

# Abstract of the Title

-of-

DEARLOVE ADDYMAN to enfranchised property  
situate at Killinghall and Hampsthwaite in  
the County of York.

June 1918  
mp 10/-  
P.D. Stamp.

BY INDRE of this date made btwn CHARLES THURSTAN FOGG ELLIOT of Raby Castle Darlington in the Coy  
of Durham Esq GEORGE WILLIAM JENNINGS of Bishop Auckland in the same Coy Esq and HARRY ERNEST  
CRADOCK of Cockerton Hall Darlington in the same Coy Esq (thrinar called "the Trustees") of the  
1st part DAME SYBIL FRANCES EDEN of Windlestone in the Coy of Durham Widow of the 2nd part  
ROBERT NASSAU SUTTON NELTHORPE of Seawby near Brigg in the Coy of Lincoln Esq FREDERICK WATSON  
BRADON of Longley Hall Huddersfield in the Coy of York Esq FRANCIS HOWARD of 33 Warwick Square  
in the Coy of London Esq and the sd HARRY ERNEST CRADOCK (thrinar called "the Vendors") of the  
3rd part and DEARLOVE ADDYMAN of Eastville Terrace Harrogate in the Coy of York (thrinar called  
"the Purchaser") of the 4th part

## RECITING

Sir Wm Eden Bart late of Windlestone Hall in the Coy of Durham decd (thrinar referred to  
as "Sir William Eden the Elder") duly made his will dated 1st April 1869 and after  
apptg his wife Dame Elfrida Susanna Harriet Eden sole executrix throf thrbly devised  
certain freehold heres of inheritance incldg all his freehold heres situate in the  
Parishes of Hampsthwaite and Killinghall within the Forest of Knaresborough in the Coy  
of York to the use of his second son Morton Eden and the heirs of his body and in default  
of such issue to the uses thrinar expressed concerng his residuary real estates and thrbly  
also devised all the residue of his real estates to uses for securing to his wife Dame  
Elfrida Susanna Harriet Eden a yearly rent charge of £4000 and subj therto and to other  
uses thrbly decld and to take effect until his then eldest son Wm Eden (thrinar referred to  
as "Sir William Eden the Younger") shd attain the age of 25 (which he did on 3rd April  
1874) to the use of the sd Sir Wm Eden the Younger from his attaing that age for life  
with divers remainders over in strict settlemt and thrbly also devised such of his copyhold  
and customary messuages lands tenements and heres as were situate in the sd Parishes of  
Hampsthwaite and Killinghall unto and to the use of his sd wife Dame Elfrida Susanna  
Harriet Eden Frederick Morton Eden and Penant Athelwold Lloyd (thrin decd by his then  
name of Athelwold Pennant Iremonger) and thr hrs upon trusts similar to those thrinbfe  
decld concerng the freehold heres thrinbfe devised to the use of his sd son Morton Eden  
and the hrs of his body and thrbly also devised all the residue of his copyhold and  
customary messages lands tenements and heres unto and to the use of his sd trustees and  
thr hrs upon trusts and limitations correspondg as nrly as might be with the trusts and  
limitations thrinbfe decld concerng the residue of his real estate of freehold tenure  
And it was also decld by the sd will that if the sd Trustees or any of them shd die or



refuse or become incapable or be unwilling to act it should be lawful for the said Dame Elfrida Susanna Harriet Eden during her life and widowhood and after her decease or marriage for the sd Sir Wm Eden the Younger or other the person for the time being entitled to posen of the rents and profits of his sd residuary real estate during his life by any writing under his or her hand and seal to appoint new trustees or a new trustee in the place of the trustees or trustee so dying or refusing or being incapable or unwilling to act and that as often as such new trustee or trustees shd be appntd as afcd the sd sevl heres and other trust prems shd with all convenient speed be legally and effectually vested in the survg or continuing trustees or trustee and such new trustees and trustee jointly to the sevl uses and for the sevl trusts thrinbfe limited and decld concerng the same

The sd Sir Wm Eden the Elder duly made two codicils to his sd will dated resply 29th January 1870 and 13th July 1872 neither of which affected any of the thrinbfe recited dispositions of his sd will

The sd Sir Wm Eden the Elder died on 21st October 1873 without havg revoked or altered his sd will save and in so far as the same was altered by the sd codicils and the sd will and codicils were proved in the Principal Probate Registry on 23rd January 1874 by the sd Dame Elfrida Susanna Harriet Eden

The sd Sir Wm Eden the Elder was at the date of his death seised in fee simple free from incumbs aco dg to the customs of the Forest and Liberty of Knaresborough of the copyhold or customary messuages lands and heres thrinar descd

Under and by virtue of the sevl Indres of Appointmt of new trustees made by the sd Dame Elfrida Susanna Harriet Eden and Sir Wm Eden the Younger resply in exercise of the thrinbfe recited powers vested in them resply (particulars of which Indres were contd in the Schedule thrto) and under the sevl surrenders of and admissions to the copyhold or customary mssges lands and heres thrinar descd which were made in pursuance of those Indres of Appointmt and ultimately by virtue of the admission of the Trustees on 9th January 1914 to the copyhold or customary mssges lands and heres thrinar descd the same were then vested in and held by the Trustees as joint customary tenants in fee simple aco dg to the custom of the sd Forest and Liberty upon the trusts and with and subj to the powers provisoes and declarations aplicable thrto by virtue of the sd will of the sd Sir Wm Eden the Elder or otherwise.

