

hundred and seventy before these Witnesses the said John Turnbull and Peter James Hervey Clerk to the said W. J. B. & J. Kidston (signed) John Ross John Turnbull Witness P. J. Hervey Witness Extracted from the Register of Deeds &c. in the Books of Council and Session on this and the seven- teen preceding pages by me Assistant Keeper of said Register (signed) Alex. Murdoch Glasgow 5 Feb 1875 This is the Extract Trust Disposition and Settlement and Codicil referred to in my affidavit of this date to the Inventory of the Personal Estate of the late John Ross (signed) J. B. Kidston John Ross Junr. J. P.

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Minnoch

5 Feb. 1875

I Jane Minnoch residing in Sandyford Place Glasgow in order to settle my affairs after my decease do hereby give grant assign dispone convey and make over from me my heirs & successors to and in favor of Duncan Smith Merchant in Glasgow Clerk of Admiralty of War office London John Tweeddale Banker in London My brother William Harper Minnoch Merchant in Glasgow and such other person or persons as may hereafter be nominated by me by any Codicil hereto or by any writing under my hand and such person or persons as may be assigned into the trust hereby created and the acceptor and acceptors and survivors and survivor

of them & the heir of the last survivor as Trustees or Trustee for the purposes and purposes hereinafter expressed a majority of them accepting surviving and acting and resident in Great Britain for the time being always a quorum) and the assignor and disponent of the said trustees or trustee. All sundry lands and heritages goods gear debts effects and sums of money and in general the whole estate and effects heritable and moveable real & personal of whatever kind or denomination and wheresoever situated ^{presently} belonging and resting owing or which may belong or be resting owing to me at the time of my decease Together with the whole writs ~~titles~~ and securities and Bonds Bells Vouchers & instructions of my whole estate & effects heritable and moveable above conveyed But these presents are granted in trust always for the ends uses and purposes after specified vizt. In the first place I direct and appoint my trustees to make payment of all my just & lawful debts deathbed and funeral expenses all of which may be paid without constitution thereof and also the whole expenses & charges of every kind in connection with the trust hereby created In the second place I direct and appoint my trustees to pay deliver and fulfil all such legacies or bequests special legacies instructions and directions I may leave bequeath or give by any codicil hereto or by any writing under my hand (however informally executed or defective) showing my wishes & intentions In the third place I direct and appoint my said trustees to hold & retain the whole

And upon the decease of my said sister or on my decease if she predecease me I do hereby appoint my said Trustees to pay the free annual proceeds thereof to my sister Grace Minnock residing in Glasgow during all the days & years of her lifetime and after my decease which provision in favor of my said sister and brother shall be purely alimentary to them & shall not be alienable or assignable by them or affectable by their debts or deeds or attachable by the diligence & execution of their creditors and which provision in favor of my said sister shall be exclusive of the provisions of any husband she may marry and not effectable by the debts or deeds of such husband or attachable by the diligence & execution of their creditors in any manner of way her own receipt above without the consent of such husband being a sufficient discharge to my trustees & others for all payments made to her on account of said provision in the forst place I do hereby appoint my trustees on the death of the survivor of my said sister and brother or on my decease if they both predecease me to hold & retain the whole residue and remainder of my means & estate for behoof of the whole children whom the said William Harper Minnock may leave equally among them share & share alike if more than one child or if only one child then wholly for behoof of that child & to pay or expend for behoof of such child or children the annual proceeds of their shares or as

residue and remainder of my ^{means & estate} I do hereby appoint my trustees to pay the free annual proceeds thereof to my sister Grace Minnock residing in Glasgow during all the days & years of her lifetime and after my decease which provision in favor of my said sister and brother shall be purely alimentary to them & shall not be alienable or assignable by them or affectable by their debts or deeds or attachable by the diligence & execution of their creditors and which provision in favor of my said sister shall be exclusive of the provisions of any husband she may marry and not effectable by the debts or deeds of such husband or attachable by the diligence & execution of their creditors in any manner of way her own receipt above without the consent of such husband being a sufficient discharge to my trustees & others for all payments made to her on account of said provision in the forst place I do hereby appoint my trustees on the death of the survivor of my said sister and brother or on my decease if they both predecease me to hold & retain the whole residue and remainder of my means & estate for behoof of the whole children whom the said William Harper Minnock may leave equally among them share & share alike if more than one child or if only one child then wholly for behoof of that child & to pay or expend for behoof of such child or children the annual proceeds of their shares or as

