

Whereupon it is considered by the Court that the
said last Will and Testament of James Crawford
be Read and filed according to Law
The said J. H. Crawford was duly qualified as
Executor and Letters Testamentary issued
C. M. Pace
Judge of Probate

Extracted from the Principal Registry
of her Majesty's Court of Probate.

This is the last Will and Testament of me Eliza Harriett
Molyneux the widow of Edmund Molyneux Her Britannic
Majestys late Consul for the State of Georgia in North America
whereas my late dear husband by his Will dated the seventeenth
day of September one thousand eight hundred and sixty
four after giving a legacy therein mentioned devised and
bequeathed to me all the residue of his property both real and
personal in England and America And whereas my said
dear husband made such Will with the full knowledge that
our children were as dear to me as to himself and that in
the event of my surviving him I might have opportunity
as our children should severally settle in life of making
such dispositions for their respective benefit as the circumstances
of each case should in my discretion require And whereas
seeing that it may not live to carry these objects into execution
and that our children were equal in their Fathers affection
as they are in mine I desire to divide the property equally
between them in the manner hereinafter mentioned And
therefore I appoint my son Colonel Molyneux and my
friend Henry Royle of Liverpool Merchant to be the Executors
and Trustees of this my Will and I give devise and
bequeath to them and to their heirs executors administrators
and assigns according to the nature of the property all my
estate and effects whatsoever and wheresoever whether real or
personal or whether in America England or elsewhere

trust after providing for the Legacies and hereinafter men-
 tioned to divide the same in equal shares between all my
 children (including my said son) who may survive me
 and attain twenty one or marry under that age and for
 that purpose either to convert the or investments or any
 part or parts thereof into cash or to divide the securities
 themselves and appropriate and allot them amongst
 my said children in such manner as in and to the effect of his
 absolute discretion they or he shall think meet expedient
 for the purpose of securing equality of division And I hereby
 declare that any gift exceeding one thousand pounds at any
 one time which I may hereafter make to any of my
 children during my life shall be taken into account in the
 division of my property between them and shall be
 deducted from the share of the donee And with respect
 to the shares of each of my daughters I declare that my
 said trustees shall stand possessed thereof upon trust to
 pay the dividends interest and annual produce thereof
 unto her for her life for her separate use free from
 the debt control and interference of any husband she
 may marry and so that she shall not be able to deprive
 herself of the benefit of the same or any part thereof by
 sale mortgage or otherwise in the way of anticipation
 and her receipt alone or the receipt of her or appointee or
 appointee to be a sufficient discharge for the same And
 from and after her decease Upon trust as to the Capital
 of her share for all and any or such one or more
 exclusively of her children at such times in such shares
 and in proportions upon such conditions and in such
 manner in all respects as she shall by any deed or deeds be
 executed or by her last will and testament or any
 Codicil thereto direct or appoint and in default of such
 direction or appointment not so far as any such
 (if incomplete) shall not extend in trust for all and any
 her child and children who being a son or sons shall
 attain the age of twenty one years or being a daughter or
 daughters shall attain that age to marry with the consent
 of her or their parents or guardians to be divided among
 such children if more than one in equal shares as tenants
 in common or if there shall be but one such child then in
 trust for such one child And in case any of my daughters
 shall die without having issue then my said trustees or trustee

Trust after providing for the Legacies and Residuary (Mon-
 tress) to divide the same in equal shares between all my
 Children (including my said son) who may survive me,
 and either twenty one or marry under that age first for
 that purpose either to convert the investments or any
 part or parts thereof into land or to divide the securities
 themselves and appropriate and allot them amongst
 my said children in such manner as in their or his
 absolute discretion they or he shall think most expedient
 for the purpose of securing equality of division. And I do hereby
 declare that any gift exceeding one thousand pounds or any
 one time which of my hereafter made to any of my
 children during my life shall be taken into account in the
 division of my property between them and shall be
 deducted from the share of the donee. And with respect
 to the shares of each of my daughters I declare that my
 said Trustees shall stand possessed thereof upon Trust to
 pay the dividends interest and in annual produce thereof
 unto her for her life farther separate use free from
 the estate control and interference of my husband or
 any contrary and as that she shall not be able to deprive
 any contrary and as that she shall not be able to deprive

I declare that my gift during
one time which I may hereafter make to any of my
children during my life shall be taken into account in the
division of my property between them and shall be
deducted from the share of the donee and with respect
to the shares of each of my daughters I declare that my
said trustees shall stand possessed thereof upon trust to
pay the dividends interest and all annual produce thereof
unto her for her life for her separate use free from
the debt control and interference of any husband she
may marry and so that she shall not be able to deprive
herself of the benefit of the same or any part thereof by
sale mortgage or otherwise in the way of participation
and her receipt alone or the receipt of her co-appointees or
appointee to be a sufficient discharge for the same. And
from and after her decease upon trust as to the Capital
of her share for all and any or such times in such shares
exclusively of her children at such conditions and in such
and in proportions upon such conditions and in such
manner in all respects as she shall by any deed or deed duly
executed or by her last Will and Testament in any
Covert Thence direct or appoint and so far as any such
direction or appointment is first possible and may
not extend for her sons and

himself of the benefit of the same or any part thereof
sole mortgages or otherwise in the way of anticipation
and his receipt alone or the receipt of his co-appointees or
appointee to be a sufficient discharge for the same. And
from and after her decease. Upon Trust as to the Capital
of her share - for all and any or such one or more
exclusively of her children at such times in such shares
and in proportions upon such conditions and in such
manner in all respects as she shall by any last will and testament be
executed or by her last will and testament be appointed or
appointed direct or appoint and in default of such
direction or appointment and so far as any such
(if incomplete) shall not extend for Trust for all and any
her child and children who being a son or sons shall
within the age of twenty years or being a daughter or
daughters shall within that age or marry with the consent
of her or their parents or guardians to be divided among
such children if more than one in equal shares as tenants
in common or if there shall be but one such child then in
Trust for such one child and in case any of my daughters
shall die without having issue then my said daughter or daughter

Extracted from the Principal Register
of her Majesty's Court of Probate.

is the last Will and Testament of me Clara Harriett
Wentworth the widow of Edmund Wentworth Her Britannic
Majesty's late Consul for the State of Georgia in North America
my late dear husband by his Will dated the seventeenth
of September one thousand eight hundred and sixty
after giving a legacy therein mentioned devised and
bequeathed to me all the residue of his property both real and
personal in England and America And whereas my said
husband made such will with the full knowledge that
his children were as dear to me as to himself and that in
event of my surviving him I might have opportunities
my children should severally settle in life of making
dispositions for their respective benefit as the circumstances
in each case should in my discretion require And whereas
being that I may not live to carry these objects into execution
that our children were equal in their Father's affection
by me in mine I desire to divide the property equally
among them in the manner hereinafter mentioned And
therefore I appoint my son Edmund Wentworth and my
son Henry Boyd of Liverpool Merchant to be the Executors
and Trustees of this my will and I give devise and bequeath
all that I own unto to their heirs executors and administrators
I assigns according to the nature of the property with all
rights and effects what ever and whatsoever whether real or
personal or whether in America England or elsewhere

Extracted from the Principal Registry
of her Majesty's Court of Robats.

