



# *Buildings and Lands Parish of Westbury*

*Dated 11<sup>th</sup> December 1861*

*Mr Samuel Barnes*

*---- to ----*

*John Hill Gibbs M.D.*



**Conveyance**

of Messuages Land and hereditaments  
situate at Leigh in the parish of  
Westbury, Wilts.

<b>Parties to document :-</b>	Samuel Barnes of Westbury, Gentleman John Hill Gibbs of Boyers House in the parish of Westbury, Doctor of Medicine
<b>Other names mentioned :-</b>	Henry Pinniger of Westbury, Gentleman William Pollard Thomas Zeal Richard Harris James Smith James Harris William Selfe John Jones
<b>Property mentioned in this document :-</b>	Penhouse with two Gardens and an orchard Meadow Land called Upper Pullen Meadow Land called Lower Pullen Hemmings Cottage

This Indenture made the Eleventh day of December in the year of our Lord One thousand eight hundred and sixty one **Between** Samuel Barnes Westbury in the County of Wilts Gentleman of the first part John Hill Gibbs of Boyers House in the parish of Westbury aforesaid Doctor of Medicine of the second part and Henry Pinniger of Westbury aforesaid Gentleman of the third part **Whereas** by an indenture dated on or about the Sixteenth day of February One thousand eight hundred and fifty nine and expressed to be made between William Pollard therein described of the first part the said Samuel Barnes of the second part and Thomas Zeal therein also described of the third part For the consideration therein mentioned the hereditaments hereinafter described and intended to be hereby appointed and

granted Were with the appurtenances assured and limited To Such Uses upon Such trusts and to and for such ends intents and purposes and with under and subject to such powers provided agreements and declarations as the said Samuel Barnes Should by any deed or deeds writings or writings with or without power of revocation to be by him legally executed from time to time direct limit or appoint and for default of and until such direction limitation or appointment and so do far as any Such direction limitation or appointment should not extend To the use of the said Samuel Barnes and his assigns with remainder To the use of the said Samuel Barnes his heirs and assigns his executors and administrators during the life of the said Samuel Barnes In trust for the said Samuel Barnes and his assigns with for ever **And Whereas** the said Samuel Barnes hath agreed with the said John Hill Gibbs for the Sale to him of the hereditaments Hereinafter mentioned and intended to be hereby appointed and granted with the appurtenances and the inheritance thereof in fee Simple in possession free from incumbrances at the price of One thousand pounds **Now** this Indenture **Witnesseth** that in pursuance of the Said agreement and in Consideration of the sum of **One thousand pounds** of lawful money of the United Kingdom to the said Samuel Barnes this day paid by the said John Hill Gibbs for the purchase of the hereditaments intended to be hereby appointed and granted the receipt of which said sum the said Samuel Barnes doth hereby acknowledge and there from doth hereby acquit and discharge the said John Hill Gibbs his heirs executors administrators and assigns **he** the said Samuel Barnes in exercise and execution of the power *or* authority to him for that purpose given by the said hereinbefore recited Indenture of the Sixteenth day of February One thousand eight hundred and fifty nine as aforesaid and of every other power or authority enabling him in this behalf **Doth** by this deed or writing by him legally executed irrevocably Direct limit and appoint that all those the hereditaments hereinafter mentioned and intended to be hereby granted with the appurtenances as hereinafter mentioned Shall henceforth go and remain to the uses hereintoafter limited **And** this Indenture further Witnesseth that for the consideration aforesaid He the said Samuel Barnes Doth by these presents Grant alien and convey unto the said John Hill Gibbs and his heirs **All that** close of Pasture Ground adjoining to a messuage or tenement formerly of one Richard Harris containing by estimation Two acres (more or less) formerly in the occupation of James Smith and since Eli Evers And Also **All that** Capital messuage or tenement heretofore called Penhouse with two Gardens and an orchard thereto belonging And **All that** close piece or parcel of Meadow Land called Upper Pullen containing by estimation three acres (more or less) And **All that** other close piece or parcel of Meadow Land called Lower Pullen containing by estimation one acre (more or less) which said messuage and two closes of Land were late in the occupation of James Harris **And All** that Messuage Dwelling house or Tenement with the Garden and backside thereto belonging heretofore called Hemmings Cottage and and in the occupation of William Selfe And also **All that** other Messuages Dwelling house or Tenement with one little Barton or backside and one Garden or orchard thereto containing by estimation three perches (more or less) All which said Lands messuages and other heritaments and premises hereby appointed and granted or intended so to be are Situate lying and being at or near to Leigh in the parish of Westbury aforesaid and are in the occupation of John Jones and his undertenants and by a recent admeasurement are found to contain five acres one rood and eighteen perches (more or less) And all houses outhouses edifices buildings ways paths passages waters watercourses lights casements profits commodities advantages hereditaments and appurtenances whatsoever to the said Several hereditaments and premises belonging in or anywise appertaining And the reversion and reversions remainder and remainders rents issues and profits thereof And all the estate right title interest use trust Property possession claim and demand whatsoever both at law and in Equity of of him the said Samuel Barnes of in to or out of the same premises and every part thereof **To have** and **To hold** the said Closes of Ground Messuages hereditaments and all and Singular other the premises hereinbefore appointed and granted or intended so to be with their and every of their appurtenances unto the said John Hill Gibbs and his heirs To the uses upon and for the trusts intents and purposes and with under and Subject to the provisoes agreements and declarations hereinafter expressed or declared of or concerning the same And it is hereby agreed and declared between and by the parties to these presents that the direction limitation and appointment and the grant hereinbefore contained shall respectively operate and ensure **To Such Uses** upon such ends intended and penposed and with under and subject to Such powers provisoed agreements and declarations as the said John Hill Gibbs shall by any deed or deeds wrting or writings with or without power of revocation to be by him legally executed from time to time direct limit or appoint and for default of and until Such direction limitation or appointment and so far as any such direction limitation or appointment shall not extend To the use of the said John Hill Gibbs and his assigns during his life without impeachment of waste and after the determination of the Estate by forfeiture or otherwise in his life time To The Use of the said John Hill Gibbs and his assigns during his life without impeachment of waste and after the determination of the estate hereinbefore limited to the said Henry Pinnigar his executors and administrators during the life of the said John

