

This is the last Will and Testament of me John Ashworth of Cloughfold in the Forest of Rossendale in the County of Lancashire Gentleman I give and bequeath unto my daughter Mary Ann Ashworth spinster and George Hargreaves of New Church in Rofsendale aforesaid esquire who are hereinafter appointed my executors the sum of Eight thousand pounds out of my personal estate Upon trust that they do immediately and as soon as convenient after my decease place out and invest the same in the names of them the said Mary Ann Ashworth and George Hargreaves in or upon the public stocks or funds or other Government security or any mortgage of freehold copyhold or leasehold securities in England or Wales or upon such security of real personal or mixed nature as they the said Mary Ann Ashworth and George Hargreaves shall in their judgement deem sufficient with power for them to call in vary and transpose such stocks funds or securities from time to time as often as occasion shall require or as they shall deem expedient And as to all and singular the said trust money stocks funds and securities I direct and declare that the said Mary Ann Ashworth and George Hargreaves and the survivor of them his or her executors or administrators shall stand pofsefsed thereof Upon the following trusts that is to say As to for and concerning One thousand pounds part of the said sum of Eight thousand pounds Upon trust to pay and apply the interest dividends and annual proceeds thereof unto Mary the widow of my late Son John deceased during the term of her natural life if she shall so long remain unmarried the same to be paid by two equal half yearly payments in each year the first of such payments to become due at the end of six calendar months after my decease And a proportional part of such annual proceeds shall fall due on the day of the death of my said Daughter in Law according to the time which shall have elapsed since the then last half yearly payment thereof shall have been due And from and after the decease or second marriage of my said Daughter in Law in which shall first happen Then as to for and concerning the said sum of One thousand pounds upon and for the trusts intents and purposes hereinafter declared on and concerning the said grofs trust fund of Eight thousand pounds or such of the said trusts intents and purposes as shall then be subsisting and capable of taking effect that is to say I do hereby direct and declare that the said Mary Ann Ashworth and George Hargreaves and the survivor of them his or her executors or administrators shall and do from and immediately after my decease stand and be pofsefsed of and interested in the said trust fund of Eight thousand pounds and the stocks and securities for the same (Subject neverthelefs to the provision hereinbefore made for my said Daughter in Law during her life or widowhood our of the yearly proceeds of One thousand pounds part of the said trust fund) In trust for Elizabeth Ann and Mary Alice the two children of my said late Son John deceased in equal shares and proportions absolutely for ever the same to be payable to them on their respectively attaining the age of twenty one years or days or marriage which shall first happen and if only one such Children of my said Son John shall live to attain the age of twenty one years or be married then the whole of the said trust monies stocks funds and securities shall be for the absolute use and benefit of such only surviving Child at the age or time aforesaid Provided always and I declare and direct that during the minorities of my said Grandchildren respectively it shall be lawful for the

said Mary Ann Ashworth and George Hargreaves and the survivor of them his or her executors or administrators in their his or her discretion from time to time to pay and apply such part and so much of the yearly dividends or interest or proceeds of the presumptive or expectant share of each such Child as they my said Trustees in their Judgement and discretion shall deem necessary and sufficient in or towards the maintenance and education or otherwise for the benefit of my said Grandchildren respectively and that so much of the said dividends interest and annual proceeds as shall not be applied as aforesaid shall be improved and accumulated and the accumulations added to the principal Provided also and I do further declare that it shall be lawful for the said Mary Ann Ashworth and George Hargreaves and the survivor of them his or her executors or administrators to apply so much and such part of the principal of the vested or expectant share respectively of my said Grandchildren of and in the said trust monies as they the said Mary Ann Ashworth and George Hargreaves or the Survivor of them his or her executors or administrators shall in their his or her Judgement and discretion think necessary and advisable expedient or proper towards the advancement or preferment in the World of such my said Grandchildren to whom such share or respective shares shall actually or ?? belong or otherwise for the benefit and advantage of my said Grandchildren respectively Provided also and I do hereby further declare that in case the said Children of my said Son John shall both depart this life before becoming entitled to their presumptive or expectant shares in the said trust monies and ?? then I direct that the said sum of Eight thousand pounds and the stocks funds and securities ?? the same shall be invested or placed out and the future dividends and annual produce thereof shall go and be considered as part of my residuary personal estate and be subject to the disposition hereinafter made regarding the same And I direct that my said Daughter in Law shall have the use and occupation of the house in which she now resides at Cloughfold aforesaid with its appurtenances rent free for and during the term of her natural life provided she shall so long remain unmarried and shall think proper to occupy the same I give and devise unto my said Daughter Mary Ann and the said George Hargreaves their heirs and assigns my mefsuage farm and tenement situate at Heightside which I purchased from the Trustees of the late Lawrence Taylor of Wain Gate with all buildings lands and appurtenances to the same belonging Also my mefsuage farm and tenement situate at and called Meadow head with all buildings lands and hereditaments to the same belonging including the house lately occupied by Mrs Heap Richard Lord and John Butterworth Also my mefsuages farm and tenement called Lane Top with all buildings lands and appurtenances to the same belonging and also all my mefsuages farm and tenement called Old Dole with all buildings lands and hereditaments to the same belonging To hold the same several estates and hereditaments unto my said daughter Mary Ann and the said George Hargreaves their heirs and assigns for ever But neverthelefs upon the several trusts and to and for the several ends intents and purposes and subject to the several powers provisos agreements and dedications hereinafter mentioned exprefsed and declared of and concerning the same And I give and will unto my said Daughter Mary Ann All and singular my estates buildings lands and hereditaments situate at and near to

