

THIS IS THE LAST WILL AND TESTAMENT

.. of me ..

WALTER MAW OF "Holmleigh" Windsor Road and 22 Clegg Street both in Oldham in the County of Lancaster Solicitor a Member of the firm of Ascroft, Maw & Shimeld I APPOINT MY Daughter Margaret Maw and Christopher Wesley Shimeld of 22 Clegg Street aforesaid Solicitor (hereinafter called "my Trustees") EXECUTORS AND TRUSTEES hereof I BEQUEATH the following pecuniary legacies, namely:-

- (a) Two hundred pounds to my Wife Lucy Maw and I direct that the same shall be paid to her as soon as possible after my death.
- (b) Two thousand five hundred pounds to my said Daughter.
- (c) Three thousand pounds in equal shares to the two daughters of my late Son Allan.
- (d) Seventy five pounds to James Wilde Collin now a clerk with the said firm of Ascroft, Maw & Shimeld.
- (e) Seventy five pounds to Fred Walton now a clerk with the said firm.
- (f) Twenty pounds to Doris Gertrude Lea now a clerk with the said firm.
- (g) Ten pounds to each Son and Daughter of my Brother Herbert Harry Maw
- (h) Ten pounds to my Nephew Edmund Maw
- (i) Ten pounds to my Wife's Niece Merlwyn Maw
- (j) Ten pounds to my Wife's Nephew Stewart Maw.
- (k) Fifty pounds to my Housekeeper Mrs Louisa Maud Grayson.
- (l) Fifty pounds to my Housemaid Florence Ryan.
- (m) Fifty pounds to the said Christopher Wesley Shimeld as a slight recognition of the trouble he will have as an Executor and Trustee hereof.

AND I DIRECT that the said legacies shall be paid to the several legatees free from deduction in respect of legacy

duty I BEQUEATH the whole of my furniture silver plate glass books pictures linen and other household effects to my said wife absolutely I DECLARE that the furniture in the bedroom of my daughter and a writing desk or table and some pictures and several other articles of furniture are the property of my said daughter and that the piano and a large portion of the other articles of furniture pictures ornaments and household effects in my house are the property of my said wife I BEQUEATH the residue of my property estate and effects of every nature of description to my Trustees UPON TRUST that they shall sell call in and convert into money the same or such part thereof as shall not consist of money and shall out of the moneys produced by such sale calling in and conversion and out of my ready money pay my funeral and testamentary expenses and debts and the legacy duty on the said legacies hereinbefore bequeathed and all other duties payable in respect of my estate and shall invest the remainder of the said money with power for my Trustees from time to time at their discretion to vary the investments and stand possessed of the said moneys and the investments for the time being representing the same (hereinafter called "my residuary estate") UPON TRUST to pay out of the income thereof an annuity of Seven hundred pounds (free of duty) to my Wife during her life and subject to the said annuity my residuary estate shall be divided into two shares one of which shall consist of and be three-sevenths share in trust for my said daughter Margaret and the four-sevenths share in trust for the two daughters of my late Son Allan in equal shares PROVIDED ALWAYS and I direct that my Trustees shall retain the share of each of them my said Daughter and the two Daughters of my said late Son Allen in my residuary estate UPON TRUST to pay the income to her in respect of whom it shall be retained for her life without power of anticipation during coverture and after the death of each of them the share of the one so dying shall be held upon trust for such of her child or children as shall attain the age of twenty one years and if more than one in equal shares and in case of the death of either of them without leaving a child surviving her who shall attain the age of twenty one years then her share shall be held in trust for the other or others of them if more than one in equal shares but so that the share accruing under this trust shall be subject to the trusts hereby declared concerning her original share and in case my said Daughter

and the two Daughters of my said late Son shall die without leaving a child who shall attain the age of twenty one years my Trustees shall hold my residuary estate upon trust for such person or persons and upon such terms and conditions as such survivor shall by her Will direct or appoint AND I DIRECT AND DECLARE that the said annuity of Seven hundred pounds directed to be paid to my Wife shall be paid to her quarterly the first payment to become due at the end of three months from the date of my death AND I FURTHER DECLARE that my Trustees may in their absolute and uncontrolled discretion postpone during such period or periods as they shall think fit the sale calling in and conversion of the whole or any part or parts of my residuary estate and further that the net profits and income arising from my residuary estate until the sale calling in and conversion thereof in whatsoever condition or state of investment the same may be whether consisting of investments of an authorized character or not shall for all purposes of this my Will and as between all the persons interested therein as well during the first year after my death as afterwards be paid and applied as if the same were income arising from the proceeds of such sale calling in and conversion or the investment of such proceeds no part thereof being liable to be retained as capital AND I DECLARE that if any call or calls shall be made in respect of any part paid up shares forming part of my residuary estate and which shares my Trustees may elect to retain such call or calls shall be paid out of capital and not out of income AND I DECLARE that it shall be lawful for my Trustees at their discretion in lieu of actually converting and realizing my residuary estate for division to effect a partition or apportionment thereof in the condition of investment in which the same may happen at the time of appropriation to be into shares for the purpose of answering the trusts hereinbefore contained concerning the respective shares into which my residuary estate is directed to be divided and for that purpose to allot any part of my residuary estate as the equivalent of any such share or shares or any part or parts thereof and to determine or assume in such manner and upon such grounds as my Trustees shall in their discretion think fit the value for the purpose of such partition or apportionment of every or any part or parts of my residuary estate and it shall be lawful for my Trustees at their discretion specifically to allot or appropriate any part or parts of my

