

1667

his indenture made the seven and twentieth day of March in the nineteenth year of the reign of our Sovereign Lord Charles the second by the grace of God of England Scotland France and Ireland King Defender of the Faith etc. Betweene Robert Farrant Peter Blackall Walter Vye Richard Newton Francis Baynwell Peter Ditten Phillip Mitchell John Hallon John Whiter John Basleigh and Peter Seller officers of the parish lands of Dolyton in the County of Devon of the one part And Bernard White the elder of Dolyton in the parish of Dolyton aforesaid husbandman of the other part **Witnesseth** that the said Robert Farrant Peter Blackall Walter Vye Richard Newton Francis Baynwell Peter Ditten Phillip Mitchell John Hallon John Whiter John Basleigh and Peter Seller in the consent and assent of the said Bernard White his executor and assigns doe acknowledge the receipt by these parties **have** demised leased granted and to farme letten and by these parties doe demise lease grant and to farme letten unto the said Bernard White his executor and assigns all that Messuage and Courtyll with appurtenances and one orchard and garden thereto belonging and adjoininge containinge by estimation half an acre be it more or lesse And alsoe all that

those or part of land commonly called or knowne by the name of **Parclitose** containinge by estimation one acre be it more or lesse and alsoe all that one other close or part of land commonly called or knowne by the name of **Maryhays** all in the said parishes and beinge in Dolyton in the said parish of Dolyton and late was in the possession of Walter Cape of Dolyton aforesaid deceased and now is in the possession of Charity Cape sister of the said Walter Cape his assigns or assigns together with all paths wayes wastes meadows watercourses easements common of pasture and comodities whatsoever to the same or any part thereof belonginge or in anywise appertaininge except and always reserved out of this demise and grant unto the said officers their heirs and assigns all the trees now growinge and beinge or which after shall growe or be in and upon the premises with free libertie of ingress egress and regress into upon and from the same all all convenient tyme for the viewinge and Surveyinge thereof **To have and to hold** all and singular the said demised premises and every part and part thereof with appurtenances except before excepted unto the said Bernard White his executor and assigns immediately from and after the death and decease of the said Charity Cape for and duringe the full tyme and terme of thirtie years and nine moones and from thence next ensuinge and fully to be completed expired and ended if Bernard White and William White sonnes of the said Bernard White or any or either of them for longe shall happen to live **yearly** and payinge thirfore yearly unto the said Robert Farrant Peter Blackall Walter Vye Richard Newton Francis Baynwell Peter Ditten Phillip Mitchell John Hallon John Whiter John Basleigh Peter Seller officers aforesaid and to their heirs Successors and assigns Twelve shillings of good and lawfull money of England all the foure most usual feasts or termes in the year (that is to say) all the feasts of the annunciation of the blessed Virgin Mary of the birth of our Lord God by even and equal parts the first payment thir of to be made and begyne on such of the said feasts as shall next happen and be after the death and decease of the said Charity Cape **And** alsoe yearly and payinge unto the said officers their heirs Successors and assigns upon the death of either of the said Bernard White and William White the sonnes dyinge successively as they are herein named and by whose lives the same is holden the summe of five shillings of lawfull money of England in the name of a rent or service **And** likewise yearly and payinge performinge and acquittinge high and thirfe rents suite of do. suite fines Burroughs rents burthens and services of the same demised premises whatsoever duringe the said terme **And** the said Bernard White give to these parties for himselfe his executor and assigns doth consent give grant and agree to and with the said Robert Farrant Peter Blackall Walter Vye Richard Newton Francis Baynwell Peter Ditten Phillip Mitchell John Hallon John Whiter John Basleigh and Peter Seller officers aforesaid and to and with their and every of their heirs Successors and assigns by these parties that he the said Bernard White give to these parties his executor and assigns beinge come in possession of the demised premises or of any part or part thereof that he shall and will well and sufficiently repair sustayne uphold mayntayne and amend the same and every part and part thereof as well in housinge that thinge walinge tymberinge and coveringe as alsoe in hedges ditches and gates and all other necessary reparations whatsoever And alsoe shall and will sett plant repaire and replant the aforesaid Orchard with apple trees pear trees and other good fruit trees from tyme to tyme and at all