This is the last will and Testament of me Eliza Harriett
Wolynere the widow of Edmond Wolynere Her Britanic
Majestys late consort for the State of Georgia in North America
whereas my late dear husband by his will dated the seventeenth
day of September one thousand eight hundred and sixty
four after giving a legacy therein mentioned devised and
bequeathed to me all the residue of his property both real and
personal in England and America And whereas my said
dear husband made such will with the full knowledge that
our children were as dear to me as to himself and that in
the event of my surviving him I might have opportunity
as our children should severally settle in life of making
such dispositions for their respective benefit as the circumstances
of each case should in my discretion require And whereas
seeing that I may not live to carry these objects into effect
and that our children were equal in their Father's affections

four after you. I The residue of no part of
bequeathed to me all the residue of no part of
personal in England and America And whereas my said
dear husband made such will with the full knowledge that in
our children were as dear to me as to himself and that in
the event of my surviving him I might have opportunity
in our children should severally settle in life of making
such dispositions for their respective benefit as the circumstances
of each case should in my discretion require And whereas
seeing that I may not live to carry these objects into effect
and that our children were equal in their father's affection
as they are in mine I desire to divide the property equally
between them in the manner hereinafter mentioned by
therefore I appoint my son Edmund Esq. the executor
friend Henry Roys of Liverpool Merchant &c. the executor
and Trustees of this my will and I give devise and bequeath
bequeath to them and to their heirs executors administrators
and assigns according to the nature of the property and
estate and effects what sever and undivided interest
personal or whether in America England or elsewhere

shall stand possessed of her share in trust for all
and every her brother and sister living at her decease
and the children of such of them as shall have died leaving
children as tenants in common (the children of such of them
as shall have died taking only their parents share) Remain
always that it shall be lawful for any of my daughters who
may marry but die without issue by her will or bequeath to
appoint in favor of her husband who shall survive her (but
subject to such conditions as she shall impose) any part
(not exceeding one-half) of the income arising from time to
time on her said share. And with respect to the share of
my said son I desire that ^{the} ~~that~~ the same shall be at his
absolute disposal. And with respect to the share of any minor
whether my child or grandchild I direct that it shall be lawful
for my said Trustees or Trustee for the time being acting in the
execution of this my will in their or his discretion to apply
all or any part of the annual income of the share or presumptive
share of any child being a son during his minority or being a
daughter during her minority or coverture for and towards his
or her maintenance and education or otherwise for his or her
benefit as my said Trustees or Trustee shall think proper
and I direct that so much of any of the same income
as may not be so applied shall be improved at interest
and the accumulations thereof added to the principal of the
share whence the same shall have proceeded and shall be
subject to all the trusts and provisions affecting the same
share but nevertheless it shall be lawful for my said Trustee
or Trustee in their or his discretion during such period or periods
as aforesaid to apply the whole or any part of the accumulated fund
for or towards the subsequent or future maintenance and
education or otherwise for the benefit of the child from whose
share or presumptive share the same may have arisen.
And with respect to the real property in Tower Buildings Old
Church Yard Liverpool and the Old Hall and adjacent grounds
at Sunnyside Park in West Derby I desire that my said son
shall have the option of taking the same or any portion
thereof as part of his share at a fair valuation to be put
upon the same by indifferent parties. And in the event of
his declining all or any part thereof then I desire that my
daughters who shall at the time of my decease have attained
the age of twenty years shall severally in the order of their
seniority have the like share as my said son shall have or any

part of such property being directed by all my children living
 such option then I direct the Trustee or Trustees for the time
 being of this my will whenever and howsoever they shall think
 convenient and direct to make sale and dispose of all such
 real property and all such other real estate as I may be entitled
 to at the time of my decease whether freehold copyhold or
 leasehold and for that purpose to put in force the powers
 conferred by the act of Parliament so passed in the year
 one thousand eight hundred and sixty entitled "an Act to give
 to Trustees Mortgages" and other certain powers not expressly
 inserted in "Settlements Mortgages and Wills." And with respect
 to any part of my Estate which may consist of cash either at the
 time of my decease or afterwards from the conversion of
 securities into money or from the sale of any real
 property I direct the Trustee or Trustees for the time being of
 this my will to invest the same in the Public Stocks ^{of Great Britain}
 or other in Government securities of Great Britain or on Mortgage
 of any freehold copyhold or leasehold hereditaments and premises
 in England or in the purchase of preference shares
 or stock of any Incorporated or chartered company paying
 a dividend and carrying on business in the United Kingdom
 or upon Indian or Colonial Bonds guaranteed by Govern-
 ment as my said Trustee or Trustees for the time being
 shall deem advisable with full power to alter vary or
 transpose the Stocks funds or securities in or upon which
 the same trust monies or any part thereof for the time
 being shall be invested as often as occasion may require
 or it may be deemed expedient And I devise and bequeath
 to the said Henry Hoyle and to my said son Edmund
 Polynear and to their use all the estates vested in
 me upon any trust or trusts or by way of mortgage or
 other security for money and of which I have power to
 dispose by this my will according to the nature and tenure
 thereof respectively before trust to hold and dispose of
 the said trust estates in the manner in which they
 ought to be held and disposed of pursuant to the
 trusts thereof And upon payment of the money or in
 or mortgage and other security as aforesaid to convey and
 assign the estates in mortgage or other security to the person
 or persons entitled thereto and according to the equities thereof
 Recital also and I hereby declare that if my said Trustee
 or either of them or any Trustee or Trustees to be appointed

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under this present provision shall die or be desirous of
being discharged from the aforesaid trusts or any of them or
shall neglect or become incapable or be unwilling to act herein
before the same shall be fully performed and it shall be
deemed as expedient to supply the vacancy or vacancies so to be
occasioned therein and in every such case and so soon and
often as the same shall happen it shall be lawful for the surviving
or continuing Trustee or Trustees or the executor or administrators
of the last acting Trustee at the sole discretion of such Trustee or
Trustees to appoint by deed any person or persons to be a Trustee
or Trustees in the place or stead of the Trustee or Trustees so
dying desirous to be discharged or becoming incapable to act as
aforesaid and that upon and in anticipation of or immediately
after every such appointment the trust estate property effects
money stocks funds and securities then subject to any of
the trusts of this my will shall be conveyed assigned and
transferred so and in such manner as that the same may
vest in such new Trustee or Trustees jointly with the surviving
or continuing Trustee or Trustees or solely as the case may require
upon the trusts aforesaid or such of them as shall be subsisting
or capable of taking effect And that every such new Trustee
shall and may act in the management and execution of the
trusts and be invested with the powers and authorities aforesaid
as fully and effectually to all intents and purposes whatever
as if he had been originally appointed a Trustee in and by
this my will And I authorize and empower the Trustee or
Trustees for the time being of this my will if they or he shall
so think fit to increase the number of Trustees of this my
will and also to appoint separate Trustees of the share of any
or each of my daughters or surviving one in the said trust
money and premises and to transfer assign and vest such
respective shares to and in such Trustee their executors admin-
istrators and assigns upon the trusts aforesaid And I declare
that the receipt or receipts in writing of the separate Trustee
or Trustees so appointed shall completely exonerate and
discharge the or Trustee or Trustees for the time being of this
my will from all liability and responsibility as to the future
application of the share so transferred or assigned And I declare
and direct that the Trustee to whom such respective share
shall be so transferred and assigned and the survivor of them
and their and his successors executors administrators and
assigns shall hold the same upon each of the trusts

