



28th January 1773

This Indenture made the twenty eighth day of January in the year of our Lord one thousand seven hundred and seventy three. Between John Stacye of Ballifield in the Parish of Handsworth in the County of York, clerk, and John Parker of Woodthorpe in the said Parish and County, Esquire, of the one part and Robert Athorpe Blanchard otherwise Athorpe (he being by the last Will and Testament of Henry Athorpe late of Dinnington in the said County of York, Esquire, deceased required to cease the surname of Blanchard and to take upon himself and use the surname of Athorpe only) of Dinnington aforesaid, Esquire, of the other part, whereas the said Henry Athorpe in and by his last Will and Testament in writing bearing date on or about the seventh day of November, which was in the year of Our Lord, one thousand seven hundred and sixty nine, did (amongst other devises and bequests therein contained) give and devise several estates and for such interests as therein mentioned unto the said Robert Athorpe Blanchard, otherwise Athorpe, and did authorise, empower and direct that the said John Stacye and John Parker, and the survivor of them and the executors and administrators of such survivor should manage and receive the rents, issues and profits of the said estates so devised to the said Robert Athorpe Blanchard, and should pay, apply and dispose of such rents, issues and profits on such part thereof only as they the said John Stacye and John Parker and the survivor of them the executors and administrators of such survivor, should judge necessary and proper unto and for the education and maintenance of the said Robert Athorpe Blanchard until he should attain the age of twenty four years, and the overplus (if any such there should happen to be) should put into place out of the same upon Government or real securities, and should pay such overplus together with the interest that should be made thereof unto the said Robert Athorpe Blanchard, when and as soon as he should attain the age of twenty four

years, and if he should happen to die before his age of twenty four years then in trust, to assign over the same to such persons as should be entitled to his said house at Dinnington by his said Will, and also to thereby give and bequeath all the rest, residue of his personal estate, goods and chattels of what nature or kind so ever (after payment of his debts, legacies and funeral expenses) unto the said John Stacye, and John Parker and the survivor of them and the executors and administrators of such survivor in trust that they the said John Stacye and John Parker, and the survivor of them and their executors and administrators of such survivor should sell and dispose of his said personal estate for the best price and prices that could or might be had or gotten for the same and should pay one moiety or half part of the money arising from his said personal estate, unto his brother Thomas Athorpe as soon as the same should be by them received. And should put and place the other moiety or half part of the money arising from his said personal estate out at interest or Government or real securities and should pay apply and dispose of the interest, dividends and produce thereof (or such part thereof only as they the said John Stacye and John Parker, and the survivor of them and the executors and administrators of such survivor should judge necessary and proper) unto and for the education and maintenance of the said Robert Athorpe Blanchard, until he should attain the age of twenty four years in case the parts and profits of the said last mentioned real estate devised to the said Robert Athorpe Blanchard should prove insufficient for that purpose. And then should pay the same moiety of the said money arising from his said personal estate, together with the overplus of the interest, dividends and produce thereof after defraying the expenses of the education and maintenance of the said Robert Athorpe Blanchard, and after deducting there-out and allowing to them the said John Stacye and John Parker, respectively the yearly sums of money therein after bequeathed to them (if any such surplus there should be) unto the said Robert Athorpe Blanchard.

when and so soon as he should attain the age of twenty four years. And did also give and bequeath unto the said John Stacye and John Parker, one hundred pounds a year apiece until the said Robert Athorpe Blanchard should attain the age of twenty four years, for the care and trouble they would be put to in the execution of his Will and constituted and appointed the said John Stacye and John Parker joint executors of his said Will, relation being thereunto had well more fully appear. And whereas the said John Stacye and John Parker did accept of the said trust and executorship and the said Robert Athorpe Blanchard otherwise, Athorpe hath attached the age of twenty four years, and whereas by certain Deed Poll bearing date the ninth day of November in the year of Our Lord one thousand and seven hundred and seventy two, the said Thomas Athorpe for the consideration of the sum of two thousand pounds to him in hand paid by the said Robert Athorpe Blanchard otherwise Athorpe, and also in consideration of the natural love and affection did grant release assign transfer and set over unto the said Robert Athorpe Blanchard, otherwise Athorpe, his executors, administrators and assigns all and every the part, purparty, share right, title interest, claim and demand whatsoever both at law and in equity of him the said Thomas Athorpe of into or out of all the sums of money, goods, chattels and personal estate and effects of his late brother Henry Athorpe deceased, by virtue of and under his last Will and Testament or otherwise how so ever to have hold receive, perceive and take and enjoy the same and every part thereof and all the benefit thereof unto him the said Robert Athorpe Blanchard, otherwise Athorpe, his executors, administrators and assigns as his or their own proper goods, chattels, estate and effects for ever. And further did ordain authorise nominate and appoint the said Robert Athorpe Blanchard otherwise Athorpe his lawful attorney inevocable for him and in his name but for his own proper use and benefit to ask demand sue for recover and receive all the said parts, purparts and share of and in all such sums of money, securities for money, goods, chattels

