

25th July 1828

The Will of Richard Ashworth

This is the last Will and Testament of Me Richard Ashworth of Clough Fold in the Forest of Rossendale and County of Lancaster Yeoman Which I make now whilst I am of sound and disposing mind memory and understanding as followeth that is to say: Whereas I have already surrendered or hereafter will surrender unto the Hands of the Lord or Lady of the Manor of Accrington in the said County according to the custom there used All those five Messuages or Dwelling Houses One Barn Stable and Shippon situate at Cloughfold aforesaid and all the several Closes fields and parcels of Land thereto belonging commonly called and known by the several names of the Fall Head, the Green Hill, the Further Old Meadow, the New Meadow, the Barn Field, the Meadow above the Barn, the further Pepper Hills, the nearer Pepper Hills and the Garden -stead Also all those two closes of Land formerly part of an Estate called New House and known by the names of the Further Marled Earth and the Nearer Marled Earth And also all that close of land some time ago purchased by me the said Testator from Richard formby Clerk, and called by the name of the Whab Leach or Whapple Leach,, or by whatsoever other name or names the said several Closes or any of them now are or is or heretofore have or hath been called Known or distinguished all which said premises are situate lying and being within Deadwen Clough and Rawtenstall in Rossendale and Manor aforesaid of the yearly rent to the Lord of the said Manor of six shillings and five pence halfpenny and now in the several Occupations of me the said Testator and of my son John Ashworth Henry Slater John Pickup Zachariah Ashworth and James Riley Together with all the rights members and Appurtenances thereto respectively belonging or in anywise appurtenant to the Use and Behoof of George Hargreaves of New Church in the said Forest Woollen Manufacturer his Heirs and Assigns for ever thereof and therein to stand fined and seised as Feoffee and Feoffes in Trust to and for all such uses ends intents and purposes and made and subject to such powers provisions directions limitations and payments as were or should be mentioned expressed and declared of and concerning the same in and by the last Will and Testament of the said Testator or any Codicil or Codicils thereto, as to the Surrender reference being thereunto had will more fully appear Now Therefore it is my Will and mind and I do hereby direct limit and declare that the same George Hargreaves his Heirs and Assigns shall stand fined and seised of and in all and singular the said premises with their and any of their rights members and appurtenances In Trust for my said Son John Ashworth his Heirs and Assigns for ever Subject Nevertheless and I do hereby charge and make chargeable the said premises so limited to in Trust for my said Son John Ashworth and also my said Son John Ashworth his Heirs and Assigns in request thereof with the payment of all the just Debts whether or Mortgage or otherwise which I may owe at the time of my Decease, as well as with the payment of the several annuities and Legacies hereinafter mentioned, that is to say: In the first place with payment of the annuities or other yearly sums of Twenty Pounds apiece to my Daughters Ann and Jenny during the existence of the Lease in certain collieries granted to myself and others my Partners by his Grace the late Dutchess of Buccleuch, if they my said Daughters Ann and Jenny should so long respectively live And if she my said

Daughter Ann should be living at the expiration of the said Lease, then I do hereby charge and make chargeable the said premises so limited to or in Trust for my said Son John Ashworth and also my said Son John Ashworth his Heirs and Assigns in respect thereof with the payment of the annuity or clear yearly sum of Ten Pounds to her my said Daughter Ann for and during the term of her natural life. And I direct that the said Annuities shall be paid in two equal half yearly payments, and that the first of such payments shall commence and be made within Twelve months next after my Decease, with the usual powers of entry and distress in case of undue payment as for rent in arrears. And in the second place I do hereby charge and make chargeable to said premises so limited to or in Trust for my said Son John Ashworth and also my said Son John Ashworth his Heirs and Assigns in respect thereof with the payment from and after the Decease of my said Daughter Ann of the sum of Two Hundred Pounds unto and amongst all such of her Children as shall be then living share and share alike if more than One, and if only one, then the whole thereof to such only Child, to be paid within Twelve months next after their Mother's decease to such of them as shall then have attained the ages of Twenty one years, and to such of them as shall not then have attained that age when and as they severally attain the same afterwards with Interest on their respective shares for maintenance in the mean time. And in the third place I do hereby Charge and make Chargeable the said premises so limited to or in Trust for my said Son John Ashworth and also my said Son John Ashworth his Heirs and Assigns in respect thereof with the payment of the sum of Two Hundred Pounds unto and amongst all such of the children of my Daughter Betty deceased as shall be living when the youngest of them attains the age of Twenty One Years, share and share alike if more than one, and if only one then the whole thereof to such only Child. And in the fourth place I do hereby charge and make chargeable the said premises so limited to my said Son John Ashworth and also my said Son John Ashworth his Heirs and Assigns in respect thereof with the payment of the sum of Twenty Pounds to my Daughter Alice to be paid to her within Twelve Months next after my Decease. And in the fifth and last place I do hereby charge and make chargeable the said premises so limited to or In Trust for my said Son John Ashworth and also my said Son John Ashworth his Heirs and Assigns in respect thereof with the payment of the sum of Fifty Pounds to my said Daughter Jenny to be paid to her within Eighteen Months next after my Decease. And as touching my Personal Estate, I give and bequeath unto my said Daughter Jenny All moneys belonging to Me wich may be secured on Mortgage of the tolls arising from the New Turnpike Road from Water-Foot to Hitchon Dams, at the time of my Decease with all Interest then due therein. And subject to the payment of my funeral and testamentary expenses and other incident Charges, as well as to such of the payments before mentioned as my real Estate may be insufficient to discharge I give and bequeath all the rest residue and remainder of my Personal Estate and Effects Whatsoever and Wheresoever unto my said Son John Ashworth his Executors and Administrators absolutely And I do hereby declare that the provisions in this my Will made in favour of my said Daughters are intended for their own sole respective use and benefit free from any control on the parts of their present or any future Husbands. And for Effectuating such my intent I do declare that the receipts of my said Daughters also notwithstanding coverture shall be good and sufficient Discharges for the annuities and Legacies

hereinbefore given to them respectively. And I nominate constitute and appoint my said Son John Ashworth and the said George Hargreaves Executors of this my last Will and Testament. And I do declare that it shall and may be lawful to and for my said Executors to pay and reimburse themselves all such costs charges and Expenses as they may respectively incur or be put unto in or about the Execution of this my Will and that One of them shall not be answerable or accountable for the other of them or for the acts deeds receipts neglected and defaults only. In Witness whereof I the said Richard Ashworth have to this my last Will and Testament contained in three sheets of paper set my Hand and Seal to wit my Hand to the first and second sheets and my Hand and Seal to this third and last Sheet this Twenty Sixth day of July in the year of our Lord One Thousand Eight Hundred and twenty Eight.

Richd Ashworth

Signed sealed published and declared by the before named Richard Ashworth the Testator as and for his last Will and Testament in the sight and presence of us, who at his request in his Sight and presence and in the sight and presence of each other have hereunto subscribed our names as Witnesses.

Henry King
John Pickup
Ralph Holden

The thirtieth day of June 1835

John Ashworth one of the Executors in this Will named was sword in common form (Power being reserved to George Hargreaves the other Executor of the said Will when he shall lawfully request the same) and he further made Oath that the personal Estate and effects of the Testator within the Diocese of Chester was under the Value of 100£

before me

D Rathbone

Surrogate

Probate issued

Date 30th June 1835

The Testator died 14th Feby 1835