

[Mullanphy, John]: [LAST WILL AND TESTAMENT]. [St. Louis: 1837?].
15pp, stitched, uncut. Untitled. Clean and Near Fine.

#2248246
The rare will of this American Catholic philanthropist, an immigrant from Ireland who made a fortune buying and then selling cotton during and after the War of 1812. Mullanphy settled in St. Louis, where he endowed many Catholic charities; and established a trust for poor emigrants passing through St. Louis to settle in the West. Among many provisions, he provides for "a mulatto child called Fanny," age about four years and living with him, freeing her at age 18. He solemnly swears that she is not his daughter. Mullanphy found time to sire fifteen children. OCLC records only the copy at Duke; although Mullanphy died in 1833, OCLC suggests an 1837 publication date. His son served for a time as Mayor of St. Louis.

OCLC 31624596 [1]. Not in Missouri Imprints Inventory, Sabin,
American Imprints. \$375

(#20827)

In the name of God Amen, I John Mullanphy being in sound and disposing mind and memory make this my last will and testament. 1. I hereby give and bequeath to the Roman Catholick Bishop of St. Louis for the time being or if there be no bishop, then to the highest dignity of the Roman Catholick church in said diocese, the sum of two thousand Dollars, for the sole and only purpose of erecting a chapel on the lot in the city of St. Louis heretofore conveyed by me for the use of the sisters of charity, and on which lot the sisters of charity now reside; but this legacy is upon the condition, that the said Bishop shall furnish a clergyman to perform service in said chapel daily and every day in the year, as long as the sisters of charity continue an establishment upon said lot and until the lease for said lot heretofore executed by me for the benefit of said sisters of charity shall expire or be forfeited. 2. I give and bequeath to the Roman Catholick Bishop of the Diocese aforesaid, or if there be no such bishop then to the next highest dignity of the same church in said diocese for the use of the children brought up from time to time by the nuns of the sacred Heart of Jesus on the foundation heretofore created by me at St. Louis the yearly sum or annuity of one Hundred Dollars, to be paid to said Bishop or other dignity in equal semi-annual instalments for ever, which said Bishop or other dignity as aforesaid is to receive said annuity from time to time in trust, first to put the same out at interest to the best advantage from time to time to accumulate and form a fund for the benefit of said children.—Secondly whensoever any of said orphan children shall have remained out their time at said establishment, and shall have conducted with propriety, and shall marry, then upon such marriage, said Bishop or other dignity administering this fund for the time being, shall give to each of said orphans so marrying, whose conduct has been proper and meritorious as aforesaid the sum of one hundred Dollars at least, and more, if the situation of the fund will admit according to the respective merits of those entitled to a donation out of this fund. 3d. I give and bequeath to my sister Jane Delany of Baltimore the sum of three hundred a year, to be paid to her for and during her natural life by semi-annual instalments of one *hun* hundred and fifty Dollars each. 4. To my nephew Hugh Mullanphy of Cullenwood, Dublin city in Ireland, I give and bequeath the sum of two hundred and fifty pound, in sterling money to be paid as

soon as convenient after my death, to the said Hugh if he be then living but this bequest will be nugatory if he dies before me. 5. I give and bequeath to the sisters of charity in St. Louis established on a foundation created by me a mulatto child called Fanny, now aged about four years and living with me; to have and hold to said sisters of charity until she shall arrive at the age of eighteen years. They are to learn her to read and write and treat her kindly—at the age of eighteen years the said Fanny shall be free absolutely provided she shall have in the mean time conducted with propriety. And upon her marriage to some decent orderly person, after she shall have become free, I give and bequeath to her the sum of two hundred Dollars. 6. And for the purpose of securing for ever the payment of the annuity of one hundred Dollars mentioned in the second article above, and also the payment of the three hundred dollar annuity mentioned in the third article above for and during the whole period, that said annuities shall be payable respectively according to the tenor of said articles; and for the purpose of securing the payment of the two hundred dollars mentioned in the fifth article above, whensoever the contingency shall have happened; on which the payment thereof depends; I do devise unto John O'Fallon, Thomas Biddle and George Collier the following described lot of ground situated in the city of St. Louis to wit a lot one hundred and seventy feet french measure in front on Main str. running back to the river Mississippi with the same width bounded on the north by Cherry street, east by the Mississippi river, south by property formerly of one Pincineau & west by Main str. to have and to hold the same unto the said O'Fallon, Biddle and Collier for and during their lives and to the survivors of them & unto the survivor of them for and during their and his life and unto the heirs and assigns of the survivor of them for ever—In trust for the ultimate security for payment of said annuities and each instalment thereof, & for the ultimate payment of the said two hundred Dollars. But it is my intention and will that said trustees who are also general trustees for the purposes of this last will and testament, shall pay said annuities from time to time and shall pay said two hundred Dollars out of the general mass of my estate put into their hands as herein after expressed; as it is my design and meaning that said lot shall be charged for the ultimate security of said moneys and annuities & is to be resorted to only in case, they cannot be paid out of other funds. 7th. And whereas I have expended in cash upon the lots by me conveyed for the use of the sisters of charity in St. Louis and for their support, and maintenance three thousand dollars more than I had agreed to expend; for which the Roman catholick bishop of this