Cloughfold aforesaid (subject to the interest hereinbefore given to Mary the Widow of my late Son John deceased in the dwellinghouse now in her occupation) including the hereditaments purchased by me from the mortgage and Trustees of the late William Greenwood and Alice Greenwood Also my mefsuage farm and tenement at Banktop with all buildings lands and hereditaments to the same belonging Also my mefsuage farm and tenement called Black Mofs with the buildings lands and hereditaments to the same belonging And also my mefsuage farm and tenement called Pen Mofs with all buildings lands and hereditaments to the same belonging To hold the same several estates and hereditaments with all buildings lands and hereditaments and appurtenances to the same respectively belonging unto and to the only proper use and benefit of her my said Daughter Mary Ann her heirs and afsigns absolutely for ever And I give and bequeath to my Daughter Elizabeth the Wife of Mr Henry Slater the following articles of household furniture namely the Writing Desk in my Bed Room a Prefs Bed and Bedding a Tea Urn and the Gilt Tea China and also one equal half share of my Table and Bed Linen Desert Spoons and Silver Forks and also half of the Old China in the Cupboard in the Tea Room and Lobby And I give and bequeath to my said Daughter Mary Ann all the rest residue and remainder (not hereinbefore given to my Daughter Elizabeth) of my household goods furniture plate linen glafs china books pictures ornaments and other household effects Also my carriage Horses farming stock carts cattle implements and utensils of husbandry and other articles and effects of that nature To hold to her my said Daughter Mary Ann her executors and administrators absolutely And I give and bequeath to her my said Daughter Mary Ann the sum of Nine hundred pounds or other principal monies owing to me on security of the tolls of the Haslingden and Todmorden Turnpike Road and Branches or any other Turnpike Road with all interest due thereon at the time of my decease Also my Pew in the Gallery of the Parochial Chapel of New Church now in my own occupation To hold the same monies and Pew and my said Daughter Mary Ann her executors and administrators absolutely And whereas under the Will of Richard Ashworth my late Father deceased I am liable to the payment unto my Sister Ann of the yearly sum of Seventy pounds during the continuance of a certain Lease of Coal Mines within the Manor of Accrington (now expired) and to the yearly sum of ten pounds from the expiration of the said Lease during the life of my said Sister Now I do hereby direct that the said yearly sum of Twenty pounds shall not be reduced as in my said Father's Will is directed but that the whole Twenty pounds a year shall continue to be paid to my said Sister during the term of her natural life notwithstanding the said Lease having expired And in order to provide for the due payment of the said annuity and of a certain legacy payable under the Will of my said late Father and charged upon certain parts of my copyhold estates) hereinbefore given to my Daughter Mary Ann I give and bequeath to my said last mentioned Daughter the additional sum of Four hundred pounds wherewith to discharge such annuity and legacy so charged by my said Father's will as aforesaid And as to for and concerning All other my real estate (except estates hld upon mortgage or by way of trust) and all and singular my personal estate and effects not hereinbefore disposed of whatsoever and wheresoever and of what nature or kind or quality soever

(save and except my interest in the new Lease of Coal mines within the Manor of Accrington)

