

Isaac Dupuy**Will dated 13 July 1820****Proved 27 January 1830**

This is the last Will and Testament of me **Isaac Dupuy of Welbeck Street** in the parish of Saint Marylebone in the county of Middlesex esquire I direct that all my just debts and funeral expenses and the charges of proving this my Will may be fully paid satisfied as soon as conveniently may be after my decease

and I give and bequeath unto my wife **Sophia Dupuy** all my household furniture household goods plate linen china wines liquors horses carriages harnesses farming stock and implements and all watches jewels trinkets and other ornaments and paraphernalia and all other things in and about my said dwelling house or any other house occupied by me at the time of my decease except money and securities for money To hold the same except as aforesaid unto my said wife Sophia Dupuy to and for her own proper and absolute use and benefit

also I give and devise unto my said wife Sophia Dupuy the benefit and advantage of any lease of house or houses or land held therewith in which I may reside or occupy in England at the time of my decease To hold the same unto my said wife Sophia Dupuy her executors administrators and assigns for the residue of the term or terms for years to come thereon at the time of my decease subject nevertheless to the payment of the rent and performances of the covenants reserved and contained in and by any such lease or leases and which from and after the quarter day which shall next happen after my decease are and ought to be paid and performed the rent up to the quarter day next after my decease I hereby direct shall be paid by my executors hereinafter named by and out of my general personal estate

and I give devise and bequeath unto my said wife Sophia Dupuy and **Robert Allen of Saint James's Street Westminster** esquire all my plantation messuages farms lands tenements and hereditaments situate and being in the Island of Saint Christopher in the West Indies and all the negro and other slaves and cattle of every denomination mills mill houses curing houses and other houses implements and instruments of husbandry and planting and all crops growing or stored and all stock goods chattels and effects of every description and denomination on my said plantation and estate in the said Island of Saint Christopher and all my estate and interest therein respectively and also all other my estate and effects whatsoever and wheresoever and of what nature kind or quality the same may be or consist which I may be seized or possessed of interested in or entitled unto at the time of my decease and all my estate and interest therein

To hold the same unto my said wife Sophia Dupuy and the said Robert Allen their heirs executors administrators and assigns according to the nature and quality of the respective estates and interests upon the several trusts and to and for the several intents and purposes and with under and subject to the several powers provisoes and declarations hereinafter expressed and declared of and concerning the same that is to say

upon trust in the first place and in preference to other charge or bequest hereinafter made by me to permit and suffer my said wife Sophia Dupuy to receive and take by and out of the rents issues profits produce interest and dividends of my said estates and effects one annuity or annual sum of one thousand pound of lawful money of Great Britain for and during the term of her natural life if she so long continues my widow but not otherwise and in case I shall happen to die without leaving any child or children by my said wife living at the time of my decease or born in due time after my decease then and in that case instead and in lieu of the said annuity or annual sum of one thousand pounds upon trust to permit and suffer my said wife Sophia Dupuy to receive and take by and out of the said rents issues profits produce interest and dividends of my said estate and effects one annuity or annual sum of thousand five hundred pounds for and during the term of her natural life if she shall so long continue my widow but not otherwise

which said annuities of one thousand pounds or one thousand five hundred pounds as the case may be I hereby direct shall be paid and payable half yearly the first half yearly payment thereof to be made

on that day six calendar months which shall next happen after my decease provided always that if my said wife shall intermarry again with any person whomsoever then from and after such second marriage I hereby declare my will to be and hereby direct that the said annuity or annual sum of one thousand pounds or the said annuity or annual sum of one thousand five hundred pounds whichever may be then payable shall cease determine and be no longer payable or paid and instead and in lieu thereof I hereby declare that from and after the day of the second marriage of my said wife she shall only be entitled to have and receive by and out of my said estates and effects one annuity or annual sum of five hundred pounds of lawful money of Great Britain for the term of her natural life which I hereby declare shall be paid and payable to my said wife by half yearly payments the first half yearly payment of which said annual sum of five hundred pounds to be made on that day six calendar months which shall next happen after the day of the second marriage of my said wife

and which said annuity or yearly sum of five hundred pounds I hereby declare shall be for the sole and separate use and benefit of my said wife and that the same or any part thereof shall not be subject or liable the debts engagements control or intermeddling of any husband or husbands with whom she may intermarry and that her receipt alone from time to time shall be a good discharge for the same and subject to the said annuity of one thousand pounds or one thousand five hundred pounds or the said annuity of five hundred pounds as the case may be

