



King Andrew made the fifth day of August in the thirteenth year of the Reigne of our Soveraigne Lord George by the grace of God of Great Britains Heare

of Ireland King Defend of the Faith & Anno Domini 1726 Between William Drake Esq. Thomas Marwood Gent Philip Mitchell & John Rood of Knowle
Yeomen of the parish Lands of Colyton in the County of Devon of the One part And James Bennington of Colyton aforesaid and James Scarle of Sidbury in the
Said County of Devon his Son in Law Yeomen of the other part Witness etc That they the said William Drake Thomas Marwood Philip Mitchell & John Rood by & with the
Assent & Consent of the Major part of the Twenty Men & Assistants in the said Trust for the parish of Colyton aforesaid and for & in consideration of the sum of five shillings of good
and Lawfull money of Great Britains and for Divers other causes & considerations herein after mentioned do give Demise Lease grant & to farm Lett unto the said James Bennington & James Scarle their Executors Administrators & Assigns All that Messuages or Tenement
commonly called or known By the name of Southaine part of the parish Lands of Colyton Now in possession of the said James Bennington as Tenants to the said Messuages Situate lying and
being in the parish of Colyton aforesaid Together with all houses Outhouses Barns Stables Linages Court lages gardens Orchards Lands Meadows Leasurds Pastures Fens
poors and pieces of Land And all ways Paths Water water courses Common Commons of pasture Pasture Emoluments Advantages & appurtenances to the said Messuages
& Tenement belonging or appertaining or therewith used or enjoyed (Except out of this Demise unto the said Messuages their Heires & Assigns all manner of timber or other Trees young
saplings & formling now standing growing or being or hereafter to stand grow or be on the said premises or any pt thereof with full liberty of Ingress Egress & Regress as well to cut down &
carry away the said Trees as to view Survey the same premises during the Term here by granted To have and to hold all singular the said Messuages & Tenement with the appurtenances
Except before Excepted unto them the said James Bennington and James Scarle their Executors & Assigns for & during the full Term of four score Nineteen years commencing
from the Twentieth day of June last past & from thence forth fully to be compleat Expired & Ended If they the said James Bennington & James Scarle or either of them so long happen
to live **yielding** and paying there of yearly Evey year during the said Term unto the said Messuages their Heires & Assigns the yearly Rent of Twenty Two poundes of good Lawfull money
of Great Britains at the four most wholl feasts or Termes in the year (That is to say) Michaelmas the Annunciation of the Blessed Virgin Mary and
at John the Baptist by even & equal portions And also by the said James Bennington & James Scarle their Heires & Assigns to the said Messuages their Heires & Assigns
the said Term And the said James Bennington & James Scarle do for themselves their Executors & Assigns give Demise Lease grant & agree to & with the said Messuages their Heires & Assigns
them by these presents That they the said James Bennington & James Scarle their Executors & Assigns shall with all their own & other force Charges well & sufficiently Repaire
uphold & maintain all singular the said Demised premises & every part & pt thereof as well in the walls Timbering covering gates & Gate posts as also in the Ditches & Fences and in all other necessary Repairs
mending & as often as need shall require **yielding** during the said Term and the same premises & every part and
pt thereof so well & sufficiently Repaired uphold & maintained as aforesaid In the End of the said Term shall with leave yield up unto the said Messuages their Heires and
Assigns **And** the said Messuages for the speedy Repairing of the said premises do give unto the said James Bennington & James Scarle the sum of five poundes Lawfull money of Great Britains
to be paid or allowed them by the parish Bayliff out of the Rent due & payable to the said Messuages for the same premises By the said James Bennington to the Twentieth day of June last past **And**
also the said James Bennington & James Scarle their Executors & Assigns shall pay free & discharge all Rates Taxes & Impositions what soever whether Parliamentary or Forthall issuing or
growing due & payable of or in respect of the said premises during the said Term **And** if it shall happen that the said yearly Rent of Twenty Two poundes shall be behind or unpaid in
part or in all the space of fiftie one dayes next after any or either of the said feasts or days of payment where the same ought to be paid as aforesaid the same Lawfully demanded & not paid and
no sufficient distress in or upon the same premises or any part thereof shall be found for the serving of the same Rent to be found with the arrears & the rest of if any happen to be
Or if the said James Bennington & James Scarle their Executors & Assigns or any of them shall wilfully do or suffer to be done any Act or Acts Thing or Things what soever shall or
may be prejudicial to the Estate of the said Messuages their Heires or Assigns of the said Demised premises **Or** if they shall or suffer to be done or committed any manner of
Waste or Spoils in or upon the premises or any pt thereof or shall suffer the same or any pt thereof to be some Ruined in Decay to the value of Ten shillings & above & shall not
sufficiently repair & amend the same within one half year next after Notice given by the Messuages their Heires or Assigns or by their Bayliff or Bayliffs for the time being That then & from
thence forth for all any or either of the causes aforesaid it shall & may be Lawfull for the said Messuages their Heires & Assigns every of them into the said Demised premises or any pt thereof to Reenter & the
same & every pt thereof to have againe & retain as in their form Estate these presents or any thing therein contained to the contrary notwithstanding **And** the said William Drake Thomas Marwood
& Philip Mitchell & John Rood do for themselves & a part & each one for himself & for his own Heires Executors & Assigns only & not jointly with the said James Bennington & James Scarle
their Executors & Assigns & every of them by these presents That they the said James Bennington & James Scarle their Executors & Assigns & every of them by & with the said James Bennington & James Scarle
shall Lawfully may peaceably & quietly have hold possess & enjoy all singular the said Demised premises & every part & pt thereof with the appurtenances Except before Excepted during the said Term
Hereby granted without any manner of Lett or Deniall of or by the said Messuages or either of them their Heires or Assigns or by any other person or persons whatsoever Lawfully claiming
or who may so claim the same premises by force or und. from any or either of them respectively **And** also shall with free & discharge the said James Bennington & James Scarle from parish Appurtenances during the said Term
In witness whereof the parties to these presents have hereunto set their hands & seals the day & year first above written

W. Drake Thos. Marwood Philip Mitchell

Signed Sealed & Delivered
in the presence of us

John Goods 
James Ford



Lovehayne
Copied.

8/56

James Knighton
for Redman