

APPENDIX 4: Selection of LEGAL DOCUMENTS

1663

Will of **William Atkinson** Ref. Borthwick.York. vol. 48 fol. 110

Transcribed by S. Gordon

In the name of God Amen the second Day of May in the yeare One thousand six hundred sixty three I **Willim Atkinson** of Lithbankes in the pish of Gigeswicke and County of yorke husbandman being sicke and weake in body but of good and pfect remembrance Do make this my last will and Testament in manner following First I do committ my soule into the mercyfull hands of Almighty God trusting through his mercy and by the meritts of Jesus Christ my only Redeemer to be saved and to have pdon and remission of all my sinnes And my body to the Earth whereof itt was made to be buryed in my pish Church yard of Gigeswicke att the discretion of my Friends And for my worldly and Temporall goods and Estate I doe give divide and dispose of

the same as followeth First I will that my debts and Funerall Expenses shalbe paid out of my whole goods Item I give unto my sonne **George Atkinson** his Executors and Assigns the Moyety or one halfe of all my houses Lands Leases, and of all my grounds and reall Estate whatsoever, Item I give unto my sonne **William Atkinson** his Executors and Assigns the other halfe of all my said houses Lands Leases and of all my grounds and Reall estate whatsoever provided that my said sonnes **George** and **William Atkinson** shall keepe and maintaine **Isabell** my wife with meate drinke and all things necessarie dureing her naturall life or otherwise to permitt and suffer my said wife to have her widowright in my said reall Estate for her maintenance dureing her life, Item I give to my said wife the Third part of all my goods and psonall Estate, I give unto my sonne **James Atkinson** Three pounds; And to my sonne **Robert Atkinson** Twenty shillings And to the Two Children of my sonne **Thomas Atkinson** deceased Forty shillings Equally betweene them, And to the Three Children of my sonne **George Atkinson** Three pounds equally amongst them: All the remainder of my goods and psonall Estate I doe give unto my said sonnes **George** and **William Atkinson** equally betweene them And I do make and appoint my said sonnes **George** and **William** joynt Executors of this my last will and Testament In wnesse whereof I have hereunto putt my hand and seale the day and yeare first above written **William Atkinson** his marke witnesses hereof Edward (Blackburne) his marke Edward Preston his marke Thomas Wilson

<https://d1biszitk051fy.cloudfront.net/wp-content/uploads/2019/04/ExtraWillsInvents1603to1702.pdf>

In the name of God Amen William
 Holgate of Dumbley in the County of Yorke upon being in firm & weak in body but of
 sound & perfect mind & memory and considering the uncertainty of this transitory life and
 the certainty that all must dye and being mindfull to settle & dispose of all my temporall
 & spirituall goods according to my mind & intention do make this my last will & Testament
 & Amending all manner of former & other wills or Wills by me at any time heretofore
 made published or declared And I do declare this to be my only last will & Testament And
 first I will that all my just debts & generall expences be duly paid & satisfied Item I
 give devise and bequeath the use & occupation & profits of the Moisty or one
 halfe of all my lands Tenements & Hereditaments with their appurtenances lying within
 the Mannor of Dumbley aforesaid & Township of Hunnington in the said County of Yorke
 unto Elizabeth Holgate my beloved wife during the Terme of her whole life And at her
 decease I give devise & bequeath the Remainder of his said Moisty of all the aforesaid
 lands Tenements and Hereditaments & their appurtenances together with all my estate
 Interest Title & Right of Emment right in & to the same & every part thereof unto
 Robert Holgate my Brother and to his heirs and Assignes for ever Item I give and
 bequeath all the other moiety or halfe part of all the said lands Tenements and
 Hereditaments with their appurtenances unto my Brother Robert Holgate and
 his heirs and Assignes for ever Item I give devise and bequeath all my goods & Chattels
 Bonds Bills & specialties & other debts due and all my personall estate
 whatsover unto my said Brother Robert Holgate and my beloved wife Elizabeth
 Holgate equally to be divided between them after my debts & charges and generall
 expences are paid & discharged Item I give and bequeath unto Richard Bondals
 and his heirs the summe of five pounds Item I give unto Thomas Briggs of Groenland
 Carpenter five shillings to be paid out of my personall estate by my Executor
 hereafter named And lastly I nominate and appoint my said loving wife Elizabeth
 Holgate and Robert Holgate my Brother Executors of this my last will and
 Testament hoping they will performe the same as my will is in them
 respect In witness whereof I have declared this to be my last will & Testament
 and also putt my hand & seals to the same this fiftenth day of January
 Anno Domini 1715. William Holgate. Sealed signed & also published & declared
 by William Holgate to be his last will and Testament in the presence of us
 Francis Hargreaves his mark, Sir: Gould, Hen: Bankes.

