

Indenture

This Indenture made the twenty second day of August one thousand eight hundred and seventy one

Between

Matthew Habershon of Handsworth in the Parish of Handsworth in the county of York Farmer

and

Thomas Watson Cadman of Handsworth Woodhouse in the Parish of Handsworth aforesaid Esquire

to

James Breakey

Peter Murray

Robert Lockhart of Liverpool in the county of Lancaster Merchant

John Stuart the younger of the city of Manchester in the county of Lancaster Gentleman

William McFerran of the city of Manchester Jeweller

James Ewing Mathieson of 77 Lombard Street in the city of London Banker

James Watson of 21 Berners Street in the county of Middlesex Publisher

John Young of Sheffield in the county of York Surgeon

John Brown Corrie of Sheffield Plumber

Robert Murray of Heeley in the Parish of Sheffield Gentleman

Thomas Cowan of Sheffield Draper

James Howe Parker of Sheffield Life & Fire insurance Agent

Albert Rodgers Gill of Sheffield Cutler

William Hunter of Sheffield Draper

Thomas Williamson of Sheffield Draper

Whereas the trustees for the time being of the before written indenture of the twenty first day of March one thousand eight hundred and sixty one paid to the said

Matthew Habershon

party to the therein mentioned indenture of mortgage of the twentieth day of March one thousand eight hundred and sixty one (hereinafter called Matthew Habershon the mortgagee) the sum of four hundred pounds on the first day of July one thousand eight hundred and sixty two towards satisfaction of the said principal sum of one thousand pounds by such last mentioned indenture secured and the sum of six hundred and fifteen pounds eleven shillings and six pence on the eleventh day of July one thousand eight hundred and sixty five in satisfaction of the balance of the same principal sum and all interest thereon but no reassignment of the said leasehold premises to such Trustees or any of them hath yet been executed. And whereas the said Matthew Habershon the mortgagee died on the fifth day of September one thousand eight hundred and sixty six having first duly made and executed his last Will and Testament in writing dated the second day of November one thousand eight hundred and fifty nine and thereby gave devised and bequeathed all the real and personal estate whatsoever and wheresoever and of what nature or kind soever of or to which he should be seised possessed or entitled at the time of his death or over which he had or should have had any disposing power unto his brother John Habershon his heirs executors administrators and assigns respectively for his and their own absolute use and benefit but as to estates vested in him the Testator upon trust or by way of mortgage subject to the equities affecting the same respectively and appointed the said John Habershon executor of such Will but such Will was never proved by the said John Habershon.

And whereas the said John Habershon died on the second day of June one thousand eight hundred and sixty eight having first duly made and executed his last Will and Testament dated the third day of April one thousand eight hundred and sixty two and thereof appointed the said Matthew Habershon the mortgagee the said Matthew Habershon party hereto and the said

Thomas Watson Cadman

executors and the same will was duly proved by the said Matthew Habershon (party hereto) and Thomas Watson Cadman in the District registry at Wakefield attached to Her Majesty's Court of Probate on the twentieth day of October one thousand eight hundred and sixty eight

And whereas letters of administration with the Will annexed of the personal estate and effects of the said Matthew Habershon the mortgagee were granted to the said Matthew Habershon (party hereto) and Thomas Watson Cadman out of the said District Registry on the third day of June last

And whereas the before named

Hugh Wood

John Carson

William Corsan

David Glencross

are dead and the before named

John Cowan

James Parker

have in manner referred to by the twentieth clause of the before written indenture ceased to be members of any one of the Presbyterian Churches in England and have consequently by virtue of such clause ceased to have any trust estate or interest in the said leasehold premises

And whereas the said

Robert Lockhart

John Stuart the younger

William McFerran

James Ewing Mathieson

James Watson

John Young

John Brown Corrie

Robert Murray

Thomas Cowan

James Howe Parker

Albert Rodgers Gill

William Hunter

Thomas Williamson

have in accordance with the provisions in that behalf contained in the before written indenture been duly appointed to be Trustees along with the said

James Breakey

Peter Murray

for the purpose of the same indenture

And whereas the said

Matthew Habershon (party hereto)

and

Thomas Watson Cadman

have agreed at the request of the said parties hereto of the second part to assign the said leasehold premises to them in manner herein after appearing

Now this indenture witnesseth that in pursuance of the said agreement and in consideration of the premises. They the said

Matthew Habershon (party hereto)

and

Thomas Watson Cadman

Do and each of them Doth hereby assign unto the said parties hereto of the second part their executors administrators and assigns All and singular the piece of ground Church erections Buildings and premises by the before mentioned Indenture of Lease of the twelfth day of March one thousand eight hundred and sixty one expressed to be demised with the rights easements and appurtenances thereto and all the estate right title interest claim and demand of the said

Matthew Habershon (party hereto)

and

Thomas Watson Cadman

and each of them in to and out of the same premises To Have and to Hold all the said premises hereinbefore expressed to be hereby assigned unto the said parties hereto of the second part their executors administrators and assigns henceforth for the residue of the term of eight hundred years granted by the said Indenture of Lease at the rent hereby reserved and subject to the Covenants by the Lessees and Conditions therein contained Freed and discharged from all principal moneys and Interest intended to be secured by and all claims and demands under the said Indenture of Mortgage of the twentieth day of March one thousand eight hundred and sixty one But nevertheless upon the trusts and for the intents and purposes and with under and subject to the powers provisoes declarations and agreements expressed declared and contained or referred to of and concerning the same premises by the before written Indenture And each of them the said

Matthew Habershon (party hereto)

and

Thomas Watson Cadman

so far as relates to his own acts and deeds alone doth hereby for himself his heirs executors and administrators Covenant with the said parties hereto of the second part their executors administrators and assigns that they the said

Matthew Habershon (party here to)

and

Thomas Watson Cadman

respectively have not done or knowingly suffered or been party or privy to anything whereby the said premises here in before expressed to be hereby assigned or any part thereof are is or may be

impeached affected or encumbered in title estate or otherwise howsoever or whereby they respectively are in anywise hindered from assigning the said premises or any part thereof in manner aforesaid.

In Witness whereof the said parties to these presents have hereunto set their hands and seals

Signed sealed and delivered by the before named

Matthew Habershon

and

Thomas Watson Cadman

in the presence of

Spencer M. Smith Solicitor, Sheffield

Joseph Brailsford junior his clerk

Signed sealed and delivered by the before named

James Breakey

Peter Murray

John Young

John Brown Corrie

Robert Murray

Thomas Cowan

James Howe Parker

Albert Rodgers Gill

William Hunter

Thomas Williamson

in the presence of

R. P. Walker          Clerks to Messrs.

Sworn T. William Millington          Broomhead Wightman & Moore Solicitors, Sheffield

Signed sealed and delivered by the before named

James Ewing Mathieson

Robert Lockhart

James Watson

in the presence of

Charles Ghems Solicitor, 8 Old Jury London

Signed sealed and delivered by

John William Stuart

(throughout the before written indenture by mistake called

John Stuart the younger

and the before named

William McFerran)

in the presence of

John H. Grace

Matthew Habershon

Thomas Watson Cadman

James Breakey

Peter Murray

Robert Lockhart

John W. Stuart

William McFerran

James E. Mathieson

James Watson

John Young

John Brown Corrie

Robert Murray

Thomas Cowan

J. H. Parker

Albert Rodgers Gill

W. Hunter

Thomas Williamson

A Memorial was registered at Wakefield the second of February 1872 at ten in the forenoon in Book 662 page 670 No. 725

I.Rhumnisickan

Deputy Registrar

(As written)