

RELEASE & CONFIRMATION – 30 September 1806

Descriptions

Two large sheets of parchment 82cm x 63cm, indented at the top edges, joined together at the foot by the seals. Ornate 'This Indenture' appears to be wood blocked and has an embellishment of the coat of Arms of George III of the time. It is written in a very clear even hand.

reverse

Dated Sept. 30. 1806.

M ^r Geo. Colebatch Heir	}	Release & Confirm.ⁿ of Tenement Garden & Land called the New House & Sling in par. Cleobury Mortimer Com ¹ . Salop.
at Law to late Mr Tim. ^y	}	
Ball together with M. ^r Fox	}	
	}	
to	}	
M ^r W. ^m Cock	}	
		fo 33.

Date

This Indenture made the Thirtieth Day of September in the forty sixth year of the Reign of our Sovereign Lord George the third by the Grace of God of the United Kingdom of Great Britain and Ireland King Defender of the Faith and in the Year of our Lord one thousand Eight hundred and six

Parties

Between John Fox of Cleobury Mortimer in the Count of Salop Gentleman only Son and Heir at Law and also Devisee and sole Executor named in the last Will and Testament of John Fox late also of the same place Gentleman deceased of the first part George Colebatch of Cleobury Mortimer aforesaid Miller (the cousin and Heir at Law of Timothy Ball late of Priors Ditton in the said County of Salop since of Saint Thomas's Street in the Borough of Southwark and County of Surrey Surgeon and afterwards a Surgeon in the Navy but now deceased and intestate and which George Colebatch was the only Son of George Colebatch late of Great Stepple in the parish of Neen Savage in the said county of Salop Yeoman deceased who was the Senior Maternal Uncle of the said Timothy Ball none of the paternal line of Ancestors of the said Timothy Ball being known or discovered) of the second part and William Cock of Curdall of the parish of Cleobury Mortimer aforesaid and County of Salop Yeoman of the third part □□□□

Recitals

□□□□ **Whereas** in and by certain Indentures of Lease and Release bearing Date respectively the nineteenth and twentieth Days of September in the Year of our lord one thousand seven

¹ Comity – old word for County

one hundred and ninety one the Release tripartite and expressed to be made between the said Timothy Ball herein described as the Son and Heir at Law of

the Reverend Joseph Ball late of priors Ditton aforesaid Clerk deceased of the first part John Fox deceased of the second part and Samuel

Holland Gentleman therein described of the third part After reciting that the said Timothy Ball was become bound unto the said John Fox deceased

for the payment of the principal Sum of Sixty pounds and lawful Interest and for the better securing the Repayment thereof had agreed to grant and

convey the Hereditaments and premisses therein and herein after mentioned **It is witnessed** that in pursuance of the said agreement and in Consideration

of the said Sum of Sixty pounds and other Considerations the said Timothy Ball **Did** Grant Release and Confirm unto the said John Fox deceased

All that Messuage or Tenement called or known by the Name of the New House with the Garden and piece or parcel of Land thereunto belonging

called and known by the Name of the Sling containing by Estimation about half an acre be it more or less having Land then of Miss Meysey and in

the possession of Thomas Lowe on the East Lands of Thomas Compson Gentleman on the West Lands late in the possession of Edward Stedman but then of

Thomas Norncott on the North and the Turnpike Road leading from Cleobury aforesaid to Tenbury on the South End thereof All which said Messuage

or Tenement Garden piece or parcel of Land and Hereditaments descended and came to Jane Colebatch Spinster the Sister and Heir at Law of Mary

Colebatch and were by the said Jane given and devised to the said Joseph Ball deceased and his Son the said Timothy Ball their Heirs and Assigns

forever as Jointenants) **To hold** unto and To the use of the said John Fox deceased his Heirs and Assigns forever But subject to a proviso therein

contained for Redemption of the said Hereditaments and premisses on payment by the said Timothy Ball his Heirs Executors or Administrators unto the

said John Fox deceased his Executors Administrators and assigns of the full Sum of Sixty pounds of lawful Money of Great Britain with lawful Interest

for the same at the Time and in manner therein mentioned **And whereas** Default was made in payment of the said principal Sum of sixty Pounds and

the Interest for the same on the Day in such proviso limited and appointed for the payment thereof whereby the Legal Estate and Interest for the said

