

Codicil to Patrick's will describing the water on Saunder Height,

This is a Codicil to the will of me Charles Patrick of Clough Fold in the Forest of Rossendale in the County of Lancaster Esquire which will bears date the thirteenth day of January one thousand eight hundred and ninety one and relates to my property elsewhere than in Canada Whereas I have by my said Will devised a close of land called Saunders Height situate in Clough Fold aforesaid which was surrendered and assigned to me by the representatives of the late Frances Strong unto the trustees of trustee of the Settlement dated the thirteenth day of June one thousand eight hundred and seventy seven made on the marriage of Elizabeth Ann Turner (a niece of my late wife) with Robert Charles Turner upon the trusts of such Settlement (which Trustees or Trustee are hereinafter referred to as 'The said Turner Trustees' and I have by my said Will devised certain lands near thereto unto the Trustees or Trustee of the Settlement dated the sixth day of May one thousand eight hundred and seventy three made upon the marriage of Mary Alice Royds (another niece of my said late wife) with her late husband William Herbert Molyneux Royds upon the trusts thereof (which said Trustees or Trustee are hereinafter referred to as 'The said Royds Trustees') And whereas I have recently make borings for water upon the said Saunders Height Close and have constructed a cistern or small reservoir thereon for impounding the same and have laid down pipes for conducting such water to neighbouring lands and premises And whereas I am desirous that such water shall be available and used upon and for the benefit as well of the lands and premises of the said Royds Trustees as of the lands and premises of the said Turner Trustees and that all profits and income which from and after the time of my death may be payable by any person or persons in respect of the use of such water upon or for the purposes of any other lands or premises shall be divided between the said Turner trustees and the said Royds trustees equally Now therefore I do hereby revoke the said devise of the said Saunders Height Close in my said Will contained And do hereby give and devise the same close of land with its appurtenances as to one undivided moiety thereof and of all profits and income which may from and after my decease be payable by any person or persons in respect of the user of water therefrom upon of for the purposes of any lands or premises which shall not then become the property of the said Turner Trustees or the said Royds Trustees Unto the said Turner Trustees upon trust and with and subject to the powers authorities and provisions in the said Indenture of Settlement of the thirteenth day of June one thousand eight hundred and seventy seven devised and concerning the real estate of the said Elizabeth Ann turner thereby settled or such of them as shall at the time of my death be subsisting or capable of taking office And as to the other undivided moiety of the same close of land profits and income unto the said Royds Trustees Upon the trusts and with and subject to the powers authorities and provisions in the said Indenture of Settlement of the sixth day of May one thousand eight hundred and seventy three declared and contained concerning the real estate of the said Mary Alice Royds thereby settled or such of them as shall at the time of my death be subsisting or capable of taking office And so that the said Turner trustees and the said Royds trustees respectively shall have full power and authority at any time or times without obtaining the consent of the other or others to lay down and afterwards maintain cleanse and repair the said Saunders

height Close and any parts thereof all such outworks and lines of pipes as the respectively may deem requisite or proper for conveying water thereupon to any other lands or premises of or in which they may respectively from time to time be possessed or in any manner interested as such Trustees as aforesaid and to use or dispose of such water in or upon such lands and premises in any manner they may respectively think fit and to do all such acts and things in relation thereto as they may respectively deem requisite and in all other respects I confirm my said Will **In Witness** whereof I have hereto and to the preceding sheet of paper set my hand this twenty eight day of September one thousand eight hundred and ninety one **Signed** by the said Charles Patrick the testator as and for a Codicil to his last Will and Testament in the presence of us present at the same time who in his presence at his request and in the presence of each other have hereunto subscribed our names as witnesses

Charles Patrick

William Aslton, Farm Bailif

D John Preston Solicitor Blackburn