Dated 1st July - 1902

Mr John Vincent Harger

and

Mr Thomas Harger

Deed of Partition

of premises situate in or near Prospect Terrace Settle in the West Riding of Yorkshire

J H Vaux
Settle

F 1 2 TWELVE SHILLINGS & SIX PENCE 02

SON, ...ners 69, Ludgate Hill, LONDON.

This Indenture

made the first day of July One thousand nine hundred and two **Between** John Vincent Harger of Settle in the West Riding of the County of York Cabinet Maker of the first part Thomas Harger of Settle aforesaid Cabinet Maker of the second part and Joseph Harger of Settle aforesaid Cabinet Maker of the third part **Whereas** under and by virtue of an Indenture bearing date the first day of May One thousand eight hundred and seventy two and made between William Wakefield of the first part Anne Birkbeck of the second part the Reverend William John Birkbeck of the third part the Reverend Togarth John Swale of the fourth part and the said John Vincent Harger and Thomas Harger of the fifth part the said John Vincent Harger and Thomas Harger are seized in equal undivided moieties of the hereditaments and premises described in the first and second schedules hereunder written for an estate of inheritance in fee simple in possession free from incumbrances **And whereas** it was lately agreed between the said John Vincent Harger and Thomas Harger that a partition should be made between them of the hereditaments comprised in the said respective schedules and that the entirety of the hereditaments and premises comprised in the said first schedule should be taken in severalty by the said John Vincent Harger and that the entirety of the hereditaments and premises comprised in the said second schedule should be taken in severalty by the said Thomas Harger **And** it was also agreed that the said John Vincent Harger should pay to the said Thomas Harger for equality of partition the sum of One hundred and ten pounds **Now this Indenture witnesseth** that in consideration of the sum of One hundred and ten pounds to the said Thomas Harger paid by the said John Vincent Harger (the receipt whereof the said Thomas Harger hereby acknowledges) and in consideration of all other the premises **The said** John Vincent Harger (as to one undivided moiety of the hereditaments and premises hereinafter described as beneficial owner and as to all other (if any) his share estate and interest therein) **And** the said Thomas Harger (as to the other undivided moiety of the same hereditaments and premises as beneficial owner and as to all other (if any) his share estate and interest therein) do respectively hereby convey unto the said Joseph Harger and his heirs **All** the hereditaments and premises

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comprised in the first and second schedules hereunder written To hold the same subject as regards the portions of Back Road hereby conveyed to all easements in and over the same to which the same are subject unto the said Joseph Harger in fee simple To the uses following that is to say As to the hereditaments comprised in the said first Schedule hereunder written To the use of the said John Vincent Harger in fee simple And as to the hereditaments comprised in the said second Schedule hereunder written To the use of the said Thomas Harger in fee simple And it is hereby agreed and declared that all walls and fences separating the messuage and premises hereinafter referred to as Number 5 Prospect Terrace from the adjoining messuage and premises on or towards the South thereof known as Number 4 Prospect Terrace aforesaid shall be joint and party walls for all purposes and be kept in repair at the joint and equal expense of the owners for the time being of the properties separated thereby And the said John Vincent Harger (in whose possession the same now is) hereby acknowledges the right of the said Thomas Harger to the production of the hereinbefore recited Indenture of the first day of May One thousand eight hundred and seventy two and to delivery of copies thereof and hereby undertakes for the safe custody thereof And the said John Vincent Harger for himself his heirs and assigns hereby covenants with the said Thomas Harger his heirs and assigns that he the said John Vincent Harger his heirs or assigns owners and occupiers for the time being of the premises hereinafter described as Number 5 Prospect Terrace in Settle aforesaid will at all times hereafter keep in repair the portion of Back Road parcel of the same premises and will not obstruct the same portions of Back Road or any part thereof nor build upon or over the same and will at all times keep in repair and properly cleansed so much of the common drain or sewer as lies under the same premises And the said Thomas Harger for himself his heirs and assigns hereby covenants with the said John Vincent Harger his heirs and assigns that he the said Thomas Harger his heirs or assigns owners and occupiers for the time being of the premises hereinafter described as Numbers 4 and 6 respectively in Prospect Terrace aforesaid will at all times hereafter keep in repair the portions

of Back Road parcel of the same respective premises and will not obstruct the same portions of Back Road or any part thereof nor build upon or over the same and will at all times keep in repair and properly cleansed so much of the common drain or sewer as lies under the said premises known as Number 4 Prospect Terrace aforesaid **In witness** whereof the said parties to these presents have hereunto set their hands and seals the day and year first hereinbefore written.

The First Schedule

above referred to

Firstly All that plot of land heretofore parcel of certain closes of land called "Chamberlain Croft" and "Goldie lands" or "Cowdy lands" situate in Settle aforesaid and which said plot of land is delineated on the plan drawn hereon and is thereon edged with a red colour. **Together** with the workshop and other erections now standing and being on the same plot of land and the wall separating the same from the adjoining property on the South **And secondly All that** messuage or dwellinghouse situate and being in a Terrace erected on other part of the said closes of land and called Prospect Terrace with the court in front of the same messuage and the yard portion of back road and garden situate in rear thereof and which said secondly described premises are known as Number 5 Prospect Terrace in Settle aforesaid and are also delineated on the said plan and are thereon edged with a green colour — **Together** with a right of way at all times hereafter and for all purposes for the said John Vincent Harger his heirs and assigns owners and occupiers for the time being of the said secondly described premises and his and their tenants servants workmen families and visitors (in common with all other persons now or hereafter to become entitled to similar rights) over and along the whole length and width of the Back Road in Prospect Terrace aforesaid and which said Back Road is also delineated and shown on the said plan and **Together** with all rights of drainage now used or enjoyed with the said premises

The second Schedule

— hereinbefore referred to —

All those two messuages or dwellinghouses situate and being in the said Terrace called Prospect Terrace in Settle aforesaid with the courts in front of the same respective messuages and the yards portions of back road and gardens to the same messuages respectively belonging and which said premises are known as Number 4 and 10 in Prospect Terrace aforesaid and are also delineated on the said plan and are thereon edged with a blue colour Together with a right of way at all times hereafter and for all purposes for the said Thomas Harger his heirs and assigns owners and occupiers for the time being of the said respective premises known as Number 4 and Number 10 in Prospect Terrace aforesaid and his and their tenants servants workmen families and visitors (in common with all other persons now or hereafter to become entitled to similar rights) over and along the whole length and width of the said Back Road in Prospect Terrace aforesaid and which said Back Road is delineated and shown on the said plan and Together with all rights of drainage now used or enjoyed with the said premises

Signed Sealed and Delivered by the said John Vincent Harger in the presence of

J. T. T. Yeats
Solr
Settle

John Vincent Harger

Signed Sealed and Delivered by the said Thomas Harger in the presence of

J. T. T. Yeats

Thos Harger

Signed Sealed and Delivered by the said Joseph Harger in the presence of

A Memorial was registered at the West Riding Registry of Deeds at Wakefield the third of July 1902 at 10 0 in the forenoon in Volume 26 Page 1076 Number 486

W. T. Blayden Registrar.

The Plan REFERRED TO

