

**Will of Raphael Vaz da Silva. London, 21 November 1787.**

*The National Archives, Public Record Office, PROB 11/1172/256*

In the Name of God Amen.

I, Raphael Vas da Silva, or Crutched Friars, London, merchant, being in perfect health, memory and understanding, praised be God for the same, do make this my last will and testament in manner and form following, that is to say, first I recommend my soul to God, hoping he will receive it with mercy and as to my body I desire it may be shrouded in crape and buried with all decency, without pomp, in the Portuguese Jews burial ground at Mile End, the manner of which I leave to the discretion of my executors hereinafter named. It is my will and I do hereby require that seven days next after my burial, or so soon after as possible can be, my executors do make an inventory of all the household, goods, furniture, glasses, china, linen, plate and jewels, as shall be found belonging to me at the time of my decease, and I do hereby direct and appoint my said executors to permit and suffer my wife Esther Vas da Silva to have the full enjoyment of the same for her use so long as she shall continue to be my widow and from and immediately after her decease or marriage. It is my will that my said executors do sell and dispose of all and singular my said household, goods, furniture, glasses, china, linen, plate and jewells by public auction or otherwise, as my said executors shall think proper and apply the produce thereof to the residue of my estate for the benefit of my children and their issue upon the trusts limitations and restrictions as are hereinafter mentioned and declared. It is my will and I do hereby require that my executors do with all convenient speed after my decease collect in and receive all such sum and sums of money, goods, wares, merchandises and effects that shall be any wise one owing or belonging to me at the time of my decease at and wheresoever they be, and that they do sell and dispose of all and singular my said goods, wares, merchandises and effects to the best advantage and out of such sum and sums of money as are due and owing to me which shall be received by my executors, and all such sums as shall come into their hands for the produce of my said effect. It is my will that as

the same shall come into their hands, they, my said executors, do pay and discharge all my legal and just debts upon an equal rate and distribution proportionable to the amount of the demands of my creditors, and that they continue paying my said creditors upon such an equal rate until they are fully paid and satisfied all their demands upon me. I give and bequeath unto my wife Esther Vas da Silva one annuity or clear yearly sum of two hundred pounds to be issuing and payable out of a moiety of the dividends of two thousand eight hundred and thirty one pounds fourteen shillings and five pence three per cent Bank annuities consolidated, standing in the name of the accountant general of the High Court of Chancery of Great Britain in a cause da Silva and others against Franco esquire and others, and which was purchased with the proceeds of one thousand pounds India stock as by the decretal order will appear, and out of the dividends and interests of three per cent Bank annuities, New South Sea annuities or Old South Sea annuities, which I hereby direct my executors to purchase and invest in their hands upon trust to answer with the above mentioned dividends the said annuity of two hundred pounds, and which said annuity or clear yearly sum of two hundred pounds I hereby direct my said executors to pay unto my said wife Esther Vas da Silva half yearly for the term of her natural life as the dividends shall be received or otherwise empower her to receive the same, and it is my will that the said annuity of two hundred pounds shall commence and be payable to my said wife from the day of my decease, and in the mean while, and until my executors can collect in monies to purchase the Bank or South Sea annuities hereabove directed. It is my will that my executors do pay my wife her said annuity half yearly out of the bulk of my estate, and I hereby declare that I give and bequeath the said annuity of two hundred pounds unto my said wife Esther Vas da Silva upon this express condition that she discharges and relinquishes all claims and demands which she may think herself intitled unto upon my estate by her ketuba, or marriage contracts, dower, or otherwise, and in case my said wife Esther Vas da Silva shall not think proper to accept of the said annuity or clearly sum of two hundred pounds in lieu and satisfaction for her ketuba or marriage contracts and dower then, in such case, it is my will that my said executors do pay unto my said wife Esther Vas da Silva ou of the proceeds