upon trust that they the said Sophia Dupuy and Robert Allen and the survivor of them and the heirs executors administrators and assigns of such survivor do and shall stand and be seized and possessed of the residue of my said estates and effects upon trust for all and every the child and children which I may have by my said wife at the time of my decease or which may be born by her in due time after my decease to be equally divided between and among them if more than one share and share alike and if there shall be but one such child then for such one child to be transferred conveyed assigned and paid to such child or children in the manner following

that is to say the part or share parts or shares of such of them as shall be a son or sons to be transferred assigned and paid to him or them at his or their age or ages of twenty one years and the part or share parts or shares of such of them as shall be a daughter or daughters to be transferred assigned and paid to her or them at her or their age or ages of twenty one years or day or days of marriage which shall first happen and I hereby direct that the rents issues profits produce interest and annual proceed of the share and shares of each such child and children or so much thereof as shall be thought necessary shall be paid and applied to and for his her and their maintenance and education until their respective shares shall become transferrable and payable and the residue of such annual proceed to be from time to time laid out and invested in some of the public stocks or funds of Great Britain to accumulate in the nature of compound interest and be transferred and paid along with the share and shares from where such savings shall have proceeded and be considered as part of such share or shares

and if I shall have any child or children by my said wife living at the time of my decease or born in due time after my decease if any of such child or children being a son or sons shall die under the age of twenty one years or being a daughter or daughters shall die under the age of twenty one years without having been married then the part of share parts of shares of him her or their so dying shall go and accrue to and become vested and transmissible in that shares or share of them in equal proportions if more than one at or from such time or times as his her or their original share or shares shall become vested and transmissible and shall be transferred assigned and paid at such time or times as such original share or shares shall become transferrable and payable or as soon afterwards as circumstances will permit

and my will is that all and every the share and shares so directed to accrue shall from time to time accrue together with the original share and shares until such original share and shares shall by virtue of this my Will become vested and in case I shall have no child by my said wife living at the time of my decease or born in due time after my decease or their being such child or children if all and every of them being a son or sons shall die under the age of twenty one years without leaving lawful issue him or them surviving and all and every such daughter and daughters shall die under the age of twenty

one years without having been married then from and after such failure of such issue as aforesaid I authorise and empower my said wife Sophia Dupuy if she continues my widow but not otherwise to raise out of my said estate effects the sum of three thousand pounds sterling and to dispose of such three thousand pounds in such manner as she my said wife shall in and by her last will and testament in writing or any writing in the nature of or purporting to be her last will and testament to be signed and published by her in the presence of and to be attested by two or more credible witnesses shall direct limit appoint give or bequeath the same provided always that in exercising the above power it shall not be competent to my said wife to order the said sum of three thousand pounds to be raised all at once but only by annual sums of one thousand pounds each until the whole three thousand pounds or so much thereof as my said wife may please to appoint under the power aforesaid shall be raised and paid nor shall the same or any part thereof carry interest and from and after such failure of my issue as aforesaid

I give and bequeath unto my cousin **Peter Dupuy Abbott of Powis Place Queen Square** in the said county of Middlesex one annuity or yearly sum of two hundred pounds of lawful money of Great Britain for and during the term of his natural life to and for his own proper use and benefit which I charge and make chargeable on all my said estates and effects to be paid and payable half yearly the first half yearly payment to be made of that day six calendar months which shall next happen after my decease if I shall have no child or children are surviving or born in due time after my decease or there being such child or children at the end of six calendar months next after a total failure of my issue and from and after the decease of the said Peter Dupuy Abbot

then I hereby declare my will to be and hereby direct that one hundred pounds per annum part of the said annuity of two hundred pounds shall come unto the estate and effects chargeable with the payment thereof and as to the yearly sum of one hundred pounds other part of the said annuity or yearly sum of two hundred pounds I hereby direct that the said yearly sum one hundred pounds shall be payable and paid to **Jane Abbott daughter of the said Peter Dupuy Abbott** for and during the term of her natural life to and for her own proper use and benefit to be paid to the said Jane Abbott by half yearly payments the first half yearly payment to be made on that day six calendar months which shall next happen after the decease of the said Peter Dupuy Abbott and I give unto my coachman **William Barber** if living with me at my decease but not otherwise the sum of one hundred pounds sterling

and in case of failure of any issue as aforesaid as to all the rest residue and remainder of my estate and effects whatsoever and wheresoever subject and charged and chargeable as hereinbefore is mentioned I give devise and bequeath the clear rents issues profits produce interest dividends and annual proceed thereof in manner hereinafter mentioned that is to say if two third parts of such clear rents issues profits produce and annual proceed of my said estates and effects shall during the widowhood of my said wife Sophia amount to more than the annual sum of one thousand five hundred pounds and the said annual sum of two hundred pound or one hundred pounds as the case may be hereinbefore charged thereon so long as either of the two last mentioned annuities shall be payable then I hereby declare my will and mind to be and hereby direct that such surplus of the two thirds of the clear annual income of my said estate and effects whatever it may amount to after payment of the said annuities of one thousand five hundred pounds and two hundred pounds or one hundred pounds as the case may be shall be paid to my said wife during her widowhood for her own use in addition to such one thousand five hundred pounds a year before directed to be paid to her