heretofore declared concerning the same as shall then
 subsist and capable of taking effect and shall have and
 may exercise the same powers of investment and of appointing
 new Trustees and other discretionary powers as to maintenance
 and otherwise in so relation to the same share, as they or they had had
 herein named and appointed Reviled also and I believe that
 the Trustees for the time being of this my will shall be charged
 with such moneys only as they respectively shall actually receive
 by virtue of the trust herein contained not withstanding their
 joining in or signing any receipt or receipts or doing any other
 act for the sake of conformity and no one or more of them
 shall be answerable for the other or others of them or for any
 loss which may happen in the execution of the aforesaid
 Trusts or in relation thereto except the same happen by or
 through his or their wilful neglect or default And further
 that it shall be lawful for the said Trustees or Trusts for
 the time being out of the moneys which shall come to
 them or his hands by virtue of the trusts aforesaid to retain and
 also to allow each other all costs and expenses which they or any
 of them may pay or incur in or about the execution of the aforesaid
 Trusts or in relation thereto In witness whereof I have to this
 my last Will and Testament contained on this and the
 five preceding sheets of paper set my hand this third
 day of July one thousand eight hundred and sixty
 eight — C. H. Holyman — Signed by the said Eliza
 Harriet Holyman as and for her last Will and Testament
 in the joint presence of us who at her request in her presence
 and in the presence of each other have herewith subscribed
 our names as witnesses the word "hereafter" in the second
 line of the second page the words "live & live on" in the
 second line of the third page and the words "Lower hill Kings
 Old Church Yard Liverpool and" in the twenty fourth line of
 the third page being first intimated A. J. Field St. Learnington
 Fred Lowe Spicer his Clerk.

This is a codicil to the foregoing and written Will of Mrs.
 Eliza Harriet Holyman I bequeath all the old Family Silver plate
 of every description which formerly belonged to my late husband
 brother James Holyman and is now packed up in cases
 and deposited with Messrs Robert Jones and sons of Liverpool
 Jewelers unto my son or Lieutenant Holyman absolutely for use
 he all other respects I hereby confirm my said Will to remain
 unrevoked I the said Eliza Harriet Holyman have hereto set

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my hand this third day of July one thousand eight
hundred and sixty eight — E. H. Molyneux — Signed
by the said Eliza Harriet Molyneux as a Codicil to her last
Will in the presence of us both being present at the same time
who in her presence at her request and in the presence of
each other have hereunto subscribed our names as witnesses —
A. J. Field Solicitor Leamington — Fred. Lowe Spicer his Clerk

This is another Codicil to the foregoing Will of me
Eliza Harriet Molyneux whereas by my said Will I have
declared that any gift exceeding one thousand pounds at any
one time which I may hereafter make to any of my
children during my life shall be taken into account in
the division of my property between them and shall be deducted
from the share of the donee. And whereas I have lately given
to my son Edmund Molyneux various sums being less than one
thousand pounds at any one time but in the whole amounting to two
thousand pounds or thereabouts and having regard to the failure
of the Royal Bank of Liverpool my said son insists that in
consequence of such gifts Two thousand pounds shall be
deducted from his share of my general residuary Estate
under my will now I unwillingly accede to his wishes and do
declare that on the division of my property between my children
the sum of two thousand pounds shall be brought into
account and given credit for by my said son as if it
had all been given to him at one time since the date of my
said Will In all other respects I hereby confirm my said
Will In witness whereof I the said Eliza Harriet Molyneux the
Testatrix have hereunto set my hand this first day of October in
the year of our Lord one thousand eight hundred and sixty eight
— E. H. Molyneux — Signed by the said Eliza Harriet
Molyneux as a Codicil to her last Will in the presence of us
all being present at the same time who in her presence at her
request and in the presence of each other have hereunto subscribed
our names as witnesses the name of my son having been first
offered to Edmund — A. J. Field Solicitor Leamington —
Fred. Lowe Spicer — Edward Hatford & his Clerk.

This is a third Codicil to the will dated the third day
of July one thousand eight hundred and sixty eight of
Eliza Harriet Molyneux the widow of Edmund Molyneux
British Majesty's late Consul for the State of Georgia in both

I declare Whereas since the execution of the second Codicil
 to my said Will the number of my children has been reduced
 to five but I still desire that my property should be divided
 into six portions one for each of my said five children in
 the manner provided by my said Will and as to the remaining
 sixth share I desire that the same shall be held by my
 Executors and Trustees and be set aside by them as a reserve
 fund for the purposes hereinafter mentioned And I declare
 that my Trustees shall invest such reserve fund in any
 mode of investment authorized by my said Will and
 shall accumulate the resulting or income thereof or so
 much of such Income as shall not be applied by my
 said Trustees under the Trust hereinafter contained at
 compound Interest for the term of twenty one years
 from my death And shall stand possessed of the said
 reserve fund and accumulations upon Trust to apply the
 same or any part thereof or the Income thereof in their
 absolute discretion for the benefit of any one or more
 of my children whose circumstances shall in the absolute
 and unfettered judgment of my said Trustees call for the
 application thereof or any part thereof for their or any of
 their benefit such for instance as the advancement of
 my son or the meeting of any calls or reverses which
 may happen to befall any of my children And from
 and after the expiration of the said period of accumula-
 tion shall stand possessed of the said reserve fund
 and the accumulations thereof or so much thereof
 respectively (if any) as shall not have been applied by
 my said Trustees under the aforesaid Trust And Trust
 for my said children in equal shares in the manner
 directed by my said Will concerning their original shares
 respectively in my estate And in all other respects I
 confirm my said Will And two Codicils In witness
 whereof I have hereunto set my hand this fourteenth
 day of June one thousand eight hundred and seventy
 two ———— C. H. Holyoake ———— Signed by the said
 Eliza Harriet Holyoake as and for her third Codicil to
 her Will in the joint presence of us who at her request
 have hereunto subscribed our names as witnesses
 the said John A. Harvey has first interlined and the
 word "thereof" having been first obliterated ————

Palgrave Simpson sold in Liverpool
In: Hunter clerk of Messrs Simpson and North
sold Liverpool -

Proved at London with three Codicils 21st September 1872
by the oaths of Edmund Holyman the son and Henry
Rogers the executors to whom admission was granted.

