

Will of Charles Duplock, Gentleman of Southwark 1834

PROB 11/1865/260

Will made 6 September 1834, probate 18 August 1836

This is the last Will and Testament of me Charles Duplock late of Surry Place Old Kent Road but now of No 3 Bengal Place New Kent Road London Gentleman first I give and bequeath unto my esteemed friend William Darnborough of Surry Place Old Kent Road aforesaid Esquire the sum of twenty pounds of lawful british money to and for his own use and benefit I give and bequeath to Ann Duplock of York Row Newington in the County of Surry Spinster an annuity or yearly sum of ten pounds during the term of her natural life to be paid to her half yearly the first half yearly payments to be paid at the end of six calendar months from the day of my decease and as to for and concerning all the rest residue and Remainder of my monies and securities for money money in the Public Stocks or Funds and all and singular other my Personal Estate and Effects whatsoever and wheresoever I give and bequeath the same and every part thereof resp[ective]ly unto the said William Darnborough and my Cousin Elizabeth Duplock of Chapel Place Ramsgate in the Isle of Thanet in the County of Kent Spinster their executors admors and assigns Upon trust to collect get in and convert into money all such parts of my Residuary Personal Estate as shall not consist of money or stocks funds or securities for money and to receive the money to arise therefrom and upon further trust in the first place by with and out of the monies stocks funds and securities to arise or be received from or in respect of my said Residuary Personal Estate to pay all my just debts funeral and testamentary expenses and the costs charges and expenses of proving and carrying into execution this my Will and in the next place to pay the said Legacy hereinbefore bequeathed and to set apart and appropriate in the names or name of my Executor and Executrix of this my Will hereinafter appointed sufficient funds in the three per cent consolidated annuities or three per cent reduced bank annuities to answer the payment of the said annuity hereinbefore bequeathed (which funds shall subject to the payment of such annuity be held upon the trusts hereinafter contained concerning the surplus of the said last mentioned trust monies stocks funds and securities) and from and after payment thereof and such appropriation as aforesaid Upon trust to lay out and invest one third part of the ultimate surplus of the monies to arise or be received as aforesaid in or upon the Public stocks funds or other Government securities of the United Kingdom or any Real securities in England in the names or name of the said William Darnborough and Elizabeth Duplock with full power for them him or her to vary and transpose such third part of such surplus from time to time as shall be thought expedient for any other or others of the like nature and I declare and direct that the said William Darnborough and Elizabeth Duplock shall stand possessed of and interested in such last mentioned third part comprised in the trust for Investment and transposition hereinbefore contained Upon trust to receive the Dividends Interest and yearly income of such third part and to pay the same into the proper hands of Mary Waite the Wife of William Waite of Boreham in the County of Sussex Sadler (late Mary Duplock Spinster) or to any person or persons whom she shall from time to time by note in writing under her hand appoint to receive the same during her life to the intent the said Dividends Interest and yearly income may be enjoyed by her for her sole and separate use independantly of her present or any future husband and so as the same may not be liable to his debts forfeitures or engagements and it is hereby declared that the receipts to be given by the said Mary Waite and her appointees for the said Dividends Interest and Annual Income or any part of the same shall alone be effectual discharges to my said Executor and Executrix and from and after the decease of the said Mary Waite then as to as well the stocks funds and securities of the said third part or share of the surplus of the monies aforesaid as the Dividends Interest and income