diocese has agreed to execute a mortgage on that one of said lots which is opposite to the green tree tavern upon which are four buildings, to secure the payment of the sum of one hundred and twenty Dollars per annum for and during the existence of the lease made by me for the use of the nuns of the sacred heart of Jesus at St. Louis. I do therefore give and devise said annuity of one hundred and twenty Dollars to said nuns, and direct that the said Mortgage be executed to Mme. Duchesne to hold to her in the same manner and on the same conditions, in and upon which, the land was conveyed to her by me; which annuity is to be expended from time to time in the purchase of bedding and cloathing for the orphan children maintained on the foundation created by me in the manner stipulated in the instrument by which I conveyed the land for said nuns of the sacred heart and created said foundation. 8th. All my estate real and personal, all my lands, tenements and hereditaments, and all right in law or equity to any land or real estate owned by me, all bonds, notes, mortgages, debts, accounts, demands and claims due to or belonging to me in any way; and all cash, annuities bank stock, government stock or any other stock whatsoever and any dividends due or to grow due on the same, belonging to me or claimed by me in law or equity, wheresoever the same real estate and lands and stock & debts & claims may be; and all my slaves and personal property, furniture, books &c, with the exceptions and reservations contained in the legacies, devises, and dispositions in the preceding articles herein contained, I do give devise and bequeath unto the said

during their joint lives and to the survivors and to the survivor of them to have and to hold the same lands tenements and hereditaments and every parcel thereof and all rights, & appurtenances thereto belonging, and the same bonds, mortgages, notes, debts, amounts & demands, cash, annuities, bank stock and other stock & dividends and said personal property & slaves with the exceptions aforesaid, unto them the said

for and during their joint lives with remainder to the two survivors of them for and during the joint lives of such survivors, and with remainder then to the survivor of the three for and during his life & to the heirs and assigns of such survivor for ever in trust for the purposes herein specified.—
9th. The said trustees and the survivor and his heirs so long as this trust shall continue, are to pay out of the general fund this created in their hands the annuities mentioned in the second and third articles above, if said annuities shall so long continue & shall also pay if the contingency occurs the two hundred Dollars in the fifth article above mentioned, the lot charged with

said annuities and sum of money being intended only as ultimate security. 10th. After the legacies and provisions herein before made, the one equal fourth of all my property thus thrown into one fund and mass in the hands of said trustees is to be held by said trustees for the use of my daughter Jane Chambers and her lawful issue. This fourth I consider the portion of two children (as I have had eight) but as I am sure it was and would have been the intention of my deceased daughter Ellen to give her portion to the said Jane and her family, I now carry her presumed intention into effect. This undivided fourth part my said trustees are to manage and receive the rents issues and profits; and out of its income to pay one thousand Dollars annually to the said Jane during her life for her sole and separate use; and the residue of the income derived from this fourth part, is to be placed at interest except a sufficient allowance out of it for the education of her children, and is thus to accumulate until the marriage of the daughters of said Jane respectively and until her sons shall respectively arrive at the age of twenty-five years and when the contingency of marriage happens to a daughter or the arrival at the age of twenty five years to a son, then the *rateable* proportion of such accumulation as aforesaid, shall be paid over to such son or daughter and the *rateable* proportion of the annual income of one fourth of my estate in this article appropriated, is to be paid annually to such child so marrying or arriving at the age aforesaid, during his or her natural life; and in case of his or her death is to go in fee to right heirs of such child forever, and in case any of said Jane's children die not having lawful issue then such child's portion shall go to the surviving children of said Jane in the same manner and under the same regulations as has already been provided as to their own shares. If my daughter Jane should die while her children or any of them are under the age of twenty one years it is my request that my sons in law Thomas Biddle and Richard Graham or the survivor of them should be appointed and serve as guardians of such minors and take charge of their welfare and education and the provisions in this last will and testament to the advantage of such minor children of my daughter Jane shall be null and void and their portions shall go back into the general fund in case said Biddle and Graham or one of them shall not be appointed guardians as aforesaid provided they or one of them will accept such guardianship & are labouring under no disability to act as such guardians. If said Biddle & Graham shall die before my daughter Jane or be disqualified utterly to act as such guardians in the life time of said Jane, then it is my will that said Jane should nominate some fit person or persons other than her husband to act as such guardians after her death.

