

Mutual wills and *Dufour v Pereira* – of civilian influences and common law solutions

Forbes Society Lecture

10 February 2026



National Archives, Kew

Tudor rolls envy ...



Charles Pratt, 1st Earl Camden

By Nathaniel Dance
(later Sir Nathaniel Holland, Bt)
oil on canvas, 1767-1769
NPG 336



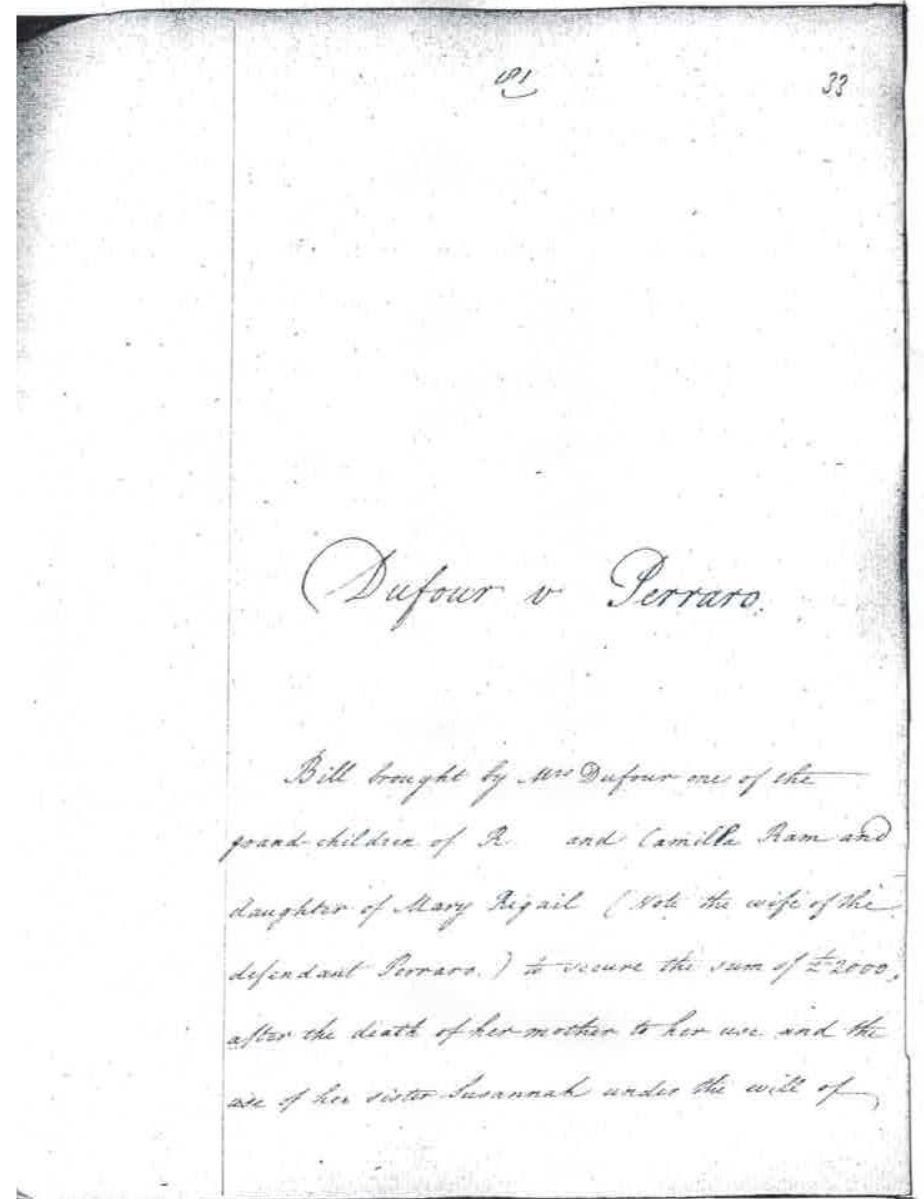
Francis Hargrave

by John Jones, published by
Charles George Dyer,
after Sir Joshua Reynolds,
National Portrait Gallery, London



