

1668

his Indenture

made the first day of July in the twentieth year of the reign of our Sovereign Lord Charles the second by the grace of God of England Scotland France and Ireland King of Great Brittain
betweene RobertARRANT Peter Blakallan Walter Vye Richard Newton, Francis Baywell, Peter Tuten, Phillip Mitchell, John Stalson, John Whiter, John Basleight and Peter Seller, ffeoffees of the pish lands of Colyton in the County of Devon of the one part And John Whilman the son of Silly boone in the County of Devon aforesaid, Clerk of the office of the said pish
that the said RobertARRANT, Peter Blakallan, Walter Vye, Richard Newton, Francis Baywell, Peter Tuten Phillip Mitchell, John Stalson John Whiter, John Basleight and Peter Seller in the presence and assent of Sr Walter Donje Barr, William Drake, Edward Drake, Peter Caswell, John Holwill, Thomas Holme, Stephen Bird, James Basell, John Holton, John Clarke, John Abbott, Edward Dratt, Silas Storker, William Newton, Nicholas Sampson, John Cape and Phillip Coy twenty men of the pish of Colyton aforesaid, for and in consideration of the sume of thirtie poundes of lawfull money of England to them or some or one of them in hande payd and assured to be payd by the said John Whilman all and before the sealinge and delivery hereof And also for and in consideration that the said John Whilman hath surrendered and yealded upp unto the said ffeoffees one lease for many yeares yett to come determinable vpon the death of PeterARRANT
of Colyton in the said pish of Colyton and an assignement thereof made by ThomasARRANT father of the said Peter unto him the said John Whilman wth all the estate right title terme interest of him the said ThomasARRANT of m and to the effect hereafter mentioned **have** demised, leased, granted and to have letten and to have possion to be demise lease grant and to have lett unto the said John Whilman all that Curtyard commonly called or knowne by the name of the thurys Curtyard and is situate, linge and beinge in the Burrough of Colyton aforesaid and containeth by estimation one acre and one roode be itt more or lesse and is now in the use or occupation of the said John Whilman (except and always reserved unto the said ffeoffees their heirs and assignes free libertie of ingress, egress, and regress all all convenient tymes into vppon and from the premises for the viowynge and surveyynge of the same)

To have and to hold all the said Curtyard wth appurtenances thereto belonginge and every pte and ptell thereof (except before excepted) unto the said John Whilman his exors & admors and assignes immediatly from and after the day of the date hereof for and duringe the full terme and terme of four score and nineteene yeares If John Whilman Symion Whilman and Nicholas Whilman sonnes of the said John Whilman or any or othier of them for long shall happen to live **yealdynge** and payynge therefore yearly and every yeare duringe the said terme unto the said ffeoffees their heirs and assignes the sume or payment of six shillings of lawfull money of England one the ffoure most usuall feasts in the yeare (that is to say) The feasts of St Michael the archangel, the birth of our Lord god, Translacion of the blessed virgin Mary, and the natiuite of St John the Baptist by even and equall parts **And also** payynge and dischargeynge the Burrough or Towne rent to be due and payable for or out of the premises duringe the said terme **And** the said John Whilman his exors & admors and assignes and every of them beinge tenant or tenant in possession of the premises by vertue hereof shall doe sute to all the debts of Burrow of the above named ffeoffees their heirs and assignes wth in the pish of Colyton aforesaid as othier their tenants of the said pish lands have done and ought to doe vppon reasonable warninge to him or them given **And** the said John Whilman for himselfe his exors & admors and assignes and for every of them shall covenant promise and agree to and wth the said ffeoffees their heirs and assignes, and to and wth every of them by these presents that he the said John Whilman his exors & admors and assignes and every of them beinge tenant or tenant in possession of the premises by force hereof shall and will att his and their owne cost and charges well and sufficiently repaire mayntayne and amend the said demised premises and every pte and ptell theire of wth appurtenances in hedges, ditches and gates And also shall and will sett, plant, repaire and replenish the demised premises wth chappell trees and pear trees from tyme to tyme and att all tymes duringe the said terme And the said premises wth appurtenances doe beinge in all thinges well and sufficiently repaired mayntayned planked sett and replenished as is aforesaid in the end of the said terme shall and will leave and yeald vpp **And** if it shall happen that the said yearly rent of six shillings shall be behinde and unpaid in pte or in all by the said John Whilman or any of the said ffeoffees in wth as is aforesaid it ought to be payd the same beinge lawfully demanded, and then not payd and noe sufficient districte in and vppon the premises can or may be found for the recovery thereof wth tharwarde if any shall happen to be **Or** if the said John Whilman his exors & admors or any of them shall commit or doe or shall commit and suffer to be done in and vppon the premises any violence or willfull wast spoyle or destruction to the value of ffive shillings or vppward and doe not make dole satisfaction for the same unto the said ffeoffees their heirs or assignes wth in ffourte dayes next after such act committed **Or** if the said John Whilman his exors & admors or any of them att any tyme duringe the said terme shall assigne or sett over the said premises or any pte thereof or alien sell or conveye his or their state title terme or interest of or in the same or any pte thereof to any person or persons what soever other then to the said John, Symion and Nicholas his sonnes or some or one of them wth out the consent of the said ffeoffees their heirs or assignes or the more parte of them. the said John Whilman first had and obtained in writinge vnder their handes **That** then for every or any of the causes aforesaid these presents demise and grant and the terme hereby limited shall cease determine and be voyde and thin and from thenceforth for all or any of the said causes the said premises may belonge to and for the said ffeoffees their heirs and assignes and every of them into all and singular the said demised premises wth appurtenances to receive and to have againe receyved and enjoy as in their first and former state any thinge here in contained to the contrary in anywise notwithstanding **And** the said RobertARRANT Peter Blakallan, Walter Vye, Richard Newton, Francis Baywell, Peter Tuten Phillip Mitchell, John Stalson, John Whiter, John Basleight and Peter Seller ffeoffees aforesaid and their heirs and assignes shall and will warrant and defend by these presents the said John Whilman his exors & admors and assignes in manner and forme aforesaid and under the rents, covenants conditions and agreem^{ts} before expressed and reserved as well against the heirs and assigns of the said ffeoffees as also against them selves the said ffeoffees and their heirs and assignes and every of them shall and will warrant acquitt and defend by these presents duringe the aforesaid terme **Provided** always that these presents or any thinge therein contained shall not extend or be extended to bynde or charge the said RobertARRANT, Peter Blakallan, Walter Vye, Richard Newton, Francis Baywell, Peter Tuten Phillip Mitchell, John Stalson, John Whiter, John Basleight and Peter Seller or their heirs, nor any of them wth any further or other grant or warrantie then only each of them against himselfe and his heirs and all and every other person or persons tharminge vnder hand and not otherwise **In witnesse** whereof the parties above named have to these presents Indentured their tharwarde set their handes