11th. Another undivided fourth part of the general mass of my property conveyed to the trustees as aforesaid is to be held by them for the use of my son Bryan Mullanphy in the following manner. The trustees are directed to pay him the sum of one thousand dollars per annum out of the income thereof until he shall attain to the age of twenty five years to be paid in equal quarterly instalments of two hundred and fifty Dollars. The residue of the income derived from this fourth is to be placed at interest by the trustees to accumulate until said Bryan shall be twenty five years of age. At that period if said trustees or the survivors or survivor of them shall be of opinion that the conduct of said Bryan is such as to warrant a reasonable belief that he will properly manage the property and make good use of it, then the trust as to him shall cease and the trustees shall account to him for his fourth and its accumulations and convey the same to him in fee.

12th. The portion devised for the benefit of my son is two eighths—being the equal portion of two children; but is intended and so I will declare and so instruct my trustees, that out of this fourth an annuity shall be paid for the support of my Daughter Octavia now in France who will probably enter some religious community. In order to provide for her it is my will that she receive for and during her natural life the annual sum of one thousand Dollars payable in advance in semi-annual instalments, by the trustees while they act in the trust, and by my son Bryan in the same manner whenever he shall come to the possession and ownership of his portion. And to secure this annuity and its punctual payment to my daughter as aforesaid, I charge the same on the lot devised in the sixth article above, lying in St. Louis being one hundred and seventy feet French measure in width in front on Mn. str. running back with same width to the River, bounded north by cherry str. & south by land formerly of Pincenneau; which lot is to be deemed and held bound for the payment of the annuity herein created as well as for those mentioned in said sixth article.

13th. The remaining half of the general mass of my property, not yet disposed of, is to be held for the use and benefit of my daughters, Catherine Graham, Ann Biddle, Mary Mullanphy and Eliza Mullanphy, share & share alike; the two former to receive from the trustees their respective incomes as they arise from their portions, to their sole and separate use during their lives respectively. And I empower the said Catherine and the said Anne, each of them by their respective last wills and testaments in writing duly executed to dispose of their respective shares under this will, and to bequeath and devise each of them in fee, her eighth part of my estate, herein devised to her use as

she pleases absolutely; and my trustees are instructed to act accordingly and convey their respective portions in conformity with the directions of such wills. And my daughters Mary & Eliza are each to receive from the trustees out of the incomes of their respective portions annually a reasonable sum for their support while unmarried, And the residue of the income of each shall be placed at interest untill their respective marriages, and whenever either of them shall Marry the trustees shall pay over to her any accumulations on her eighth that may have accrued, and thereafter shall annually pay to her the whole amount of the income from her eighth part. If either of my said daughters Mary and Eliza, shall die before marriage and without lawful issue, the portion of such daughter deceased shall from that time be held by such trustees for my other children as already provided and is considered as disposed of in the provisions herein before inserted; & in case they marry they can respectively by their last will dispose of their portions in fee and my trustees will act accordingly.

14. To my wife Elizabeth Mullanphy in lieu of Dower I give and bequeath the annual sum of one thousand dollars during her life payable, in advance and semi annually remitted to her at Paris clear of all expenses to her. This provision and bequest is to be complied with and fulfilled by my said trustees punctually; and this annuity is to be paid by the trustees out of the general fund & mass of my property conveyed to them herein, prior to and having preference of, the devises and distribution to my children.

15th. I declare it to be my intention herein and that such is the disposition of the several portions, parts and annuities herein provided for my daughters, the same portions and annuities and provisions, are and are to be during the respective lives of my said daughters, for the sole and seperate use of my said daughters apart from and uncontroled by their *their* respective husbands; and said trustees are directed to act accordingly and account to my said daughters accordingly and not to their husbands.