1726

Indenture, [Bradleys](#) to [Ann Atkinson](#)

The Bradleys were a Little Bank family. [John](#) & [Richard](#)'s sister, [Elizabeth](#), married [Isabel Oddie](#) (née [Atkinson](#))'s brother, [William Atkinson](#), also of Littlebank, in 1709

An Indenture made the Seventh day of the Twelfth month called February In the Twelfth year of the Reigne of our Sovereigne Lord George by the Grace of God of Great Brittain France and Ireland King etc. Annoque Domini 1725. Between [John Braidley](#) of Little Banke in the Parish of Gigglesicke and County of York Yeoman and [Richard Braidley](#) of Cattleside in the said parish of Giggleswicke and County of York Yeoman of the one part and [Anne Atkinson](#) of Sawley Grange in the said County of York Widdow of the other part Of or Concerning All that the Farr End or West end of the Ings Close called Preston Inges Close As the Same is now Divided Containing by Esteemacion One Acre and a halfe be it more or less with a little Building lately Erected thereon And also one Parcell of Ground lying on a Place called the Kelds Containing by Esteemacion one rood and Fifteen Falls be it more or less And also one Butt lying on the said Kelds As also one other parcell on the said Kelds Containing by Esteemacion halfe a Rood and three falls be it more or less Which said Premisses were purchased by [Thomas Braidley](#) Father of the said [John](#) and [Richard Braidley](#) of one Thomas Sowrry And also all that Annuall or Yearly Rent of Two and Twenty Shillings issueing and payable out of the said Closes and parcells of ground called Preston Ings Close and the Kelds lately purchased by the said [John](#) and [Richard Braidley](#) of one Richard Ellershaw And likewise a Keld land purchased by [Tho^s. Braidley](#) Father of the said [John](#) and [Richard Braidley](#) of Robert Coate and Miles Coate As also one other parcell of ground lying on the Kelds and Containeth by esteemacion one rood be it more or less likewise that other little parcell on the Kelds containing by Esteemacion halfe one rood be it more or less purchased by [Oliver Braidley](#) Grandfather of the said [John](#) and [Richard Braidley](#) of one John Coate All which said Premisses are Situate lyeing and being within the Precincts Territories or Townfields of Giggleswicke aforesaid And now are in the Occupacion and Possession of the said [John Braidley](#) his Asignee or Assignes Together with all and Singular Wayes Pathes Passages Balkes Raynes Hedges Ditches Woods Underwoods Waters Water Courses Walls Fences Libertys Easements Profitts Priviledges Hereditaments and Appurtenances whatsoever to the Same belonging or appertaining or Accepted Reputed used occupied or enjoyed as part parcell or member thereof or of any part or parcell thereof Which said Indenture is Witnessed by [John Tipping Jun^r](#) of Sawley Grange in the County of York Yeoman Thomas Carr of Settle in the said County Yeoman [William Atkinson](#) of Sawley Grange aforesaid Batchelor and [Thomas Tipping](#) of Sawley in the County aforesaid Yeoman
Sealed and Signed in the presence
of us [William Atkinson](#) [Ann Atkinson](#)
[Tho: Tipping](#) Jur

1726:

Indenture, [Bradleys](#) to [John Tipping](#)

