

I THE RIGHT HONOURABLE HUGH WILLIAM OSBERT MOLYNEUX SEVENTH EARL OF SEFTON of Croxteth Hall in the City of Liverpool HERBY REVOKE all former Wills and testamentary dispositions made by me AND DECLARE this to be my last Will which I make this ~~fi~~^{fif}th day of April one thousand nine hundred and seventy-one.

1. I APPOINT my wife The Right Honourable Josephine Countess of Sefton and my Agent Frederick George Apedaile of The Cottage, Croxteth Park, West Derby in the City of Liverpool and James Michael Marshall of 1 Crosshall Street in the said City of Liverpool Solicitor to be the Executors and Trustees of this my Will and they or the survivors of them or others the Trustees for the time being hereof are hereinafter called "my Trustees".
2. I DESIRE that my body may be cremated in whatever Country where I may die and my ashes deposited in my family burial ground in Kirkby Churchyard in the County of Lancaster and the tombstone which I have already provided therefor shall be erected thereover at the cost of my estate failing which I direct that a suitable memorial or tablet be erected against the west wall of Kirkby Church at the expense of my estate.
3. I BEQUEATH the following specific legacies free of all duties payable upon or by reason of my death namely:-
 - (a) To the Committee responsible for the organisation of the Waterloo Cup Coursing Meeting the Waterloo Chain.
 - (b) To the Lancashire County Council the collection of documents and muniments belonging to me and relating to my family or their estates which have already been placed on deposit for safe custody with the said Lancashire County Council subject to the collection being made available to any of my family desiring to use the same at any time.
4. (i) I DEVISE to the Right Reverend Father in God Lord Bishop of the diocese in which the Vicarage and Parish Church of St Chads [sic] Kirkby in the County of Lancaster is situated at the date of my death in fee simple in right of his see and his successors in office bishops for the time being of the said diocese all that the advowson^[1] and right of presentation of and to the said vicarage and Parish Church of St Chads [sic].
 - (ii) I DEVISE to the Right Reverend Father in God Lord Bishop of the diocese in which the Vicarage and Parish Church of Altcar in the County of Lancaster is situated at the date of my death in fee simple in right of his see and his successors in office bishops for the time being of the said diocese all that the advowson and right of presentation of and to the said vicarage and Parish Church of Altcar.
 - (iii) I DEVISE to the Right Reverend Father in God Lord Bishop of the diocese in which the Vicarage and Parish Church of Over Wyresdale in the County of Lancaster is situated at the date of my death in fee simple in right of his see and successors in office for the time being of the said diocese all that the

advowson and right of presentation of and to the said vicarage and Parish Church of Over Wyresdale.

AND I DIRECT that all estate duty and Capital Gains Tax shall be discharged out of my residuary estate in exoneration of the aforesaid advowsons and rights of presentation hereby devised.

5. I BEQUEATH the following pecuniary legacies free of all duties payable upon or by reason of my death:-
 - (a) To the said Frederick George Apedaile if he shall prove my Will and act as Executor thereof the sum of Twenty-five thousand pounds and in the event of my said wife The Right Honourable Josephine Countess of Sefton predeceasing me or not surviving me for a period of one calendar month I BEQUEATH the further sum of Twenty-five thousand pounds to the said Frederick George Apedaile if he shall prove my Will and act as Executor thereof.
 - (b) To the said James Michael Marshall if he shall prove my Will and act as Executor thereof the sum of Five thousand pounds.
 - (c) To each of my employees (but not including the said Frederick George Apedaile) who have been in my service for ten years and upwards and are in my service at the date of my death but have not attained the age of sixty-five years at the date of my death and are not then under notice to leave such service whether given or received a sum equivalent to one year's salary at the rate payable at the date of my death.
6. I DIRECT my Trustees to discharge at the cost of my estate any claim for Estate Duty in respect of my estate which I have made in my lifetime and I declare that all death duties payable in respect of my death on my estate or any part thereof and all Capital Gains Tax payable on my death or in the administration of my estate shall be paid out of my residuary estate.
7. IF my said wife shall survive me for a period of one calendar month
 - (a) I GIVE DEVISE and BEQUEATH all my real and personal estate whatsoever and wheresoever not hereinbefore or by any Codicil hereto otherwise specifically disposed of and which I can dispose of by Will in any manner I think proper either as beneficially entitled thereto or under my general power to my said wife for her own use and benefit absolutely and
 - (b) I DECLARE that (in addition to the foregoing clauses and this present clause) Clauses 16, 17, 18 and 19 *hereof* shall apply
8. IF my said wife shall predecease me or shall not survive me for the period aforesaid I direct that Clause 7 hereof shall not take effect and this my Will shall be construed and take effect as if the said Clause 7 had been [?] omitted herefrom and this present clause and all the following clauses of this my Will shall have effect (as well as Clauses 1 to 6 inclusive)
9. IN SO FAR as may be necessary and the avoidance of doubt I DIRECT that if my said wife shall survive me for a period of less than one calendar month then the income of my estate accruing from the date of my death until the date