Both the sd Sir Wm Eden the Younger and Morton Eden survived the sd Sir Wm Eden the Elder and the sd Sir Wm Eden the Younger was the customary heir of the sd Sir William Eden the Elder aco dg to the custom of the sd Forest and Liberty

The sd Dame Elfrida Susanna Harriet Eden died on 8th July 1882

There was no custom of entail of customary heres situate in the sd Forest and Liberty

The sd Morton Eden died on 31st March 1909 without ever having had any issue of his body and John Eden the eldest son of the sd Sir Wm Eden the Younger died on 14th October 1914 without ever having had any issue of his body.

The sd Sir Wm Eden the younger late of Windlestone Hall afcd duly executed his will dated the



14th November 1914 and thrby after apptng the sd Dame Sybil Frances Eden and the Vendors the parties thrto of the second and third parts exors throf and after making certain specific and pecuniary bequests and appointmts devised and bequeathed all the real and personal estate in the United Kingdom and elsewhere which shd belong to him at his death or which he could dispose of in any manner he thought proper either as beneficially entitled thrto or under any general power and not thrby otherwise disposed of unto and to the use of the Vendors upon trust to sell such part of such real and personal estate as shd not consist of money and to stand possd of the proceeds of sale throf upon the trusts thrin mentd.

Thesd Sir Wm Eden the Younger died on 20th February 1915 without having revoked or altered his sd will which was proved in the Durham District Probate Registry on 8th August 1915 by the sd Dame S.F. Eden and the Vendors.

Through the failure by thr remoteness of the trusts in strict settlmt in the sd will decld concerng the copyhold and customary mssges lands tenements and heres situate in the sd parishes of Hampsthwaite and Killinghall within the Forest of Knaresborough and to take effect in default of issue of the sd Morton Eden the sd Sir Wm Eden the Younger was at the date of his death beneficially entitled for an estate in customary fee simple free from incumbrances in the copyhold or customary mssges lands tenements and heres thrinar descd accdg to the customs of the sd Forest and Liberty.

The sd Dame S.F. Eden and the Vendors as exors of the sd will of Sir Wm Eden the Younger had assented to the devise of the prems thrinar descd as was testified by thr execution of abstg presents.

The Vendors as trustees of the will of Sir Wm Eden the Younger had agreed to sell the mssges lands tenements and heres thrinar descd to the purchaser for an estate of inheritance accdg to the custom of the sd Forest and Liberty free from incumbrs at the price of £1100.

The Trustees as Trustees of the will of Sir Wm Eden the Elder had at the request of the Vendors agreed to execute abstg presents

IT WAS WITNESSED that in pursuance of the sd agreement and in conson of £1100 then pd by the Purchaser to the Vendors as such Trustees as afsd (rect acknd) the Trustees as Trustees and by the diron of the Vendors thrby testified thrby jointly and severally covenant with the Purchaser that they the Trustees wd forthwith at the cost of the Purchaser surrender or cause to be surrendered into the hands of our Sovereign Lord King George V ~~etc~~ accdg to the custom throf

ALL THAT customary or copyhold mssge or tenement or ancient bldg and 6 closes of land called Near South Field Far South Field Croft Low Close Paddock and Garth contg by estimation 9a be the same more or less with all bldgs and appurts situate in the sd Parish of Killinghall in the Forest of Knaresborough and also two other closes called Great Rawdens and Little Rawdens contg by estimation 4a be the same more or less situate in the sd Parish of Hampsthwaite within the



sd Forest AND ALSO ALL THAT one other ancient bldg and all those 8 closes of land contg 8a be the same more or less situate at Myre Green in the Parish of Killinghall afsd with all bldgs and appurts to the same belongg and also all those 2 pcls of land thrtofore part of the open parts of the sd Forest contg in customary measure 3a 2r and 18p situate in the Parish of Killinghall afsd and also one other pcl of land situate in the Parish of Hampsthwaite afsd contg in customary measure 15p all of which sd prems were more parlarly delineated and descd in the plan thrt annexed and thron edged round with pink with all rights heres and appurts to the same belongg fmly in the occupation of Henry Dalby or his assns afterwards in the occupation of Simon Wilkinson or his undertenants and then in the occpn of Wm Addyman to which heres the Trustees were admitted as afsd

