

# His Indenture

made the seventh day of January in the thirteenth year of the reign of our Sovereign Lord William the third by the grace of God of England, Scotland, France & Ireland King, Defender of the Faith & Duke of Normandy, between Edmund Warre and William Drake Esquires, Marwood & Nodges Farrant Gent Frauncis Pratt Frauncis Bagwell Allen Robert Richard Newton Phillip Mitchell Junr & John Rood of Knowlespomen Esquires in Trust for the wife Land of Elton in the County of Devon of the one part and Joseph Ellier of the City & County of Devon Perrywigg-maker of the other part Witnesseth that the said Edmund Warre William Drake Thomas Marwood Nodges Farrant Frauncis Pratt Frauncis Bagwell Allen Robert Richard Newton Phillip Mitchell & John Rood by and with the general consent & appointment of the said John Rood Bart & William Drake Esq & Bart. Gidon Haydon John Roff & Elly Bartlett Esqs James Marwood Robert Marwood Edmund Bowdage Mathew Bartlett & Eustace Bowdage Esqs and Phillip Mitchell said John Rood will Nicholas Langson Thomas Sparsons & Richard Lucas Yeomen or the most part of them being the surviving & remaining part of the said John Rood of the said County of Devon for the time being chosen & elected for and as Justices in the said Trust for & in consideration of the sum of a hundred & fifty pounds of lawful money of England to be paid to the said Joseph Ellier at & before the sealing & delivery hereof the receipt & payment whereof the said Justices do hereby own & acknowledge of every shilling & penny of the same doth acquit & discharge the said Joseph Ellier his Executors Administrators & assigns of the said yearly rent hereafter in & by these presents mentioned & referred to & pay to the said Justices or their assigns Have demised & do hereby grant & do hereby give & do hereby give & do hereby give unto the said Joseph Ellier his Executors Administrators & assigns All that messuages & tenements at Hampton in the parish of St. Luke in the said County of Devon commonly called or known by the name of White's tenement two cloths & pieces of land & pasture commonly called by the name or names of the Town Cloths containing by estimation three acres & the quantity or less & several other cloths & pieces of land & pasture together with all houses out houses gardens & orchards to the said messuages & tenements & in any wise appertaining all which said premises now in the use or occupation of the said Joseph Ellier his assigns or assigns (except always reserved out of this grant demise & gift unto the said Justices their heirs & assigns all & all manner of Trees now growing & being or which hereafter shall grow & be now upon the premises or any part thereof which the said Justices their heirs & assigns their Bayliffs or Bayliffs servants or servants to view fall cut down & carry away the same at his & their will & pleasure during the term hereof granted to have and to hold all the said messuages & tenements cloths & pieces of land & pasture with the said & every of them appertaining (except as first excepted) unto the said Joseph Ellier his Executors Administrators & assigns from & after the day of the date hereof for & during the full term & term of years therein expressed & fully to be completed & ended if the said Joseph Ellier (now known by the name of Elizabeth) the wife of the said Joseph Ellier of the County of Devon aforesaid Barber mother of the said Joseph or either of them shall happen so long to live. Verdict & paying hereof yearly & every year during the said term unto the said Justices their heirs & assigns the sum or rent of five pounds & four shillings of lawful money of England on the third day of May & on the first day of November & every year & equal portions And likewise Verdict & paying immediately upon & after the death of the said Elizabeth the said Joseph Ellier his Executors Administrators & assigns the sum of four shillings of like lawful money for & in the name of an heriot or heriot and also Verdict & paying doing & performing full & perfect to all the Courts of Justice of the said County of Devon & assigns which shall be holden in the parish of St. Luke aforesaid as often their Executors Administrators & assigns shall see cause to do upon reasonable warning to the said Joseph Ellier his Executors Administrators & assigns given And the said Joseph Ellier for himself his Executors Administrators & assigns & for every of them doth demise & grant & do hereby give & do hereby give & do hereby give unto the said Joseph Ellier his Executors Administrators & assigns & every of them by these presents that the said Joseph Ellier his Executors Administrators & assigns & every of them shall & will from time to time & at all times hereafter at his & their own cost & charges well & sufficiently repair & uphold & maintain all & singular the premises & every part & part thereof as well in housing walling timbering & every other thing & every other thing necessary & requisite to be done & as often as need shall require during the said term & the said premises well & sufficiently in all things repaired & amended in the end of the said term shall & will have & yield unto the said Justices or their heirs & assigns And if it shall happen the said yearly rent of five pounds & four shillings shall be behind & unpaid in whole or in part by the space of one & twenty days next after any of the said fourth or fifth of payment whereof the same ought to be paid being lawfully demanded & not paid & not sufficient distress in or upon the premises or some part thereof in the meantime find can or may be had for the levying of the said rent with the said premises or if any happen to be or if the said Joseph Ellier his Executors Administrators & assigns or any of them shall willingly do or suffer to be done any act or acts thing or things what so ever which shall be or committed any manner of voluntary waste in or upon the premises or any part thereof at any time during the said term to the value of twenty shillings or more & the said premises within one half year next after the same given by the said Justices their heirs & assigns or by their Bayliffs or Bayliffs for the time being & the said premises or any part thereof shall & may be lawfully taken & for the said Justices their heirs & assigns & every of them into the said premises or any part thereof & retained as in his & their former estate the said premises or any thing therein contained to the contrary notwithstanding & the said Justices their heirs & assigns & every of them do hereby give & do hereby give & do hereby give unto the said Joseph Ellier his Executors Administrators & assigns & to & with every of them by these presents that the said Justices their heirs & assigns & every of them shall & lawfully may peaceably & quietly have & hold possess & enjoy all & singular the said premises & every part thereof & the said premises granted without any hindrance lawfully or unjustly or by force or violence or by any other person or persons who shall lawfully claim or who may so claim the said premises by from or under them any or under their hands & seals hereunderably have & hold the day & year first hereunto.

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Sealed & delivered by the  
Demons Widdowes Thomas  
Marwood Allen Abbott & King Norton  
In the presence of us.

Nathaniel Pope  
Dan Quintin.

Sealed & delivered by the  
Phillip mit his Exr In presence of  
James Potter  
Dan Quintin.

Sealed & delivered  
by the witness  
William Drake &  
Francis Bratt  
In presence of

Nathaniel Pope  
Dan Quintin.



*[Faint, illegible handwritten text]*