of the death of my said wife shall be accumulated and form part of my residuary estate

10. (a) I DEVISE to The Lord Mayor Aldermen and Citizens of the City of Liverpool in fee simple with a view to the preservation thereof for the public benefit such part of my freehold property situate at Croxteth Hall aforesaid as comprises the Mansion House outbuildings and ornamental gardens known as Croxteth Hall being Ordnance Survey numbers 6233 7236 7450 and part Ordnance Survey number 0006 on the Ordnance Survey Sheets 4094 and 4194 1960 Edition of the Parish of West Derby and having an approximate area of 42.12 acres and more particularly delineated and coloured red on the plan attached to this my Will and signed by me immediately before the execution of this my Will together with all such easements in respect of rights of access passage of electricity water gas telephone and other services over my adjoining land as shall be determined by my Trustees and I direct that all Estate Duty and Capital Gains Tax shall be discharged out of my residuary estate in exoneration of the said property hereby devised and the said Lord Mayor Aldermen and Citizens of the City of Liverpool
- (b) I DIRECT that my Trustees shall as soon as conveniently possible after my death arrange to purchase on behalf of Alan Peck of "Valley House" Wango Lane Aintree Liverpool such property or to transfer to the said Alan Peck any part of my estate which my Trustees may in their absolute discretion select and consider suitable for use as a private residence by the same Alan Peck and I direct that all Estate Duty and Capital Gains Tax shall be discharged out of my residuary estate in exoneration of such property and of the said Alan Peck and I further direct that in the event of my Trustees selecting a property other than that in which the said Alan Peck shall be residing at my death and if such property in which the said Alan Peck shall be residing at my death shall form part of my estate such purchase or transfer shall be subject to the said Alan Peck relinquishing his occupation of such property of mine in which he may then be residing at my death
- (c) I DIRECT that my Trustees shall as soon as conveniently possible after my death arrange to purchase on behalf of Thomas Lyon of Rose Cottage Croxteth Hall Lane West Derby Liverpool such property or to transfer to the said Thomas Lyon any part of my estate which my Trustees may in their absolute discretion select and consider suitable for use as a private residence by the same Thomas Lyon and I direct that all Estate Duty and Capital Gains Tax shall be discharged out of my residuary estate in exoneration of such property and of the said Thomas Lyon and I further direct that in the event of my Trustees selecting a property other than that in which the said Thomas Lyon shall be residing at my death and if such property in which the said Thomas Lyon shall be residing at my death shall form part of my estate such purchase or transfer shall be subject to the said Thomas Lyon relinquishing his occupation of such property of mine in which he may then be residing at my death

11. I BEQUEATH the following specific legacies free of all duties payable upon or by reason of my death namely:-

- (a) To the Lord Mayor Aldermen and Citizens of the City of Liverpool the portrait of myself in evening dress wearing the Jewel of Office of The Lord Mayor of the City of Liverpool by James Gunn
- (b) To the Lord Mayor Aldermen and Citizens of the City of Liverpool for the Walker Art Gallery of the City of Liverpool the full length portrait of the Right Honourable Isabella Countess of Sefton by Thomas Gainsborough R.A.
- (c) To The Jockey Club the portrait of myself painted by Oswald Birley