John Fox deceased of and in the said Hereditaments and premisses became absolute in law **And whereas** the said Timothy Ball hath since departed

this Life Intestate and unmarried and the said George Colebatch party hereto claimed the said Messuage Tenement Garden Land and Hereditaments as

Heir at Law to him being the only son of his late Father George Colebatch who was the closest Maternal Uncle to the said Timothy Ball **And** the said

John Fox hath also departed this Life leaving the said John Fox party hereto his only Son and Heir at Law and also Sole Executor him surviving

And whereas the said William Cock hath agreed with the said George Colebatch for the absolute purchase of the said Tenement Garden Land and

Hereditaments at and for the sum of One hundred pounds and there being now due and owing unto the said John Fox party hereto as

Executor the principal Sum of Sixty pounds only it is agreed that the same should be paid to him out of the purchase money □□□□

Testatum

□□□□ **Now this**

Indenture Witnesseth that in pursuance of the said recited Contract and Agreement and for and in Consideration of the sum of Sixty pounds

of lawful Money of Great Britain unto the said John Fox in hand well and truly paid by the said William Cock by and with the Consent and

Direction of the said George Colebatch at or before the Sealing and Delivery of these presents the Receipt whereof the said John Fox doth

hereby acknowledge and thereof of and from the same doth acquit release and discharge as well the said the said George Colebatch as the said William

Cock their respective Heirs Executors Administrators and Assigns and every of them forever by these presents **And** also for and in consideration of

the Sum of Forty pounds of like lawful Money unto the said George Colebatch in hand well and truly paid by the said William Cock at or before

the Sealing and Delivery of these presents the Receipt whereof the said George Colebatch doth hereby acknowledge and thereof and of and from /the/

same and every part thereof doth acquit release and discharge the said William Cock his Heirs Executors and Assigns and every of

them forever by these presents which said two Sums of Sixty pounds and Forty pounds the said George Colebatch doth hereby acknowledge to

amount unto the full Sum of One hundred pounds the purchase Money agreed on as aforesaid The said John Fox at the special Instance and

Request and by and with the Direction and Appointment of the said George Colebatch testified by his being a party to and by his Sealing and Delivery

of these presents **Hath** bargained sold aliened and released and by these presents at such Instance and Request and by and with such Direction

and Appointment as aforesaid **Doth** Bargain Sell Alien and Release And the said George Colebatch **Hath** Granted Bargained and aliened

released Ratified and Confirmed and by these presents **Doth** Grant Bargain Sell Alien Release Ratify and Confirm unto the said William Cock (in

his actual possession now being by Virtue of a Bargain and Sale to him thereof made by the said John Fox and George Colebatch in

[sheet 2]

Consideration of the Sum of Five shillings apiece by Indenture bearing Date the Day next before the Day of the Date of these presents for the Term of one whole Year commencing from the Day next before the Date hereof and by Force of the Statue made for the transferring of Uses into possession) and unto his Heirs and Assigns

□□□□

Parcels

□□□□ **All** that the said Messuage or Tenement

Garden piece or parcel of Land and Hereditaments hereinbefore particularly mentioned and described and which are situate in the parish and near to the

Town of Cleobury Mortimer aforesaid and now in the occupation of the said William Cock or his Undertenants Together with all Ways Waters Watercourses Paths

passages Lights Easements Profits Commodities and Appurtenances whatsoever to the same belonging or appurtenant And the Reversion and Reversion Remainder and

Remainders Rents Issues and Profits of the said Hereditaments and every part and parcel thereof And also all the Estate Right Title Interest Use Trust Possession

