

Summary of Walter Irvine's Will and Estate Inventory (1825)

Overview

This document records the inventory and probate of Walter Irvine, Esquire, who died on January 7, 1824, at Luddington House, Surrey. He had properties in Tobago, Surrey, and Fife, Scotland. The inventory was presented in Edinburgh on November 17, 1825.

Estate Value

The Scottish portion of the estate was valued at **£5,258. 6s. 2d.**, consisting primarily of: - Rents and arrears: £4,569. 13s. 2½d. - Various debts owed to the deceased - Road bonds and other investments

The deceased also possessed property in England, for which separate letters of administration were obtained.

Executors

Six executors were appointed: 1. Catherine Irvine (widow/relict) 2. William Robert Keith Douglas (son-in-law, Lord of the Admiralty) 3. Alexander Gordon (brother-in-law) 4. John Hamilton 5. Christopher Irvine (nephew) 6. Thomas Bruce

Key Beneficiaries and Provisions

Wife - Catherine Irvine

- Annual annuity of £1,500 for life
- £1,000 lump sum (paid in two installments)
- Use of carriages, horses, household furniture, plate, linen, china, books, wines and liquors for life
- Right to occupy Luddington House during her lifetime (or £400 annually if sold)
- One-third of the annuity to be borne by daughter Elizabeth's estate; remaining two-thirds split equally among the three daughters

Three Daughters (Elizabeth, Christina Charles, and Catherine Grace)

- **Elizabeth Douglas** (married): Received one-third of all real and heritable estates in Scotland, plus West Indies properties if needed, under her marriage settlement (dated November 23, 1821)
- **Christina Charles and Catherine Grace** (unmarried): Each received a legacy valued at £35,000 (calculated based on 3% consolidated annuities at market price on date of death)
- All three daughters to share residuary estate equally as tenants in common
- Elizabeth's share designated for her sole and separate use, independent of her husband
- The unmarried daughters' legacies held in trust during their lifetimes, with income for their separate use

Natural Daughter - Betsy (of London)

- £3,333. 6s. 8d. in 3% consolidated annuities held in trust
- Income paid to her for life for her sole and separate use
- £25 for mourning
- Upon her death, trust fund passes to her lawful children, or if none, returns to residuary estate

Nephews

- **Christopher Irvine**: £3,000
- **Walter Irvine**: £3,000
- Both legacies payable one year after death with 4% interest thereafter

Nieces (Clara and Marian Irvine)

Daughters of deceased brother Christopher William Irvine: - Each received annuity of £100 for life - £3,333. 6s. 8d. in 3% consolidated annuities appropriated for each annuity

Sister-in-law - Ann Stewart

- Existing bond for £100 annuity ratified
- Additional £100 annually (total £200 per annum for life)
- £50 for mourning
- £6,668. 13s. 4d. in 3% consolidated annuities appropriated

Other Relatives

- Grace Maitland (sister-in-law): £200 plus £25 for mourning
- Daniel Gordon: £200 plus £25 for mourning

- Euphemia Gordon: £200 plus £25 for mourning
- Elizabeth Gordon: £200 plus £25 for mourning
- Alexander Gordon (brother-in-law/executor): £500 for his trouble (£100 within 6 months, remainder in £100 annual installments)

Other Beneficiaries

- **Jane Armstrong** (formerly Jane Currie): £100 lump sum plus £50 annual annuity for life (for her separate use, independent of husband), funded by £1,666. 13s. 4d. in 3% annuities
- **Mary** (daughter of negro woman Linda in Tobago): £500
- **John Macfarlane**: £50
- **Mrs. McIntyre**: £5 annually for life
- **Two Miss Irvines**: 3 guineas annually for life
- **Susanna Ann Hamilton** (daughter of executor John Hamilton): £100 (added by codicil)

Special Provisions

Debt Remission

All debts owed by the estate of deceased brother Christopher William Irvine were forgiven.

Trust Provisions for Daughters' Legacies

Complex trust arrangements established: - Income during daughters' lifetimes for their separate use - Surviving husbands entitled to life interest (if first marriage with trustees' consent) - Ultimate distribution to daughters' children at age 21 (sons) or 21/marriage (daughters) - If a daughter died without issue, her legacy divided between surviving sisters - Trustees empowered to advance up to one-quarter of children's shares for education, profession, or marriage

Investment Powers

Trustees authorized to invest in: - British government stocks and funds - Real securities in England, Scotland, or Wales - Purchase of freehold or long leasehold properties (100+ years remaining) - Could alter and vary securities with consent of life interest holders

Election Requirement

All beneficiaries (particularly daughters) required within 6 months to execute proper Scottish disposition deeds to enable trustees to manage Scottish estates effectively. Failure to comply would invoke election rules requiring compensation.

Management Provisions

West Indies Estates

- William Robert Keith Douglas given principal management of West Indies properties
- Executors empowered to arrange with Elizabeth Douglas and her husband regarding which West Indies properties would satisfy the one-third settlement requirement
- If claim against John Leith's Tobago estate (Old and New Grange) settled, executors directed to accept payment rather than take the estate

Trustee Powers

- Accept/compromise debts
- Make rent abatements
- Grant leases up to 21 years
- Appoint replacement trustees
- Alexander Gordon entitled to usual solicitor's charges despite being a trustee
- Trustees indemnified for costs and protected from liability except for willful default

Will Execution

- Dated: October 18, 1823
- Witnessed by: Colgell Wyatt Edgell, Robert Logan, and William Adams
- Codicil adding Susanna Ann Hamilton bequest dated same day
- Proved in Prerogative Court of Canterbury: January 28, 1824
- Three executors initially took out probate (Catherine Irvine, William Robert Keith Douglas, Alexander Gordon)
- Power reserved for remaining three executors to apply later