

The Last Will and Testament of me JOHN BUNYARD of Walden in the County of Essex Woolcomber being at this time thanks be to God in health of body and of sound mind and memory whereas I am now intituled to the sum of Two thousand and One hundred pounds principally money only in new annuities standing in my name in the Books of the South Sea Company London. Now I do hereby give devise and bequeath unto my Son in Law James Barritt the sum of two hundred pounds to be paid transferred or assigned to him thereout by my Executors hereinafter named within three months next after my decease. Also I give devise and bequeath unto my executors herein after named and the survivor of them and the executors and administrators of such survivor the sum of One thousand and two hundred pounds other part of my money and stock in New South Sea Annuities as aforesaid upon the Trusts nevertheless and to and for the several uses Intents and purposes herein after mentioned and declared of and concerning the same that is to say upon Trust to continue the same or any part thereof in the Stocks or funds belonging to the said Company or to sell out and remove the same or any part thereof and again to place out, deposite or lend the same at Interest to the best advantage in any of the publick stocks or funds or on Government security or on the security of lands of Inheritance by way of Mortgage or otherwise as they or the survivor of them or the Executors or administrators of such survivor shall think proper and as often as there shall be occasion. And as to for and concerning the sum of six hundred pounds part of the said sum of One thousand and two hundred pounds upon Trust to pay apply and dispose of the Interest, Dividends and produce thereof half yearly or as the same shall become payable during the joint lives of my son in law Mr Edmund Stubbe and Elizabeth his wife my daughter into the proper hands of my said Daughter Elizabeth to and for her own separate and peculiar use exclusive of her said husband and for which the receipt and discharge of my said Daughter shall notwithstanding her Coverture be a good and sufficient discharge in Law to the End that the same may not in any wise be subject or liable to the controul power Debts or Engagements of the said Edmund Stubbe her husband during their joint lives. And in case the said Edmund Stubbe shall happen to dye in the lifetime of my said daughter Elizabeth then upon Trust to permit and suffer my said daughter Elizabeth and her assigns to survive and take to her and their own use the Interest, Dividends and other profits arising from the said sum of six hundred pounds for and during the term of her natural life and in case my said daughter Elizabeth shall happen to die in the life time of the said Edmund Stubbe leaving any child or children by him lawfully begotten then upon trust to permit and suffer the said Edmund Stubbe and his assigns to have, receive and take to his and their own proper use the Interest, Produce and other profits arising from the said sum of six hundred pounds for and during the term of his natural life subject nevertheless to the proviso hereinafter mentioned and from and after the decease of the survivor of them the said Edmund Stubbe and Elizabeth his said wife if there shall be any child or children of my said daughter lawfully begotten then living upon Trust to transfer, assign, pay, apply or dispose of the said sum of six hundred pounds unto and amongst all and every the Son and Sons Daughter and Daughters of my said Daughter Elizabeth lawfully begotten which shall be living at the time of her decease and the children of such Sons and Daughters in case any or either of them shall happen to dye before their age of One and Twenty years leaving Issue in equal shares and proportions when and as they shall