One Indenture made the Twenty Eighth day of February in the Twelfth year of the reign of our Sovereign Lord George by the Grace of God of Great Britain France & Ireland King etc. Annoque Domini 1725 Between [John Braidley](#) of Littlebank als Little Banke in the parish of Giggleswicke and County of York Yeoman and [Ann](#) his Wife of the one part and [John Tipping](#) Senr. of Sawley in the said County of York Yeoman of the other part Whereby the said [John Braidley](#) and [Ann](#) his Wife for the Consideracions therein mencioned Did Demise Grant Bargain Sell Aliene Assigne Sett over Enffeofoe and Confirme unto the said [John Tipping](#) his heires and Assignes All their whole Estate of Houses Buildings Lands Tenements and hereditaments with the Appurtenances whatsoever Scituate lying and being within the Township of Rauthmell in the County aforesaid as Fully and Amply as the Same or any part or parcell thereof was left and bequeathed to the said [John Braidley](#) In and by the Last Will and Testament of [Thomas Braidley](#) his Father deceased Part and parcell of Which said Premisses are Sometime knowne by Name or Names of one Messuage or Tenement with the appurtenances Sometime Since in the possession of [Oliver Braidley](#) Grandfather to the said [John Braidley](#) or his Assignes of the Antient yearly rent of five Shillings And all Buildings Houses Orchards Gardens Backsides Tofts Crofts Lands Tenements meadows Closes Inclosures Improvements Pastures Feedings Commons Common of Pasture Cattlegates Instinted Pastures Moores Mosses Turbaryes and Appurtenances whatsoever to the said Messuage and Tenement belonging Also one other Messuage or Tenement and Farm with the Appurtenances Sometime since called Dickinsons Tenement Scituate lying and being at Little Bank aforesaid Sometime Since in possession of one William Dickinson or his Assignes of the Antient rent of two Shillings and ten pence And all Houses Edifices Buildings Orchards Gardens Backsides Lands meadows pastures Feedings Comons Comon of pasture Cattlegates Instinted Pastures Moores Mosses Turbaries and Appurtenances whatsoever to the said Messuage and farm or Tenement belonging Also those two Little Backsides Given and bequeathed by the said Last Will of [Thomas Braidley](#) deceased unto the said John Braidley and which did formerly belong to the Estate of Aikeworth Likwise all that parcell of ground called Dubbs Close with the Appurtenances as Fully and Amply as the Same was given and bequeathed to the said [John Braidley](#) in and by the said Last Will of [Thomas Braidley](#) his Father deceased Also that one parcell of ground or Common Containing by Estemacion Seven Acres and a rood and two third parts of one halfe Acre be the Same more or less lying and being upon Rauthmell Common at a place called Longbanke lately purchased of William Brown and John Brown or one of them or by what other name or names Soever the said premisses or any part or parcell thereof be Called or known being Scituate lying and being within the parish of Gigglesick in the said County of York and now or late in the possession of the said [John Braidley](#) his Asignee or assignes Together with all and Singular wayes pathes Passages Balkes Raynes Hedges Ditches Woods underwoods Waters Watercourses Walls Fences Libertyes Easements profitts Priviledges Hereditaments and Appurtenances whatsoever to the Same belonging or Appertaining or accepted reputed used occupied or enjoyed as part parcell or member thereof or of any part or parcell thereof Which said Indenture is Witnessed by Thomas Carr of Settle in the County of York Yeoman Elizabeth Dickson of Fell Gate near Whelpstones in the said County Spinster and [Thomas Tipping](#) of Sawley in the County of York Yeoman

Sealed and Signed in the presence of us

John Tasker [John](#) Tipping

[Tho](#) Tipping Jur

In the Name of God Amen the fifteenth Day of September in the fourth Year of the reign of our Sovereign Lord George the second by the Grace of God of Great Britain France and Ireland King Defender of the Faith etc Annoq Domini one thousand seven hundred and forty John Holgate of Graug in the Manor of Sawby and County of York Esquire being of sound and perfect mind and memory thanks be to Almighty God for the same and considering the frailty of this transitory life and as it is appointed unto all men to die do make and Ordain this my last will and Testament in manner and form following first I Bequeath my soul into the hands of Almighty God my former Trusting by the Merits of Jesus my Redeemer to be Out of those who shall be saved at the last general Day of Judgment and my Body to be Buried at the Discretion of my Executors herein hereinafter named And as touching my worldly Estate which God in His Mercy hath bestowed on me my will and mind is as followeth first I will that all my Debts and funeral Expences be paid and Discharged at the Discretion of my Executors here I Give to Robert Atkinson and John Atkinson my Nephews and to each one of them the sum of Ten pounds of lawful money of Great Britain. I Give to Elizabeth Atkinson Francis Atkinson Mary Atkinson Jacob Atkinson and Abigail Atkinson my Nieces to each and every of them Ten pounds a piece of lawful money Item I Give to my Brother Robert Holgate Two hundred pounds of lawful British money and also my will and mind is And I do hereby Give devise and Bequeath unto William Atkinson my Nephew during his natural life and for ever all that One Acre or half part of that Acre of meadow and wood in the possession of Ann Atkinson & others in the said Manor of Sawby and County of York aforesaid hereby Give devise and Bequeath unto the said William Atkinson from my will and mind is and I do hereby Give devise and Bequeath unto the said William Atkinson my Nephew and to his Assignes all that One Acre of meadow and wood in the possession of James T. How and John Scott Item I Give to Ann Atkinson my Sister Twenty shillings yearly and every Year paid her by her son William Atkinson during her natural life and to her heirs and assigns her being with her son William at Graug Item I Give William Atkinson my Nephew Ten pounds of lawful British Money yearly I do make constitute and Ordain Robert Atkinson and William Atkinson my Nephews Executors of this my last will and Testament Hoping they will see the same performed as in them my Trust is as is expressed in writing whereof I have herewith set my hand and seal the day and year first above written. John Holgate. Signed sealed published and declared by the said John Holgate for and as his last will and Testament in the sight and presence of Thomas Wall. John Waddington. Richard Waddington. Page 22. Dec. 1740.