Benefit Property Claim and Demand whatsoever bot at Law and in Equity of the said John Fox and George Colebatch or either of them in to or out of

the said Hereditaments and Premisses and every part thereof and also all Deeds Evidences and Writings which any ways relate to or concern the same

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Habendum

□□□□ **To**

have and to hold the said Messuage or Tenement Garden piece or parcel of Land and Hereditaments mentioned and intended to be hereby granted

and release with the Appurtenances unto the said William Cock his Heirs and Assigns *To and for* the only proper Use and Behoof of the said William

Cock his Heirs and Assigns forever And to and for no other Use Intent or Purpose whatsoever **And** he the said John Fox for himself his Heirs Executors

and Administrators doth hereby Covenant and declare to and with the said William cock his Heirs and Assigns that he the said John Fox hath not at

Time heretofore made done committed or been privy to any Act Deed Matter or Thing whatsoever whereby or by means whereof the Said Tenement Garden

Lands and Hereditaments mentioned and intended to be hereby released are is shall or may be impeached charged affected or incumbered in Title Estate or

otherwise howsoever **And** the said George Colebatch for himself his Heirs Executors and Administrators Doth hereby Covenant Grant and Agree to and with

the said William Cock his Heirs and Assigns That for and notwithstanding any other Act Deed Matter or Thing whatsoever by him the said George Colebatch

or by the said timothy Ball deceased done or committed to the contrary the said George Colebatch together with the said John Fox party hereto as

heir at Law to the said John Fox deceased now at the Time of the Sealing and Delivery of these presents are or one of them is rightfully and

absolutely seised of and in the said Tenement Garden Land and Hereditaments of a good and perfect absolute and indefeasible Estate of Inheritance in

Fee Simple in Inheritance without any Condition proviso Limitation or Use or Uses or any other Matter Cause Restraint or Thing whatsoever to alter change

charge revoke make void less incumber or determine the same **And** that for and notwithstanding any such Act Deed Matter or Thing as aforesaid

the said George Colebatch together with the said John Fox now have or one of them hath in themselves or himself good Right full power and lawful

and absolute Authority to Grant Release and Convey the said Tenement Garden Land and Hereditaments unto and To the Use of the said William

Cock his Heirs and Assigns forever in manner and form aforesaid and according to the true Intent and Meaning of these presents **And**

further that it shall and may be lawful for the said William Cock his Heirs and Assigns from Time to Time and at al Times forever hereafter

peaceably and quietly to enter into and upon have hold use occupy possess and enjoy the said Tenement Garden Land and Hereditaments as

mentioned and intended to be hereby granted and released with the Appurtenances and receive and take the Rents Issues and Profits thereof to and

for this and their own Use and Benefit without any Let Suit trouble Denial Eviction Molestation Interruption or Disturbance whatsoever of from or by the

said George Colebatch or John Fox party hereto their or either of their Heirs or Assigns or any other person or persons whomsoever

lawfully claiming or to claim from by through under or In Trust for them any or either of them by through or under the said Timothy Ball

deceased or any of his the Ancestors **And** that free and clear and freely and clearly acquitted exonerated and discharged or otherwise by the said

George Colebatch his Heirs Executors and Administrators well and sufficiently saved harmless and kept indemnified of from and against all and all

Received on the Day of the Date of the within written }
Indenture of and from the within named William Cock }
the Sum of Sixty pounds of lawful Money of Great Britain } £
being the full Consideration Money within mentioned to } 60
be paid by him to me. I say received by me }

[signature of] John Fox

Witness
[signature of] Edw.^d Crow

Received on the Day of the Date of the within written }
Indenture of and from the within named William Cock }
the Sum of Forty pounds of lawful Money of Great Britain } £
being the full Consideration Money within mentioned to be } 40
be paid by him to me. And which with the above Sum of Sixty }
Pounds Amounts unto the full Sum of One Hundred Pounds }
the Purchase Money within mentioned }

[signature of] George Colebatch

Witness
[signature of] Edw.^d Crow

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Line breaks are shown as in original (new lines are indented for clarity). □□□□ indicates a break in a line for the purposes of transcription only