12. I BEQUEATH the following further pecuniary legacies free of all duties payable upon or by reason of my death:-

- (a) To the League of Welldoers of 121 Limekiln Lane Liverpool the sum of Fifty thousand pounds to be applied to the general purposes of the said League and I declare that the receipt of the Treasurer or other proper officer for the time being of the said League shall be a full and sufficient discharge to my Trustees therefor
- (b) To the Community Council of Lancashire of [?] House Wynstay Grove Manchester the sum of Fifty thousand pounds to be applied to the general purposes of the said Council and I declare that the receipt of the Treasurer or other proper officer for the time being of the said Council shall be a full and sufficient discharge to my Trustees therefor
- (c) To the British Red Cross Society West Lancashire Branch the sum of Fifty thousand pounds to be applied to the general purposes of the said Council and I declare that the receipt of the Branch Secretary of The British Red Cross Society or other proper officer for the time being of the said Society shall be a full and sufficient discharge to my Trustees therefor
- (d) To the Rodney Youth Centre Limited of Mulberry Street Liverpool the sum of Fifty thousand pounds to be applied to the general purposes of the Rodney Youth Centre Limited and I declare that the receipt of the Branch Treasurer or other proper officer for the time being of the Rodney Youth Centre Limited shall be a full and sufficient discharge to my Trustees therefor
- (e) To the Boy Scouts Association (incorporated by Royal Charter) the sum of Fifty thousand pounds to be applied to the general purposes of such Association and I express the desire but without imposing any trust that one half of such sum shall be used for the Liverpool County and one half for the South West Lancashire County of the Association and I declare that the receipt of the Treasurer or other proper officer for the time being of such Association shall be a full and sufficient discharge to my Trustees therefor
- (f) To the British Legion (incorporated by Royal Charter) of 48 / 49 Pall Mall London S. W. 1 the sum of Fifty thousand pounds to be applied to the general purposes of the Legion and I express the desire but without

imposing any trust that the said sum and any income arising therefrom be earmarked for all Legion Counties in Lancashire and I declare that the receipt of the Treasurer or other proper officer for the time being of the Legion shall be a full and sufficient discharge to my Trustees therefor

13. I FORGIVE and release unto Doctor John Durkhardt free of duty the sum of Fifteen thousand pounds owing by him to me on the security of a Promissory Note and I DIRECT that such Promissory Note shall as soon as may be after my death be delivered by my Trustees to the said Doctor John Burkhardt or cancelled and I declare that if the said Doctor John Burkhardt shall predecease me his legal personal representatives shall be entitled to the benefit of this gift as if he had died immediately after my death
14. I BEQUEATH to my Trustees free of all death duties the sum of One hundred and fifty thousand pounds UPON TRUST as to both capital and income of the said sum to pay thereout such amount or amounts and in such manner whether as to dates or modes of payment or otherwise and whether out of capital or income or both to such employees of mine or former employees of mine (whether or not in my service at the time of my death) or their widows and in the case of any employee in addition to the bequest contained in Clause 5 (c) of this my Will as my Trustees think fit in their absolute discretion / but I express a hope without imposing any obligation that my Trustees will bear in mind that there may be cases which I would have made provision for had I been aware of the circumstances and that my Trustees will employ the said sum so as to prevent any hardship of employees or former employees or their widows whose moral claims to consideration have for any reason been overlooked / or who are in the opinion of my Trustees in need of financial assistance and subject as aforesaid UPON TRUST to hold the said sum of One hundred and fifty thousand pounds and the income therefrom or such part or parts thereof as have not at the Fifth Anniversary of my death been paid to employees or former employees of mine or their widows as part of my residuary estate
15. (i) I DEVISE AND BEQUEATH all my real and personal estate whatsoever and wheresoever situate not hereby or by any Codicil hereto otherwise specifically disposed of and which I can dispose of by Will in any manner I think proper either as beneficially entitled thereto to or under any general power unto my Trustees UPON TRUST that my Trustees shall sell the said real estate (including chattels real) and call in sell and convert into money such part of my personal estate as does not consist of money with power to postpone such sale and conversion for such a period as my Trustees without being liable to account may think proper and so that any reversionary interest be not sold until it falls into possession unless by Trustees see special reason for sale and I hereby declare that my Trustees may in their absolute and uncontrolled discretion retain for so long as they think fit any part of my real and personal estate in its form of investment at the date of my death

notwithstanding that it may be of leasehold tenure or may be of a perishable hazardous precarious or wearing out nature

(ii) MY TRUSTEES shall out of the money to arise from the sale and conversion of my said real and personal estate and out of my ready money pay my funeral and testamentary expenses and all death duties payable in respect of my estate or any part thereof on my death and any other duties which I have hereinbefore declared to be paid and my debts and shall also pay or provide for the legacies hereby or by any codicil hereto bequeathed