Hargrave's transcription

Dufour v Perraro





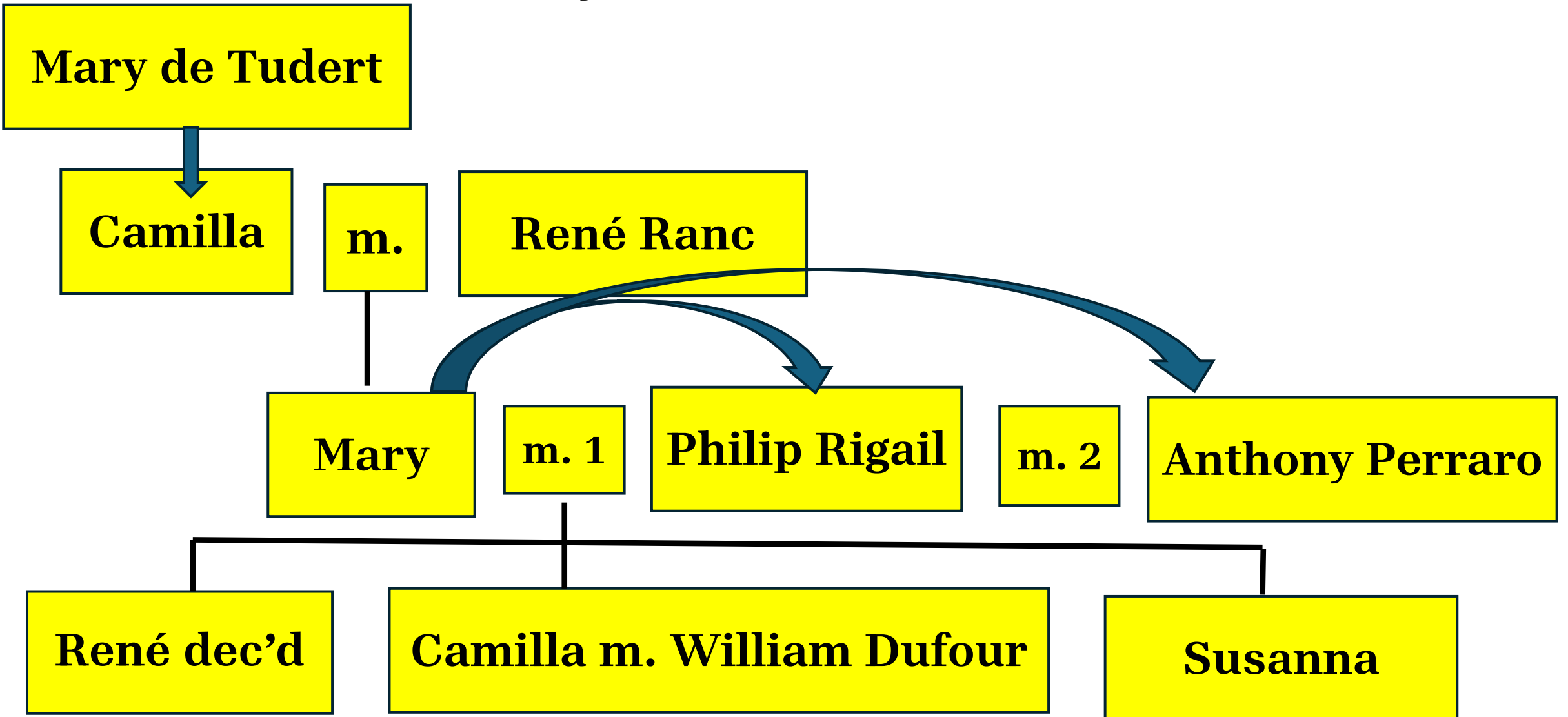
LORD LOUGHBOROUGH

*Gröfse Räthler von England.
1796*

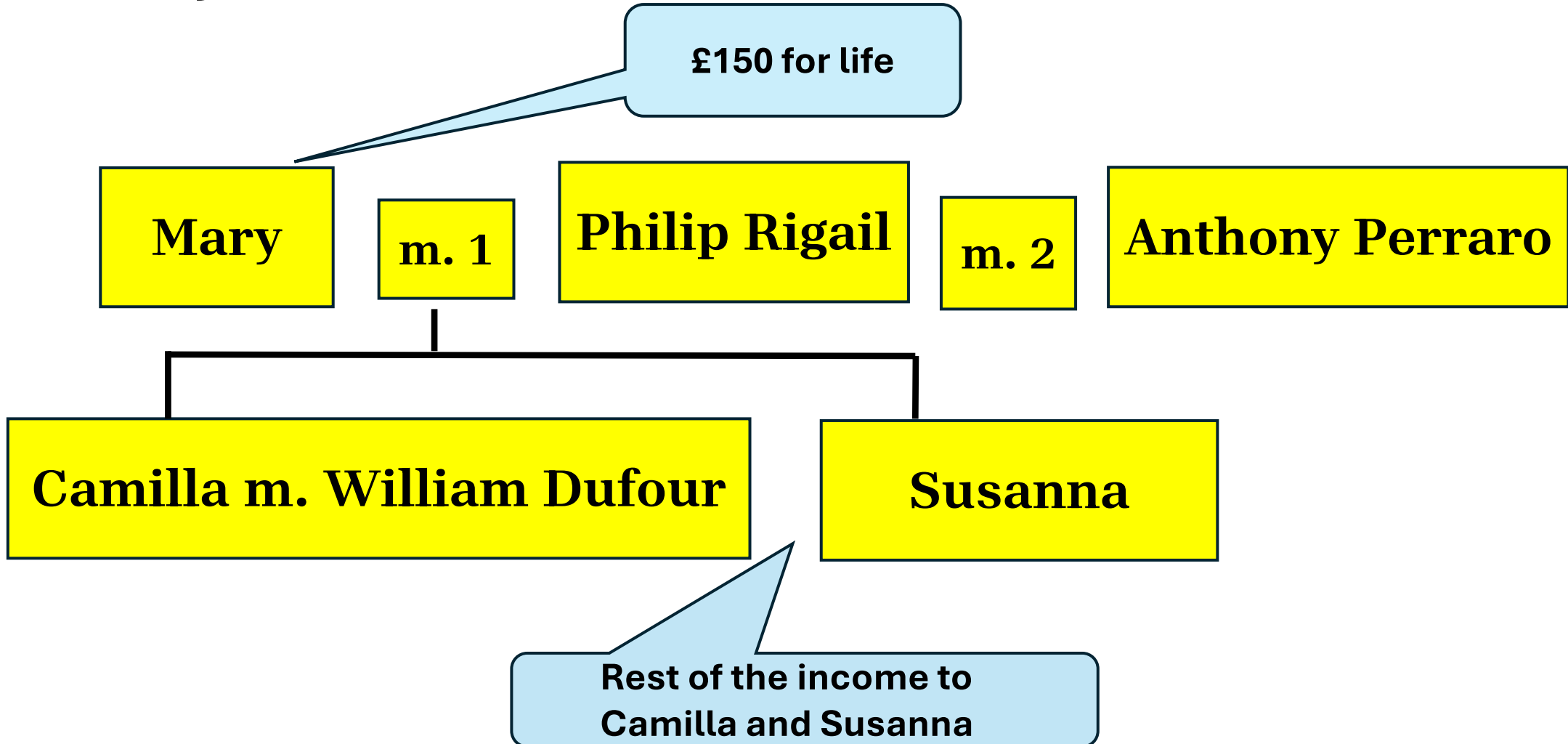
Lord Loughborough

by F. Bolt, stipple engraving, 1796
NPG D15330

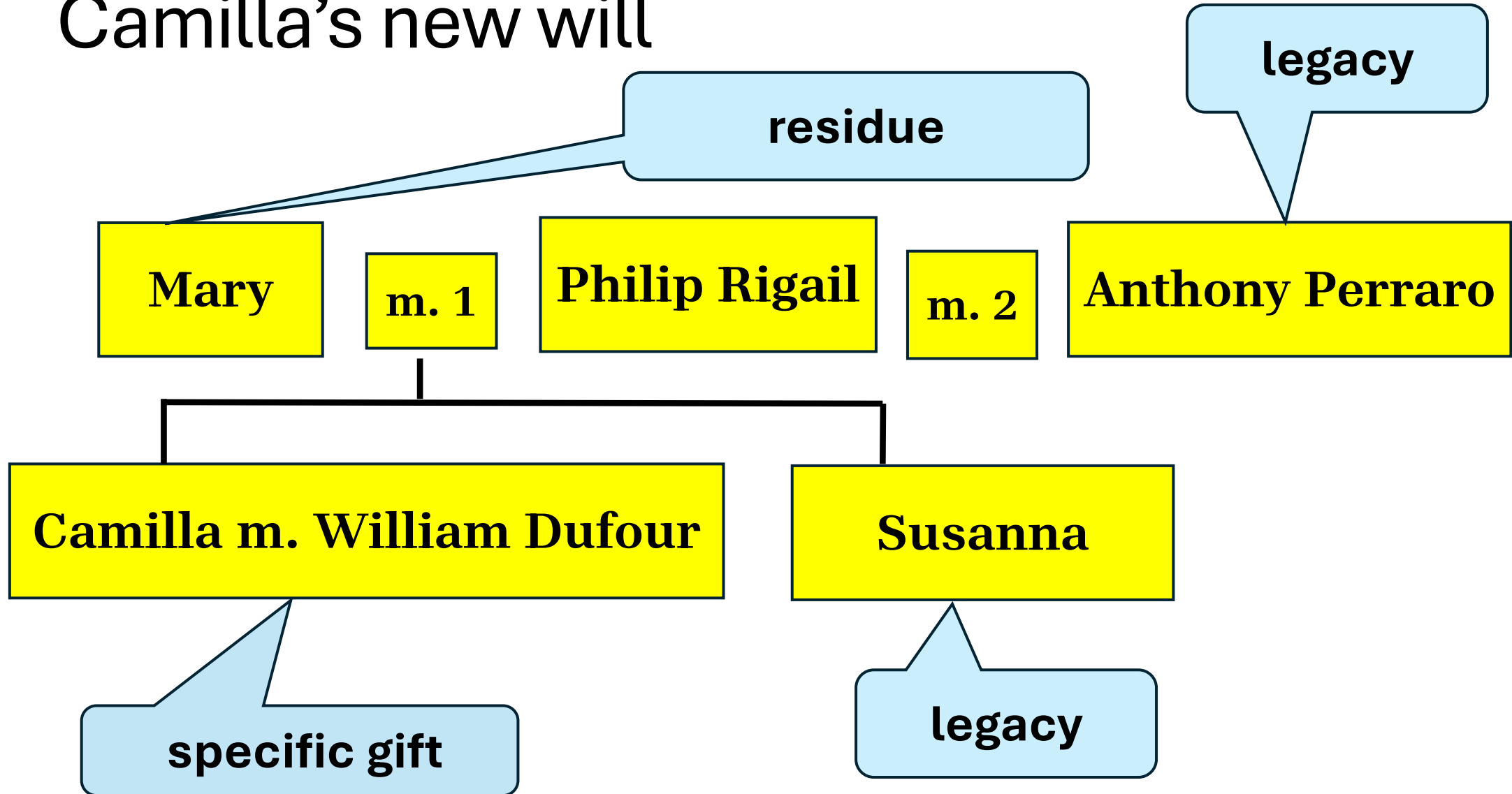
The Ranc family



The joint and mutual will



Camilla's new will



The will

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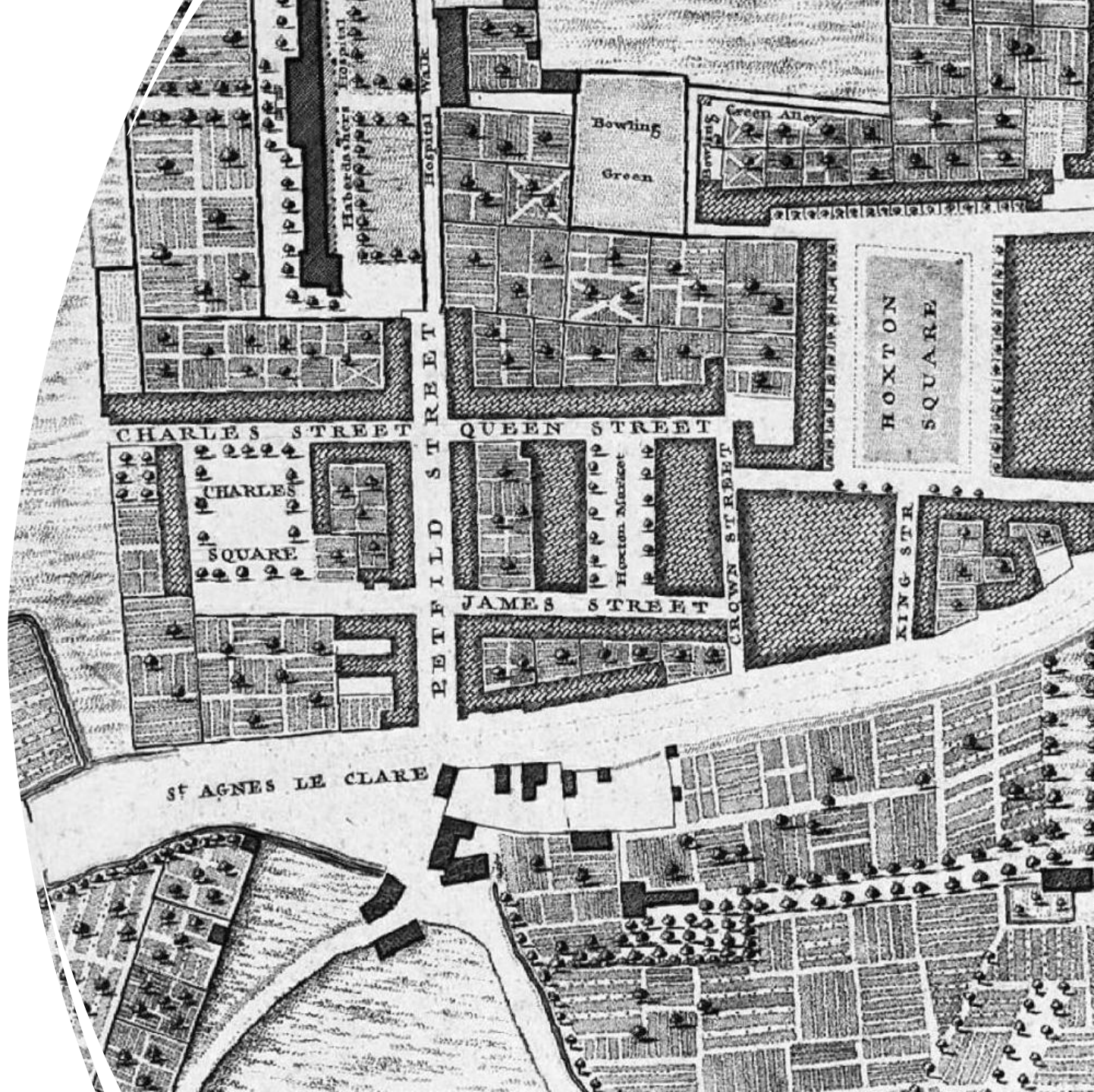
Au nom de Dieu Amen -

Nous René Ranc Gentilhomme demourant dans Charles Square Paroisse de St. Leonard Mordwell au
Comté de Middlesex et Camille Ranc né Mallot, Maire et femme, moi le dit René Ranc Antérieur, et