severally and respectively attain their age and ages of One and twenty years and the Interest and produce thereof in the mean time for and towards their maintenance and bringing up until such their age and ages and my Mind and Will is that the Child or Children of such the said Sons or Daughters as shall happen to dye before their age of one and twenty years shall be intituled only to the share which his her or their father or mother would have been intituled to if living and to receive the same at the same time and times as his her or their father or mother would have been intituled to receive the same equally to be divided amongst such children if there be more than One. And if but One then wholly to that One provided nevertheless that in case there shall be no child or children of my said Daughter Elizabeth lawfully begotten or all and every such Child or Children shall happen to die before their age of One and twenty years without leaving Issue lawfully begotten then upon Trust immediately after the decease of my said Daughter Elizabeth without issue as aforesaid or after the decease of the survivor of such Child or Children of my said Daughter under age and without Issue to transferr, assign, pay, apply or dispose of the sum of Two hundred pounds part of the said sum of six hundred pounds unto the said Edmund Stubbe to and for his own proper use if he shall be then living in Lieu of the interest of the said sum of six hundred pounds for his Life as aforesaid and the sum of fifty pounds thereout unto my Brother in Law Henry Starr of Walden aforesaid Victualler his executors and adm(inistrat)ors to and for his and their proper use And the sum of One hundred pounds other part thereof unto Ann Burk widow one of the children of the said Henry Starr her executors and administrators to and for her and their proper use and the sum of fifty pounds apiece other part thereof unto Dorothy Starr William Starr and Susanna Starr three other of the children of the said Henry Starr and the survivors and survivor of them his her and their Executors and Administrators to and for his her and their own proper use And the sum of One hundred pounds Residue and Remainder of the said sum of six hundred pounds unto my reputed Grandaughter commonly called Sarah Bunyard the daughter of the said Elizabeth now the wife of the said Edmund Stubbe and to the Executors and Administrators of my said Grandaughter to her and their own proper use. To all of whom I do hereby in such case give devise and bequeath the several sums aforesaid and if the said Edmund Stubbe shall happen to be dead at the time of the decease of my said Daughter Elizabeth his wife without Issue as aforesaid or at the time of the Decease of the survivor of the child and children of my said Daughter under their said Age and without Issue then upon Trust to transferr assign pay apply or dispose of the said sum of two hundred pounds hereby Limited given or bequeathed unto the said Edmund Stubbe under the contingencys aforesaid unto such person and persons and in such parts and proportions and at such time and times and in such manner as my said Daughter Elizabeth shall by any Deed or Deeds Writing or Writings or in and by her last Will and Testament in writing or any writing purporting her last Will and Testament as well being married as sole and notwithstanding her Coverture duly executed by her in the presence of two or more credible witnesses limit direct order or appoint and in Default of such Limitation Direction Order or Appointment To the executors or administrators of my said Daughter Elizabeth absolutely and for ever. And as to for and concerning the sum of six hundred pounds Residue and Remainder of the said sum of One Thousand and two hundred pounds hereby given to and vested in my Executors herein after named as aforesaid upon Trust that they my

said Executors and the Survivor of them and the Executors and Administrators of such Survivor shall and do permit and suffer my Daughter Ann now the wife of the said James Barritt and her Assigns to have receive and take the Interest Dividends and other profits arising therefrom during the term of her natural Life to and for her own proper use and for which her Receipt shall notwithstanding her Coverture be a sufficient discharge in law and from and after her decease. In case there shall be any Child or Children of my said Daughter Ann then living shall and do permit and suffer that said James Barritt and his assigns to have take and receive to his and their own proper use the interest Dividends and other profits arising from the said last mentioned sum of Six hundred pounds for and during the term of his natural life subject nevertheless to the proviso herein after mentioned and from and after the Decease of the survivor of them the said James Barritt and Ann his said wife Upon Trust to transfer assign pay apply or dispose of the said last mentioned sum of six hundred pounds unto and amongst all and every the Son and Sons Daughter and Daughters of my said Daughter Ann lawfully begotten which shall be living at the time of her Decease and the children of such Sons or Daughters in case any or either of them shall happen to dye before their age of One and Twenty years leaving Issue in equal shares and proportions when and as they shall respectively attain their Age or Ages of One and twenty years and the Interest and produce thereof in the mean time for and towards their maintenance and bringing up until such their Age and Ages. But my mind is that the child or children of such of the said Sons or Daughters as shall happen to die before their age of One and twenty years shall be intitled only to the share which his her or their father or mother would have been intitled to if living equally to be divided equally amongst such children if more than one and if but one then wholly to that one And my mind further is that the child and children of such Sons and Daughters as shall die before their Age of one and twenty years shall be intitled to receive the share of his her or their ffather and Mother at such time and times as his her or their ffather or Mother would have been intitled to receive the same if he she or they had lived provided nevertheless that in case there should be no child or children of my said Daughter Ann lawfully begotten or if all and every such child and children shall happen to die before their age of One and Twenty years without leaving Issue lawfully begotten then upon Trust immediately after the decease of my said daughter Ann without Issue on or after the decease of all such Issue under Age and without Issue as aforesaid to transferr assign pay apply and dispose of the sum of two hundred pounds part of the said last mentioned sum of six hundred pounds unto the said James Barritt to and for his own proper use if he shall be living in lieu of the Interest of the said sum of six hundred pounds for his Life as aforesaid and the sum of fifty pounds thereout unto my said Brother in Law Henry Starr his executors and administrators and the sum of one hundred pounds other part thereof unto the said Ann Burk widow her Executors and Administrators and the sum of fifty pounds apiece other part thereof unto the said Dorothy Starr William Starr and Susanna Starr and the survivors and survivor of them his her and their executors and administrators and the sum of One hundred pounds residue of the said last mentioned sum of six hundred pounds unto my said reputed Granddaughter her executors and administrators to and for her and their own proper use. To all of whom I do hereby under the contingencys aforesaid give devise limit and bequeath the several sums aforesaid and if the said James Barritt shall happen to

