

Title Deed of Battery

9 March 1680

A Deed of Battery Land
John Helwills Covenant
to Surrender

1681

7/7a

Dealed and delivred
in the presence of

Robert Thorne

[Signature]
1680

1680

His Indenture made the nineteenth day of March in the three and thirtieth year of the reign of our Sovereign Lord Charles the second King of England &c. Anno Domini 1680 **Between**

John Holwill of Colyton in the County of Devon Yeoman of the one part and Francis Baywell, Richard Newton, Phillip Mitchell, John Whirler, Peter Seller and Peter Cirtou of the other part of the one part and John Sampson, Francis Weston, Robert Farrant, John Caswell, James Caswell, Walter Mator, Thomas Farrall and Edward Baywell jointly and lawfully seized in his and their Demesne as of Fee by Copy of Court Rolle according to the Custome of the Manor of Ottery S^t Mary in the said County of Devon of and in Divers Messuages, Lande and Tenements situate lying and beinge in the parish and towne of Ottery S^t Mary aforesaid, all the said Messuages, Lande and Tenements and premises the said John Holwill dyed seised in his demesne as of Fee by right of Survivorship, upon and after whose death those said Messuages, Lande and Tenements and premises descended and came unto the said John Holwill's wife as some and home entailed in trust, to the intent that the rents issues and profits of the same should be employed and bestowed to charitable purposes and deeds of Charity and not to be converted to his own private use and benefit And beinge very willinge and desirous to discharge his duty in this behalf and to discharge himselfe of the said trust **Wherfore** now by these presents Covenant, promise grant and agree for himselfe and his heirs, executors, Administrators and assigns to and with the said Francis Baywell, Richard Newton, Phillip Mitchell, John Whirler, Peter Seller and Peter Cirtou and every of them and to and with the heirs, executors, Administrators and assigns of every of them that he the said John Holwill give to those persons his heirs or assigns before the feast of S^t Michael the Archangel next ensuinge after the date hereof upon a reasonable request to him to be made, shall and will clearely and absolutely surrender and yield up in to the hands of the Lord or Lords of the said Manor of Ottery S^t Mary aforesaid or of his or their Steward all his estate, title and interest of and in the same and of and in every part and parcel thereof to the use and behoofe of the said Francis Baywell, Richard Newton, Phillip Mitchell, John Whirler, Peter Seller and Peter Cirtou their heirs and assigns for ever. **And** in consideration of the same Surrender to be made to the intent and purpose that the rents issues and profits of the said Messuages, Lande and Tenements and premises may from hence forth be employed and bestowed to such and the like uses as are before written the said Francis Baywell, Richard Newton, Phillip Mitchell, John Whirler, Peter Seller and Peter Cirtou beinge now as aforesaid appointed and nominated to stand seised of the said Messuages, Lande and Tenements only of trust and confidence for Covenant, promise grant and agree severally and respectively each of them for himselfe his heirs, executors, Administrators and assigns to and with the said John Holwill his heirs, executors, Administrators and assigns by these presents in manner and form followinge that is to say that they the said Francis Baywell, Richard Newton, Phillip Mitchell, John Whirler, Peter Seller and Peter Cirtou or any one of them will not at any time hereafter give, grant, demise, sell, surrender or convey the said Messuages, Lande and Tenements or any part or parcel thereof to any person or persons otherwise then shall be limited and appointed by the direction of the twenty men of Colyton aforesaid now beinge or hereafter shall be or the most part of them **And** that the rents issues and profits of the said Messuages, Lande and Tenements yearly arising, remaininge and growinge shall not be employed, bestowed or disposed of at any time hereafter in or out the street, resort or common of the said twenty men or the most part of them for the time beinge be thereunto before had and obtained **And** that all such time two or three in number shall upon reasonable request to them to be made in that behalf by the said twenty men of the said parish of Colyton aforesaid now beinge or hereafter shall be or the most part of them, Surrender, give over and yield up in to the hands of the Lord or Lords of the said Manor of Ottery S^t Mary or of his or their Steward their for the time beinge according to the Custome of the said Manor as aforesaid all the said Messuages, Lande and Tenements as also all such right, title and interest as they and every of them then livinge shall then have of in and to the premises in all and singular their capacities in such manner and form and unto such other person or persons of the parish of Colyton aforesaid as shall be nominated and appointed by the said twenty men or the most part of them to the use intent and purpose as is above mentioned and declared in these presents Indentures and to no other use, intent or purpose whatsoever. **In witness** whereof the parties abovesaid have to these presents Indentures interchanged their hands.

John: [] Holwill