tant que de ce vivre, ma dite femme a l'effet et pour la validité des présentes, chascun nous deux par la grace
de Dieu Sacrs de Corps et d'Esprit faisons et publions notre Testament mutuel comme suit Enpresmes -
Nous recommandons nos Ames a Dieu notre Créateur le Suppliant de nous recevoir dans son saint
Paradis au nom et par les mérites de Jesus Christ notre seul Sauveur et Rédempteur, et nous laissons
nos Corps a la Terre dans l'esperance d'une Resurrection bien heureuse souhaitant d'estre enterrés
ensemblement le premier mouvement a la discretion du Survivant et le Survivant a la discretion de nos
Exécuteurs ci après nommés, Et venant a la disposition de nos Biens Temporels Nous déclarons ce qui
suit succéder promptement moi le dit René Ranc nommé et établi ma dite femme Camille Ranc
seule Exécutrice de mon présent Testament Je souhaite que ma dite femme donne mon linge et mes
habits ou vêtements a telle personne ou personnes qu'elle jugera a propos Item Je donne legue et
de laiffe a ma dite femme Camille Ranc l'Intérêt et Revenu de tous et chascuns mes Biens et Effets
Reels et Personnels pendant et durant sa vie naturelle et après sa mort le Capital ou Principal de mes
dits Biens et Personnels pour l'usage du Fideicommiss par moi et ma dite femme ci après établi.

French Church, Threadneedle Street, London



Charles Square, Shoreditch



Basis in contract

200-91
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a reciprocity, that runs throughout the instrument. The property of both is put into a common fund, and every devise is the joint devise of both.

This is a contract.

If not revoked during the joint lives by any open act, he that dies first, dies with the promise of the survivor that the joint will shall stand. It is too late afterwards for the survivor to change his mind; because the first testator's will is then irrevocable, - which would otherwise have been differently framed, if that testator had been apprized of this dissent.

Thus is the first testator drawn in and seduced by the fraud of the other to make a devise.