1750

Indenture, **Tipping & Holgate** to **Atkinson**

(punctuation and spelling simplified/modernised)
[explanations]

An Indenture tripartite [between three parties] made the first day of May in the Year of our Lord 1750 between **Thomas Tipping** of Sawley in the County of York, yeoman, of the first part, **Robert Holgate** of Clitheroe in the County of Lancaster of the second part and **William Atkinson** of Sawley aforesaid, yeoman, of the third part, concerning all that messuage [dwelling place with outbuildings and land] or tenement [a 'holding' of land or property] with all garths [enclosed yards] or gardens thereunto belonging and also those five closes [enclosed land] parcels of ground [having clear boundaries], containing by estimation nine acres, and also all that one other close or parcel of ground containing by estimation three acres and one rood, which said premises are situate in Dudland within the Manor of Sawley aforesaid. And also of all that other messuage or tenement sometimes known by the name of Slaters Tenement and certain parcels of land thereunto belonging containing by estimation eight acres be it more or less, and also all those two closes of land called Shaws Lesser Croft and the Brow which said premises with the appurtenances [rights and benefits attached to a property] are situate in Dudland aforesaid. And also all that croft [agricultural land] of freehold land to the said last mentioned premises (which are leasehold) adjoining situate within the Township of Rimington in the County of York aforesaid and formerly the inheritance of Ellinthrops and called or known by the name of the Holm, containing by estimation one acre be the same more or less, together with all the singular [separate] houses, outhouses, edifices, buildings, barns, stables, yards, orchards, gardens, folds [animal enclosures] backsides [land without direct access], crofts, closes, lands, meadow feedings [pastureland] woods underwoods [undergrowth], mines, quarries, mosses, wastes [barren land], commons, common of pasture [lands on which others than the owners can graze animals] and turbarry [rights to cut turf or peat] ways [paths], watercourses, liberties [land rights granted to other than the owners], easements [rights of access] privileges [rights associated with owning or accessing land], profits, commodities [saleable land], advantages [potential profits], hereditaments [inheritable land], emoluments [benefits derived from land], curtilages [land around a building forming an enclosure] and meeappurtenances whatsoever to the said premises or any part or parcel thereof belonging or in any wise appertaining or to or with the same or any of them or any part of any of them usually held, occupied or enjoyed or accepted, reputed, taken, or known to be as part parcel or member thereof. And all the estate, rights, title [legal ownership], interest, use, trust possession [where all income must pass to the beneficiary] term, terms [natural elements of land] tenant right [rights to occupy], good will benefit [incidental benefits not legally attached to the land] and advantage of [automatically]-renewing leases and of being and continuing tenant thereof, inheritance property claim, and demand whatsoever, both at Law and in Equity [a court of law can only award monetary damages, whereas equity can lay down injunctions or decrees] of them the said **Thomas Tipping** and **Robert Holgate** or either of them of in or to the said premises or any part or parcel thereof which said indenture purports to be an Absolute Conveyance [unconditional and complete transfer of property from one party to another] of the said several [individual] leasehold estates for the several terms of 100 years, and 100 years if the lives [persons] mentioned in the several indentures of lease by which the said premises are held so long live, and an Absolute Conveyance of the said close called the Holm for the term of 4,000 years unto the said **William Atkinson** his

Executors, Auditors and Assignees the said leasehold estates, subject to the rents and covenants [agreements] in the said leases contained. And the said Indenture is Witnessed by Robert Atkinson of Sawley Grange in the County of York, Yeoman, and John Tipping of Burnley [son of Thomas Tipping] in the County of Lancaster Gentleman.