and if the said two annuities of two hundred pounds or one hundred pounds or either or both of them shall cease to be payable during the widowhood of my said wife then if two thirds of the net income of my said estate and effects shall exceed the said annuity or yearly sum of one thousand five hundred pounds such excess shall be paid to my said wife during her widowhood in addition to the said annuity or yearly sum of one thousand five hundred pounds it being my will and meaning that during the continuance of the said two annuities of one thousand five hundred and two hundred pounds or one thousand five hundred pounds and one hundred pounds or one thousand five hundred pounds only as the case may be to my cousin **Jane Akers Byam** hereinafter mentioned and described shall receive

only the clear annual income of one third of my estate and effects after payment of the annuities then existing and payable out of the whole annual proceeds anything hereinbefore or after contained to the contrary notwithstanding

and as to the other or remaining one third part of the clear residue of the rents issues profits produce and annual proceed of my said estate and effects during the widowhood of my said wife and in case of her marriage again then from and after the marriage as to the whole of the rents issues profits produce and annual proceed of my said estate and effects subject to the said annuities of five hundred pounds and two hundred pounds or five hundred pounds and one hundred pounds or five hundred pounds as the case may be

to pay the same unto my cousin **Jane Akers Byam now residing at Brussels in the Kingdom of the Netherlands** for and during the term of her natural life to and for her own sole and separate use and benefit which I hereby declare shall not be subject or liable to the debts engagements control or intermeddling of her present or any future husband or husbands and that her receipt alone shall be a good discharge for the same and from

and after the decease of the said Jane Akers Byam then subject to the payment of such of the said annuities or payments as shall then be payable upon trust to convey transfer assign and pay all such rest residue and remainder of my said estate and effects whatsoever and wheresoever unto between and among all and every the child and children of the said Jane Akers Byam who shall be living at her decease equally to be divided between and among them if more than one share and share alike and to their heirs executors administrators and assigns for ever and if there shall be but one such child then to such one child his or her heirs executors administrators and assigns for ever provided always and I do hereby authorise and empower my said wife Sophia Dupuy and Robert Allen and the survivor of them and the heirs executors administrators and assigns of such survivor to manage my said estate and effects in the Island of Saint Christopher in such manner as they or the survivor of them or the heirs executors administrators or assigns of such survivor shall in their her or his discretion think most for the benefit and advantage of my said estate and effects

and to make sale and absolutely dispose of the same and all and every part or parts thereof of which I constitute them the sole judges and in case of sale I hereby declare that the receipt or receipts of my said trustees or the survivor of them or the heirs executors administrators or assigns of such survivor or the trustees or trustee thereof for the time being of the said trust estates and premises shall be a good and sufficient discharge and discharges to the purchaser or purchasers thereof and to his her and their heirs executors administrator and assigns for the amount of such purchase money or monies or so much and such parts thereof as in such receipt or receipts shall be expressed or acknowledged to be received and that such purchaser or purchasers his her or their heirs executors administrators or assigns shall not bound to see to the application of such purchase money or monies or answerable or accountable for the misapplication or nonapplication thereof

and in case of such sale as above mentioned I authorise and empower my said trustees and the survivor of them and the heirs executors or administrators of such survivor to take such part of the purchase money as can be procured to be paid direct and to accept security for the residue of such purchase money in such manner as is usual on the sale of West India estates and I do hereby declare that my said trustees and the survivor of them his or her executors administrators and assigns shall stand possessed of the monies arising by or from such sale upon trust to lay out and invest the same in some of the public stocks or funds or on Government or real securites and stand possessed of such stocks funds and securities upon the trusts and to and for the intents and purposes hereinbefore declared expressed and contained ... and concerning the estate and effects so to be sold as aforesaid and from the sale of worth such monies shall arise and be produced provided always

and I do hereby declare that if either of them my said wife Sophia Dupuy and Robert Allen trustees in and by this my Will nominated and appointed or any future trustee or trustees to be appointed in their place in stead of them or either of them as hereinafter is mentioned shall happen to die or be desirous