of my said estate such sum and sums of money as she shall make it appear to them my said executors that she is intitles unto by and under her ketuba, marriage contracts or dower, in which case I revoke, annul and make void the said annuity or clear yearly sum of two hundred pounds hereby given and bequeathed to her and I do in that case give and bequeath unto my said wife the sum of twenty pounds for a legacy and no more and notwithstanding what is hereabove declared as to my furniture, glasses, linen, china, plate and jewels. It is my will and I do hereby order and direct my said executors upon such her determination to sell and dispose of all and singular my household, furniture, glasses, china, linen, plate and jewels, and carry the proceeds to the residue of my estate, and it is my will that my said wife Esther Vas da Silva shall declare whether she accepts of the said annuity or clear yearly sum of two hundred pounds or chuses (sic) to take what she is intitled unto by ketuba, marriage contracts and dower, as aforesaid by some writing under her hand notified to my said executors within one month after my decease, and if my said wife Esther Vas da Silva shall think proper to accept of the said annuity or clear yearly sum of two hundred pounds in lieu and satisfaction of her ketuba, marriage contracts or dower, then it is my will that, from and after her decease, the three per cent Bank annuities, New or Old South Sea annuities so directed by me to be purchased together with the moiety of the said sum of two thousand eight hundred and thirty one pounds fourteen shillings and five pence, standing by the name of the accountant general of the High Court of Chancery of Great Britain, shall come into and make part of residue of my estate, I hereby order and direct my executors hereafter named to pay and discharge my funeral expences and to pay to my wife and children money sufficient for decent mourning out of the bulk of my estate. I give and bequeath unto my sons in law Abraham Lara and Jacob Israel Bernal the sum of ten pounds each for mourning. I give and bequeath unto my grandchildren living at the time of my decease ten pounds each for mourning. I give and bequeath unto the wardens of the Portuguese Jews synagogue in the city of London the sum of ten pounds as a legacy to be added to the fund of the poor of the said synagogue in like manner as legacies were heretofore added to the said fund, and it is my will that the sum of eight hundred pounds

which I gave my daughter Abigail as a marriage portion upon her intermarriage with my son in law Abraham Lara, and the sum of four hundred pounds which I gave my daughter Leah as a marriage portion upon her intermarriage with my son in law Jacob Israel Bernal shall be considered by my executors as part of my estate and the same together with the funds I have directed my said executors to set a part to answer and make good the annuity or clear yearly sum of two hundred pounds to be paid to my wife in manner above directed together with the proceeds of my furniture, glasses, china, linen, plate and jewels, which I have directed to be sold upon the death or future marriage of my wife or in case she does not accept of the annuity or clear yearly sum of two hundred pounds in lieu of her ketuba, marriage contracts and dower, and all and singular the rest residue and remainder of my estate after payment of my debts, funeral expences and legacies shall be considered as one common stock and form the whole bulk and residue of my estate to be equally divided amongst my four children, namely Abigail, the wife of Abraham Lara, Leah, the wife of Jacob Israel Bernal, Abraham Vas da Silva and David Vas da Silva, under the clauses, limitations, trusts and conditions hereinafter expressed and declared, that is to say, I give and bequeath to my daughter Abigail Lara, under the following clauses, limitations and restritions, such a part of the said residue of my estate, as with the sum of eight hundred pounds which I gave her as a marriage portion upon her intermarriage with my son in law Abraham Lara, shall make to her one fourth part of the whole residue of my estate as aforesaid, and it is my will that my executors lay out that part or share of the residue of my estate belonging to my said daughter Abigail Lara in the purchase of government securities and invest the same in their names, in trust for them, my said executors and trustees, and the survivors and survivor of them, his executors and administrators, to have take and receive the interests and produce thereof as the same shall, from time to time, become due and payable, and when so received to pay over the same from time to time unto my said daughter Abigail Lara for and during the term of her natural life into her own hands and upon her own receipt and receipts signed with her own proper hand for her sole and separate use, without the controul or intermeddling of her present or any after taken husband and

