

Abstract of the Will
and Codicils of the late
Mr. Frances Esdaile
Widow.

These
affairs long since
settled

Abstract of the Will and
Codicils of the late Mrs Frances
Esdaile Widow.

3^d January 1823. By her Will of this date the Testatrix bequeaths
to her Niece Marianne Esdaile Daughter of John
Esdaile Esquire deceased £2000 for her own use -
To her Nephew George Hall £1200 for his own use
and in case of his death in her life time then to
his Executors - In trust for his next of kin so as
not to be deemed a lapsed legacy.
To her Nephew Thomas Henry Hall £500 for his
own use.

To her sister Dame Ann Hawley Wife of Sir Henry
Hawley Baronet and to her Nephew James Hawley
and her Nieces Frances Ann Hawley Eliza Hawley
and Louisa Hawley £50 each.

To her sister Becke Humphreys Widow of her late
brother John Humphreys Esquire £500 for her own
use.

To her friend John Hall of Montagu Street Esquire
£500 for his own use.

Forgives to her Brother in Law Thomas Hall of
Alders and her Nephews the said Thomas Henry
Hall (one of her Executors) Charles Hall and George
Hall (another of her Executors) sons of the said
Thomas Hall and their respective heirs executors
administrators and assigns a debt of £3000 due
to her on their joint and several Bond dated the
1st January then instant and all interest to become
due thereon from the day of her decease and directs
her Executors ^{to deliver} up the same Bond to the said

Thomas Hall, Thomas Henry Hall and George Hall
to be cancelled.

Devises unto and to the use of the said Thomas
Hall, Thomas Henry Hall and George Hall and
their heirs.

All her messuages tenements and hereditaments
in Catherine Wheel Alley and New Street in
Bishopsgate Street in the City of London and
Bembill Row in the Parish of St. Luke Old St. in
the County of Middlesex which she held in
fe simple.

Upon trust at any time after her decease at the discretion
of the said Trustees by Public Sale or Private Contract
to sell the said hereditaments and execute all acts
and deeds necessary for conveying the same to
purchasers and stand possessed,

of the monies to arise therefrom.

Upon trust to invest the same in their names in the
Public funds or at interest upon Government or real
security in England and from time to time to vary
and transpose the same when expedient, and pay

The interest and annual produce thereof.

So, or permit her sister Mary Godaile the Widow of
the said John Godaile or her assigns ^{to receive the same} during her life for
her own use. And from and after her decease,

Upon trust to stand possessed of all the said trust
monies stocks funds and securities for her nephew John
Hurnyspeys for his own use - if he should be living
at her decease but if he should die in her lifetime, then

For the next of kin of the said John Hurnyspeys
living at the Testatrix's decease - so as not to be deemed
a lapsed legacy.

Devises unto and to the use of the said Thomas Hall
Thomas Henry Hall and George Hall.

All other her messuages lands and hereditaments
and real Estate whatsoever freehold and copyhold
And Bequeaths

All her leasehold messuages lands and hereditaments
And all money and securities for money, money in
the public funds of Great Britain and in Foreign
funds or securities.

And all other her personal estate and effects
whatsoever of which she was possessed at the
time of her decease - Upon the trusts thereafter
declared.

And Declares that her said freehold and copyhold
hereditaments last thereinbefore devised and the said
leasehold hereditaments and other her personal estate
thereinbefore bequeathed to the said Thomas Hall,
Thomas Henry Hall and George Hall were so devised
and bequeathed to them,

Upon trust at any time after her decease to sell
by Public Sale or Private Contract the said freehold
copyhold and leasehold hereditaments, and to do and
execute all acts and deeds necessary for conveying the
same to purchasers.

And to as soon as conveniently may be after her
decease collect and convert into money the other part of
her personal estate or such part thereof not consisting
of money. And stand possessed of

All the money to arise from such sales of the
hereditaments last mentioned and to arise and
be produced from such other part of her personal
estate converted into money and of the money of
which she should die possessed.

Upon trust to pay her debts funeral and testamentary
expences and the aforesaid legacies thereinbefore bequeathed
And invest the surplus in their names in the Public

stocks or funds of Great Britain or at interest upon
Government or real security to be altered and
transferred from time to time as may be found expedient
And stand possessed thereof

Upon trust for her Sisters the said John Humphreys
and William Humphreys Roger Mostyn Humphreys Thomas
Henry Humphreys and Edward Humphreys and her sisters
Harriet Humphreys and Francis Humphreys equally to be
divided between them share and share alike as tenants
in common The respective shares of the said John Humphreys
William Humphreys Roger Mostyn Humphreys Thomas Henry
Humphreys and Edward Humphreys to be vested in and
paid or transferred to them respectively at their respective
ages of 21 years and the respective shares of the said
Harriet Humphreys and Francis Humphreys to be vested
at the age of 21 years or days of marriage which shall
first happen.