dye in the Life time of my said Daughter Ann and she shall leave no issue as aforesaid or if at the time of the decease of all the children of my said Daughter Ann under their said age and without Issue as aforesaid he the said James Barritt shall happen to be dead then upon Trust that my said Executors and the survivor of them and the Executors and Administrators of such survivor shall and do transferr apply pay and dispose of the said last mentioned sum of two hundred pounds hereby limited or given to the said James Barritt under the contingencies aforesaid unto such person and persons and in such parts sort manner and form as my said Daughter Ann shall in and by her last Will and Testament in writing or any other Deed or writing whatsoever by her duly executed in the presence of Two or more credible witnesses as well being married as sole and notwithstanding her coverture limit direct order or appoint and in default of any such Limitation Direction Order or Appointment unto the executors or administrators of my said Daughter Ann for ever. Also I give devise and bequeath unto my executors herein after named the sum of five hundred pounds other part of my South Sea Annuities as aforesaid upon Trust nevertheless to continue the same in the Stock or ffund belonging to the said company or to sell out and remove the same or any part thereof and again to place out invest and deposite the same upon Parliamentary securities at interest or in any of the publick stocks or ffunds or on the security of Lands and Hereditaments or otherwise as often as there shall be Occasion and they shall think fitt and to transferr assign pay apply or dispose of the said sum of ffive hundred pounds unto my said reputed Granddaughter Sarah when and as soon as she shall Attain her age of One and twenty years to and for her own proper use and the Interest Dividends and other profits arising from the same in the mean time until she shall attain her said age for and towards her Maintenance Education and bringing up and if my said reputed Grand Daughter shall happen to dye before she shall attain her said age of One and Twenty and shall leave issue lawfully begotten then upon Trust to transferr assign pay apply and dispose of the said sum of five hundred pounds and the Interest Dividends and profits thereof unto and amongst all and every the Son and Sons Daughter and Daughters of my said reputed Granddaughter lawfully begotten which shall be living at the time of her decease before her said age of One and Twenty years as aforesaid in equal shares and proportions. But if my said reputed Granddaughter shall happen to dye before her said age of One and Twenty years without having Issue lawfully begotten then upon Trust that my said Executors and the survivor of them and the Executors and Administrators of such survivor shall and do transferr pay and dispose of the said sum of five hundred pounds immediately from and after the decease of my said reputed Granddaughter under her said age and without Issue as aforesaid unto and to the use of my said Two Daughters Elizabeth the wife of the said Edmund Stubbe and Ann the wife of the said James Barritt in equal shares and proportions and unto the child and children of such of them as shall be then dead leaving Issue equally to be divided between them if more than one such child or children to be intituled to the share of their Mother only also I give devise and bequeath unto my said son in Law Edmund Stubbe and his Heirs for ever all that my Messuage or Tenement with all and every the Rights Members Priviledges Advantages Hereditaments and Appurtenances hereunto belonging late of my cousin James Bunyard deceased situate in Basseterre in the Island of Saint Christophers and all and every my Estate Right Title Interest Possibility Claim and Demand of in and to the same and every part