The result

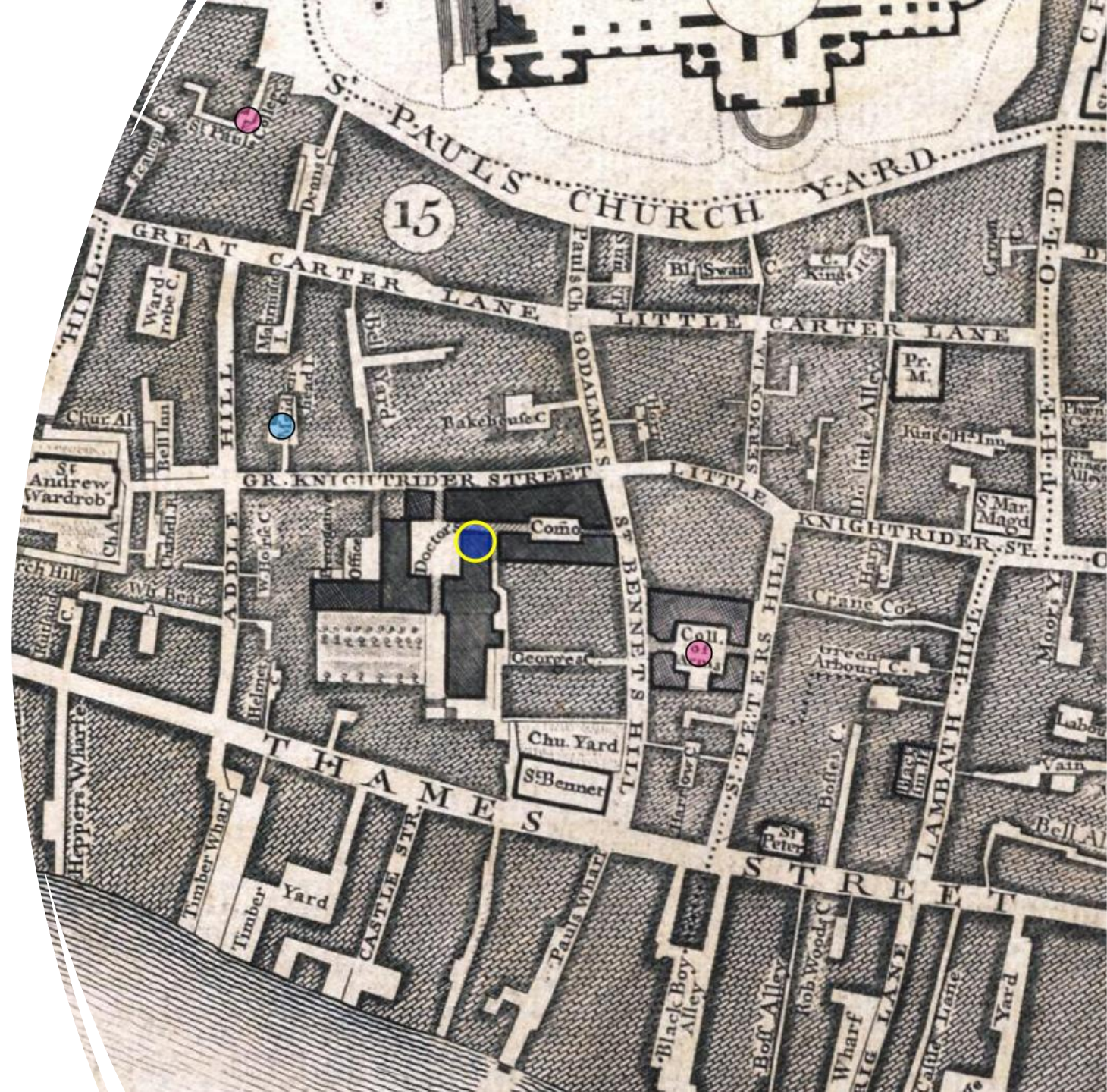
- Trust for Camilla Ranc's grandchildren
- Bound all the property held by Camilla at her death



Professor Maurizio Lupoi



Doctors' Commons



Charles Pratt, 1st Earl Camden

“He, that dies first, does by his death carry the agreement on his part into execution. If the other then refuses, he is guilty of a fraud, can never unbind himself, and becomes a trustee of course.”

By Nathaniel Dance
(later Sir Nathaniel Holland, Bt)
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