

Margaret ARMISTEAD nee ELSWORTH Will

* [10] - Is the tenth line on the actual document.

This is the last Will and Testament of me Margaret the Wife of Thomas Armistead of Long Preston on the County of York made this eighteenth day of December one thousand eight hundred and eighty eight.

Whereas under the Will of my late Uncle Thomas Cockshott of Bend Yate in the Parish of Long Preston in the West Riding of the County of York, deceased, dated the nineteenth day of February one thousand eight hundred and sixty two. And proved on the fifth day of September, one thousand eight hundred and sixty three in the District Registry of Wakefield. Of her Majesty's then Court of Probate.

I have a [10] general power by my Will to appoint the use of certain hereditaments and premises of freehold, leasehold and customaryhold tenure situate in the Parishes of Long Preston, Horton-in-Ribblesdale and Arncliffe, all in the County of York. And also of certain personal estate.

Now in exercise of the said power and of every other power hereunto enabling me.

I do hereby appoint, give, devise and bequeath all the said hereditaments and premises, and all the said personal estate and all other, the real estate and chattels real personal estate and effects whatsoever and wheresoever of which I have power to dispose of this my Will –

Whether by virtue of the Will of my said Uncle, or otherwise and whether [20] in possession, reversion, remainder, contingency, or expectancy (except estates vested in me as trustee or mortgagee). Unto and to the use of my two sons William and Richard, their heirs, executors, administrators, and assigns as tenants in common. But subject and changed with the payment of an Annuity of Sixty pounds, commencing from my decease, to my said husband during his life, and an Annuity of Fifty pounds to my daughter Mary Ann, during her life, and also with a sum of One thousand pounds in the event after mentioned, and also subject and changed as next hereinafter mentioned.

I direct and declare that each of my said sons shall account for and bring into hotch-pot all sum and sums of money [30] which I have already advanced, or raised, or charged upon the appointed premises. Or become liable to pay or may hereafter advance, raise, charge, upon the appointed premises or become liable to pay for him and that the excess of the amount which I shall be found to have advanced, raised, charged, or become liable to pay in favour of one son over the amount which I shall be found to have advanced, raised, charged, or become liable to pay in favour of the other of my said sons. Shall be a charge in favour of the latter upon the share of the former in the hereditaments and premises hereinbefore appointed, devised and bequeathed.

I direct that the annuities hereinbefore charged for the benefit of my said husband and daughter [40] respectively shall be payable by equal half yearly payments, the first payment thereof to be made at the end of six Calendar months after my decease. Together with a proportionate part thereof in respect of the time which may have elapsed between the ceasing of such annuities respectively.

And I declare that the said annuity to my said daughter shall be for her sole and separate use without power of anticipation. And that her receipt shall be a good discharge to the person or persons paying such annuity. And that the said annuity charged in favour of my said husband may either paid to him personally or to my executors or executor for the time being, who shall apply the same to or for the benefit of my [50] said husband. And in the event of the same being paid to my executors or executor their or his receipt shall be a sufficient discharge for the same.

I direct in the event of my said daughter Mary Ann leaving issue surviving her that the sum of one thousand pounds hereinbefore mentioned shall be a charge on my said real estate and chattels real. With interest at four pounds per Centum, per annum, from her death. For the benefit of all, or such one, or more exclusively of the other, or others, of her children, or more remote issue (such more remote issue to be born during her lifetime). In such shares and with such future and executory, or other trusts, for the benefit of her said children or more remote issue (such more remote issue [60] to be born as aforesaid).

Or some or one of them, and with such provisions for their, or any of their, maintenance or advancement, or otherwise howsoever for their or any of their benefit. And in such manner as my said daughter Mary Ann shall notwithstanding coverture at any time or times, or by deed or deeds, with or without power of revocation and new appointment or by her will or by any Codicil or Codicils thereto appoint.

And in default of such appointment and so far as any such appointment shall not extend, in trust for the child, if only one, or all the children equally if more than one. Of my said daughter Mary Ann living at her decease who being a male or males shall live to attain the age of twenty one years or being a female or females shall [70] attain that age or previously marry.

And the issue then living of her children then deceased who being a male or males shall attain the age of twenty one years or being a female, or females, shall attain the said age or previously marry such issue to take. And if more than one equally per ? and not per capita.

And I declare that if there shall be no person who shall become absolutely entitled under the aforesaid trusts to the said sum of one thousand pounds so charged as aforesaid. The said sum shall not be raised but shall sink in the estate on which the same is charged.

I appoint my said sons Trustees and Executors of this my Will. And I give and devise to them, their heirs and assigns, [80] all such real estates as shall be vested in me, at my death upon any trust, or by way of mortgage upon the trusts, and subject to the equities affecting the same.

In witness whereof I the said testatrix have to this and the two preceding sheets of paper set my hand the day and year first herein written.

Signed by the testatrix as and for her last Will Margaret Armistead
And testament in the joint presence of us present at the same time who in her presence, at her request and in the presence of each other have hereunto subscribed our names as Witnesses.

[90] JH Vant Solr., Settle
 Thos. Batty Clerk to Wm. Hartley Solr., Settle

Proved at Wakefield the 18th day of October 1892 by the Oaths of William Armistead and Richard Armistead the sons the Executors to whom Administration was granted.

The Testatrix, Margaret Armistead, Wife of Thomas Armistead was late of Long Preston in the County of York, and died on the 27th day of November 1891 at Long Preston [100] aforesaid.

£163⁰/₀ Gross value
143⁰/₀ Net

Alfred Platts
Solicitor, Bingley

Be it known that at the date hereunder written the last Will and Testament of Margaret Armistead (Wife of Thomas Armistead) late of Long Preston in the County of York, deceased.

Who died on the 27th day of November 1891 at Long Preston aforesaid and who at the time of her death had a fixed place of abode at Long Preston aforesaid within the District of the West Riding of the County of York.

Was proved and registered in the District Probate Registry of Her Majesty's High Court of Justice at Wakefield. And that Administration of the personal estate of the said deceased was granted by the aforesaid Court to William Armistead of Long Preston aforesaid Auctioneer and Richard Armistead of Bingley in the said County, Surveyor.

The Sons of the said deceased, the Executors named in the said Will, they having been first sworn well and faithfully to administer the same.

Dated the 18th day of October 1892

Gross value of Personal Estate	£163 ⁰ / ₀	
Net value	£143 ⁰ / ₀	Including Leaseholds

Extracted by Alfred Platts
Solicitor, Bingley