residuary estate in its actual condition of investment as the equivalent or part equivalent of any share of and in my residuary estate with the same powers as in the case of a partition of determining or assuming for the purpose of such allotment the value of every or any part or parts of my residuary estate AND I AUTHORIZE my Trustees in case at any time with a view to the distribution or administration of my estate or if for any other reason it shall be deemed convenient so to do to appropriate and retain a sufficient part of my estate or the investments representing the same for answering by the annual income thereof the said annuity to my wife but without prejudice to the powers of sale and investment and transposing investments hereinbefore contained AND I DECLARE that if the annual income from the appropriated fund shall at the time of appropriation be sufficient to satisfy the annuity to my wife such appropriation shall be a complete satisfaction of the trust to provide for such annuity and that if the income of the appropriated fund shall at any time and for any cause whatsoever prove insufficient to pay the said annuity to my wife in full resort may be had to the capital thereof from time to time to make good such deficiency and the surplus income if any of the said fund from time to time remaining after payment of the said annuity shall be applicable as income of my residuary ESTATE AND I DECLARE that if and when such annuity shall cease the appropriated fund shall sink into and become part of my residuary estate I HAVE for many years paid my brother John Richard Ten pounds every four months and although I am under no legal liability to make these payments I direct my Trustees to continue them out of the income of my residuary estate during the remainder of his life AND I DECLARE that my Trustees shall have power to sell my share and interest of an in the land buildings and premises Nos 22, 24 and 26 Clegg Street Oldham aforesaid at a price which may be fixed by the District Valuer for estate duty purposes and that the said Christopher Wesley Shimeld although a Trustee of this my Will shall be at liberty to enter into such contract with reference thereto and if he shall so desire be at liberty to purchase the same at the value so fixed as freely as if he had not been a Trustee AND I DECLARE that all moneys liable to be invested under my Will may be invested in any investments or securities for the time being authorized by law for trust money or on real or leasehold securities in England or Wales

such leaseholds having not less than five hundred years to run from the time of such investment being made or in or on the stocks funds or securities of any British Colony or Dependency (except Ireland) or in or on Debentures of any public company carrying on business in England which has paid a dividend on its ordinary stock or shares at the rate of five percent per annum at the least for the last six years prior to the date of investment or in or on the stocks mortgages debentures of securities not payable to bearer of any Municipal County or District Council Public Body Local or Harbour Authority in England or Wales AND I DECLARE that my Trustees may instead of acting personally employ and pay a Solicitor or other person to transact business or do any act required to be done in connection with the management or distribution of my estate or the trusts hereinbefore declared including the proof of my will or the receipt and payment of money and that any Executor or Trustee being a Solicitor or other person engaged in any profession or business may be so employed and shall be entitled to charge and be paid all professional or other charges for any business or other act or acts done by him or his firm in connection with the trusts hereof including act or acts which an executor or trustee not being a Solicitor or personal engaged as aforesaid could have done personally AND HEREBY REVOKING all former Wills by me made I DECLARE this to be my last Will and Testament IN WITNESS whereof I have to this my Will contained in this and the five preceding sheets of paper set my hand to each of the said sheets this *third* day of *October* One thousand nine hundred and thirty five.

SIGNED by the said WALTER MAW as and)
 for his last Will and Testament in)
 the presence of us both being)
 present at the same time who in his)
 presence and in the presence of each)
 other have hereunto subscribed our)
 names as witnesses.)

Walter Maw

G Knowles
R W Kirkham

) Clerks to Ascroft Maw & Shimeld
) Solicitors Oldham

In His Majesty's High Court of Justice
The Principal Probate Registry

BE IT KNOWN that *Walter Maw of Holmleigh Windsor Road and of 22 Clegg Street both in Oldham in the County of Lancaster*

died on the *25th* day of *April 1937 at Holmleigh aforesaid*

AND BE IT FURTHER KNOWN that at the date here underwritten the last Will and Testament (a copy whereof is hereunto annexed) of the said deceased was proved and registered in the Principal Probate Registry of His Majesty's High Court of Justice and that Administration of all the Estate which by law devolves to and vests in the personal representative of the said deceased was granted by the aforesaid Court to

Margaret Maw of Wydafa Overlea Avenue Deganwy in the County of Caernarvon and of Holmleigh aforesaid Spinster daughter of deceased and Christopher Wesley Shimeld of 22 Clegg Street Oldham aforesaid Solicitor the Executors named in the said Will

And it is hereby certified that an Affidavit for Inland Revenue has been delivered wherein it is shown that the gross value of the said Estate in Great Britain (exclusive of what the said deceased may have been possessed of or entitled to as a Trustee and not beneficially) amounts to **£75,372. 15.6**

And that the net value of the personal estate amounts to **£74196. 1.3**

And it is further certified that it appears by a Receipt signed by an Inland Revenue Officer on the said Affidavit that **£12981. 15.6** on account of Estate Duty and Interest on such duty has been paid.

Dated the *31st* day of *May 1937*

Registrar