much of such annual proceeds as my trustees shall think necessary for their maintenance and education accumulating the remainder if any for their behoof respectively and adding the same to the capital of their shares until the term of payment after mentioned And I direct my trustees but subject to the declarations and conditions after mentioned to make payment of the said children of the said William Harper Minnock of their shares when they shall respectively attain majority if sons or attain majority or be married whichever of these events shall first happen if daughters when the same subject to the said declarations and conditions shall be come vested in them respectively But declaring that my trustees shall be entitled and I hereby specially authorize and empower my trustees if they shall think it proper or expedient (of which they shall be the sole judges) instead of paying over the shares of daughters of the said William Harper Minnock or any of them at the above mentioned period or any after period before actually paying over the same to hold and invest the same or any of them in or any part or portions of them in their own names as trustees for behoof of such daughters in life rent for their respective alimentary life rent uses alienably and of such person or persons as such daughters may respectively appoint by any motto causa deo or other writing under their hands in the

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which failing their own nearest representatives in moveables at the time of their respective deceases But I provide that in the event of any child or children of my said brother predeceasing him or surviving him and dying before the time hereinbefore mentioned for paying or setting aside of their shares or provisions leaving lawful issue such issue shall in every such case receive (if more than one child equally among them share & share alike the share or shares which would have fallen to their deceased parent or parents had he or she or they survived including therein all shares or proportions of shares to which such deceasing parents would have succeeded by the decease of any other child without leaving lawful issue and all accumulations arising on such shares But in the event of any such deceasing child or children leaving no lawful issue then the shares of such deceases including as aforesaid shall be divided equally among the surviving children of the said William Harper Minnoch and the lawful issue of such children as may have died leaving issue such issue taking (if more than one child equally among them share & share alike) the shares or proportions of shares which would have fallen to their deceased parents had they survived and I do hereby specially provide and declare that the shares & provisions of the residue and remainder of my

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means and estate herein made and provided in favor of the children of the said William Harper Minnoch and their issue shall be purely alimentary to them and shall not be alienable or assignable by them or affectable by their debts or deeds or attachable by the diligence of their creditors and that the shares of such children being daughters and all provisions made or descending upon all other females shall be exclusive of the jure mariti and right of administration of any husbands they may marry and not affectable by the debts or deeds of such husbands or attachable by the diligence and execution of their creditors in any manner of way their own receipts alone without the consent of such husbands being a sufficient discharge to my trustees and others for all payments made to them on account of said shares and provisions and I do hereby nominate & appoint my trustees to be my sole executors and only administrators with my moveable means and estate with all the power competent by law to executors nominated and without prejudice to the powers provisions faculties and immunities conferred upon Trustees by the Act Twentieth fourth and Twenty fifth Victoria Caput Eighty fourth entitled an act to amend the law in Scotland relative to the resignation powers & liabilities of gratuitous trustees which I do hereby confer upon my said trustees and also extend to and confer upon my said executors I do hereby authorize and empower my trustees to render upon

