

ASSIGNMENT OF A TERM – 8 September 1767

### Descriptions

A single sheet of parchment, 82cm x 68cm, indented along the top edge, seals through a fold to the foot, which is stitched at the sides with narrow strips of parchment. The 'This indenture' at the beginning is preprinted with embellishments of an engraving of George III and the royal coat of arms of the time (1714-1800, fleur de lys and arms of Hanover). Written in an uneven secretary hand

### reverse

|           |   |                           |
|-----------|---|---------------------------|
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| to        | } | Assignment of a term      |
| Colebatch | } | to attend the inheritance |

Dated 8<sup>th</sup> September 1767

### Date

**This Indenture Tripartite** made the Eighth æ<sup>i</sup> Day of September in the seventh Year of the Reign of our Sovereign Lord George the third by the Grace of God of Great Britain France and Ireland Defender of the faith and so forth and in the year of our Lord One Thousand Seven hundred and sixty seven □□□□

### Parties

□□□□ **Between** Francis Page of the parish of Hopton in the County of Salop Taylor Son and Acting Executor of the last Will and Testament of Francis Page late of the parish of Silvington in the County of Salop Yeoman deceased of the First part Mary Colebatch of Cleobury Mortimer in the County of Salop aforesaid Spinster of the Second part and Thomas Colebatch of Cleobury Mortimer in the County of Salop aforesaid Gentleman of the third part □□□□

### Recitals

□□□□ **Whereas** by Indenture of Mortgage bearing date the fourth day of June One thousand seven hundred and forty two and made or mentioned to be made between Samuel Cowndley of Cleobury Aforesaid Taylor of the one part Elizabeth Millner then of the parish of Neen Savage in the said County of Salop Spinster of the other part The said Samuel Cowndley for and in Consideration of the sum of forty pounds of Good and Lawful English money to him by the said Elizabeth Millner **Did** Demise Grant Sett and to Farm Lett unto the said Elizabeth Millner her Ex[ecu]tors Adm[inistrat]ors and Assigns **All** that his new erected Messuage or Tenement and all that his piece or parcell of Meadow Ground Called or known by the Name of the Sling Situate lying and being in the parish of Cleobury Mortimer aforesaid lying to the Lands of Sir Edward Blount Barronet on the East side and Lands of William Bradley Gentleman on the North and West Sides thereof And Adjoining to the Kings Highway on the South part thereof together with all Ways Waters Watercourses Easements

Proffitts Commons and Appurtenances whatsoever to the said Messuage or Tenement Land and premisses belonging or in any wise appurtenant **To hold**

the same unto the said Elizabeth Millner her Ex[ecutors] Adm[inistrators] and Assigns from the date of the said Recited Indenture for and during the full End and

term of Nine hundred and Ninety Nine Years from thenceforth next Ensuing and fully to be Compleat and Ended at and under the yearly Rent of A

Pepper Corn Payable as therein mentioned and in which said recited Indenture is Contained A Proviso that if the said Samuel Cowndley his Ex[ecutors] Adm[inistrators]

and Assigns /should pay unto the said Elizabeth Millner her Ex[ecutors] Adm[inistrators] and Assigns/ the Full Sum of Forty pounds Together with the Sum of Twenty Shillings as Interest for the same on the Fourteenth day of December then next Ensuing That then the same should Cease and be void as in and by the said in part recited Indenture relation being had thereunto more Fully

and at large appear **And Whereas** by one other Indenture of Assignment Tripartite bearing date the twenty sixth Day of September One thousand seven

hundred and Forty seven and made between John Bate of the parish of Bitterley in the County of Salop aforesaid and Elizabeth his wife | late Elizabeth Millner

party to the aforesaid recited Indenture | of the first part The said Samuel Cowndley of the second part and the said Francis Page | Father of the said Francis

Page party hereto | of the third part the said John Bate and Elizabeth his wife for and in consideration of the Sum of Forty pounds to them in hand paid

all interest for the same then being fully paid and Satisfied by the said Samuel Cowndley Did by and with the Consent Direction and appointment

of the said Samuel Cowndley Grant Assign and Set over unto the said Francis Page his Ex[ecutors] Adm[inistrators] and Assigns All and singular the

said Messuage or Tenement Lands and premisses in and by the said Recited Indenture to be granted and Demised as Aforesaid and the Reversion and Reversions Remainder and Remainders Rents Issues and Proffitts thereof and every part thereof **To hold** the same

unto the said Francis Page his Ex[ecutors] Adm[inistrators] and Assigns from the date of the said Indenture for and during all the rest residue and remainder of

the said Term of Nine hundred and Ninety Nine years which was then to come and unsatisfied Asolutely Discharged of the said Proviso

But Subject to another Provisoe mentioned in the said last in part recited Indenture that if the said Samuel Cowndley his Ex[ecutors] Adm[inistrators]

or Assigns should pay unto the said Francis Page his Ex[ecutors] Adm[inistrators] and Assigns the sum of Forty one pounds of lawful English Money upon the

Twenty Sixth Day of March then next Ensuing without Deduction that then he the said Francis Page his Ex[ecutors] Adm[inistrators] and Assigns should at

the Request Costs and Charges of the said Samuel Cowndley his Heirs and Assigns Reconvey and Assign the said Premises herein before mentioned

to be Mortgaged and Assigned to him the said Francis Page to such person or persons as the said Samuel Cowndley his Heirs and Assigns should