without being any wise subject to the debt or debts of such husband, notwithstanding her present or future coverture and from and immediately after the decease of my said daughter Abigail Lara, in trust for them, my said executors and trustees, the survivors and survivor of them, the executors and administrators, to have take and receive the dividends, interest and produce thereof, and pay and apply the same for and towards the maintenance and education of all and every the child and children of my said daughter Abigail Lara, share and share alike if more than one, and if but one, for such child only until he, she or they attain to his, her or their respective age or ages of twenty one years, and at and upon their attaining their respective age or ages of twenty one years or days of marriage, then for my executors and trustees and the survivors and survivor of them, his executors and administrators to divide and distribute the said trust stock so belonging to my said daughter Abigail Lara equally amongst such her children in equal shares amongst them, if more than one, and if but one, to such child only, that is to say, unto the sons upon their attaining their respective age and ages of twenty one years and unto the daughters upon their attaining to their respective age and ages of twenty one years or days of marriage, which shall first or soonest happen, and in default of such issue or of their living to attain the age of twenty one years or days of marriage as aforesaid, then I give and bequeath the part or share of the residue of my estate by me directed to be vested, in trust for their use of my said daughter Abigail Lara and her issue as aforesaid unto and amongst my other children as shall be then living, share and share alike, and to the issue of such of my said children as shall be then dead, such child or children to have take and receive the share and shares of their deceased father or mother in equal shares between them; and I give and bequeath unto my daughter Leah Bernal such a part of the said residue of my estate as with the sum of four hundred pounds, which I gave her as a marriage portion upon her intermarriage with my son in law Jacob Israel Bernal, shall make to her one fourth part of the residue of my said estate, and it is my will and I hereby order and direct my said executors to pay over the same unto my said daughter Leah and her husband Jacob Israel Bernal, and to the survivor of them at the time of my decease, and if they be both dead, then it is my will

and I hereby direct my said executors to divide and distribute the same unto and amongst all the children of my said daughter Leah, wife of the said Jacob Israel Bernal, in equal shares amongst them, if more than one, and if but one, to such child only upon his, her or their attaining to their respective age or ages of twenty one years or days of marriage, that is to say, unto the sons upon their attaining their respective age or ages of twenty one years and unto the daughters upon their attaining to their age or ages of twenty one years or days of marriage, which shall first and soonest happen, and in default of such issue to live and attain to the age of twenty one years or day of marriage, then I give and bequeath the part or share of the residue of my estate so given to my said daughter Leah and her husband Jacob Israel Bernal, and their issue as aforesaid unto and amongst my other children as shall be then living, share and share alike, and to the issue of such of my children as shall be then dead, such child and children to have take and receive the share and shares between them, and I give and bequeath unto my son Abraham Vas da Silva one fourth part or share of the said residue of my estate under the following clauses and limitations, that is to say, it is my will and I hereby direct my executors, in case my said son Abraham Vas da Silva shall be unmarried at the time of my decease, to deduct and set apart from his fourth part or share of the said residue a sum sufficient to purchase so much three per cent Bank or South Sea annuities as will produce fifty pounds a year to be invested in the names of my said executors, upon trust for them my said executors and trustees, and the survivors and survivor of them, his executors and administrators, to have take and receive the interest and produce thereof as the same shall become due and payable, and when so received, to pay over the same, from time to time, unto my said son Abraham Vas da Silva, for and during the term of his natural life, upon his own proper receipt and receipts signed with his own hand, and if my said son Abraham Vas da Silva shall at any time, during the term of his natural life, mortgage or any wise, dispose of the said yearly sum of fifty pounds issuing out of the said trust stock by sale grant annuity or otherwise of the whole or any part thereof, then and in such case, it is my will that, immediately after that my said son Abraham Vas da Silva shall have so mortgaged, sold or otherwise disposed of the said yearly sum of fifty pounds