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of being discharged of and from or decline or become incapable to act in the execution of the trusts and powers in this my Will in them reposed before the said trusts and powers shall be fully performed or discharged then and in such case and so often as the same shall happen it shall and may be lawful to and for the surviving or continuing trustee of the said respective trust estates and premises by writing under her or his hand and seal to be attested by two or more credible witnesses from time to time to nominate constitute or appoint any other person or persons to be a trustee or trustees in the place or stead of the trustee or trustees so dying or desiring to be discharged or refusing declining or becoming incapable to act as aforesaid

and that when and so often as any new trustee or trustees shall be nominated and appointed as aforesaid all the trust states monies and premises which shall then be vested in the trustee or trustees so dying or desiring to be discharged or refusing declining or becoming incapable to act as aforesaid either solely or jointly with the other trustee shall be thereupon with all convenient speed conveyed assigned and transferred in such sort and manner and so as that the same and every part thereof shall and may be legally and effectually vested in the surviving or continuing trustee of the same trust estates monies and premises and in such new trustee or trustee or if there shall be no continuing trustee then in such new trustees solely upon the same trusts and with the same powers in all respects as are hereinbefore mentioned expressed and declared of

and concerning the same trust estate monies and premises the trustee or trustees whereof shall so die or be desirous of being discharged or refuse or decline or become incapable to act as aforesaid or of such and so many of the same trusts and powers as shall be then subsisting undetermined or capable of taking effect or being performed and that every such trustee or trustees shall and may in all things shall act and assist in the management carrying on and execution of the several trusts and powers to which he or they shall be so appointed in conjunction with the other then continuing trustee or trustees of the same trust estates monies and premises respectively

if there shall be any such continuing trustee or trustees if not then by themselves as fully and effectually and with all the same power and powers authority and authorities whatsoever to all intents efforts constrictions and purposes as if he or they had been originally in and by this my Will nominated and appointed a trustee or trustees for the purposes aforesaid and as the trustee or trustees in this my Will named his her or their heirs executors or administrators in or to whose place such new trustee or trustees shall respectively come or succeed are or is entitled to do or could or might done under and by virtue of this my Will if living and continuing to act in the trusts hereby reposed in them her or him anything hereinbefore contained to the contrary thereof in any wise notwithstanding provided also

and I do hereby declare my will to be that the said trustees by this my Will nominated and appointed or to be appointed by virtue of the proviso last hereinbefore contained and each and every of them and the heirs executors administrators and assigns of them and each and every of them shall be charged and chargeable respectively only for such monies as they shall respectively actually receive by virtue of the trusts hereby in them reposed notwithstanding her his their or any of their giving or signing or joining in 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 others or other of them or for the acts neglects or defaults of the others or other of them but each and every of them for her his and their own acts receipts neglect and defaults respectively

and that any one or more of them shall not be answerable or accountable for any banker broker or other person or persons with whom or in whose hands any part of the said trust monies shall or may be deposited or lodged for safe custody or otherwise in the execution of the trusts hereinbefore mentioned and that they or any of them shall not be answerable or accountable for any insufficiency or deficiency of any trust securities stocks or funds or any part thereof nor with or for any other misfortune loss or damage which may happen in the execution of the aforesaid trusts or in relation thereto unless the same shall happen by or through their own wilful neglect or default

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and also that it shall and may be lawful to and for them the said trustees in this my Will named and such future trustee and trustees so to be appointed as aforesaid and every of them and every of their heirs executors administrators and assigns by and out of the monies which shall come to their respective hands by virtue of the trusts aforesaid to retain and reimburse themselves herself and himself and also to allow to her his and their co trustee and co trustees all such costs charges damages and expenses as they or any of them shall or may suffer sustain expend disburse be at or put unto in or about the execution of the aforesaid trusts and powers or in relation thereto

and I do hereby nominate constitute and appoint my said wife **Sophia Dupuy** and the said **Robert Allen** executrix and executor of this my Will and hereby revoking all other wills by me at any time hereinbefore made I declare this to be my last Will and Testament in witness whereof I the said **Isaac Dupuy** have to this my last Will and Testament consisting of nine sheets of paper to the first eight sheets whereof set my hand and to this last sheet my hand and seal the thirteenth day of July in the year of our Lord one thousand eight hundred and twenty - **Isaac Dupuy** (ls) signed sealed published and declared by the said testator Isaac Dupuy as and for his last Will and Testament in the presence of us who in his presence at his request in the presence of each other have subscribed our names as witnesses the the words "and Robert Allen" being first interlined on page seven - **J. Ward** Bedford Square - **Jas. Knox** - **J. Barstow**

Proved at London 27 January 1830 before the worshipful William Calverley Curters Doctor of Laws and Surrogate by the oath of **Sophia Dupuy** widow the relict one of the executors to whom administration was granted having been first sworn duly to administer power reserved of making the like grant to **Robert Allen** esq the other executor when he shall apply for the same

(PRO PROB 11/1765)