon the first occasion he has of disposing of an ecclesiastical benefice.

To her two waiting-women she leaves all her wearing apparel, and an annuity of sixty scudi to each of them for the term of their natural life.

To Sig<sup>f</sup> Giacinto Bruni she leaves a sum of a hundred scudi in one payment, and two years salary. To each of her two serving men she leaves an annuity of forty-eight scudi at the rate of four scudi a month to each, for the term of their natural life, also a year's wages, and their mourning, which is to be made for them, as well as for all in her service, both men and women, appealing to the friendship of Abbate Waters to take upon himself, besides the other charges herein after stated, the task of providing mourning for those in her service. To the unliveried members of her household, that is the steward and chaplin, she leaves the pay, or wages, or salary of one year.

The rest of her household, including the Moor in livery, are warmly recommended by the duchess, the testatrix, to the great and constant charity of her royal uncle, and moreover she leaves to the said remnant of her household, including the Moor two years' wages. She leaves a hundred scudi to be distributed to the poor of her parish in Rome.

She appoints and constitutes his royal Eminence her uncle Cardinal Henry, called the Duke of York, universal heir of all her goods movable and immovable, titles, rights, and shares, in any place, country, province or Kingdom whatsoever, and especially and expressly of all the jewels, diamonds and orders belonging to the Crown.

It is her will that all the remaining jewels, coins (?), and plate of any sort whatsoever shall be sold, the proceeds of such sale to form a capital the interest of which shall be applied to the payment of the annuities, pensions or legacies abovesaid; and should the interest of the said capital formed as aforesaid by the sale of the said articles the personal property of the testatrix, not suffice, she earnestly entreats the goodness and great affection of her uncle and universal heir to pay all the said pension. As testamentary executor of this her last will, if it meets the consent and approval of her uncle, she appoints the Abbate Waters above-mentioned, upon whom she lays the charge of forming the said capital in the best way possible, besides the other charges which she flatters herself he will willingly undertake out of the friendship he has always shown to the said

duchess the testatrix; further requesting him to see that the doctors and surgeon be adequately remunerated, also that Father Scandellari, her confessor receives some recognition of the trouble given him during her illness.

She further wills and beseeches her royal uncle (whom she thanks with all her heart to the utmost of her power and ability for the singular affection he has always shown her), assuring him that she dies willingly, resigning herself with her whole soul to the will of her Creator and Redeemer, in whom she places all her hope of eternal salvation, that he will be pleased to accept her small library for his own at Frascati, with this condition however, that all those books which his royal grace, the Lord Cardinal her uncle, shall not think fitted for the said library shall be given and consigned to her said testamentary Executor, the Abbate Waters whom she requests to so arrange that the journey of all her household to Rome may be paid for. She further charges the said Abbate Waters to collect all the letters belonging to the royal house and family and to deliver them to her royal uncle. All her purely personal letters to be consigned to the flames by the said Abbate.

She declares this to be her last will, and any other disposition made by her at any other time notwithstanding this will alone to stand and be regarded. And should this said last will not be valid as such, she wills and declares it to be valid by virtue of the Codicil “in causa mortis” and in every better way possible. In faith whereof the said duchess has affixed her signature with her own hands in the presence of the undersigned witnesses called upon to witness the same.

Charlotte, Duchess of Albany.

In Christi Nomine Amen etc:

After reading by me, the notary, of the will of her Grace, Charlotte defunct Duchess of Albany, his Eminence the Lord Cardinal D Andrea Giovannetti, worthy archbishop of this city, presented to me, the undersigned notary, half a sheet of paper signed by him and by the Rev F. F. Giuseppe Terzi and D. Ignazio Agostino Scandellari as witnesses to the said sheet, assuring me that this was an ulterior disposition of her last will, in the form of a codicil consigned to him, by the said duchess and the said document was received by me, the notary, and bears the following tenor, viz:—17 November 1789 at the Ave Maria.

‘The third waiting-woman, Carolina Bidusi by name, two pieces of velvet and one of linen, and the same annual pension as the other two, being very sorry for having forgotten her, and recommending her to H.R.H. A little clock to Mr d’Azincourt. A small present to Monsignor Erskine and one to the Cavaliere de Bernis. So it is D. A. Cardinal Giovannetti archbishop, I Fra Giuseppe Terzi parish priest of St Blaise, were present as witness to the above written codicil. ID.

Ignazio Agos<sup>o</sup> Scandellari, C.R. of St Paul, was present as witness to the above written codicil. After this, the question being put by me the notary, to the Rev Father Maestro Giuseppe Terzi, parish priest of St Blaise, whether it was within his knowledge that the said late duchess had made a codicil or schedule, he made answer upon his oath, laying his hand upon his heart 'more sacerdotali,' before me, the said notary, etc, as follows: Yes gentlemen, the said duchess this night, an hour before her death being very ill but of sound mind, said that she had forgotten in her will to mention the third waiting-woman, named Carolina Bidusi, Monsieur D'Azincourt, Monsignor Charles Erskine, and the Cavaliere de Bernis, and therefore she requested the Lord Cardinal Archbishop to take down her intentions in writing, as a letter, to be afterwards delivered to the notary; and I was present when the said duchess, with her own lips said that after her death there should be given to the said Carolina two pieces of velvet and one linen, and the same annual pension as the others; a clock to Monsieur d'Azincourt, and a small present to Monsignor Erskine and the Cavaliere de Bernis. And the said document was signed by me, under the signature of his Eminence, and is the same as that now shown me by the notary, and I recognise it as such. After this the said Father Maestro Terzi was dismissed by me the notary, in presence of the witnesses undersigned, and I interogated the Rev Father Ignazio Agostino Scandellari, it was within his knowledge that the late Duchess of Albany had, besides her will, made another codicil, another additional disposition, and having taken the oath administered by me, the notary, laying his hand upon his heart "more Sacerdotali" replied as follows: I am aware that this night at the twenty-fourth hour the duchess having come to her last hour, but being sound of mind and perfectly conscious, requested his Eminence, the Lord Cardinal Archbishop, to take down the following dispositions. To the third waiting woman, Carolina Bidusi, two pieces of velvet and one of linen and same annual pension as the others. A clock to Monsieur d'Azincourt and a small present to Monsignor Erskine, and to the Cavaliere de Bernis. The said dispositions were signed by his Eminence the Archbishop, by the said parish priest of St Blaise, and by me as I recognise from the letter shown me by the notary, which is the same which I signed. This is all I can depose, having regard to the truth upon the oath taken by me as above. Quibus Habitis etc:

Given at Bologna at the Archiepiscopal Palace 18 November 1789.

D. A. Card: Ioanettus Archiepiscopus Bononie.