Edmond Holyman

Office Copy
Court of Probate

I certify this Copy has been
examined with the original
Will and three Codicils deposited
in this Registry and that it is
a true Copy thereof

H. P. Strong

Registrar
24/9/72

Consulate General of the United States of America London

John Dunn Vice Consul General of the United States
of America for Great Britain and Ireland at London
do hereby make known and certify to all whom it may
concern that Henry Simwood Strong who hath signed
the annexed office Copy of the Will of Eliza Maria Holyman
deceased, is a Registrar of the Court of Probate of England
by lawful authority duly authorized — (and I further
certify that the seal affixed to the said office copy of will
is the seal of the principal Registry of the Court of Probate of
England and that to all acts so authenticated as the annexed full
faith and credit are and ought to be given in such matters and things.

In testimony thereof I have hereunto set my hand and
affixed the seal of the Consulate General of the United
States of America at London aforesaid, this Twenty Fifth day of
September in the year of our Lord One thousand eight
hundred and seventy two and in the Ninety fourth
year of the Independence of the said United States.

Seal

Wherefore it is considered by the Court that the said
 Last Will and Testament of said Eliza Annand
 Maynard be Recorded and filed according to
 Law The said Edmund Maynard was duly sworn
 and Let the Testamentary issue accordingly
 This 11th day of November 1872
 C. M. Pace
 Probate Judge

In the name of God Amen, I Mary Gillaspie of the
 County of Henderson and State of North Carolina being of
 sound mind and memory and considering the uncertainty
 of this frail and transitory life do therefore make ordain
 publish and declare this to be my last will and Testament
 that is to say first after all my lawful debts are paid
 and discharged the residue of my estate real and personal
 I give bequeath and dispose of as follows, to wit,
 To Sarah Gillaspie wife of J. H. Gillaspie Elizabeth
 Aiken wife of W. Aiken all my entire interest in
 a certain undivided tract of land lying in the County
 of Henderson and State aforesaid on the waters of Mill
 River known as the Philip Gillaspie farm Bound as
 follows Beginning on the North Bank of said River on a
 Chestnut & dogwood Matthew Gillaspie's corner and run
 N. 25. E. 38 poles to a Spanish oak a corner of a piece
 of ground layed off or out for a grave yard thence N. 65
 x 6. 1 poles to a Spanish oak thence South 25. E. 21 poles
 to a chestnut thence S. 65. W. 8 poles to a Spanish oak
 thence S. 65. E. 35 poles to a stake in the Road thence N.
 25. E. 10 poles to a stake at the Edge of the Road thence
 N. 67. E. 21 poles to a stake in the Road near the Mill
 works thence S. 66. E. 15 poles to a post oak on the North
 of Mill River below the Mill works thence down the River
 with the meanders of the River to a Hickory tree that was
 corner on or near bank of said River and was the
 mouth of a branch thence N. 67. W. 24 poles with
 Hickorys line to a black walnut in the gap of a me

-ceded and shall be subject to
 all the trusts and provisions affecting
 the same share But nevertheless the less it
 shall be lawful for my said Trustees
 or Trustee in their or his discretion
 during such period respectively as aforesaid
 -said to apply the whole or any part
 of the accumulated ^{7B}-funds ^{7B} for or
 towards the subsequent or future main-
 -tenance and education and education
 or otherwise for the benefit of the child
 from whose share or presumptive
 share the same may have arisen
 And with respect to the Real Property
 in Lower Buildings Old Church Yard
 Liverpool and the old Hall and
 adjacent grounds at Sandfield Park
 in Great Derby I desire that my
 said son shall have the option
 of taking the same or any portion
 thereof as part of his share at
 a fair valuation to be put upon
 the same by independent parties
 And in the event of his declining
 all or any part thereof then I desire
 that my daughters who shall at
 the time of my decease have attain-
 -ed the age of twenty one year shall
 severally in the order of their seniority
 have the like option. But in the event
 of all or any part of such property being
 declined by all my children having
 such option then I direct the Trustees
 or Trustee for the time being of this my
 will whenever and however they shall
 think convenient and discreet to make
 sale and dispose of all such real
 property and all such other real
 estate as I may be entitled to at
 the time of my decease whether
 Freehold Copyhold or leasehold and
 for that purpose to put in force the
 powers conferred by the Act of Parliament

Exhibit "A"

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Extracted from the Principal
Registry of the Probate Divorce
and Admiralty Division of the High
Court of Justice.

In Her Majestys Court of Probate—

This is the last Will and Testament
of me Eliza Harriet Molyneux
the widow of Edmund Molyneux
Her Britannic Majestys Late Consul
for the State of Georgia in North
America, Whereas my late dear
husband by his will dated the
seventeenth day of September
One thousand Eight hundred
and sixty four after giving
a legacy therein mentioned
devise and bequeathed to me
all the residue of his property
both real and personal in
England and America and
whereas my said dear husband
made such will with the
full knowledge that our
children were as dear to me as
to himself and that in the
event of my surviving him
I might have opportunities as
our children should severally
settle in life of making such
dispositions for their respective
benefit as the circumstances of
each case should in my discretion
require, And whereas seeing that
I may not live to carry these
objects into execution and that
our children were equal in
their fathers affection as they
are in mine I desire to divide
the property equally between them

in the manner herein men-
 tioned now therefore I appoint
 my son Edmund Molyneux and
 my friend Henry Rhoads of Liver-
 pool Merchant to be the Executors
 and Trustees of this my Will.
 And I give devise and bequeath
 to them and to their heirs Executors
 Administrators and assigns accord-
 ing to the nature of the property
 all my estate and effects, what-
 soever and wheresoever whether
 real or personal or whether in
 in America England or elsewhere
 Upon Trust after providing for the
 Legacies next hereinafter mentioned
 to divide the same in equal shares
 between all my Children (in-
 cluding my said son) who may sur-
 vive me and attain Twenty one
 or marry under that age and
 for that purpose either to convert
 the investment or any part or
 parts thereof into Cash or to divide
 the securities themselves and
 appropriate and allot them
 amongst my said Children in
 such manner as in their or his
 absolute discretion they or he
 shall think most expedient for
 the purpose of securing equality
 of division And I hereby declare
 that any gift exceeding one
 thousand pounds at any one
 time which I may hereafter make
 to any of my Children during
 my life shall be taken into
 account in the division of
 my property between them
 and shall be deducted from
 the share of the donee. And with
 respect to the shares of each of my
 daughters I declare that my said