thereof Charged nevertheless and I do hereby expressly charge all and every the same Messuage or Tenement and premises with their appurtenances with the payment of the sum of fifty pounds of lawfull money of Great Britain within three months next after the same shall be in the possession of the said Edmund Stubbe or his Heirs unto my said Son in Law James Barritt his Executors or Administrators to whom I do hereby give and devise the same thereout and I do hereby order and direct that the said Edmund Stubbe shall and do within three months next after my decease bind himself his Heirs Executors and Administrators and assigns in and by one Bond or Obligation in the Penal sum of One Hundred pounds with condition thereunder written well and truly to pay the said sum of fifty pounds to him or them within the time aforesaid and for the due performance and Execution of my Will in this Behalf or otherwise the Devise of the said Messuage with the appurtenances to the said Edmund Stubbe and his Heirs shall be absolutely void and then and in such case I do hereby give and devise the said Messuage with the Appurtenances unto the said James Barrett and his Heirs Also I give and bequeath unto Mr. Thomas Trueman of London Merchant ten Guineas as an acknowledgement of his Service and Integrity. Also I give and bequeath unto my said Brother in Law Henry Starr the sum of fifty pounds to be paid him within three months next after my decease. Also I give unto my friend Mr. Thomas Wolfe of Walden aforesaid twenty Guineas and to my Executors herein afternamed twenty Guineas apiece in Confidence that they will perform the Trusts hereby in them reposed. All the Rest and Residue of my Goods Chattles and Personall Estate whatsoever and wheresoever (after payment of my just debts the Legacies hereby by me given, funeral charges and the charges of proving this my will) I do hereby give and bequeath unto my said Son in Law James Barrett to and for his own proper use and I do hereby nominate constitute and appoint my well esteemed friends Henry Archer of Walden aforesaid and John Wills of Audley End in Walden aforesaid Executors of this my Will and my will is that the said Trustees and Executors or the survivor of them or the Executors or Administrators of such survivor shall not be charged or chargeable with or accountable for any more monies than they respectively shall actually receive or shall come to their hands by virtue of this my Will nor with or for any Loss that shall happen therein or in part thereof so as such Loss happen without their wilfull Default nor the One of them for the other of them or for the Arts Receipts or Deeds of the other of them but each of them for his own Art Deed or Receipt only and that it shall and may be lawfull for my said Trustees and Executors and each of them their and each of their Executors and Administrators in the first place by and out of the said respective Trusts Moneys and promises to deduct and reimburse him and themselves respectively all such Loss Costs Charges and Expenses as they or either of them shall respectively sustain expend or be put unto for or by reason of the said several Trusts hereby in them reposed in relation to the same Monies and Promises respectively or this management and Execution thereof or any other thing being any way relating thereto and I do declare this present writing to be and contain my last will and Testament In witness whereof I the said John Bunyard the Testator have to this my last will and Testament contained in five sheets of paper set my seal to the Label that fixeth them together my hand to the first four sheets and my hand and seal to the fifth and last sheet this Thirtieth day of October in the three and twentieth year of the Reign of our Sovereign Lord George the Second by the Grace of God of Great

Britain France and Ireland King Defender of the Faith and so forth and in the year of our Lord One thousand seven hundred forty and nine. John Bunyard Signed sealed published and declared by the above named John Bunyard as and for his last will and testament in the presence of us and by so attested in his presence and at his request Ann Pool./ J. Paske / Thomas Gibbs.

This Will was proved at London on the first day December in the year of our Lord One thousand Seven hundred and Sixty One before the worshipfull Andrew Coltee Ducarel Doctor of Laws and Surrogate of the Right Worshipfull Edward Simpson Doctor of Laws Master keeper or Commissary of the Prerogative Court of Canterbury lawfully constituted by the Oath of Henry Archer the surviving executor named in the said will to whom administration was granted of all and singular the Goods and Chattles and Credits of the said deceased he having been first sworn duly to administer.

Note

On the thirtieth day of Oct. 1777 Administration (?) (with the will annexed) of the Goods, Chattels and Credits of John Bunyard late of Saffron Walden in the County of Essex deceased left unadm(inistered ?) Henry Archer the last surviving Executor named in the said Will now also dec'd was granted to James Barrett the Residuary Legatee named in the said Will having been first sworn duly to administer John Wills the other Executor named in the said Will dying before he had taken upon him the execution thereof and the said Henry Archer dying intestate.