

DATED 28th January 1943

re J. W. PEARSON deceased

re A. E. PEARSON deceased

A S S E N T

relating to a messuage and farm house together with 18 acres of land known as Hoggerston Hill situate at Laverton in the Parish of Kirkby Malzeard in the County of York.

Edmundson & Gowland,
Ripon.

T H I S A S S E N T is made the **Twenty eighth** day of **January** One thousand nine hundred and forty three BETWEEN THOMAS KIRKLEY of Cross Hills, Grantley near Ripon in the County of York Farmer and FREDERIC STOCKTON GOWLAND of Ripon aforesaid Solicitor (together hereinafter called "the Executors") of the one part and HARRIET BARKER of Grey Green Farm Dallowgill in the County of York Widow of the other part W H E R E A S:- _____

(1) John William Pearson late of Cross Hills Grantley aforesaid Farmer deceased by his Will dated the Eleventh day of September On thousand nine hundred and thirty four after appointing his wife Annie Elizabeth Pearson the said Frederic Stockton Gowland and William Watson therein described Executors and Trustees thereof gave and bequeathed all his property both real and personal to his Trustees In Trust as to his real estate to receive the rents and profits thereof and to keep the same in tenantable repair and to pay the balance of such rents and profits to his said wife during her life and after the decease of his said wife he devised his farm called Hoggerston Hill to the said Harriet Barker in fee simple. _____

(2) The said John William Pearson died on the Twentieth October One thousand nine hundred and thirty four and his said Will was proved by the Executors therein named at the Principal Probate Registry on the Eleventh December One thousand nine hundred and thirty four. _____

(3) The said Annie Elizabeth Pearson by her will date the Twenty first day of February One thousand nine hundred and thirty six after appointing the Executors Executors and Trustees thereof and making a certain devise and bequeath not affecting these presents gave devised and bequeathed the rest residue and remainder of her real and personal estate whatsoever and wheresoever (hereinafter called "the residuary estate") unto the Executors Upon Trust to sell the same and out of the proceeds thereof to pay her just debts funeral and testamentary expenses and certain legacies therein specified and to pay the balance remaining in their hands unto the said Thomas Kirkley absolutely. _____

(4) The said Annie Elizabeth Pearson died on the Twenty third of February One thousand nine hundred and forty two and her said Will was proved by the Executors at the Principal Probate Registry at Llandudno on the first April One thousand nine hundred and forty two. _____

(5) After the death of the said Annie Elizabeth Pearson it was ascertained that the said farm known as Hoggerston Hill had been conveyed to the said John William Pearson and Annie Elizabeth Pearson in fee simple as joint tenants, beneficially and therefore did not pass under the hereinbefore in part recited Will of the said John William Pearson but to the said Annie Elizabeth Pearson as survivor and was then vested in the Executors. _____

(6) By a deed of Confirmation dated the Seventh October One thousand nine

hundred and forty two and made between the said Thomas Kirkley of the First part the said Frederic Stockton Gowland and William Watson of the second part and the Executors of the third part after stating that the parties thereto were of the opinion that both the said John William Pearson and Annie Elizabeth Pearson at the date of their respective Wills believed that the said farm known as Hoggerston Hill had been conveyed to the said John William Pearson alone that the devise thereof in his said Will expressed the wishes of both the said John William Pearson and Annie Elizabeth Pearson and the Executors had made other provisions for the payment of the debts funeral and testamentary expenses and legacies charged on the said residuary estate and had not assented to themselves as trustees for the sale it was declared that the said Thomas Kirkley should not make any claim to the said farm as being part of the said residuary estate of the said A. E. Pearson and that he authorized the Executors to make such assent in respect of the said farm as might be necessary or expedient for carrying out the devise thereof contained in the said Will of the said John William deceased. _____
NOW the Executors as Personal Representatives of the said Annie Elizabeth Pearson hereby:- _____

1. Assent to the vesting in the said Harriet Barker of All and Singular the freehold messuage and property described in the Schedule hereto for an estate in fee simple.

2. Acknowledge the right of the said Harriet Barker to production of the Probate of the said Will of the said Annie Elizabeth Pearson and to delivery of copies thereof. _____

3. Declare that they have not previously given or made any assent or conveyance in respect of any legal estate in the premises the subject of this Assent.

AS WITNESS the hands of the parties hereto. _____

THE SCHEDULE hereinbefore referred to:-

ALL THOSE two closes or parcels of land called or known by the name of Hogza Hill lying on the west side of the road leading from Kirkby Malzeard to Lofthouse containing by estimation Ten acres One rood and Twenty five perches be the same more or less being part of an allotment of land containing by estimation Seventeen acres Two roods and Two perches allotted and awarded to Thomas Atkinson on the Inclosure of Laverton Moor and Galphay Moor And all that allotment or parcel of land lying on the east side of the road leading from a place called Lady Hill to Pateley Bridge and awarded to Thomas Ashby on the Inclosure and division of the said Moors adjoining to Peter Atkinson's allotment on or towards the North to George Wood's allotment on or towards the East and to the said road on or towards the south and West containing by estimation Seven acres two roods more or less And also All That dwellinghouse barn and stable erected and built by Peter Atkinson on the said allotment All which said closes or parcels of land allotments and premises are situate lying and being in Laverton in the Parish of Kirkby Malzeard in the County of York. _____

SIGNED by the said Thomas Kirkley }
in the presence of }

Thomas Kirkley

Thos. H. Hardisty

Clerk with Edmunson & Gowland

Solicitors, Ripon

SIGNED by the said Frederic }
Stockton Gowland in the presence }
of }

F. Stockton Gowland

Thos. H. Hardisty