Hill Gibbs In trust for the said John Hill Gibbs and his assigns And after the determination of the estate hereinbefore limited to the said Henry Pinnigar his executors and administrators during the life of John Hill Gibbs To The Use of him the said John Hill Gibbs his heirs and assigns for ever And It Is Hereby declared that no widow the said John Hill Gibbs may happen to leave him surviving shall be entitled to dower out of or in the said several hereditaments and premises hereby appointed and granted or intended so to be or any part thereof **And** the said Samuel Barnes doth hereby for himself his executors and administrators covenant with the said John Hill Gibbs his heirs appointed and assigns in manner following (that is to say) that the power of Appointment hereinbefore mentioned to have been created and given to the said Samuel Barnes of and concerning the said Several hereditaments and premises was duly and sufficiently created and is still in full force and effect and in no wise executed Suspended extinguished or become void or voidable And Further that he the said Samuel Barnes now hath in himself good right full power and lawful and absolute authority to appoint and grant all Singular the said several hereditaments and premises with their appurtenances to the uses and in manner aforesaid according to the true intent and meaning of these presents And Also that the said several hereditaments and provisoes and every part thereof with the appurtenances shall and lawfully may from time to time and at all times hereafter be peaceably and quietly had held used occupied possessed and enjoyed and the rents issued and profits thereof be had received and taken to and for the uses ends contents and purposes hereinbefore mentioned expressed and declared of and conerning the same without the let suit hindrance interruption or denial of or by the said Samuel Barnes or his heirs or any other person or persons whomsoever lawfully or equitably claiming or to claim by from and under or in trust And That free and clear and freely and clearly acquitted exonerated and discharged or otherwise by him the said Samuel Barnes his heirs executors administrators well and sufficiently saved defended kept harmless and indenmified of from and against all and all manner of former and other gifts grants bargains sales leases Mortgages estates jointures dower title of dower uses trusts wills entails rents and arreras of rent statutes recognizances judgments extents executions titles charges and incumbrances whatsoever had made done committed or suffered by him the said Samuel Barnes or any person or persons whomsoever lawfully or equitably claiming or to claim by from or under or in trust for him or by or through his wilful default consent privity or procurement **And lastly** that he the said Samuel Barnes and his heirs and all and every other person or persons whomsoever having or lawfully or equitably claiming or who shall or may have or lawfully or equitably claim any Estate right title trust or interest in to or out of the said Several hereditaments and premises hereby appointed and granted by from or under or in trust for him or them shall and will from time to time and at all times hereafter at the request Costs and Charges of the said John Hill Gibbs his heirs appointed or assigns make do acknowledge and execute or cause and procure to be made done acknowledged and executed all and every such further and other lawful and reasonable acts deeds conveyances and assurances in the law whatsoever for the further and better more perfectly and absolute appointing granting assuring and confirming the same hereditaments and premises to the uses aforesaid or otherwise as by the said John Hill Gibbs his heirs appointed or assigns or his or theirs Counsel in the law shall be reasonable devised or required **In Witness** where of the said parties to these presents have hereunto set their hands and seals the day and year first above written.

Received on the day and year of the within } £1000  
written to and from the within named John Hill  
Gibbs the Sum of One thousand pounds  
being the consideration money within  
expressed to be paid by him to me.  
As witness my hand

Witnesses – H. W. Pinniger, John Hillman  
Samuel Barnes

Signed sealed and delivered by the within  
named Samuel Barnes in the presence of  
  
H. W. Pinniger Sol. Westbury  
John Hillman his Clerk

Signed sealed and delivered by the within  
named John Hill Gibbs in the presence of  
  
John Hillman