thenceforth to become due for the same Interest for such person or persons for such interest or interests and in such manner as the said Mary Waite (notwithstanding her coverture) shall by her last Will and Testament in writing or any Codicil or Codicils thereto to be respectively signed and published by her and in the presence of and attested by one or more Witness or Witnesses direct or appoint and in default of such direction or appointment and subject to any partial or incomplete appointment In trust for such person or persons as at the decease of the said Mary Waite shall by her Blood and of kin to her and who under the statute for distribution of the Personal Effects of Intestates would be entitled to her Personal Estate in case she were to die intestate and unmarried and to be divided between such persons if more than one in such proportions at the same would be divisible amongst them under the said statute and upon or for no other use trust intent or purpose whatsoever and as to one other third part or share of the ultimate surplus of the said trust monies stocks funds and securities In trust for the said Elizabeth Duplock her executors admors and assigns to and for her and their own absolute use and benefit and as to the remaining one third part or share of the ultimate surplus of the said trust monies stocks funds and securities In trust for Anna Duplock of Bexhill in the said County of Sussex Spinster her executors admors and assigns to and for her and their own absolute use and benefit I devise all estates real and personal of which I am seized or possessed as Mortgagee or trustee unto and to the use of the said William Darnborough and Elizabeth Duplock their heirs executors admors and assigns respectively subject to the equities and trust affecting the same respectively and so far as I am beneficially interested as Mortgagee to be disposed of as part of my Personal Estate for the purposes of my Will Provided always and I hereby declare that the receipt or receipts to be given by the said William Darnborough and Elizabeth Duplock and the survivor of them their his or her executors admors or assigns to any person or persons who shall have any of my monies in their his or her hands upon securities or otherwise for the same monies or any part thereof or to any other person or persons for any other monies which shall become payable and be paid to my said Executor and Executrix shall be a sufficient discharge or discharges for so much money as in such receipt or receipts shall be expressed to be received and that after taking such a receipt or receipts the person or persons aforesaid shall not be obliged to see to the application or be answerable or accountable for the misapplication or nonapplication of the same money or any part thereof and I do hereby declare that my said Executors and Ex[ecutr]ix his and her heirs executors or admors shall in no wise be answerable for the acts receipts of each other nor for any loss or damage which may happen in the execution of the aforesaid trusts without their own wilful default and that it shall be lawful for my said Executor and Executrix and their respective executors and admors to deduct and retain out of the monies which shall come to their hands under the trusts aforesaid all costs charges and expenses which they may sustain or be put unto in or about the execution of the afor[es]aid trusts over and above the Legacies hereinbefore given to them respectively and lastly I hereby nominate constitute and appoint the said William Darnborough and Elizabeth Duplock joint Executor and Executrix of this my Will In Witness whereof I the said Charles Duplock the testator have to this my last Will and Testament contained in three sheets of paper set my hand and seal (that is to say) my hand to the two preceding sheets and my hand and seal to this third and last sheet the sixth day of September in the year of our Lord one thousand eight hundred and thirty four Chas Duplock (Seal) Signed sealed published and declared by the said Charles Duplock the Testator as and for his last Will & Testament in the presence of us J. B Judge Sol^r Ramsgate John Judge his Clerk

Whereas Charles Duplock of Bengal Place in the Parish of Saint George Southwark in the County of Surry Gentleman have made and duly executed my last Will and Testament in writing bearing date the sixth day of September one thousand eight hundred and thirty four now I do declare this present

writing to be a Codicil to my said Will and I do direct the same to be annexed thereto and to be taken as part thereof I give and bequeath unto Mrs C Soffit the sum of fifty pounds for the great care and attention to me during a long protracted illness Also I give and bequeath unto Mr Charles Collambell Jun^r my Watch with the chain and Seals annexed I also give and bequeath unto Mr John Simmonds of Union Road S^t Mary Newington Surry the sum of twenty pounds likewise I give and bequeath unto Mr Alexander Slater of Bengal Place S^t George Southwark the sum of twenty pounds it is also my wish that the following eight friends should attend my funeral and do me favor to accept a ring each namely Mess^{rs} William Hedger C B Burbidge John Hicks C J Collambell William Burklaus William Darnborough Alexander Slater and John Simmonds and I do hereby ratify and confirm my said Will in all other particulars thereof In Witness whereof I the said Charles Duplock have to this Codicil set my hand and seal this twenty fourth day of August one thousand eight hundred and thirty five

Chas Duplock (Seal) Signed sealed published and declared by the said testator Charles Duplock as and for a Codicil to be annexed to his last Will and Testament and to be taken as part thereof in the presence of us Benj Cogswell 4 Bengal Place Pawnbroker Mary Ann Hardy 3 Bengal Place.

Proved at London 18 August 1836 before the Worshipful Joseph Phillimore D^r of Laws and Surrogate by the Oaths of William Darnborough and Elizabeth Duplock Spinster the Executors to whom Admon was granted being first duly sworn duly to adm^r