and personal estate and effects of his said late brother Henry Athorpe, and to have use and take all lawful ways and means in his name or otherwise for the recovery thereof and to compound and agree for the same and assignments, releases, acquitances and other sufficient discharges for the same or any part thereof for him and in his name to make, seal and deliver, and lastly to do all other lawful acts and things whatsoever concerning the promises as fully in every respect as he himself might or could do. And did thereby ratify, allow and confirm and agree to ratify, allow and confirm all and whatsoever his said Attorney should in his name lawfully do or cause to be done in and about the promises by virtue of the said Deed Relation being thereunto had will more fully appear. And whereas the said Robert Athorpe Blanchard, otherwise Athorpe, is now become wholly entitled to all the personal estate and effects of the said Henry Athorpe, deceased, subject to the payment of such debts of the said Henry Athorpe and legacies left by his said Will as yet remain unsatisfied. And whereas the said John Stacye and John Parker have now made up an account with the said Robert Athorpe Blanchard, otherwise Athorpe, of all the monies received and paid by then the said John Stacye and John Parker, or either of them and of all transactions in pursuance of the said executorship and trust and which said account hath been settled and adjusted and allowed by the said Robert Athorpe Blanchard, otherwise Athorpe, and the said John Stacye and John Parker have also delivered unto him the said Robert Athorpe Blanchard, otherwise Athorpe, all writings, securities, and papers in their or either of them custody belonging to the estate of the said Henry Athorpe. Now this Indenture witnesseth that in pursuance and performance of the directions in the said reated Will, and in consideration of five shillings to them in hand paid by the said Robert Athorpe Blanchard, otherwise Athorpe, they, the said John Stacye and John Parker have assigned and transferred and by these presents do assign and transfer unto the said Robert Athorpe Blanchard, otherwise

Athorpe. All the said household stuff, goods, furniture and utensils whatsoever in or belonging to the Intestor's house at Dinnington, and in the said Will bequeathed to them on trust as therein is mentioned, and aslo all debts and securities belonging to the estate and effects of the said Henry Athorpe deceased subject to the debts, legacies and engagements made by the said Henry Athorpe, deceased, to any person or persons yet remaining unsatisfied, to have and to hold the same unto the said Robert Athorpe Blanchard, otherwise Athorpe, his exexutors, administrators and assigns and for the consideration aforesaid they the said John Stacye and John Parker have made, ordained, authorised, nominated and appointed by these presents do make, ordain, authorise, nominate and appoint the said Robert Athorpe Blanchard, otherwise Athorpe, their true and lawful Attorney for them and in their name, but for his own proper use and benefit to ask, demand, sue for recover and receive all such sums of money, goods, chattels and personal estate and effects of the said Henry Athorpe deceased, and to have use and to take all lawful ways and means in their names for the recovery thereof. And this Indenture further witnesseth that the said Robert Athorpe Blanchard, otherwise Athorpe, being fully satisfied with the said accounts and all other transactions of them the said John Stacye and John Parker, and either of them relating to the said trust and executorship hath remised, released and for ever discharged and doth hereby remise, release and for ever discharge the said John Stacye and John Parker and each of them, their, and each of their heirs, executors and administrators of and for all reckonings, accounts and sum of money by them or either of them had or received in pursuance of the said Will or trust or by means of them being trustees and executors of the Will and Testament of the said Henry Athorpe as before mentioned. And the said Robert Athorpe Blanchard, otherwise Athorpe, for himself his heirs, executors and administrators, doth hereby covenant, promise and agree to and with the said

John Stacye and John Parker, and each of them, each of their heir, executors and administrators that he the said Robert Athorpe Blanchard, otherwise Athorpe, his executors and administrators will well and truly pay and discharge all demands whatsoever that shall cause or be made upon the estate and effects of the said Henry Athorpe, or against them the said John Stacye and John Parker, or either of them for or by reason of their being trustees and executors of the said Will of the said Henry Athorpe. And also shall and will from time and time and at all times hereafter, well and sufficiently save, harmless and keep indemnified the said John Stacye and John Parker, and each of them and each of their heirs, executors and administrators and their, every of their real and personal estate of from and against all and all manner of actions, suits, costs, charges, damages and expenses whatsoever, which at any time hereafter shall and may arise fall or happen to their, the said John Stacye and John Parker or either of their, or either of their heirs, executors or administrators for or by reason of their executing these presents, and of the assignment and power of Attorney thereby made by them to the said Robert Athorpe Blanchard, otherwise, Athorpe as aforesaid, or in respect of any of their actings, inter-medlings or trustees or executors of the last Will and Testament of the said Henry Athorpe deceased. In witness and whereof the parties to these presents have interchangeably set their hands and seals the day and year first above written.

Sealed and delivered by the above named John Stacye, John Parker and Robert Athorpe Blanchard, otherwise Athorpe (being first duly stamped) in the presence of us.

Geo. Woodhead

Laurence Parson