16th. In case my son Bryan shall die before me not leaving lawful heirs of his body, his portion above provided for him, shall belong to the mass and fund conveyed to said trustees and be held by them for the uses specified already. But if my son shall survive me then I devise to him the following tracts of land situate in St. Ferdinand township & St. Louis county in Misouri, to wit—first a tract of land in the Florissant fields of eighteen arpens in front bounded east by the little stream called cold water, on the north by the property now owned by Hume, on the west by the Misouri River & south by an arpent

of land belonging to the heirs of John Baptiste Laurent; secondly—another tract of land in the same fields of seven and a quarter Arpens in front bounded east by said little River called cold water, North by the said Arpent belonging to the heirs of Jean Baptiste Laurent west by the Missouri River & south by Joseph Aubuchon; third, another tract of land bounding on the one last described containing five hundred and seventy five Arpens, bounded north by the last described lot in part; on the west by the Missouri River; East by the common field lots of the village of Florissant & on the south by property now or lately belonging to Pierre Chouteau senior; fourth the Island commonly called Charbonniere Island in the Missouri lying immediately opposite to the tract of land first above in this article described: Fifthly the house lately occupied by me as a mansion in said village of Florissant & the lot and premises comprehending some five or six superficial arpents contiguous and appurtenant thereto, on which are stable yard &c., which premises are bounded west by said cold water creek, North by the Publick road as it now runs, East by a street and south by the street leading to the nunnery: To have and to hold said tracts of land, Island and lot and house & premises with all rights and appurtenances thereto belonging unto my said son Bryan for and during the term of his natural life; and after his death the same are to go and I devise the same, to the children of said Bryan lawfully begotten in fee for ever; or if he shall die without lawful issue born or to be born to him, then I devise the same to his right heirs in fee simple for ever. In case my said son shall outlive me, the devises in this article contained shall operate to the exclusion of said trustees, & to the exclusion of all other devises, bequests and provisions in this last will and testament contained; and shall operate to vest the legal title of said lands, tenements and hereditaments for life in my said son, with remainder in fee to his lawful issue & in default of such issue, to his right heirs. The provisions in this article are cumulative & additional to the other provisions in favor of my son in this last will contained.

17th. My trustees are directed as soon as convenient after my decease to divide my real property lying at the north end of the city of St. Louis to the north of the str. called willow str. as well as what lies on the Mississippi river as on all the strs. that do or will run through the same & to sell in fee alternate lots, reserving the others from sale and always reserving the corners, & leaving in all instances an alley not less than eighteen feet wide running from north to south through each square; and on such sales to make execute and deliver, every and all proper deeds title bonds & conveyances in fee as shall be proper and

good in law: and to receive the proceeds of such sales; and out of such proceeds to erect and build on the lots reserved as aforesaid or any of them, good substantial brick and stone edifices; the rents, issues and profits accruing from which said buildings and improvements, are to be rec'd. by my said trustees, & to belong to the general fund in their hands & be subject to the provisions relating thereto herein contained. If either of my four daughters mentioned in the thirteenth article above shall die leaving lawful issue & without disposing of the portion in this will provided for her, as herein authorized the same shall go to her children in fee simple, & if she leave no lawful issue, the same shall go in fee to her lawful heirs.

19th. If either of my unmarried daughters Mary and Eliza shall marry without the consent of my executors or a majority of them In such case I devise and bequeath to such daughter so marrying without consent one Dollar in full of her portion of my estate; & declare null all provisions for her benefit in this will contained except the one in this article.

20th. And I give and bequeath to Daniel McGurran a sick man at this time under the care of the sisters of charity in St. Louis, to be paid to him only at and during such time or times when he shall be in want and actually need it, the sum of three Dollars pr week to be taken from the body of my estate before distribution among my children. 21st. If by any occurrence it shall at any time happen, that the lot on which the mortgage is to be executed mentioned in the seventh article above, by the Bishop, to secure the annuity of one hundred and twenty Dollars shall not produce that sum, whether it be by failure of title, fire, depreciation of property, or for any other reason, then in such case the lot described in the sixth article above, & therein devised to trustees, being one hundred and seventy feet french measure in front on Mn. str. & running back to the Mississippi river shall be bound and held in trust for the payment of said sum of one hundred and *and* twenty dollars annually as long as the said annuity shall of right be payable, & my trustees mentioned in said sixth article and the heirs of the survivor of them will hold the same lot in trust for this additional object; but it is my intention that in no case and at no time shall resort be had to said last mentioned lot, for the payment of said one hundred and twenty Dollars, unless, the lot specified in said seventh article shall fail to produce the necessary sum. 22d. I hereby revoke and annul all former wills and testaments executed by me and appoint John O'Fallon, Thomas Biddle, and George Collier Executors of this my last will and testament.—In testimony whereof I have hereunto set my hand and seal to this my last will and testament consisting of six leaves fixed together

