

Will of Charles Kerr (1748-1795)

Note: Paragraph breaks have been added to make the will easier to read; underlines _____ indicate words that I could not read; square brackets [] are words where I am uncertain of the transcription.

In the Name of God Amen I Charles Kerr¹ of the Island of Antigua Merchant being of sound Mind Memory and understanding do make and publish this my last Will and Testament in manner following

Imprimis it is my Will and Mind and I do hereby order and direct that my funeral Expenses do not exceed the value of one hundred pounds Currency

and as to my Worldly Effects or Estate with which it may please God to permit me to possess at the time of my Decease after payment of all my Just Debts and funeral Expenses I Give and Dispose of the same in manner following (that is to say)

I Give unto my Dear Wife Jane Kerr² and unto my Daughter Jane Kerr³ all the Rest and Residue of my Estate both Real and Personal Plantations Messuages Lands Tenements Negroes or Slaves Heredit and Premises and all my ready Money Goods Chattels Debts and Effects which I shall be any ways possessed of interested in or entitled unto at the time of my Decease to be between my said Wife and Daughter equally divided share and share alike each one Moiety except a future Issue and increase in that case my said Child or Children Males or females shall come in and share alike with my said Wife and Daughter Jane Kerr in all my Estate Real & Personal or of what nature or kind soever it may be of at my Decease

and I do Particularly recommend to my Dear Wife Jane Kerr my Daughter Jane Kerr or any other Child or Children that they will proportionately Contribute and Pay yearly the Sum of twenty pounds Sterling to my Sister Anne Kerr⁴ and twenty pounds Sterling to M^{rs} Alice Kerr both of Kelso and they acquire and save such Sum to each say twenty pounds Sterling be regularly and truly paid yearly without deductions because my Will and intention is that if a sufficiency should appear after my Decease for a proper allowance to my Wife and Children that my Property should be Chargeable with the said Sums during the natural life of my said Sister Anne Kerr and M^{rs} Alice Kerr

¹ Charles Kerr (1748-1795), the Testator, son of Helene née Craunston (1717 -1790) and William Kerr (1709-1792), husband of Jane née Tweedie (1748-?).

² Jane née Tweedie (1748-?), wife of the Testator, daughter of Jane née Chalucombe (1725-1796) and Robert Tweedie (1720-?), wife of (i) the Testator and (ii) Robert Farquhar (1755-1836).

³ Jane Kerr (1780-1855), daughter of the Testator and Jane née Tweedie (1748-?), wife of (i) Shuckburgh Ashby Apreece (1773-1807) and (ii) Humphry Davy (1778-1829) [[Wikipedia](#)] 1st Baronet Davy.

⁴ Anne Kerr (1754-1798), sister of the Testator, daughter of Helene née Craunston (1717 -1790) and William Kerr (1709-1792), never married.

and Lastly I do hereby Constitute and appoint my Dear Wife Jane Kerr Extrix and my Brother William Kerr⁵ of Northampton Walter Scott Esq^r Writer to the Signet Edinburgh and Robert ffarquhar⁶ Esquire of Antigua Planter Executors of this my Will with full power to sell and dispose of my Estates Real and Personal Plantations Messuages Lands Tenements Negroes or Slaves Hereditis and Premises and the usual and Customary Comission to to take for their Trouble altho such Commissⁿ may not be allowed for Exors it is my Will they be paid for the trouble taken to turn my Property out to the most advantage for the benefit of my Dear Wife and Child or Children and the Sums arising occasionally I would desire to have secured on Government Securities or as appears best to my s^d Extrix and Extors

and I do also appoint Guardians of the Body and Estate of my Child Jane Kerr until she attain the age of twenty one years my Dear Wife Jane my Brother William and my good ffriend now in England Anthony Munton Esquire and also Guardian in like ____ of any other Child or Children

and I particularly request my Dear Wife Jane Kerr my Brother William Kerr and my ffriend Anthony Munton to take upon themselves the burthen of Guardian to my said Child same or any other hereafter to be born and to so direct her prop property that the same may be Managed to the best advantage and cautiously disposed of in case of Marriage for her own use and benefit as circumstances may be & whatever to the Contrary may be in this my intention my meaning was not to deprive my Dear Wife Jane Kerr her right of thirds in my Real Property which I may from want of expressing properly have done my Will being that after her thirds she shares alike with her Child Jane or Children perfectly content that she will do what is right towards her Child or Children

and in case of Death of my Daughter Jane or any other Child or Children I would recommend the worldly Estate to go to my Brother William of Northampton

In witness whereof I have hereunto set my hand and Seal this ffifth day of August in the year of our Lord one thousand seven hundred and eighty nine — *Charles Kerr (SS)* — Signed Sealed Published and Declared by the said Charles Kerr as his own handwriting as and for his last Will and Testament in the presence of us who in his presence and at his request and also in the presence of each other have subscribed our names as Witnesses thereto — *James Corbett — Geo: Meik — John: B: Porter ././.*

Antigua

⁵ Dr William Kerr (1738-1824), brother of the Testator, son of Helene née Craunston (1717 -1790) and William Kerr (1709-1792), husband of (i) Charlotte née Dicey (1734-1772) and (ii) Mary née Tompson (1754-1841).

⁶ Robert Farquhar, friend of the Testator, son of Elizabeth née Harvey (1724-1807) and Alexander Farquhar (1725-1807), husband of Jane née Tweedie (1748-1836) relict of the Testator.

Whereas in my Desk will be found a paper writing marked “Cha^s Kerr’s Will 1789 and having my doubts whether my particular friend Archibald Dow Esquire of this Island be in that my last Will and Testament nominated one of my Executors my express intention being that he the said Archibald Dow and Robert farquhar Esquire should take upon themselves to act as my Executors I have caused this Memorandum to be made as a Codicil to the aforementioned Will

And whereas after Christmas it was intended that Munton Dow the son of the said Archibald Dow should stay with me for the purpose of going to school and benefitting his Education and it has ever been my intention that my Name sake Charles Dow son of the said Archibald Dow should in due time have been educated at my expense I therefore will and Bequeath to each of the said Boys Munton and Charles the Sum of five hundred pounds Currency and request my Executors Robert farquhar and Archibald Dow Esquires to pay out of my Effects twelve Months after my Decease the said two several sums of five hundred pounds Currency each to the said Munton and Charles and that the said sums be put In Trust for the purpose of their Education as by me is hereby intended — *Charles Kerr (SS)* — Signed Sealed Published and Declared by the Testator this eighth Day of December one thousand seven hundred and ninety five — *Jn^o: Richardson — John W: Porter — Jn^o Scott ./.*

This Will was proved at London with a Codicil the thirtieth Day of June in the year of our Lord one thousand seven hundred and ninety six before the Worshipful John fisher Doctor of Laws Surrogate of the Right Honourable Sir William Wynne Knight Doctor of Laws Master Keeper or Commissary of the Prerogative Court of Canterbury lawfully constituted by the Oaths of Jane Kerr Widow the Relict William Kerr Esquire the Brother of the Deceased and Robert farquhar Esquire three of the Executors named in the said Will to whom Administration of all and singular the Goods Chattels and Credits of the s^d Deceased was granted having been first sworn duly to Administer

Power reserved of making the like Grant to Walter Scott Esquire the other Executor named in the said Will and Archibald Dow Esquire the Executor named in the said Codicil when they or either of them shall apply for the same ./.

Transcribed from images on Ancestry.co.uk [here](#).