Declares that the shares of any of her Sisters and
Sisters who should die ^{in her lifetime or of her estate} without having attained vested
interests in the said trust funds should accrue to the
survivors of her said Sisters and sisters and vest and
be transferred at the same times as their original shares

Power to the Trustees to apply the interest of expectant
shares for maintenance during minority.

Directs the Trustees not to sell the hereditaments first
devised or the hereditaments last devised unless and until
they in their discretion shall think it most proper and
advantageous to do for the benefit of the trust estates
(and so as the hereditaments first devised be sold with the
consent of the said Mary Estails and John Humphreys or the
survivor if then living).

And until such sales out of the rents and profits of
household premises to satisfy the rents and covenants reserved
and pay the surplus And all the rents and profits of the

hereditaments first devised and the hereditaments last devised
Upon the same trusts as the interest and dividends of the
produce of such sales or the funds wherein the same were
thereinbefore directed to be laid out and invested would
for the time being have been applicable upon the trusts
aforesaid in case the same premises had been actually
sold and the monies invested under the aforesaid direction

Power to the Trustees of leasing the hereditaments for
not exceeding 21 years at the best improved rents.

Devises to the said Thomas Hall Thomas Henry Hall
and George Hall their heirs executors administrators and
assigns all trust and mortgage estates upon the trusts
and subject to the equity of redemption to which the
same are liable - but declares that the money secured
in any such mortgages shall be considered as part of the
personal Estate.

Appoints the said Thomas Hall, Thomas Henry Hall
and George Hall to be Executors of her Will.

Declares that the receipts of the said Trustees shall be
good discharges.

Power to the surviving or continuing Trustees to appoint
new Trustees in the place of Trustees dying declining or
becoming incapable to act.

Declaration that the Trustees shall not be answerable
the one for the other but each only for his own acts or
receipts neglects or defaults nor for any Banker Broker
or other person in whose hand any of the trust monies
may be deposited - nor for the insufficiency or deficiency
of any security stocks or funds or for any other or
involuntary loss or damage in the execution of the trusts
except through wilful default.

Power to the Trustees to retain their expenses out of monies
coming to their hands.

3. January 1823 Be it Enacted by the said Charles Hall the legacy of
£200 for his own use.

6. April 1825. *Codicil* - Repeating the Will - Request in the Will of the monies to arise from the sale of the hereditaments first devised in favor of the said John Humphreys - and that in consequence of the lamented death of the said John Humphreys since the date and execution thereof she was desirous of revoking the said trust or bequest in her said Will in favor of the said John Humphreys and the person or persons who should be his next of kin living at the time of her decease and of declaring the trusts from and immediately after the decease of her said sister Mary Goddard of the said Trust funds and disposing thereof in manner therein mentioned.

The Testatrix by that *Codicil* revoked and made void the said Trust or Bequest in her said Will contained for the benefit or in favor of the said John Humphreys and of the person or persons who should be his next of kin living at the time of her decease. And did order and direct that her said Trustes should from and immediately after the decease of her said sister Mary Goddard stand and be possessed of and interested in all and singular the said trust monies, stocks, funds and securities upon trust for her Nephew Roger Mestyn Humphreys for his own use, if he should be living at the time of her the Testatrix's decease - But if the said Roger Mestyn Humphreys should die in her life time then she directed that her said Trustes should from and immediately after the decease of her said sister Mary Goddard stand and be possessed of and interested in the said trust monies, stocks, funds and securities upon trust for her Nephew Thomas Henry Humphreys for his own absolute use and benefit.

6. December 1826. *By Codicil* - Repeating that she had in her said Will bequeathed to her Niece Marianna Goddard Daughter of John Goddard then the Wife of Charles Theodor Haast of Ebbwburg Ayrshire the sum of £2000 and that since the marriage of her said Niece she had advanced the sum of £2000.

She revokes the said Bequest of £2000 in her said Will to her said Niece.

(6.)

10. June 1830. *By Codicil* - Bequeaths to all and every the child and children of her Niece Eliza Anne Newman the wife of Thomas Newman Esquire and Daughter of her late Sister Eliza Hall who shall be living at the time of her decease the legacy of £1000 equally to be divided between and amongst them share and share alike as Tenants in common and not as joint tenants to and for their own use and benefit respectively and in case there shall be but one such Child of her said Niece Eliza Anne Newman living at the time of her decease then she bequeaths the said legacy of £1000 to such one child for his or her own use and benefit.

5th February 1830. *By Codicil* - Bequeaths to her Nephew Charles Hall Esquire the legacy of £1000 to and for his own use and benefit in addition to any other legacy benefit or bequest which he might derive under her said Will or any *Codicil* thereto.

(7.)

Hall Family Papers and Sugar Plantation Records

1709 - 1892

MSS.0220

Oversize: FB-226-40a

FAMILY DOCUMENTS - Wills - Frances Esdaile documents - Abstract of the Will and Codicils of the late Mrs. Frances Esdaile widow, 1830 February 5



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