this being the seventh and of twenty two articles; there being an interlineation of the word "it" in the sixth article; the word "is," the words "of and before marriage &" and "in" in thirteenth article, and the words "shall" die in the eighteenth article and three words erased in the fourth line of the seventh article.

JOHN MULLANPHY.

Signed, sealed, published and declared by John Mullanphy as and for, his last will and testament, in the presence of us, who at the same time, at his express request and direction, and in his presence and in the presence of each other subscribed our names as witnesses thereunto, this twenty seventh day of February in the year of our Lord one thousand eight hundred and thirty at St. Louis.

WILLIAM HIGGINS,
JOHN THORNTON,
THOS. HOUGHAN.

On reading the foregoing last will and testament I perceive that I have made an omission in the fifth article respecting the mulatto child Fanny. The provisions therein made for her, I have been induced to make, from commiseration for her destitute situation, as I have sent her mother to a distance for her improper conduct; and from the interest excited in me by the intelligence and smartness of the said Fanny, and from her frequent entertaining and amusing me with her innocent prattle; and in order to rebut and prevent any suspicion or imputation that may exist in consequence of the notice of her in my will I Solemnly declare before God that she is not my daughter.—In testimony whereof I have hereunto set my hand and seal.

JOHN MULLANPHY. []

Signed, sealed, published and declared by John Mullanphy as and for a part of his last will and testament in the presence of us, who at the same time at his express request and direction, and in his presence and in the presence of each other, subscribed our names as witnesses thereunto this twenty seventh day of February, in the year of our Lord one thousand, eight hundred and thirty at St. Louis.

WILLIAM HIGGINS,
JOHN THORTON,
THOS. HOUGHAN.

Whereas I John Mullanphy deem it expedient to make some alterations of and additions to my last will and testament exe-

cuted by me heretofore on the twenty seventh day of February in the year eighteen hundred and thirty; now therefore I do hereby make the following codicil.

1. I give and bequeath to the sum of five thousand Dollars on condition that the same shall be employed to support instruct and educate orphan and destitute boys to be received from time to time at the Roman Catholick College and to be continued there till of age or to be bound out, to any trade or business according to the discretion of the governors for the time being of said college; and if bound out as aforesaid to still remain under the controul and superintendence of said said boys are to be taken from time to time from the sisters of charity who are established at St. Louis and if a sufficient number cannot be thus had, of boys that have been under the care and charge of said sisters of charity in St. Louis, then any three of my heirs are authorized from time to time to designate such others as can be accommodated at said college.

2. I give and bequeath to the Bishop for the time being of St. Louis (meaning the Roman Catholick Bishop) the sum of five thousand Dollars, the use of it to be applied under the management of the sisters of charity in St. Louis to the support and education of orphan and destitute boys and Girls, the boys to be from time to time taken to said college as aforesaid; and the girls not being over eight years of age to be transferred to the establishment of the nuns of the sacred Heart at St. Louis to be there received and educated according to the tenor and provisions of the deed creating and endowing said establishment—so far as they can be there accomodated according to the provisions and limitations of that deed. Provided however that any sum or sums hereafter paid by me for procuring property for said sisters of charity in St. Louis, in my lifetime shall be taken and considered as paid on account of their legacy of five thousand dollars & my executors shall pay only the balance and said fund shall be held for ever by said bishop and his successors in the same diocese for the use aforesaid.

3. I hereby revoke and annul the first section in my said last will, which contains a bequest to the Bishop.

4. I also annul the third section in the same will, which section provides for my sister Jane Delany, she having two sons, who are phisicians in good practice and able to support her.