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Trustees shall stand possessed
thereof Upon Trust to pay the dividend
interest and annual produce thereof
unto her for her ^{life} for her separate
use free from the debts control
and interference of any Husband
she may marry and so that she shall
not be able to deprive herself of
the same or any part thereof by sale
mortgage or otherwise in the way of
anticipation and her receipt alone
or the receipt of her appointees or
appointee to be a sufficient discharge
for the same And from and after
her decease Upon Trust as to the
Capital of her share for all and
every or such one or more & exclusively
of her children at such times in
such shares and proportion, upon
such conditions and in such man-
ner in all respects as she shall
by any deed or deeds duly executed
or by her last will and Testament
or any codicil thereto direct or appoint
And in default of such directions or
appointments and so far as any such
(if incomplete) shall not extend In
Trust for all and every her child ^{and}
children who being a son or sons shall
attain the age of Twenty one years or
being a daughter or daughters shall
attain that age or marry with
the consent of her or their parents
or Guardians to be divided among
such children if more than one
in equal shares as tenants in
common or if there shall be but
one such child then in Trust for
such one child and in case any
of my daughters shall die without
issue then my said
Trustees or Trustee shall stand pos-
sessed of her share In Trust for all

and every her brother and sisters living at her decease and the children of such of them as shall have died leaving children as tenants in common (the children of such of them as shall have died ~~taking only~~ their parents share) Provided always that it shall be lawful for any of my daughters who may marry but still without issue by her will or codicil to appoint in favor of her husband who shall survive her (but subject to such conditions as she shall impose) any part (not exceeding one half) of the income arising from time to time on her said share And with respect to the share of my said son I desire that the same shall be at his absolute disposal And with respect to the share of any minor whether my child or grand child I direct that it shall be lawful for my said Trustee or Trustee for the time being acting in the execution of this my will in their or his discretion to apply all or any part of the annual income of the share or presumptive share of any child being a son during his minority - or being a daughter during her minority - or dis-coverture for and towards his or her maintenance and education or otherwise for his or her benefit - as my said Trustee or Trustee shall think proper And I direct that so much of any of the same income as may not be so applied shall be improved at interest and the accumulations thereof added to the principal of the share whence the same shall have pro-

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passed in the year One thousand
Eight hundred and Sixty entitled
"An Act to give to Trustees Mortgages
and other certain powers now
commonly inserted in Settlements
Mortgages and Wills" And with
respect to any part of my estate
which may consist of Cash
either at the time of my decease
or afterwards from the Conversion of
Securities into money or from the
sale of my real property I direct the
Trustees or Trustee for the time being
of this my will to invest the same
in the Public Stocks or funds or
other Government Securities of Great
Britain or on Mortgage of any
freehold, Copyhold or Leasehold, Her-
editaments and Premises, in England
or in the purchase of preference
Shares or stock of any Incorporated
or Chartered company paying a
dividend and carrying on business
in the United Kingdom or upon
India or Colonial Bonds guaranteed by
Government as my said Trustee or
Trustees for the time being shall
deem advisable with full power
to alter vary and transmute the stocks,
funds or securities in or upon which
the same trust money or any part
thereof for the time being shall be in-
vested as often as occasion may
require or it may be deemed expedient
And I devise and bequeath
to the said Henry Rhys and
to my said son Edward
Molyneux and to their heirs all
the estates vested in me upon
any trust or trusts or by way of
Mortgage or other Security for
money and of which I have
power to dispose by this my will

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according to the nature and tenor
thereof respectively upon trust to hold
and dispose of the said trust estates
in the manner in which they ought
to be held and disposed of pursuant
to the trusts thereof. And upon pay-
ment of the money owing on Mortgage
and other security as aforesaid to convey
and assign the estates in Mortgage
or other security to the person or persons
entitled thereto and according to the
equities thereof Provided also and I
hereby declare that if my said
Trustees or either of them or any
Trustee or Trustee to be appointed
under this present provision shall
die or be desirous of being discharged
from the aforesaid trust or any of
them or shall neglect or become in-
capable or be unwilling to act therein
before the same shall be fully performed
and it shall be deemed expedient to
supply the vacancy or vacancies
so to be occasioned then and in
every such case and so soon and
often as the same shall happen
it shall be lawful for the surviving
or continuing Trustees or Trustee or the
Executors or administrators of the
last acting Trustee at the sole discre-
tion of such Trustee or Trustees to appoint
by deed any person or persons to be a
Trustee or Trustees in the place or stead of
the Trustee or Trustees so dying desiring to
be discharged or becoming incapable to
act as aforesaid and that upon and
in anticipation of or immediately
after every such appointment the
trust estates property effects money stocks
funds and securities then subject
to any of the trusts of this my will
shall be conveyed assigned and
transferred and in such manner

as that the same may vest in
 such new Trustee, or Trustees jointly
 with the surviving or continuing
 Trustees or Trustee or solely as the
 Case may require Upon the Trust
 aforesaid or such of them as shall be
 subsisting or capable of taking effect
 And that every such new Trustee shall
 and may act in the management
 and execution of the Trust
 and be invested with the
 powers and authorities aforesaid
 as fully and effectually to all
 intents and purposes whatsoever
 as if he had been originally appointed
 a Trustee in and by this my will
 And I authorize and empower
 the Trustees or Trustee for the
 time being of this my will if they
 or he shall so think fit to increase
 the number of Trustees of this my will
 and also to appoint separate
 Trustees of the share of any or each
 of my daughters surviving me
 in the said Trust money and
 premises and to transfer assign
 and vest such respective share
 to and in such Trustees their
 executors administrators and
 assigns upon the Trust aforesaid
 and I declare that the receipt or
 receipts in writing of the separate
 Trustees or Trustee so appointed
 shall completely exonerate and
 discharge the Trustee, or Trustee
 for the time being of this my
 will from all liability and
 responsibility as to the future
 as to the future application
 of the share so transferred and
 assigned and the survivor of
 them and their or his executors
 administrators and assigns

shall hold the same upon such
of the trusts hereinbefore declared
concerning the same as shall
be satisfying and capable of
taking effect and shall have
and make exercise the same
powers of investment and of
appointing new Trustees and
other discretionary powers as to
maintenance and otherwise
in relation to the same share
as they or he would have had
and could have exercised
if they or he had been herein
named and appointed. Provided
also I declare that the Trustees
for the time being of this my
will shall be charged with
such moneys only as they respectively
shall actually receive by virtue
of the trusts herein contained
notwithstanding their joining
in or signing any receipts or drafts
or doing any other act for the sake
of conformity and no one or more
of them shall be answerable for
the other or others of them or for
any loss which may happen in the
execution of the aforesaid trusts
or in relation thereto except the
same happen by or through his or
their wilful neglect or default.
And further that it shall be con-
sidered for the said Trustees or
Trustee for the time being out
of the moneys that shall come to
them or his hands by virtue
of the trusts aforesaid to
retain and also to allow and
other all costs and expenses
which they or any of them may
pay or incur in or about the
execution of the aforesaid trusts.

as in relation thereto.
 In witness whereof I have
 to this my last will and
 Testament contained on
 this and the five preceding
 sheets of paper set my hand
 and this third day of July
 One thousand Eight hundred and
 fifty-eight E. H. Molyneux -
 Signed by the said Eliza
 Harriett Molyneux as and
 for her last will and Testament
 in the joint presence of us who
 at her request in her presence
 and in the presence of each
 other have hereunto subscribed
 our names as witnesses the
 word "hereafter" in the second
 line of the second page the
 word "time to time" in the
 second line of the third page
 and the words "Lower Building
 Old Church Ford Tinsford and"
 in the twenty fourth line of the
 third page being first witnessed
 A. S. Field Solicitor Nottingham
 Ed. Love Spicer his Clerk