TO THE USE of the purchaser his hrs and assns accordg to the customs of the sd Forest and Liberty of Knaresborough by the rents suits and services thrfor due and of right accustomed free from incumbrances but subj to and with the benefit of the tenandy of the sd Wm Addyman

ACKNOWLEDGMENT by the Trustees of the right of the Purchaser to production of the docs mentd in the Schedule thrt and to delivery of copies thrf

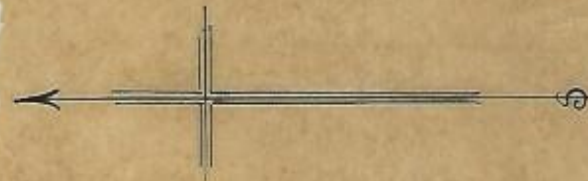
#### SCHEDULE

##### Particulars of Indentures of Appointment of New Trustees of the Will of Sir William Eden the Elder

1. INDENTURE dated 1st February 1876 made btwn the sd Dame Elfrida Susannah Harriet Eden of the 1st pt the sd Dame Elfrida S.H.Eden Frederick Morton Eden and Pennant Athelwood Lloyd of the 2nd pt and Charles Freville Surtees of the 3rd pt being an appointment of the sd C.F.Surtees a trustee of the sd will in place of thesd Pennant Athelwood Lloyd on his retirement from the trusts of the sd will.
2. INDENTURE dated 11th May 1907 and made btwn the sd Sir Wm Eden the Younger of the 1st pt the sd F.M.Eden of the 2nd pt and Robert Woodhouse and Joseph Frederick Laycock of the 3rd pt being an appointmt of the sd R.Woodhouse and J.F.Laycock trustees of the sd will in place of the sd Dame E. S.H.Eden who died on 8th July 1882 and of the sd C.F.Surtees who died on 2nd December 1906.
3. INDENTURE dated 21st May 1910 and made btwn the sd Sir Wm Eden the Younger of the 1st pt the sd F.M.Eden R.Woodhouse and J.F.Laycock of the 2nd pt The Hon.Ashley Morland Eden Charles Thurstan Fogg Elliot and George William Jennings of the 3rd pt being an appointment of the sd A.M.Eden C.T.F.Elliot and G.W.Jennings Trustees of the sd will in place of the sd F.M.Eden R.Woodhouse and J.F.Laycock on their retirement from the trusts of the sd will.
4. INDENTURE dated 20th December 1913 and made btwn the sd Sir Wm Eden the Younger of the 1st pt the sd A.M.Eden of the 2nd pt the sd C.T.Fogg Elliot and G.W.Jennings of the 3rd part and H.Fry Ernest Cradock of the 4th pt being an appointmt of the sd H.E.Cradock a Trustee of the sd will in place of the sd A.M.Eden on his retirement from the Trusts of the sd will

EXECUTED by all parties except Dearlove Addyman  
and duly attested





to Harrogate

from Skipton

extent here plan on compass rose of 15/6/12

June 1918 BY COPY COURT ROLL ADMITTANCE of the Forest of Knaresborough of this date

IT WAS REMEMBERED that in pursuance of a covt contd in the last abstd Indre and in conson of the sum of £1100 pd to the Vendors (being the sum referred to in the sd Indre) The Trustees as trustees by the diren of the Vendors did on 12th June 1918 by Arthur Walker thr Attorney duly apmntd Surrender by a straw into the hands of our Sovereign Lord the King &c accordg to the custom of the sd Forest

ne 5/-

The prems descd in the last abstd Indre and by a similar description

TO THE USE of the Purchaser his hrs and assns by the rents suits and services thrfor due and of right accustomed accordg to the custom of the sd Forest

AND UPON that came the sd Dearlove Addyman and prayed to be admitted to his fine for the prems afcd PROCLAMATION being thrupon made and no person forbidding it the prems afcd with the appurts were granted by the Understeward of the sd Forest

TO HOLD to the sd D Addyman his hrs and assns accordg to the custom of the sd Forest and

And he was admitted Tenant throf havg sworn fealty and paid for his fine as in the margin

Understeward's Certificate that Surrender bore an advaloram Stamp of 311 and also a denoting Stamp under Sec.4 of the Finance Act 1910

ENROLLED in Book 82 Page 67

4th October 1930 BY COMPENSATION AGREEMENT of the Forest and Manor of Knaresborough of this date - copy herewith



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# Abstract of the Title

-of-

DEARLOVE ADDYMAN to enfranchised  
property situate at Killinghall  
and Hampsthwaite in the County  
of York.

POWELL SON & EDDISON.  
HARROGATE