Or if the said John Whilman his exors & admors or any of them shall commit or doe or shall commit and suffer to be done in and vppon the premises any violence or willfull wast spoyle or destruction to the value of ffive shillings or vppward and doe not make dole satisfaction for the same unto the said ffeoffees their heirs or assignes wth in ffourte dayes next after such act committed **Or** if the said John Whilman his exors & admors or any of them att any tyme duringe the said terme shall assigne or sett over the said premises or any pte thereof or alien sell or conveye his or their state title terme or interest of or in the same or any pte thereof to any person or persons what soever other then to the said John, Symion and Nicholas his sonnes or some or one of them wth out the consent of the said ffeoffees their heirs or assignes or the more parte of them. the said John Whilman first had and obtained in writinge vnder their handes **That** then for every or any of the causes aforesaid these presents demise and grant and the terme hereby limited shall cease determine and be voyde and thin and from thenceforth for all or any of the said causes the said premises may belonge to and for the said ffeoffees their heirs and assignes and every of them into all and singular the said demised premises wth appurtenances to receive and to have againe receyved and enjoy as in their first and former state any thinge here in contained to the contrary in anywise notwithstanding **And** the said RobertARRANT Peter Blakallan, Walter Vye, Richard Newton, Francis Baywell, Peter Tuten Phillip Mitchell, John Stalson, John Whiter, John Basleight and Peter Seller ffeoffees aforesaid and their heirs and assignes shall and will warrant and defend by these presents the said John Whilman his exors & admors and assignes in manner and forme aforesaid and under the rents, covenants conditions and agreem^{ts} before expressed and reserved as well against the heirs and assigns of the said ffeoffees as also against them selves the said ffeoffees and their heirs and assignes and every of them shall and will warrant acquitt and defend by these presents duringe the aforesaid terme **Provided** always that these presents or any thinge therein contained shall not extend or be extended to bynde or charge the said RobertARRANT, Peter Blakallan, Walter Vye, Richard Newton, Francis Baywell, Peter Tuten Phillip Mitchell, John Stalson, John Whiter, John Basleight and Peter Seller or their heirs, nor any of them wth any further or other grant or warrantie then only each of them against himselfe and his heirs and all and every other person or persons tharminge vnder hand and not otherwise **In witnesse** whereof the parties above named have to these presents Indentured their tharwarde set their handes

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John Whilman

Dealed and Delivered
in the Year of
Bernard Murrays
John Murrays
Oscar Murrays

1668
Deaf
Deaf
Deafman of
Pitt-orchard
Soliford
expired

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