

# Abstract of the Will of Edmund Kelly 1728

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Edmund Kelly was a barrister from Lisduff in Ireland. He arrived in Jamaica in the first decade of the eighteenth century and was appointed Attorney General on the 27<sup>th</sup> June 1717. He married **Mary Fuller** on 31<sup>st</sup> March 1719 and they had one **son, Henry** baptised 16<sup>th</sup> January 1725/26 in Spanish Town. He was joined in Jamaica by his **brothers Dennis, Charles, John and Darcy**.

Edmund Kelly wrote that he was late of the island of Jamaica but now in the town of Mentpelher in France. He had sold plantations to his brother Charles Kelly and willed that the mortgage should be sold or assigned to pay his debts, with Charles requested not to insist on maintaining their agreement in view of changed circumstances 'wrought by accidents'. He also expressed the hope that Charles would not begrudge the yearly profits from his estate Jamaica to settle debts and preserve the money intended for their brother Darcy. The yearly profits of his estate in Ireland were to go initially his **cousin Dennis Daly** his trustee to discharge debts in Ireland, and then to discharge a debt of nearly £300 to his father. It is clear that Edmund Kelly's financial position was complicated and that he had various debts in Jamaica and Ireland. He empowered Dennis Daly to lease the farm of Lisduff at a rate of two shillings an acre to his father Dennis Kelly. He left an annuity of £400 Jamaica money yearly to his wife Mary and authorised **Peter Beckford, Richard Mill, Darcy Kelly** and **Dennis Kelly** to mortgage his Jamaica estates in order to pay his debts if the money due from his brother Charles was not sufficient to discharge the debts. He also authorised Dennis Daly and his **cousin Charles Hamilton**, son of his uncle Darcy Hamilton, to mortgage his Irish estates in order to pay his English or Irish debts. He left £100 a year Jamaica money to his **brother Patrick Kelly** and commented that several legacies left in previous Wills could now not be paid as "we are subject to many accidents in Jamaica". To Dennis Daly junior he left £100 sterling, and £200 to his cousin Charles Hamilton whose father had enabled him to study the law. He left £200 to **Mr Robert Finlay**,

and £100 Jamaica money to each of **John Tollerell** and **Major Marshall**, and mentioned the kindness of his kinsman **Mr Thomas Power Daly** and his friend Peter Beckford. The remainder of his estate he left to his son Henry Kelly and in case of his death without issue his estate in Ireland to his nephew Edmund Kelly son of his brother John, and in case of his death to his **niece Jane Kelly** daughter of his brother Charles. He appointed Peter Beckford, Richard Mill and his brothers Darcy and Dennis Kelly guardians of his son and executors in Jamaica, and his cousins Dennis Daly and Charles Hamilton guardians and executors in England and Ireland. The will was signed on 6 October 1727 and the witnesses were **John Moore, Ambrose Lynch, Morgan Donovan, John Moingan, Peter Merlin**. Probate was granted in London in April 1728.

Edmund Kelly's son Henry, who was born about January 1725/26 was buried in Spanish Town (with his burial recorded in the register of St Dorothy) on 9 January 1744/45 when he was aged about nineteen and had therefore not reached his majority. None of the children born to Edmund Kelly's brothers in Jamaica, except Elizabeth daughter of his brother Dennis, lived to grow up.