

## A SMUGGLER'S WILL

by P.A.S. POOL, F.S.A.

Shortly before his death Mr. E. M. Cunnack of Helston presented to the County Record Office a collection of documents relating to the Carter family of Breage, including the will of Captain Harry Carter the smuggler (1749-1829), younger brother of John Carter whose nickname 'the King of Prussia' gave to Porthleah the name 'Prussia Cove' which it still bears.

More is known of the life of Harry Carter than of any other Cornish smuggler, since his autobiography (written in 1809 and concerned as much with his spiritual life as with his adventures) was published in 1894 (*The Autobiography of a Cornish Smuggler*, edited by J. B. Cornish) and amplified in 1968 (*Captain Harry Carter, Smuggler*, by Frank Pollard, *JRIC* no. 105 p.324). The existence of the will, made nearly three years before Carter's death on 19 April 1829, has not previously been noted.

The language of the will is normal for its time, and its interest lies in the fact that Carter left all his property to James MacCulloch, a merchant who had befriended and helped him when they were interned in Brittany between 1793 and 1795. It seems from the will that MacCulloch had again given help when Carter got into financial difficulties in his later years.

#### TEXT OF WILL

In the name of God Amen. I Henry Carter of Rinsey in the Parish of Breage and County of Cornwall, being in health of body and of sound and disposing mind, memory and understanding, but considering the uncertainty of life do make this my last Will and Testament in manner and form following: That is to say Whereas James MacCulloch Senior of the Island Guernsey, with an intention of procuring me bread has for several years past lent me sundry sums of money without interest thereon; and being afraid that my effects at the time of my decease may not be sufficient to indemnify him, and to avoid their being disipated. I give and bequeath unto the said James MacCulloch for the affection I bear unto him after paying my lawful debts all my Effects whether in Goods, Chattels, Money, Plate, Jewells, Leasehold estates or effects of any denomination whatsoever, and I do hereby nominate and appoint the said James MacCulloch Executor of this my last Will and Testament hereby revoking all former Will and Wills by me heretofore made. In Witness whereof I have hereunto set my hand and seal this thirteenth day of July and in the Year of our Lord one thousand eight hundred and twenty six.

Signed sealed published and declared by the above named Henry Carter the Testator as and for his last Will and Testament in the presence of us who have hereunto subscribed our names as Witnesses thereto at his request and in his presence and in the presence of each other

Henry Carter  
(seal)

George Carter  
Thos. Mitchell Junr.