This is a codicil to the foregoing
 and within voice of me Eliza
 Harriett Molyneux I bequeath all
 the old family silver plate
 of every description which formerly
 belonged to my late husband's
 brother James Molyneux and is
 now packed up in cases and
 deposited with Messrs Robert
 Jones & Sons of Liverpool Jewellers
 unto my son Edmund Molyneux
 absolutely forever. In all other
 respects I hereby confirm my said
 will. In witness whereof I the said
 Eliza Harriett Molyneux have

hereto set my hand this third day
of July One thousand Eight hundred
and Sixty eight E. H. Molyneux
Signed by the said Eliza Harriett
Molyneux as a codicil to her last
will in the presence of us both
being present at the same time
who in her presence at her request
and in the presence of each
other have hereto subscribed
our names as witnesses

A. S. Field Sol^r & Remington
Fred Lowe Spec^r in his clerk

This is a nother codicil to the
foregoing will of me Eliza Harriett
Molyneux, whereas by my said will
I have declared that any gift ex^{cepted}
=ing One thousand Pound, at any
one time which I may hereafter
make to any of my children
during my life shall be taken
into account in the division
of my property between them
and shall be deducted from
the share of the donee And
whereas I have lately given to
my son Edmund Molyneux
various sums being less than One
thousand pounds, at any one
time but in the whole amounting
to Two thousand pounds or there-
=abouts and having regard to the
failure of the Royal Bank of
Liverpool my said son insists that
in consequence of such gift Two thousand
pounds shall be deducted of my
general residuary Estate under
my will now I unwillingly accede
to his wishes and ^{do} ^{7B} declare that
on the division of my property
between my children the sum
of Two thousand pounds shall

be brought into account and given credit for by my said son as it had all been given to him at one time since the date of my said will. In all other respects I hereby confirm my said will.

In witness whereof I the said Eliza Harriet Molyneux the Testatrix hereunto set my hand this first day of October in the Year of Our Lord One thousand Eight hundred and Sixty Eight.

E. H. Molyneux - Signed by the said Eliza Harriet Molyneux as a Codicil to her last will in the presence of us all being present at the same time who in her presence at her request and in the presence of each other have hereunto subscribed our names as witnesses the name of my son having been first altered to Edmund A. S. Field. Sol^r Seamenyton Fred Lowe Spicer Edw^d Halford; his Clerks.

This is a third Codicil to the will dated the third day of July One thousand Eight hundred and Sixty Eight of me Eliza Harriet Molyneux the widow of Edmund Molyneux Her Britannic Majesty's late Consul for the State of Georgia in North America, whereas since the execution of the second Codicil to my said will the number of my children has been reduced to five but I still desire that my property should be divided into six portions one for each of my said children in the manner provided by my said will and as to the remaining sixth share

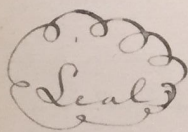
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I desire that the same shall be held by my executors and Trustees and be set aside by them as a reserve fund for the purposes hereinafter mentioned and I declare that my Trustees shall invest such reserve fund in any mode of investment authorized by my said will and shall accumulate the resulting income thereof or so much of such income as shall not be applied by my said Trustees under the trust herein after contained at compound interest for the term of Twenty one years from my death And shall stand possessed of the said received fund and accumulations upon trust to apply the same or any part thereof at the income thereof in their absolute discretion for the benefit of any one or more of my Children whose circumstances shall in the absolute and unfeathered judgment of my said Trustees call for the application thereof or any part thereof for their or any of their benefit such for instance as the advancement of my son or the meeting of any calls or reverses which may happen to befall any of my children And from and after the expiration of the said period of accumulation shall stand possessed of the said reserve fund and the accumulations thereof or so much thereof respectively (if any) as shall not have been applied by my said Trustees under the aforesaid trust in trust for my said Children in equal shares in the manner directed by my said will concerning their original shares respectively in my Estate And in all other respects

I confirm my said will
 and two Codicils. In Court
 Where I have been & set my
 hand this fourteenth day of
 June One thousand eight hundred
 and seventy-two E H Molyneux -
 Signed by the said Elizabeth Molyneux
 Molyneux as and for a third
 Codicil to her will in the
 Joint presence of us who at her
 request in her presence and in
 the presence of each other have
 hereunto subscribed our names
 as witnesses the word "and" having
 been first interlined and the word
 "thereof" having been first obliterated
 Walfranc Simpson Solr Liverpool
 John Hunter Clerk to Messrs
 Simpson & Clark Solrs Liverpool

Proved at London with three
 Codicils 21st September 1872 by
 the oath of Edmund Molyneux
 the son and Henry Rhoyds the
 Executors to who Admon was granted.

I certify that this copy has been
 examined with the original
 will and three Codicils
 deposited in this Registry
 and that it is a
 true copy thereof



Edmund Molyneux

22 Sept 72

9-9-82

David Henry Dulle
 Registrar

25/400#

Molyneux

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In the matter of the Probate
of the Last Will and Testament
of Eliza Hammett - Molyneux -
This is the paper writing marked
A referred to in the depositions of
Francis Barlow and David Henry Owen
hereto annexed -

F. Barlow Examd }
David Henry Owen } Witnesses
Registrar }

W. P. Paul Commissioner

Consulate - General of the
United States of America
for Great Britain & Ireland
at London -

I Lehenus H. Mitchell Vice & Deputy
Consul General and I Office a Notary
Public for the United States of
America at London England do
hereby make known and certify to all
whom it may concern that David
Henry Owen who hath signed
the annexed Certificate to the
Office Copy of the Will of Eliza Hammett
Molyneux deceased is a Registrar
of the Probate Division of the High
Court of Justice of England duly
authorised and to me well known
And I further certify that the Seal affixed
to the said Certificate is the seal of the Principal Registrar
of the said Probate Division of the High Court of
Justice and that to all acts so authenticated as the
annexed, full faith and credit are and ought to be
given in Judicature and otherwise -
In Testimony whereof I have hereunto set my hand and affixed my
Seal of Office at London aforesaid this 29th day of June in the Year of Our Lord
One thousand eight Hundred and Eighty Two - L. H. Mitchell
Vice and Deputy Consul General

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State of North Carolina
Fenderson County

To William P. Parrell Esquire
Vice and Deputy Consul of
the United States of America
at Liverpool, Notary Public
of Office -

— It having been suggested to me
that Eliza Harriett Molyneux of
the Kingdom of Great Britain has
died leaving a last will and
Testament devising Lands in Hen-
= derson County North Carolina and
that the same has been probated in
the City of London and deposited
there and that the original cannot be
produced before me Judge of Probate for
said County, to be probated according
to the Laws of North Carolina, and
whereas a paper purporting
to be a copy of said last will and
Testament has been exhibited before
me for probate and the same does
not appear to have been duly proved
and allowed in the Kingdom of
Great Britain as required by the
Laws of North Carolina:

Now therefore know Ye that having
Confidence in your prudence and
Fidelity I do hereby authorize and
empower you to cause F. S. Field
Solicitor Learnington Fred Lowe
Speerer his Clerk and Edward
Halford Clerk and Palgrave
Simpson Solicitor Liverpool,
John Hunter Clerk to Messrs Simp-
= son & North Solicitors Liverpool
and David Henry Owen and
Francis Barlow Witnesses to the said
last will and Testament and
the several Codicils thereto &c

= tached to come before you at such time and place as you shall appoint and them to examine on oath concerning all such matters ~~that~~ they may know touching the execution thereof and their deposition to take in writing under your hand & seal up send the same to me Judge of Probate and Clerk of the Superior Court for Henderson County at Hendersonville in said County State of North Carolina.