or any part thereof the same, shall be forfeited and be no longer paid to him or to any person or persons for his use provided nevertheless, and it is my express will and intention that, if my said son Abraham Vas da Silva shall at any time after my decease be lawfully married to any person whatsoever, then and in such case, it is my will and I hereby direct my said executors and trustees, immediately after my said son Abraham Vas da Silva shall be so married, to assign, transfer and set over the said trust stock out, of which I hereby direct the said yearly sum of fifty pounds to be paid to him as aforesaid, and the interests and dividends then due thereon unto him, my said son Abraham Vas da Silva, his heirs, executors, administrators and assigns, and from and immediately after the decease of my said son Abraham Vas da Silva unmarried, and from and immediately after that he shall have forfeited the said yearly sum of fifty pounds by reason of his having mortgaged, sold or otherwise disposed of the same or any part thereof, in manner hereabove declared, I give and bequeath the said trust stock out of which the said yearly sum of fifty pounds is to become payable unto and amongst my other children as shall be then living, share and share alike, and to the issue of such of my children as shall be then dead, such child and children to have take and receive the share and shares of their deceased father and mother in equal shares between them, and after deducting so much out of the share belonging to my said son Abraham Vas da Silva of the residue of my estate as will purchase him the said yearly sum of sixty pounds, it is my will and I do hereby direct my said executors to pay or cause to be paid unto my said son Abraham Vas da Silva the remainder of what shall be coming to him for his share of the residue of my estate without any deduction, abatement or restraint whatsoever, and I give and bequeath unto my son David Vas da Silva one fourth part or share of the aforesaid residue of my estate, and it is my will that the same be paid unto him by my said executors without any restraint, deduction or abatement whatsoever, and it is my will in case that my wife Esther Vas da Silva shall accept of the above mentioned annuity or clear yearly sum of two hundred pounds in lieu and satisfaction of what she may think herself intitled to by her ketuba, marriage contracts or dower, that my executors do immediately upon her declaring her acceptance of the said annuity pay unto my said



wife the sum of one hundred pounds to enable her to support herself until the first half yearly payment of her said annuity becomes due, and in which case, and not otherwise, I give the said sum of one hundred pounds to my said wife as a legacy. I nominate and appoint my son in law Jacob Israel Bernal of London, merchant, my good friend Isaac Bernal Junior of London, merchant, and my son David Vas da Silva, executors to this my last will and testament and trustees for the several trusts above mentioned, and I give unto each of my said executors ten pounds for a mourning ring, and lastly I revoke, annul and make void all wills and codicils to wills by me heretofore made, and declare, and publish this as and for my last will and testament, in witness whereof I, the said Raphael Vas da Silva, have subscribed my name to the four proceeding pages and have to this fifth page set my hand and seal, at London, this twenty first day of November one thousand seven hundred and eighty seven. Raphael Vas da Silva. Signed, sealed, published and declared by the said Raphael Vas da Silva, as and for his last will and testament, in the presence of us, who subscribed our names as witnesses in the testators presence and at his request. J.<sup>c</sup> de Pinna, not.<sup>s</sup> publ.<sup>s</sup> 1787. Joseph Cortissos, not.<sup>s</sup> pub.<sup>s</sup> 1787.

This will was proved at London, the eighteenth day of December in the year of our Lord one thousand seven hundred and eighty eight, before the worshipful William Battine, doctor of Laws, surrogate of the right worshipful Sir William Wynne, knight, doctor of Laws, master keeper or commissary of the Prerogative Court of Canterbury, lawfully constituted by the oaths of Isaac Bernal, the younger, and David Vas da Silva, the son of the deceased, and two of the executors named in the said will, to whom administration of all and singular the goods, chattels and credits of the said deceased was granted, trully having been first sworn duly to administer, power reserved of making the like grant to Jacob Israel Bernal, the other executor named in the said will when he shall apply for the same.

[*Marginal note:* Proved at London the 30<sup>th</sup> day of Sept.r 1795 before the worshipful Samuel Pearce Parson, doctor of Laws & surrogate by the oath of Jacob Israel Bernal, the other exe.<sup>r</sup>, to whom administration was granted, having been first sworn duly to administer.]