(iii) MY TRUSTEES shall hold the residue of the said monies Upon Trust to apply the same for such charitable institutions or such other charitable objects in England as my Trustees may in their absolute discretion select and to pay such residue to or for such institutions or objects if more than one of such properties as my Trustees may think proper and I declare that the receipt of the Treasurer or other proper officer for the time being of any such charity shall be an effectual discharge to my Trustees in respect of any sum allocated under this bequest I further declare that it is my wish without imposing any obligation upon my Trustees that my Trustees should give preference first to such charitable institutions or other charitable objects in or connected with the City of Liverpool secondly to such charitable institutions or other charitable objects in or connected with the County of Lancaster and thirdly to such charitable institutions or other charitable objects in England generally

16. THE power of appropriation conferred by the Administration of Estates Act 1925 shall be exercisable by my Trustees without any of the consents made requisite by that Act

17. IN ADDITION to all the powers conferred upon them by the Settled Land Act 1925 and the Law of Property Act 1925 and any additional powers which may be conferred on trustees for sale by any re-enactment or modifications of the said respective statutes for the time being in force or otherwise and notwithstanding the trust for sale hereinbefore contained my Trustees shall have and may exercise all or any of the powers following:-

(1) over or in relation to all or any or the real leasehold or immovable property whether in England or elsewhere for the time being vested in them on the trusts of this my Will power to manage or superintend the management of such property (and to employ in such management on such terms and at such salary as they think fit the services of my said Agent Frederick George Apedaile) with full power to fell timber or cut underwood from time to time in the usual course for sale or for repairs or otherwise and to erect pull down repair and rebuild and repair houses and other buildings and erections and to continue the working of mines minerals and quarries which have usually been worked and to drain or otherwise improve such property or any part thereof and to insure against loss by fire and to make allowances to and arrangements with tenants and others and to determine tenancies and to accept surrenders of leases and tenancies and generally to deal with such property

- (2) power to carry on any business carried on by me at the date of my death (whether such business be carried on by me at such date either alone or in partnership) and either alone or in partnership with any person or persons who may be in partnership with me at my decease or may be subsequently admitted into partnership by my Trustees during such period as they shall think fit with power for that purpose to retain and employ therein the capital or my share of the capital which shall be at my death be employed therein and to employ or concur in employing at such salary as they think fit any manager of the said business and generally to act or concur in acting in all matters relating to the said business as if they were beneficially entitled therein or to my share and interest therein and to delegate all or any of the powers vested in them in relation to the said business to any person or persons whom they may think fit
- (3) power to retain unsold and continue for such period as my Trustees shall in their absolute discretion think desirable and find practicable my racing stables and breeding stud and all the business and animals and effects belonging thereto including as part of the business the purchase and sale and running of horses (whether such business be carried on by me at my death either alone or in partnership) and either alone or in partnership with any person or persons who may be in partnership with me at my decease or may be subsequently admitted into partnership with my Trustees
18. I DECLARE that every Trustee hereof shall be fully and effectually indemnified out of my estate and every part thereof in respect of my personal liability which he may incur in connection with the said businesses and I further declare that no Trustee hereof shall be liable to my estate or to any person claiming interest under this my Will for any loss which may be incurred in carrying on the said business
19. ANY Trustee of this my Will being a Solicitor or other person engaged in any business or profession or business may be so employed or act and shall be entitled to charge and be paid all professional or other charges for any business or act done by him or his firm in connection with my estate or the trusts hereof including acts which a Trustee could have done personally

IN WITNESS whereof I have to this my Will contained in this and the preceding six sheets of paper set my hand this day and year before written

SIGNED by the Testator THE RIGHT)
HONOURABLE HUGH WILLIAM OSBERT)
MOLYNEUX SEVENTH EARL OF SEFTON as)
and for his last Will in the)
presence of us both present at the)
same time who at his request in)
his presence and in the presence)
of each other have hereunto)

Sefton

subscribed our names as witnesses)

[Two illegible signatures] [?] BREMNER, SONS & CORLETT,
SOLICITORS LIVERPOOL 1.

Editor's Notes:

Text *in this font* has been inserted by hand into the typewritten document.

Illegible words are marked thus [?]

[1] Advowson – the right of presentation to a vacant benefice (ecclesiastical law).

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