Direct free from all Incumbrances whatsoever **And Whereas** the said Samuel Cowndley is lately Dead And the said Mary Colebatch hath since purchased

the Fee simple and Inheritance of the said Premises herein before mentioned of and from the heirs at Law of he the said Samuel Cowndley Subject

to the aforesaid Assignment of Mortgage to the said Francis Page and she the said Mary Colebatch being desirous of paying off and discharging the

said Mortgage and that the said Estate may be Clear of all Incumbrances she the said Mary Colebatch hath this Day paid off and Discharged to the said

Francis Page | party hereto | as Acting Ex[ecutor] of his late Father as aforesaid | the Sum of Forty Pounds for the Principal of the aforesaid recited Mortgage and

Five Pounds Interest thereon due to this Day And the Fee Simple of the said Premises being in the said Mary Colebatch the term & Estate

now vested in the said Francis Page | Party hereto | is hereby intended to be Forthwith Assigned & Transferred to the said Thomas Colebatch his Ex[ecutors]

Adm[inistrat]ors and Assigns In Trust for the said Mary Colebatch her Heirs and Assigns **Now to the end** That the said term of Nine hundred and Ninety Nine years may Be Prescribed and kept on Foot to attend and wait upon the Reversion and Inheritance of the said Premises to Protect and Defend the Same from all Incumbrances subsequent to the Creation of the said recited term □□□□

## Testatum

□□□□ **This Present Indenture Witnesseth** that the said Francis Page |party hereto| for and in Consideration of the said Sum of Forty pounds of good and Lawfull Money of Great Britain to him in hand paid by the said Mary Colebatch before the Execution hereof the receipt whereof is hereby Acknowledged And the said Francis Page Also in Consideration of five Shillings of good and lawfull Money of great Britain to him in hand Paid by the said Thomas Colebatch before the Execution hereof the receipt whereof he the said Francis Page /doth hereby acknowledge [by] the said Francis Page/ by and with the Consent and Direction of the said Mary Colebatch Testified by her being made a party hereto and Executing hereof **Hath** Bargained Sold Assigned Transferred & Set over and by these presents **Doth** by such consent and Direction Bargain Sell Assign Transfer & Set over unto the said Thomas Colebatch his Ex[ecu]tors Adm[inistrat]ors and Assigns □□□□

## Parcels

□□□□ **All** and singular the said Messuage Tenement Lands & premisses above mentioned & every part and parcel thereof with the Appurtenances And Also all the Estate right Title Interest term of years Property claym & Demands whatsoever of him the said Francis Page |party hereto| & of all and every other person or persons clayming or to Claym from by or under him the said Francis Page Deceased of in and to the said Premises above mentioned and of in and to all or any part and Parcel thereof with the Appurtenances □□□□

## Habendum

□□□□ **To have and to hold** all and singular the said Messuage Tenement Lands & premisses above mentioned and every part and Parcel thereof with the Appurtenances to the said Thomas Colebatch his Ex[ecu]tors Adm[inistrat]ors and Assigns all the rest residue and remainder of the said term of Nine hundred and Ninety Nine Years above mentioned which is yet to come & unexpired **In Trust** for the said Mary Colebatch her Heirs & Assigns & such other person & persons to whom the Freehold & Inheritance of said premisses or any part thereof shall from time to time appurtain belong to protect and Defend the same from all Subsequent Incumbrances if any such there be **And** the said Francis Page |party hereto| doth for himself his Ex[ecu]tors & Adm[inistrat]ors Covenant Grant to & with the said Thomas<sup>1</sup> Colebatch her<sup>2</sup> Ex[ecu]tors Adm[inistrat]ors & Assigns by these presents in manner Following |That is to say| That the said Francis Page Deceased in lifetime or the said Francis Page |party hereto| have or hath not done or committed or Wittingly or Willingly Suffered to be done or Committed any Act matter or thing whatsoever whereby or wherewith the said premisses above mentioned or any part thereof is are shall or may be Charged Impeached or Incumbred in title charge Estate or otherwise howsoever □□□□

<sup>1</sup> Originally written as Mary but corrected

<sup>2</sup> the 'her' was not corrected

## Witnesses

□□□□ **In witness** Whereof the said partys to these  
presents have hereunto put their hands and Seals the day and year first above Written

## Endorsements

[the mark of] Francis Page (seal)

There are two other seals but no signatures

Stamped One shilling and sixpence

## *reverse*

Sealed and delivered by the within named }  
Francis Page (being first duly stamped) }  
in the presence of us ~ ~ ~ ~ ~ }  
(signatures of) Mary Pardoe  
Rob.<sup>t</sup> Pardoe

**Rec[eiv]ed** the day and year first within }  
Written of and from the within Named Mary } | ~ s ~ d  
Colebatch the sum of forty five Pounds being } 45 " 0 " 0  
the full Consideration /Money/ Within Mentioned }  
to be by her to me paid }

[the mark of] Francis Page

Witnesses Mary Pardoe  
Rob.<sup>t</sup> Pardoe

NB Lines follow the original document. □□□□ shows where a line is broken in this transcript

See also *1811.04.19 Family tree* for more information on Thomas Colebatch

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<sup>i</sup> embellishments in document are shown as in original