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the profession and management of my whole means and estate hereby conveyed and to recover receive discharge renounce or convey all debts and sums of money to grant leases of my estate for such terms and on such conditions as they may think proper to lend out the whole trust funds or any part thereof on such security heritable or moveable or to invest the same in the purchase of such lands houses feu duties ground animals or other heritable or real property or in the purchase of such stocks debentures Bonds or other moveable or personal property as they shall think proper and from time to time to realize such securities and investments and to lend out and reinvest the funds so realized or paid up in manner before mentioned also with special full and absolute power to my said trustees to sell by public or private bargain all lands and other heritages and also all moveable property which shall or may at any time form part of my trust-estate as they shall think proper also to submit all questions and disputes which may arise in their management also to appoint law agents and factors whether of their own number or others and to allow and pay them reasonable remuneration for their trouble and farther with full power to my trustees to grant execute and deliver all deeds and writings which they shall deem necessary clauses

for the purposes and administration of the trust containing all usual and necessary

and particularly clauses binding my heirs and representatives and the beneficiaries under this Trust in absolute or other warrants and generally with full power to them to do & do every other deed matter or thing for carrying into effect the whole purposes of the Trust and managing the affairs thereof in the most full and ample manner Declaring that persons dealing with my trustees shall have no concern with or right to acquire as to the application of any sums received by my trustees and shall be completely exonerated and discharged by their simple receipt Declaring that my trustees shall noways be liable or responsible for any agents or Factors to be named by them if habit & repute responsible at the time of appointment nor for any securities or investments they may make or take for the purposes of this Trust And I reserve my life rent right And I reserve full power to alter improve or revoke these presents and I dispense with the delivery and I consent to the registration hereof for preservation In witness whereof these presents written on this and the three preceding pages by Robert McLellan Clerk to Moncrieff Paterson Forbes & Barr Writers in Glasgow are subscribed by me the said Jane Minnoch at Glasgow on the seventh day of February Eighteen hundred & sixty five before these Witnesses Robert Cross Aitken and Edward Aitken both Merchants in Glasgow signed Jane Minnoch R. C. Aitken Witness Ed. Aitken Witness Glasgow 5th February

1875 This is the Trust Disposition and Settlement referred to by me in my affidavit of even date herewith (signed) William H. Minnoch Thomas Haudesworth J. P.

Hamilton

9 Feby. 1875

I Hugh Hamilton Grocer & Spirit Dealer 341 Vincent Street Glasgow for the love favor & affection I bear to Catherine Simpson or Hamilton my wife and for other good causes and Consideration Do hereby give grant Assign Dispose Convey & make over and in favor of the said Catherine Simpson or Hamilton All and sundry lands tenements, tactics, heritages goods, gear, debts, effects and sums of money and in general the whole estate heritable & moveable real & personal which shall be belonging and owing to me at my death together with the rents interests dividends profits & produce thereof and the writings title deeds vouchers and instructions of the premises. And I hereby nominate and appoint the said Catherine Simpson or Hamilton and the means and estate hereby conveyed are conveyed with and under the burden of my whole just and lawful debts sickbed and funeral charges and of the payment of a legacy of Twenty Pounds Sterling to Amelia Hamilton my daughter which I hereby leave & bequeath to her and of delivery to her of my eight day clock Four pieces of Blankets Featherbed Bolster and Pillows and the most valuable chest of drawers in my

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possession which I also leave and bequeath to her of delivery to Henry Hamilton my son my gold watch chain and appendages and my body clothes all of which I leave and bequeath to him of my best copy of Burns' works and my fowling piece to William Burns Captain of the steamship "City of London" my nephew which I leave and bequeath to him of my large Telescope to Robert Templeton Sea Merchant and Grocer South Wellington Street Glasgow which I leave and bequeath to him. And the two lairs in the Southern Necropolis Glasgow belonging to me my said wife shall convey to our children Catherine Wilson Hamilton and Hughina Gray Hamilton under the burden of rights to the said Amelia Hamilton and Henry Hamilton to bury therein Having paid upwards of Forty pounds for an out-pit & each of my daughters Margaret & Helen on the occasion of their marriage I do not leave anything to them. And Declaring that out of the provision hereby made in favor of my said wife she shall be bound to maintain and educate the said Catherine Wilson Hamilton and Hughina Gray Hamilton our children so long as they remain in family with her and are unable to support themselves and that said provision shall be strictly allmotive and not affeatable by the debts or deeds of my said wife or attachable by the diligence of her creditors And reserve my own life rent use and enjoyment of the premises and full power hereby done at my time of

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