5. I likewise revoke and annul the eleventh section of said will, which contains certain bequests to Bryan Mullanphy and also all of the twelfth section except so much thereof as relates to an annuity to my daughter Octavia which is to be paid and secur-

ed on the lot as therein stated; and the property and portion given to my son Bryan or his use in said eleventh section is to be held by the trustees to the general uses of said will as if said eleventh section had never been written.

6. And whereas Thomas Biddle one of the executors and trustees of said will has departed this life, I hereby declare that the remaining executors named in said will are authorized to act and to receive the property devised in the same manner and with as full powers as if the said Biddle had never been named.

The above six articles forming a codicil to the last will and testament heretofore made by me I have this day signed and sealed. Nov. 23d, 1831.

JOHN MULLANPHY. [SEAL.]

The above was signed sealed published and declared as a codicil to his last will and testament by John Mullanphy in our presence and in the presence of each of us who in his presence and at his request, and in the presence of each other have hereto subscribed our names as witnesses this day of November in the year of our Lord 1831.

JNO. W. JOHNSON,
THOS. HOUGHAN.

I hereby make the following additional codicil to my last will and testament which was omitted in the foregoing viz: I give and bequeath to my son Bryan the annual sum of seven hundred and fifty Dollars which my trustees and executors are required to pay to him annually during his life in equal quarterly instalments commencing from the time of my decease. I have this day signed and sealed the above as an additional codicil to my last will and testament this 23d November 1831.

JOHN MULLANPHY. [SEAL.]

The above was signed sealed published and declared as a codicil to his last will and testament by John Mullanphy in our presence, who in his presence and at his request and in the presence of each other have hereto subscribed our names as witnesses this day of November in the year of our Lord 1831.

JNO. W. JOHNSON,
THOS. HOUGHAN.

I John Mullanphy, of the city of Saint Louis, in the State of Missouri, wishing to make some donations, for the support and education of orphans, as substitutes for, and in lieu of, any donations for those objects which may be found in my last will

and testament, as at present prepared and published, do make the following donations for those purposes, absolutely, and not to be affected or annulled, by any subsequent alteration, or avoidance, of said will, but to stand independently of my last will and testament, should the same be altered, or redrawn, in my life-time, or avoided, or set aside after my decease; and any of said donations or part, or parts, thereof, which may be actually made by me, during my life-time, are to be taken as parts of, and after my decease, to be deducted from the respective donations following.

1st. I give to the Bishop of Saint Louis three thousand dollars, for the purpose of building not less than eight houses for widows, on the lot already conveyed to him for that purpose, upon a plan to be furnished by me, or should I omit to furnish the plan, then to be built so as best to attain the object of the donation.

2. To the Jesuits' College at Saint Louis, Five thousand dollars, on condition that they support and educate, for ever, five orphan boys, at a time, to be taken from the school of the sisters of charity at Saint Louis and in succession so as to keep the number five always full, as nearly as may be, until each boy shall be twelve years old, respectively; and then to superintend the binding of them apprentices to some useful trade, or occupation, and the proper care of them during their apprenticeship: but such of the boys as shall be found to possess talents for the higher branches of learning, or for the ministry, are to be kept, supported, and educated, by the college, after they attain the age of twelve years, instead of being bound apprentices.

And in the event of a discontinuance of the said college, the donees are to refund to the legal representatives of the donor, the principal sum of this donation; it being the intention of the donor that the interest of that sum shall be applied to the objects of this donation. And if the Jesuits College at St. Louis should decline to accept, or fail to fulfil the conditions of this bequest, or donation, then I give the said five thousand dollars to the Bishop Rosetti, and his successors, as principals of the sainte Mary's college, at the Barrens, in Missouri, upon the same terms and conditions as are offered to the Jesuits' College.

And I make the following donations for the purpose of supporting and educating orphan children, and for no other purpose whatever:

3. To the Bishop of New York three thousand dollars.
4. To the Bishop of Baltimore three thousand dollars.
5. To the Bishop of Boston one thousand dollars.
6. To the Bishop of Philadelphia one thousand dollars.

7. To the Bishop of Bardstown Kentucky one thousand dollars.
8. To the Bishop of Cincinnati Ohio one thousand dollars.
9. To the Bishop of New Orleans one thousand dollars.
10. To the Bishop of Florida five hundred dollars.
11. To the Bishop of Detroit in Michigan Territory, five hundred dollars, and 12. To the Bishop of Charlestown, South Carolina, five hundred dollars. Signed and declared to be his act for the purposes above expressed, by the donor John Mullanphy, in the presence of the subscribing witnesses, who in his presence and in that of each other, have subscribed as witnesses at Saint Louis this third day of July in the year one thousand eight hundred and thirty three.

