

Dated the 24 day of July 1867

Mess<sup>rs</sup> Charles Drury and  
Edward Saugher Blw....}

to

Mess<sup>rs</sup> John and Eliza  
Redgrave.....}

## Appointment

of  
new Trustees under the Will  
of Mr Samuel Oldaker dec'd

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This Indenture



made the twenty fourth day of July. One thousand eight hundred and sixty seven Between


Charles Dury of Badsey in the County of Worcester Farmer and  
Edward Saugher Blew of Badsey aforesaid Baker of the one part  
and John Redgrave of Birmingham in the County of Warwick Gentleman  
and Elisha Redgrave of Birmingham aforesaid Auctioneer of the other part

Whereas Samuel Oldaker late of Badsey aforesaid Blacksmith by his Will dated the ninth day of April One thousand eight hundred and thirty nine After directing payment of all his just debts funeral and Testamentary Expences out of his Personal Estate gave devised and bequeathed All that his Freehold Messuage or Tenement with the Blacksmiths Shop land and premises thereto belonging situate at Badsey and then in his own occupation And also all that Freehold Cottage or Tenement situate at Badsey aforesaid then in the occupation of Giles Dobbins with their Appurtenances And all other his Real Estate wheresoever situate And also all and singular his Household Furniture Plate Linen China Books Pictures Prints and other Household Effects and likewise all his Stock in Trade Tools and Implements of Trade then in his possession custody or power And all his Book and other Debts ready money and Securities for money Bonds Bills notes or other Securities And all and singular other his Personal Estate whatsoever and wheresoever and of what nature or kind soever unto his Friends the said Charles Dury and Edward Saugher Blew their heirs executors administrators and assigns Upon Trust to permit his Wife Elizabeth to have the sole use and enjoyment of his said Household Furniture and Effects for her life and also the use of his Stock in Trade Tools and Implements of Trade to carry on his said Trade of a Blacksmith if she should think proper for her own use and benefit And also Upon further Trust to call in and receive all such of his Book and other Debts as should be due and owing to him at his decease And after payment of his said Debts to place out any surplus at such Interest as they should think proper and pay to his said Wife during her life or otherwise permit her to receive and take the interest arising therefrom together with the rents and profits of his said Real and other Personal Estate respectively for her own use and benefit during her life and from and immediately after her decease Upon further Trust out of his Personal Estate or out of the Rents of his said Real Estate or by Mortgage thereof if necessary to raise and pay within twelve calendar months after the decease of his said Wife the sum of Forty five Pounds to each of his Daughters Mary and Elizabeth to and for their own absolute use and benefit and subject thereto Upon further Trust to permit and suffer his Son Richard to have take and receive the rents issues and profits of all those the said Messuages or Tenements Blacksmiths Shop hereditaments and premises to and for his own use and benefit for the term of his life And Testators mind and will was further was that at the decease of his said Wife All his said Personal Estate not theretofore specifically bequeathed including his said Household Furniture and Effects (but exclusive of his Tools and Implements of Trade theretofore disposed of) should go and be equally divided between and amongst his said Son Richard and his said two Daughters Mary and Elizabeth to and for their own sole separate use and benefit And as to all his said Tools and Implements of Trade theretofore mentioned