tymes after the commencinge of these parties duringe the said terme And all the said demised premises with appurtenances soe beinge in all things well and sufficiently repaired mayntained and amended and the said Orchard well and sufficiently replanted sett and replanted as is aforesaid in the end of the said terme shall and will leave and yeald up for and towards the reparations aforesaid it shall and may be lawfull to and for the said Bernard White and his executor and assigns beinge come or come of the premises to have and take toppe loppes and shreds of the trees usually topped or lopped in and upon the demised premises all by the appointing and delivery of the said officers or some of them or their lawfull Bayliffe for the tyme beinge And to have and take toppe loppes and shreds of the trees usually topped or lopped in and upon the demised premises all by the appointing and delivery of the said officers or some of them or their lawfull Bayliffe for the tyme beinge And to have and take toppe loppes and shreds of the trees usually topped or lopped in and upon the demised premises all by the appointing and delivery of the said officers or some of them or their lawfull Bayliffe for the tyme beinge And to have and take toppe loppes and shreds of the trees usually topped or lopped in and upon the demised premises all by the appointing and delivery of the said officers or some of them or their lawfull Bayliffe for the tyme beinge **And** if it shall happen that the said yearly rent of Twelve shillings shall be behinde and unpaid in whole or in part by the space of thirtie dayes next after any of the said feasts or dayes of payment wherein as is aforesaid it ought to be paid and the same beinge lawfully demanded and then not payed that then it shall and may be lawfull to and for the said officers their heirs Successors and assigns into the said premises to enter and distraine and the distresse or distresse there found to drive carry away detayne and keepe until the said rent be fully payed and payed **And** if it shall happen the aforesaid yearly rent of Twelve shillings shall be behinde and unpaid in whole or in part by the space of one whole year next after any of the aforesaid feasts wherein it ought to be paid and the same beinge lawfully demanded and then not payed and not sufficient distresse in and upon the premises can or may be found or the levyinge thir of with thir charges if any shall happen to be **Or** if the said Bernard White give to these parties his executor and assigns shall at any tyme or tymes hereafter suffer the said Messuage or any part of the houses edifices or buildings thirunto belonginge to be ruinated or decayed or to be wast and unpurged or the said Orchard to be defective or unpurged with apple trees pear trees or other good fruit trees within one whole year next after waikinge thir of yerein that then and all all tymes after for and upon every such defect or defect as aforesaid this party demise and lease shall become frustrate and of none effect and the terme herein bymittid shall immediately cease determine and be utterly void And that it shall and may be lawfull to and for the said officers and every and either of them and their heirs or Successors or their lawfull Bayliffe to reenter into all the said demised premises and thir same and every part and part thereof with appurtenances to have againe repaire and enjoy as in his and their former estate these parties indentures or any thinge in them contained to the contrary in anywise notwithstandinge **And** the said Robert Farrant Peter Blackall Walter Vye Richard Newton Francis Baynwell Peter Ditten Phillip Mitchell John Hallon John Whiter John Basleigh and Peter Seller officers aforesaid for themselves their heirs Successors and assigns doe consent give grant and agree to and with the said Bernard White his executor and assigns and every of them by these parties that he the said Bernard White his executor and assigns and every of them shall or lawfully may from tyme to tyme and all all tymes after the commencinge of these parties duringe the terme hereby granted and under the rents covenants conditions and appurtenances before in these parties mentioned and reserved poartably and quietly have hold possess and enjoy all the said demised premises and every part and part thereof with appurtenances except before excepted without any manner of lawfull suit trouble interruption or denyal of them the said officers their heirs Successors or assigns or of any other person or persons whatsoever claiminge from by or under them or thir or any of thir estates or interests **In witness** whereof the parties aboves named have to these parties indentures interchangably sett their hands and sealed the day and year first aboves written. Annoq. Dni. 1667.

the mark of
Bernard White

Stalid and dolweds
in the presence of /
peter bagwill
John bagwill

Barnard Whiff
Leafe of Colby Wood
that was Walter Coops
Dolford

Expired Leafe
1667 9/18

Boffs to Barnard
Whiff to 1667

Expired