JOHN MULLANPHY. [L. S.]

Attest

HENRY SHAW,
WM. GLASGOW,
JOHN FORD.

STATE OF MISSOURI, }
County of St. Louis, } ss. Be it remembered that on this first day of November in the year of our Lord Eighteen hundred and thirty three personally appeared before me the clerk of the county court within and for the county aforesaid John Ford who being duly sworn upon his oath saith that in the month of July in the year of our Lord eighteen hundred and thirty-three he did see John Mullanphy sign the foregoing instrument of writing and heard him declare the same to be his hand, act and deed for the purposes therein mentioned, and that he the said deponent did at the request of the said John Mullanphy sign his name thereto, as witness to the same in his presence and in the presence of Henry Shaw and William Glasgow the other subscribing witnesses to the same. And that at the time of so doing he the said John Mullanphy was of sound and disposing mind to the best of his knowledge observation and belief.

JOHN FORD. [SEAL.]

In testimony whereof the said John Ford has hereunto signed his name and I have set my hand and affixed the seal of said court the day and year first aforesaid.

HENRY CHOUTEAU, Clerk.

STATE OF MISSOURI, }
County of St. Louis, } ss. Be it remembered that on this first day of November in the year of our Lord Eighteen hundred and thirty three before me the clerk of the County court within and for the County aforesaid personally appeared Henry Shaw who being duly sworn upon his oath saith that in the month of July in

the year of our Lord Eighteen hundred and thirty three he did see John Mullanphy sign the annexed instrument of writing and heard him declare the same to be his "hand act and deed" for the purposes therein mentioned and that he the said deponent did at the request of the said John Mullanphy sign his name thereto as a witness to the same in his presence and in the presence of William Glasgow and John Ford the other subscribing witnesses to the same and that at the time of so doing the said John Mullanphy was of sound and disposing mind to the best of his knowledge observation and belief.

HENRY SHAW. [SEAL.]

In testimony whereof I have hereunto set my hand and affixed the seal of said Court: and the said Henry Shaw has subscribed his name hereto the day and year first aforesaid.

HENRY CHOUTEAU, Clerk.

Recorded 11th September, 1837.

STATE OF MISSOURI, }
County of St. Louis, } ss.

St. Louis County Court August Term 1837. }
Tuesday 15th August 1837. }

Richard Graham & Catherine his wife James Clemens jr. }
& Eliza his wife and William S. Harney and Mary }
his wife vs. }
John O'Fallon claiming to be Executor of John Mullan- }
phy dec'd. }

Now at this day comes the said John O'Fallon by Mr. Gamble his attorney and lays before the court the Transcript of a Judgment of the circuit court for the county of Saint Louis rendered on the fifteenth day of April last past reversing the Judgment of this court in rejecting the paper purporting to be a copy of the will and codicils thereto of John Mullanphy deceased and ordering this court to admit to probate the said paper purporting to be a copy of the will and codicils thereto of John Mullanphy deceased and to grant letters testamentary according to law thereupon in obedience to said Judgment this court do admit the said paper purporting to be a copy of the will and codicils thereto of John Mullanphy deceased to probate and order the same to be Recorded.

I Henry Chouteau clerk of the county court for the county of St. Louis do certify that the above is a true copy of the order made at the August Term of said court in the year Eighteen hundred and thirty seven admitting the will of John Mullanphy deceased and the codicils thereto to probate and ordering the same to be recorded as the same now remains of Record in my office. Given under

my hand and the seal of said court at office in the county
aforesaid this Eleventh day of September one thousand
eight hundred and thirty seven.

HENRY CHOUTEAU, Clerk.

Recorded 11th September 1887.

HENRY CHOUTEAU, Clerk.

of the County of St. Louis, }
County of Missouri, }
of the County Court within and for the County of Saint Louis
in the State of Missouri do hereby certify that the foregoing is a true
copy of the last will and Testament of John Mulhally deceased
and of the codicils thereto and the probate thereof as the same
now remain of record in my office in the Record of Letters and
will book B page 810 and following.

In testimony whereof I hereto set my hand and affix the
seal of said Court at office in the City of Saint Louis in
[] the County and State aforesaid this
day
of
in the Year of our Lord one thousand
Eight Hundred and

Clerk.