Subject to and after payment of my debts funeral and testamentary expenses including the debt and legacies payable under the will of the late Mr John Heap and which I direct shall be paid out of my Personal Estate I give devise and bequeath the same and every part thereof unto and equally between my said two Daughters Elizabeth and Mary Ann And I give and bequeath my interest in the said new Lease of Coal Mines unto my said Daughters in the shares following that is to say one third part thereof to my said Daughter Elizabeth and the remaining two third parts thereof to my said Daughter Mary Ann and as to the shares of my said Daughter Mary Ann of and in my said residuary estate and my interest in the said new Coal Lease respectively I direct that my executors shall pay or assign the same respectively to her my same Daughter as soon as conveniently may be after my decease and the same shall have been received to and for her and their own use and benefit absolutely And as to the shares of my said Daughter Elizabeth of and in my said residuary estate and my interest in the said new Coal Lease respectively I direct that the same shall not be paid or assigned to her but that my said Executors and the survivor of them and the executors and administrators of such survivor do and shall stand possessed of and interested in the same respectively Upon trust as to such part thereof as shall consist of money to pay thereout unto my said Daughter Mary Ann such a sum of money as hereinafter mentioned that is to say in case the share and interest late belonging to Elizabeth Ashworth my late Wife deceased on and in an estate dwellinghouses land and hereditaments situate at and called Wales in the Forest of Rofsendale aforesaid and which by her last Will and Testament were given to me during my life and after my decease to my said Daughter Elizabeth her heirs and assigns for ever shall be sold during my lifetime Then the sum of One thousand five hundred pounds and in case the said hereditaments shall not be sold in my lifetime then the sum of One Thousand eight hundred pounds such sum of One thousand five hundred pounds or One thousand eight hundred pounds as the case may be to be paid to my said Daughter Mary Ann by instalments of Three hundred pounds a year until the whole be paid And as to the residue of the share of my said Daughter Elizabeth of and in my said residuary estate after the payment aforesaid Upon trust to lay out and invest the same And also her share of my interest in the said Coal Lease in the public stocks or funds or other Government Security or an mortgage of freehold copyhold or leasehold securities in England or Wales on upon security of a real personal or mixed nature as they my said Executors shall in their judgement deem sufficient in the names of them the said Mary Ann Ashworth and George Hargreaves or the survivor of them her or his executors or administrators And as to for and concerning as well the said several estates farms lands tenements hereditaments and premises so devised to the said Mary Ann Ashworth and George Hargreaves as Trustees as aforesaid as the said stocks funds and securities in the purchase ??? the remainder of the share of my said Daughter Elizabeth of and in my said residuary and other trust property is hereinbefore directed to be invested I do declare and direct that the said Mary Ann Ashworth and George Hargreaves and the survivor of them and their heirs executors and administrators respectively of such survivor shall stand and be

seised pofsefsed and interested of and in the same and every part thereof Upon and subject to the trust powers provisions and dedications and agreements hereinafter mentioned exprefsed and declared of and concerning the same (that is to say Upon trust from and out of the stocks dividends and annual proceeds respectively of the said trusts premises of by mortgage of the same premises or any part thereof or by other ways or means as to them him or her shall seam right or proper to levy raise and pay to my said Daughter Mary Ann so much and such part of the said sum of One thousand five hundred pounds or One thousand eight hundred pounds as she and they by the instalment aforesaid as the cash falling to her share of my said Daughter Elizabeth of and in my said residuary personal trust property shall not extend to pay and ??? Upon trust as to said estates lands hereditaments stocks shares and other trust ????? persons for such estate and estates interest and interests Upon such trust and for ????? purposes and in such manner and form and subject to such powers of ??? as my said Daughter Elizabeth notwithstanding her present or any future??? Whilst during her life shall by any Deed or Writing direct or appoint And in default of and ??? such direction limitation or appointment shall be made And as to such part of the ??? whereof there shall be such direction limitation or appointment Then upon trust that they the said Mary Ann Ashworth and George Hargreaves do and shall from time to time during the life of my said Daughter Elizabeth and take the rents dividends interest and annual proceeds of the said trust property when and as the same shall accrue and shall and do pay and apply the same unto the proper hands of my said Daughter Elizabeth or the hands of such person or persons as she in ???signed by her shall notwithstanding coverture? direct or appoint the same to be for the sole and separate use benefit and disposition of my said Daughter Elizabeth free from the control or infringement of her present or any future husband And I direct that her receipt alone (notwithstanding her coverture?) or the receipt of such person or persons to whom she shall so direct the same to be part as aforesaid signed with her or their hand or hands shall from time to time be a good and effectual discharge or discharges for such rents interest dividends and annual proceeds or so much thereof as shall therein be re??? Or acknowledged be received And from and after the decease of my said Daughter Elizabeth Upon trust that they my said Trustee or Trustees for the time being do and shall stand interested in the said estates lands stocks funds and securities in trust for all and every or any one or more in exclusion of any other or others of the Children of my said Daughter Elizabeth for such estate or estates interest or interests in such funds shares and proportions manner and form and with such provisions for their separate maintenance and education and otherwise as my said Daughter Elizabeth by any Deed or Deeds Investment or Investments in ??? with or without power or revocation or new appointment or by her last Will and Testament in Writing or any Codicil or Codicils thereto or any Writing in the nature of or purporting to be a Will or Codicil shall direct or appoint give or bequeath the same And in default of such direction in appointment gift devise or bequest and so far ay such direction appointment gift or bequest (if incomplete) shall not extend In trust for and every the Children and Child of my said Daughter Elizabeth as well by her present or any future husband equally to be divided amongst