William Atkinson

1764

Indentures of Lease and Release, Tippings to Atkinsons

Indentures of Lease and Release bearing date respectively the Twenty fifth and Twenty sixth Days of May in the Year of our Lord One thousand seven hundred and Sixty four the Lease made Between **William Tipping** of Slaidburn in the County of York Gentleman Executor of the last Will and Testament of **John Tipping** late of Dockber in the Monastery of Sawley and County aforesaid Yeoman and **Thomas Tipping** of Sawley aforesaid Gentleman of the one Part and **George Atkinson** the Elder and **George Atkinson** the Younger both of Newhall in the Township of Rathmill and County aforesaid Yeomen of the other Part And the Release made Between the said **William Tipping** and **Thomas Tipping** of the First Part Ann Wood of the Parish of Fewston in the County of York Widow one of the Devisees named in and Sole Executrix of the last Will and Testament of William Wood late of Spinksburn in the Parish of Fewston aforesaid Miller and William Wood of the Parish of Fewston aforesaid Yeoman eldest Son and Heir of the said William Wood deceased and Ann Wood of the Second Part and **George Atkinson** the Elder and **George Atkinson** the Younger both of Newhall in the Township of Rathmel and County aforesaid Yeoman of the Third Part Of and Concerning All that one Messuage and Tenement with the Appurtenances which formerly belonged to one John Bradley of the Antient Yearly rent of Five Shillings And all buildings Orchards Gardens Backsides Tofts Crofts Lands Tenements Meadows Closes Inclosures improvements Pastures Feedings Commons Common of Pasture Cattlegates in Stinted Pastures Moores Mosses Turbaries and Appurtenances whatsoever to the said Messuage and Tenement belonging Also One other Messuage and Tenement or Farm with the Appurtenances sometimes called Dickinsons Tenement Situate lying and being at Little Bank in the Township of Rathmel aforesaid of the Antient rent of Two Shillings and tenpence Also those Two little Backsides which formerly belonged to the Estate of Aikworth likewise all that Parcel of Ground called Dubbs Close with the Appurtenances Also that one Parcel of Ground Ground (sic) or Common Containing by estimation Seven Acres and a Rood and Two third Parts of one half acre be the same more or less lying and being upon Rathmel Common at a Place called Long Bank All which said Premises are Situate in the Parish of Giggleswick Which said Indentures as to the Execution thereof by the said **William Tipping** are Witnessed by John Hoyle of Rouley near Burnley in the County Palatine of Lancaster Yeoman and Christopher Picard the Younger of Settle in the County of York Gentleman As to the Execution thereof by the said **Thomas Tipping** is Witnessed by Christopher Picard the Elder of Settle aforesaid and the said Christopher Picard the Younger And as to the Execution of the said Indenture of Release by the said Ann Wood and William Wood is Witnessed by Margaret Chippindale the Wife of Thomas Chippindale of Bolton Bridge in the County of York Yeoman and the said Christopher Picard the Younger.

Signed and Sealed

In the presence of us

Chris Picard

Geo: Atkinson

Chris: Picard Jun r . Sworn

https://www.dalescommunityarchives.org.uk/content/catalogue_item/north-craven-deeds/rathmell-deeds-3/rathmell-deeds-ex-wakefield

1801: Paper relating to the estate of Isabel Atkinson, dec'd.

<p>Isabel Atkinson of Full Bank in the County of York sp^r 106319.506 12/700. 30.12</p>	<p>Alice Atkinson (widow) of the County of York Thomas Atkinson of the County of York Decd. by W^m Atkinson</p>	<p>Direct her debts, funeral & To Mr. Atkinson, & To Mrs. Atkinson To Mary the wife of To the wife of To the wife of Henry To the wife of To the wife of To the wife of To the wife of</p>	<p>Testamentary expenses to be paid direct debts of money secured upon mortgages, bonds & other simple contract securities on the joint names of herself & her sister in Trust to gather in so much as would be necessary to discharge her debts but not to exceed the legacies first therein after given equally to be divided amongst them The National Archives' reference IR 26/424/816 8.</p>
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1808: Papers relating to the estate of Alice Atkinson, dec'd.

Date of the Probate and Sum sworn.	Name and Description of Testator or Testatrix.	Name and Place of Abode of Executor or Executrix.	Name of the Legatee, distinguishing the Residuary Legatee.	Degree of Kinship.	Account of the several Legacies and Annuities, particularly of the Residue and Bequests in Trust.
1808 29 November Residue £3500	Alice Atkinson of Little Stroud in the Parish of St. James in the County of Northampton	Thomas Higate of Little Stroud in the Parish of St. James in the County of Northampton	1. To the said Thomas Higate	1	all that is equal support of some modest sum yearly with the best of the said residue in good and lawful use and at the death of the said Thomas Higate to sell and dispose thereof and the money to arise by such sale after paying the charges incident to such sale divide the residue thereof equally among of such of the children of the said Thomas Higate as be then living
9.10.11			2. To the said executrix		all that is equal support of the said residue from a fund to be created out of the said residue in such manner as she shall think fit
			3. To the children of the said Thomas Higate		£1000
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