their Error, & rectified it immediately, before they had inserted the Year of the King; if the Date 1752 had remained, that wd of itself have destroyd the Will, & manifested the forgery, one of the Subscribing Witnesses (Falder) dyeing in 1752 — There are 3 Wn to the Will; 2 of them are dead — Bushel & Smith depose to Falders hand writing, & yet the former, tho possessed of a Recpt wrote by the Wn neglects to produce it; this, is a reasonable ground for Suspicion —

Denman & Williams speak to the handwriting of Anderson the latter was a Markswoman, consequently an incompetent Wn to handwriting —

The other Wn Wm Hall, swears positively, he never signd any Will for the Deed, or was present at such a Transaction if this Wn is to be credited, (& there appears no Objection to his Character) there is an end of the Question, he is related to the Deed, was an intimate Friend & Acquaintance, one with whom the Deed always lodged when in London — The Signature Wm Hall to the Depton, & that attesting the Will Dr Calvert says, is very like each other; Jown Jean not perceive the Similitude, but if it was, no Stress can be laid on it, for the Party who committed the forgery wd certainly be acquainted with & able to counterfeit in some degree the Hands of those he meant to avail himself of —

Hill & Drover speak strongly to their Opinion of the Will being signed by the Deed — Hill knew the Deed 12 months in 1751 & 10 m. in 1753 — Drover went to India with Deed in 1755 & continued with him 18 months, & afterwards saw him once in 1759 or 1760 — he thinks he once saw him sign a Bond or Lre of Attorney in favor of Wm Hall —

It is a little extraordinary, that Hill's recollection shd enable him to speak to 14 Years distance; & that Drover who is so positive to his Beleif, that the Will, was signed by the Deed, shd be so incertain as, to the Lre of Attorney, which he himself is a Wn & wch was executed in Madras Road 19 Octr 1760. Thus stands the Evidence on behalf of the Will; agt it, we have examined 2 Wn Robt Hall & Jn Lanett, who were intimate with the Deed, say he was very illiterate, & wrote a scratching bad Hand; they dont believe the Subscription to the Will his writing, it being a much better & shfer hand than, he cd ever write — they think the Lre of Attorney was wrote by him, being just such a Scrawling hand as he always wrote; But the strongest Wn of all, is Rd Woodcock, to whose Character there is not the least Objection, & if his account is credited, it must be decisive with the Ch. viz "He was well acqd with Robt Castles Deed from 1752 "till he sailed for India, became so by being Boatswain of "the Prince of Wales, in the British Herring Fishery; that "Rl was very illiterate, & when he first knew him cd "only just make his Letters, but cd not join them; he by "Deeds desire, took a great deal of pains to improve him "notwithstanding wch, Rl y whole time Dept knew him "continued to write a very bad scratching hand, wch was "scarce legible; he has viewd y Subscription to the Will "does not believe it y handwriting of Deed, dont think "he ever could write so good a Hand —

x Wm Hall says Deed sailed for India in 1752

If this Account is true, Hill must be mistaken who

speaks to his knowledge of Deeds writing from 1751. to 1753. Upon the whole, I hope you will be of opinion, they have not made out sufficient proofs to establish the Will & that you will decree the Admnr to my Client & condemn the Opponent in Costs —

Dr Collier & Dr Calvert

If the Deed subscribed the Will propounded, it is immaterial who filled it up — We dont plead the Receipt, what Bushel says, is only to give weight to his Evidence, by saying how he came to know his Hand — 2 Wn wd have sufficed, Hall is a supernumerary; why shd we take him in to defeat the Intent of our Will? . . .

Dr Hay Judge

It was a great neglect in those who propounded the Will, in not laying before the Ct, the Evidence they were possessed of, they depend wholly on Handwriting; by whom wrote, how received, how delibered, non constat; there is no Collateral or Arising Circumstance from wch something might be collected, as when Grace died, wh the Will was forged before her death; there is no account of any particular Affection, or any thing to throw Light on this very obscure Case, where 2 dead Witnesses, are contradicted by a living Wn. If a Man is to be perjured, it must not be on Surmizes but Facts — I have great doubts on the nature of the Case itself; If there is a forgery, it is committed by 2 Sisters, to defraud a Brother of 1/8 of the Decds Estate; it is a very unnatural Supposition, that the shd combine to shave so small a Sum; It is a Sailor's Will, with 3 Wn one of them is superfluous, & he the only living Wn who can discover the Fraud — It may have been forged — As Hall was the Deeds Attorney from 1760, & probably possessed himself of the Deeds Effects, Suspicions may arise, that he procured the Will in favor of the Sisters; he might think they wd not be severe, in scrutinizeing the Accounts, he might be disappointed by being called on, by Vaughan; but I cant go on Surmises, I am bound by legall Proofs — Falders is a remarkable hand; it is fully proved by Bushel & Smith, who say he died in 1753, Bushel compares the Receipt in the Pocket Book, with the Attestation — The Erasure is rather agt the Will being a forgery, for it was more natural, for the Deed, to make a Will, just before, he went to India; I cant rely on it, having no light to guide me — I think the Evidence of Anderson not quite so fully proved, one being a Markswoman, (but she is the Deeds Wife,) tho, a Markswoman cd see, & I dont know they are incompetent, tho, not so good Witnesses, as those who can write — the Will seems rather filled up by the Subscriber; but Similitude of Hands is most fallacious it must be supported by adminicular Circumstances, where there is no Opposition, Similitude of Hands wd do — there ought to be some Evidence where the Paper was found; here Hall does not contradict his Act, but swears it was not his Act; Halls Evidence wd have been materially affected, if any Receipt had been produced, wherein Hall had wrote his name per extensum; his being the Deeds Attorney, is no absolute proof, to affect his Credit; he may have received money, & be averse to account; but I cant

in plain English at length