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Testator thereby directed the same at the decease of his said  
Wife should be delivered  said Son Richard to and for his  
own absolute use and benefit from and immediately after the  
decease of his said Son Richard upon further Trust to convey and re-  
assure all the said Messuages or Tenements Cottages Blacksmiths Shop  
hereditaments and premises unto and to the use of his Grandson Richard  
and all other the Children of his said Son Richard if more than one  
their heirs and assigns for ever as Tenants in common and if only  
one such Child of his said Son Richard then the whole to such  
only child his or her heirs and assigns for ever subject nevertheless to  
any Incumbrances affecting the same on account of the aforesaid  
sum of money given to his said two Daughters And the said Testator  
did thereby further direct that it should be lawful for the Trustees or  
Trustee for the time being of that his Will or the executors or  
administrators of the last surviving or continuing Trustee by any writing  
or writings from time to time to nominate and appoint any person or  
persons to be a new Trustee or new Trustees in the place or stead  
of any Trustee or Trustees who should die or desire to be discharged  
from or refuse or decline or become incapable to act in the execution of  
the several trusts therein expressed and that upon the occasion of  
every such appointment all the Trust property of every denomination  
should be vested in such new Trustee or Trustees solely or jointly  
with any continuing Trustee or Trustees as the case might be upon  
the subsisting trusts thereof and every such new Trustee should  
have the same powers as if he had been appointed by that his Will  
and each of his present and future Trustees should be charged and  
chargeable only with and for so much of the said Trust monies as he should  
actually receive and should be answerable for his own acts and defaults only  
and should not be answerable for any involuntary loss and that each of them  
might reimburse himself and his Co-Trustee respectively all costs and  
expences which should be incurred by him or them in the execution of any of  
the trusts or powers therein contained And Testator nominated the said  
Charles Dury Edward Saugher Blw Executors of that his Will And whereas  
the said Testator died on the twentieth day of April One thousand eight hundred  
and thirty nine without having revoked or altered his said Will and on the fifth  
day of October One thousand eight hundred and thirty nine the said Will was  
proved in the Consistory Court of the Bishop of Worcester by the said Charles  
Dury alone power being reserved to the other Executor to come in and prove  
the same And whereas Richard Oldaker the Son of the Testator died  
on the sixth day of January One thousand eight hundred and sixty six and  
Elizabeth Oldaker the Widow of the Testator died on the twenty fourth day of January  
One thousand eight hundred and sixty six And whereas the share of  
the said Household Furniture personal Estate and Effects together with the  
tools and implements of Trade were delivered up to the said Richard Oldaker  
the Son in his lifetime and the remaining portion of the Household Furniture  
personal Estate and Effects have been given up to the said Testators Daughters

Mary and Elizabeth pursuant to the trusts contained in the said recited Will  
And whereas the whole of the Trust Estate of the said Testator now consists of  
the said Two messuages Blacksmiths Shop land and premises only And whereas  
the said Charles Drury and Edward Saugher Blew are desirous of being discharged from the  
Trusts and powers reposed in or given to them by the said recited Will and are desirous also  
of appointing the said John Redgrave and Elisha Redgrave Trustees in their place and  
stead for the purposes of the said Will according to the powers and provisions therein contained  
Now this Indenture Witnesseth that pursuant to and by force and  
virtue and in exercise and execution of the power or authority for this purpose by the said  
Will given to the said Charles Drury and Edward Saugher Blew as the Trustees under the  
same Will and of every or any other power or authority in anywise enabling them in that behalf  
They the said Charles Drury and Edward Saugher Blew DO and each of them JOINTLY by  
these presents appoint the said John Redgrave and Elisha Redgrave to be Trustees in the  
place of them the said Charles Drury and Edward Saugher Blew for the purposes of the  
said Will And this Indenture also Witnesseth that in pursuance of the  
said power in the said Will contained And in consideration of the premises They the said  
Charles Drury and Edward Saugher Blew DO and each of them JOINTLY by these presents  
grant and release unto the said John Redgrave and Elisha Redgrave and their heirs  
All the said messuages or Tenements Blacksmiths Shop land hereditaments and  
premises by the hereinbefore recited Will devised as hereinbefore is mentioned with their  
appurtenances And all the Estate and Interest of them the said Charles Drury  
and Edward Saugher Blew in the same premises respectively To have and To hold  
the said messuages or Tenements Blacksmiths Shop land and premises hereby granted and release  
unto the said John Redgrave and Elisha Redgrave and their heirs TO THE USE of them the said  
John Redgrave and Elisha Redgrave their heirs and assigns UPON and for the trusts intents purposes  
and powers subject to which the said hereditaments would now by virtue of the said Will stand and  
be subject respectively in case this present Indenture had not been made and executed and the  
said John Redgrave and Elisha Redgrave had been originally made Trustees in the said Will  
instead of the said Charles Drury and Edward Saugher Blew And the said Charles Drury and  
Edward Saugher Blew do hereby for themselves severally and respectively and for their several  
and respective heirs executors and administrators covenant with the said John Redgrave and  
Elisha Redgrave their heirs executors and administrators that they the said Charles Drury and  
Edward Saugher Blew have not nor hath either of them at any time heretofore done any act matter or  
thing whereby the said messuages Blacksmiths Shop land and premises hereby released are or is  
in any manner charged or incumbered in Title Estate or otherwise howsoever In witness  
whereof the said parties to these presents have hereunto set their hands and seals the day and  
year first above written //

Signed sealed and delivered by the said  
Charles Drury in the presence of  
Mr. H. Hayes  
Clerk to  
Messrs. Eades & Son  
of Brecknock, Solicitors.

Charles Drury

Edward Saugher Blew

Signed sealed and delivered by the  
said Edward Saugher Blew in  
the presence of  
Mr. Hayes