such Children as tenants in common and in case any one or more of the Children of my said Daughter Elizabeth shall depart this life under the age of twenty one years without leaving lawful issue then as to the original and any accruing share or shares of the Child or Children so dying In trust for the other or others of the same Children to be divided between or amongst them in equal shares And in case all the Children of my Daughter Elizabeth shall depart this life under the age of twenty one years and without leaving lawful issue then In trust for my said Daughter Mary Ann her heirs executors and administrators absolutely for ever And I appoint my said Daughter Mary and the said George Hargreaves executors and executor of this my will And I further give and devise unto my said Daughter Mary Ann and the said George Hargreaves their heirs and assigns Upon and subject to the several trusts and equities affecting the same respectively And I direct and declare that in ?? my said Daughter Mary Ann or the said George Hargreaves or either of them or any Trustee or Trustees to be appointed under the present provision shall die or become unwilling or unable to act in the aforesaid trusts before the same shall be fully performed Then and in any such case it shall be lawful for the surviving or acting Trustee or Trustees for the time being of this my Will or if there be none such ??? the surviving Trustee or Trustees or in case all the Trustees shall have departed this life then for the executors or administrators of the last surviving Trustee to nominate any fit person or persons to supply the place or places of the Trustee or Trustees so dying or becoming unwilling or unable to act as aforesaid and that immediately after such nomination the same trust premises shall be conveyed and transferred so and in such manner as the same may vest in the surviving or continuing Trustees or Trustee and in such new Trustees or Trustee solely as the case may require and such new Trustees or Trustee shall be entitled to use and exercise the same powers and authorities in relation to the said trusts as if he or they had been appointed by this my Will And I direct that the receipt and receipts of the Trustees and Trustee for the time being of this my Will for all monies coming to their his or her hands under this my Will shall be a good and sufficient discharge and discharges to the person or persons paying the same who by such receipt or receipts shall be exempt from all liability to see to the application of such money and from all responsibility for the misapplication or nonapplication thereof or any part thereof And I direct that neither of them the said Mary Ann Ashworth and George Hargreaves or any future Trustee or Trustees of this my Will shall be chargeable with or for any more money than they shall respectively actually receive and that none of them shall be answerable for the others or other of them or for the heirs executors or administrators of the other or others of them but each of them for himself or herself only and his and her own respective heirs executors and administrators acts and defaults only And that none of them shall be answerable or accountable for any Banker Broker or other person to or with whom any part of my trust monies may be paid and entrusted deposited nor for any other ??? which may happen in the execution of this my Will except the same shall happen through his her or their own respective wilful neglect or default And also that it shall and may be lawful for them my said executors and Trustees and other the Trustees or Trustee for the time being of this my Will and they are hereby respectively authorised

and empowered by and out of my said trust monies to reimburse themselves himself or herself respectively all charges and expenses which they may be put to in or about the execution of this my Will or in relation thereto In witness whereof I the said John Ashworth the Testator have to this my last Will and Testament contained in this and the eight preceding sheets of paper set my hand this second day of April in the year of our Lord one thousand eight hundred and forty nine – The mark of X John Ashworth – Signed and acknowledged by the said John Ashworth the Testator as and for his last Will and Testament in the presence of us who being both present at the same time have in his presence at his request and in the presence of each other hereunto subscribe our names as Witnefses – John Bolton Solicitor Blackburn – Samuel Nuttall Servant to Mr Ashworth -