Witness C. M. Pace Judge of Probate at Office the 31st day of July 1882.
Issued 31st day of July 1882.

C. M. Pace C. S. C. &c.
Judge of Probate

In the matter of the Probate of the last Will and Testament and Codicils of Eliza Barrick Wolynna, deceased a citizen of the Kingdom of Great Britain.

Depositions of Francis Barlow Examiner of Wills in the Principal Probate Registry of England David Henry Owen one of the Registrars of the Probate Division of The High Court of Justice of England at the Principal Registry of the said Probate Division Algernon Sydney Field and Frederick Lowe Spicer the attesting witnesses of the said last will and Testament and the first codicil thereto and two of the attesting witnesses of the second codicil to the said last will and Testament Edward Halford the other attesting witness of the said second codicil and Palgrave Simpson one of the attesting witnesses of the third and last codicil to the said last will and Testament taken on the examination of the said several persons respectively by William P. Pace Vice & Deputy Consul of the United States of America at Liverpool No. 14, Baltic Exchange pursuant to and by virtue of the Commission thereto annexed that is to say

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Francis Barlow being duly
sworn and examined by William
P. Paull at the Principal Probate
Registry of the High Court of Justice
in England at Somerset House in
the County of Middlesex on the fourth
day of September A.D. 1882 deposes in
answer to interrogatories as follows:

First Interrogatory

W.P.P. Are you an Examiner of Wills
in the Principal Probate Registry
of England

Answer. I am such Examiner.

Second Interrogatory.

Have you examined the
original Last will & Testament
& 3 codicils thereto of Eliza
Hamitt Malynoux deceased
now produced before you with
the paper writing marked A pur-
porting to be a certified copy thereof
also now produced to you? If you
please state whether the said
paper writing is a full and true
copy of said original will & codicils.

Answer. I have so examined the said
original will & codicils of Eliza
Hamitt Malynoux and said paper
writing is a full and true copy thereof.
F. Barlow.

W.P. Paull
Vice & Deputy Consul of
The United States of America
at Liverpool. To say Public
Ex Office.
Commissioner

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David Henry Owen being duly sworn and examined by William P. Paull at the Principal Probate Registry of the High Court of Justice in England at Somerset House in the County of Middlesex on the fourth day of September A.D. 1882 deposes in answer to the Interrogatories as follows—

First Interrogatory

Are you one of the Registrars of the Probate Division of the High Court of Justice of England at the Principal Registry of the said Probate Division at Somerset House in the County of Middlesex—
Answer— I am

Second Interrogatory

Is the paper writing now produced to you marked A a certified copy of the last will and Testament and Codicils of Eliza Harriet Molyneux deceased duly issued out of the Principal Registry in England under the Seal of the Court & signed by you—
Answer It is.

Third Interrogatory

Do you know the laws of England in relation to the Probate of Last wills & Testaments— Has the said Last will & Testament with three Codicils thereto of Eliza Harriet Molyneux deceased been duly proved and allowed according to the laws of England and is the same now lodged in said Principal Registry—
W.P.P.

and there recorded as duly
proved and allowed
Answer - I do know the said laws.
The said will has been ^{so}
proved and allowed & is so
lodged and recorded.

Fourth Interrogatory

Is Francis Barclay whom
you have seen examined
as to the execution of the said
M.P. certified copy of the will
of Eliza Hammett wholly agree with
three codicils, that one of the
officers of the said Court for
examining copies of wills with
the originals duly appointed for that
purpose?

Answer - Yes -

David Henry Owen
Registrar

W. P. Paul
Vice & Deputy Consul
of The United States of
America at Liverpool
Notary Public & Officer
Commissioner.

Algernon Sydney Field of the Town
of Leamington in the County of
Warwick England Solicitor of the
Supreme Court of Judicature in
England being duly sworn and
examined by William P. Paul
at Liverpool in the County Palatine
of Lancaster on the twenty-second day
of September A.D. 1882 deposes in answer
to Interrogatories propounded to him as follows.

First Interrogatory

Were you acquainted with Eliza Harriett Molyneux deceased and her hand writing. If so will you please examine the original last will and Testament of the said Eliza Harriett Molyneux now before you and say whether the same was written in the lifetime of the said Eliza Harriett Molyneux and signed by her or some other person in her presence and by her direction and whether you signed the same as a witness thereof in her presence and whether you had any interest in the devise or bequests contained in said will.

Answer - I was acquainted with Eliza Harriett Molyneux deceased & her hand writing - The original last will and Testament of the said Eliza Harriett Molyneux bearing date the 3^d day of July 1868 a codicil ^{therein} bearing the same date and another codicil thereto bearing date the 1st day of October 1868 now before me were written in the life time of the said Eliza Harriett Molyneux and respectively signed by her - I signed the same respectively as a witness thereof in her presence - I had no interest in the devise, or bequests contained in the said will or in any of the codicils thereto.

Second Interrogatory

What is the Law of England relating to the execution & probate of wills & Testaments & has the last will & Testament with the codicils thereto of the said Eliza Harriett Molyneux been duly proved & allowed in England

Answer - The Law of England requires

that Wills & Testaments be
 executed by being signed at the
 foot or end thereof by the Testator
 in the presence of two witnesses
 at least & attested by them in the
 presence of the Testator & each
 other & in undisputed cases, where
 the attestation clause states, a
 compliance with the law it is taken
 as proof of due execution.

In case where the attestation clause
 does not show a full compliance
 with the law proof of such com-
 -pliance by affidavit must be made.

The last will & Testament with three
 Codicils thereto of Eliza Harriet Wolgar
 the said will bearing date the 3rd day
 of July 1868 One of the said Codicils
 bearing the same date The second of
 said Codicils, bearing date the 1st,
 day of October 1868 and the third and
 last of the said Codicils, bearing date
 the 14th day of June 1872 appear from
 the Probate thereof now before me
 to have been duly proved and allowed
 at the Principal Registry of the Probate
 Division of the High Court of Justice
 in England.

A. S. Field.

W. P. Paull
 Vice & Deputy Consul of
 the United States of
 America at Liverpool, &
 Acting Public & Office
 Commissioner.

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Frederick Lorne Treves of Leamington
England Clerk with Messrs Field & Sons
Solicitors of the Supreme Court of
Judicature in England practising
at Leamington being duly sworn
and examined by William P. Paull
at Liverpool the 21st day of September
A.D. 1882 deposes in answer to Interrog^s
as follows -

First Interrogatory

Were you acquainted with
Eliza Harriet Molyneux deceased
& her hand writing. If so will
you please examine the original
Last will and Testament of the
said Eliza Harriet Molyneux
bearing date the 3rd day of July
1868 & two Codicils to the said
Last will & Testament one bearing
date the 3rd day of July 1868 & the
other bearing date the 1st day of
October 1868 now before you and
say whether the said Last will
& Testament & Codicils respectively
were written in the life time of the
said Eliza Harriet Molyneux and
signed by her and whether you signed
the same as a witness thereof in
her presence and whether you
had any interest in the devises
or bequests contained in the
Last will & Testament of the
said Eliza Harriet Molyneux
or the said Codicils or any other
codicil thereto

Answer -

I was acquainted with
Eliza Harriet Molyneux deceased
and her hand writing. The
original Last will & Testament &

of the said Eliza Hammett Molyneux bearing date the 3^d day of July 1868
 W.P.P. & two codicils to the said last will & Testament one bearing
 W.P.P. the same date & the other
 bearing date the 1st day of October
 W.P.P. 1868 I now before me were respectively
 written in the life time of the
 said Eliza Hammett Molyneux
 & signed by her & I signed the
 said last will and Testament
 and codicils, respectively as a
 witness thereof in her presence -
 I had no interest in the devises
 or bequests contained in the said
 last will & Testament of the said
 Eliza Hammett Molyneux or the
 said codicils, or any other codicil
 thereto -

Wm. Spier?

Edward Halford of Kendworth
 in the County of Warwick Esq^r
 Inland Revenue Officer being duly
 sworn and examined by William
 P. Paul at Liverpool in the County
 Palatine of Lancaster England on the
 twelfth day of September A.D. 1882
 deposes in answer to interrogatories
 propounded as follows:

First Interrogatory

Were you acquainted with
 Eliza Hammett Molyneux deceased
 and her hand writing If
 so will you please examine
 the original Codicil to the
 last will & Testament of the
 said Eliza Hammett Molyneux &

signed by her and whether you
 signed the same as a witness
 thereof in her presence and whether
 you had any interest in the devise
 or bequests contained in the last
 will & Testament of the said Eliza
 Hamnett Molyneux or the said or
 any other Codicil thereto.

Answer - I was acquainted with
 Eliza Hamnett Molyneux deceased
 then and writing the Codicil
 to the last will & Testament
 of the said Eliza Hamnett Molyneux
 bearing date the 1st day of October 1868
 now before me was written in the
 life time of the said Eliza Hamnett
 Molyneux and signed by her & I signed
 the same as a witness thereof in
 her presence. I had no interest in
 the devise or bequests contained in
 the last will & Testament of the
 said Eliza Hamnett Molyneux or
 the said or any other Codicil thereto,
 Edward Halford.

W P Paull
 Vice & Deputy Consul
 of The United
 States of America
 at Liverpool -
 Navy Public
 & Officers -
 Commissioners

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Palgrave Simpson of
the City of Liverpool
England a solicitor of
the Supreme Court of Judica-
ture in England being duly
sworn & examined by William
P. Paull at Liverpool aforesaid
on the 12th day of September
1882 deposes in answer to
Interrogatories as follows.

First Interrogatory

Were you acquainted with
Eliza Hammett Molyneux
deceased and her hand-
writing If so will you please
examine the ^{original} Codicil to the
last will & Testament of the
said Eliza Hammett Molyneux
bearing date the 14th day of June
1872 now before you and say
whether the same was written
in the life time of the said
Eliza Hammett Molyneux & signed
by her and whether you signed
the same as a witness thereto
in her presence and whether
you had any interest in
the devises or bequests contained
in the last will & Testament
of the said Eliza Hammett
Molyneux or the said or any
other Codicil thereto

Answer - I was acquainted
with Eliza Hammett Molyneux
and her hand writing the
Codicil to the last will &
Testament of the said Eliza
Hammett Molyneux bearing
date the 14th day of June 1872
now before me was written

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in the life time of the said Eliza Harriett
Molyneux & signed by her & I signed
the same as a witness thereof in
her presence. I had no interests
in the devises or bequests contained
in the last will & testament of the said
Eliza Harriett Molyneux or the said
or any other Codicil thereto -

Second Interrogatory

Were you acquainted with
John Hunter Clerk with Messrs
Simpson & North Sols. Liverpool
witness to the said Codicil to
the said last will & testament of
Eliza Harriett Molyneux deceased
bearing date the 14th day of June
1872 and are you acquainted
with his hand writing if so
please state whether the said
witness is alive & if dead
whether his name as a witness
to the said Codicil is in his
own hand writing & his proper
signature.

Answer - I was acquainted
with John Hunter Clerk with
Messrs Simpson & North Sols.
Liverpool witness to the said
Codicil to the last will and
testament of Eliza Harriett
Molyneux deceased of the 14th
day of June 1872 & I am ac-
quainted with his hand writing -
The said witness is dead -
His name to the said Codicil
is in his own hand writing
& his proper signature & he
attached said Codicil in my
presence & in the presence of the
said Testator & was present when she signed it.

Third Interrogatory

What is the law of the
England relating to the
execution & Probate of Wills
& has the last will and Test-
ament with three codicils, Thereto
of Eliza Hammett Molyneux deceased
been duly proved & allowed
in England -

Answer - The law of England
requires that will & Testaments
must be executed in the
presence of Two witnesses and
attested by them in the presence
of the Testator and each other
in cases where the attestation
Clause states. On compliance
with the law it is regarded
as proof of due execution.
In cases where the attestation
Clause does not show full com-
pliance with the Law Proof of
such compliance by affidavit is
required - The last will and
Testament with three Codicils
Thereto of Eliza Hammett Molyneux
deceased has been duly proved
and allowed at the Principal
Registry in England.
Palgrave Simpson

W P Paull
Vice & Deputy Consul
of the United States of
America at Liverpool
Notary Public & Officer
Commissioner

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An exemplification of the last will and testament of Eliza Harriett Molyneux deceased duly certified and authenticated having been exhibited for probate in the Court of Probate for the County of Henderson North Carolina and a Commission having issued by order of said Court to William H. Paul Vice & Deputy Consul of the United States at the City of Liverpool in the Kingdom of Great Britain for taking proofs touching the execution of the same which said Commission proofs thereto attached have been duly returned as provided by Law.

And it appearing to the satisfaction of the Court from the Certificate, Exemplification of the Record hereinafter mentioned and the depositions thereto appended touching the due execution of said will ~~that~~ that the last will and testament of Eliza Harriett Molyneux deceased a citizen of the Kingdom of Great Britain has been duly proved and allowed in the proper Court of Probate in the City of London and Kingdom of Great Britain according to the Laws of said Country and it appearing further that the said Eliza Harriett Molyneux left property both real and personal in the County of Henderson State of North Carolina and that her said will in which she devises the same has been executed according to the Laws of this State - It is

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Whereupon ordered and
adjudged that the exam-
-plication of said will
and of its probate in the
proper Court of the said
Kingdom of Great Britain
and the Commission and
proofs taken touching the
execution & probate of the
same which have been
produced and exhibited
here duly certified and
authenticated be allowed
filed and recorded in
this Court.

This 25th day of November 1882,
Bill Rice C.S.G. &
Judge of Probate.