

North Yorkshire County Record Office – ZM Collection : Proctor Papers–
ZM / 2 / 1 (No. 5) – Hornby, Shaw & Tennant, 1778

*Transcribed from photocopy of original document
Single folio with Dorse
Condition – Good*

{Folio 1 – recto}

- 1 **This indenture** made the fourth Day of February, in the Eighteenth year of the
Reign of our sovereign Lord George the
- 2 Third by the Grace of God of Great Britain France and Ireland King Defender of
the Faith and so forth and in the year of our
- 3 Lord one Thousand and Sevendred and Seventy Eight **Between** Geoffery
Hornby the Elder of preston in the County palatine of Lancaster Esquire and
William Shaw the
- 4 Elder of the same place Gentleman of the one part and John Tennant of
Chappelhouse in the parish of Burnsall in the County of York Esquire of the
other part
- 5 **Whereas** By a certain Indenture of Mortgage bearing date on or about the
Twenty Second Day of August which was in the year of our Lord one
Thousand Seven \ hundred /
- 6 and Seventy four and made or mentioned to be made between the said John
Tennant of the Name and addition of John Tennant of Chappelhouse in the
parish
- 7 of Burnsall in the county of York Esquire Eldest Son and Heir of John Tennant
late of the same place Esquire deceased who was Brother and Heir of William
Tennant
- 8 Esquire deceased the Eldest Son and Heir at Law of Samuel Tennant late of
the same place Gentleman¹ deceased of the one part and the said Geoffery
Hornby the Elder and
- 9 the said William Shaw the Elder by their respective Names and descriptions
above mentioned of the other part The said John Tennant for the
consideration therein
- 10 mentioned did Demise Grant Bargain and \ sell / unto the Geoffery Hornby
and William Shaw the Elder their Executors administrators and assignes **All**
that Messuage
- 11 or Dwellinghouse at Bordley within the parish of Burnsall aforesaid Together
with all Barns Stables and other outhouses thereto belonging and Thirty acres
of
- 12 arrable Meadow and pasture Ground be the same more or less within the
Inclosures and Townfields of Bordley and parish of Burnsall aforesaid and all
Right of

¹ Sic

- 13 herbage or Feeding for Beasts Sheep and other Cattle in and upon two Large pieces or parcels of pasture Ground called the Mastells and High Mark to the said
- 14 Messuage and premisses belonging All which said Messuage and premisses are situate Lying and being in the Township of Bordley and parish of Burnsall in the
- 15 said county of York and were formerly in the possession or occupation of Thomas prockter and then or late of Richard prockter his assignes or Undertenants **To hold**
- 16 the same premisses with their appurtenances unto the said Geoffery Hornby and William Shaw the Elder their Executors administrators and assignes from the Day
- 17 next before the Day of the Date of the said recited Indenture for the Term of one Thousand years of pepper corn rent under a proviso to be void on payment by the
- 18 said John Tennant party hereto his Heirs Executors or administrators unto the said Geoffery Hornby and William Shaw the Elder their Executors administrators or
- 19 assignes of the sum of one Thousand pounds with Lawful Interest for the same on the Twenty Second Day of February then next Ensuing [~~e--~~]ation being thereto
- 20 had will more Fully and at Large appear **and whereas** there is now due and owing unto the said Geoffery Hornby and William Shaw the Elder for
- 21 principal and Interest upon the said recited Mortgage the sum of One thousand and Eighteen pounds **and whereas**
- 22 the said Geoffery Hornby and William Shaw the Elder at the request of the said John Tennant party hereto have agreed to assign all their Right Title Use Trust
- 23 Interest yet to come and unexpired of the said term of one Thousand years of and in the said Messuage or Dwellinghouse barns Stables Lands Grounds outhouses
- 24 Buildings Hereditaments and premisses herein before mentioned in the said recited Indenture unto the said John Tennant party hereto his heirs and assignes **Now**
- 25 **this Indenture witnesseth** in Consideration of the said sum of one thousand and Eighteen pounds Lawful Money of Great Britain
- 26 to the said Geoffrey Hornby and William Shaw in hand paid by the said John Tennant at or before the Sealing and Delivery of these presents the receipt whereof is hereby acknowledged
- 27 they the said Geoffrey Hornby and William Shaw the elder **have** and each of them hath Bargained Sold assigned and Setover and by these presents **Do** and each of them

- 28 **Doth** Bargain Sell assign and Setover to the said John Tennant his heirs and assigns **All** that the said Messuage or Dwellinghouse Barns Stables Lands Grounds
- 29 Buildings Hereditaments and other the premisses belonging and above mentioned to be demised by the said above in part recited Indenture of Mortgage with their and every of their
- 30 appurtenances and all their and each of their Estate Right Title Interest use possession Trust property claim and Demand whatsoever of into or out of the same every or any
- 31 part or parcel thereof Together with the said recited Indenture of Mortgage and all other Deeds Evidences and writings in the custody or power relating thereto **To**
- 32 **have and to hold** the said messuage or Dwellinghouse Barns Stables Lands Grounds Buildings Hereditaments and other the premisses herein before
- 33 assigned or mentioned or Intended so to be with their and every of their Rights Members and appurtenances unto the said John Tennant party hereto his heirs and assign[es]
- 34 from henceforth for and during all the rest residue and Remainder of the said Term of one Thousand years therein yet to come and unexpired so and in such manner
- 35 as the same Term may be merged and Sink into the Freehold and Inheritance of the same premisses **and** the Geoffrey Hornby for himself his heirs executors
- 36 and administrators doth covenant promise and agree to and with the said John Tennant party hereto his heirs and assigns That he the said Geoffrey Hornby hath
- 37 not at any time heretofore made done committed or wittingly or willingly suffered any act Matter or thing whatsoever whereby or by means whereof the said premisses
- 38 mentioned or intended to be hereby assigned or any part thereof or the said Term of one thousand years or any part thereof are is shall or maybe charged \ or / incumbred
- 39 in The charge Estate or otherwise howsoever **and** the said William Shaw the Elder for himself his heirs executors and administrators doth covenant promise and agree
- 40 to and with the said John Tennant party hereto his heirs and assigns That He the said William Shaw the Elder hath not at any time heretofore made done comitted or wittingly
- 41 or willingly suffered any act Matter or thing whatsoever whereby or by means whereof the said premisses mentioned or intended to be hereby assigned or any
- 42 part thereof or the said Term of one Thousand years or any part thereof are is shall or may be charged or Incumbred in Title Charge Estate or otherwise

43 howsoever **In Witness** whereof the said parties to these presents have
hereunto interchangeably sett their hands and seals the Day and year
44 First above written.
45 {signatures} Geoff {seal} Hornby Sen^r W^m Shaw Sen^r {seal} J. {seal}
Tennant

{Dorse}

46 Noted the Day and year First within written of and
47 from the within Named John Tennant party
48 thereto the sum of one thousand and Eighteen pounds
49 Being the consideration
50 Money within mentioned to be by him to us
51 paid the day received the same by us
52 Witness 1018 l
53 {signatures} [?--] Geoff: Hornby Sen^r
54 John Clark W^m Shaw Sen^r

{change of hand}

55 A Memorial of the within written Deed
56 was registered at Wakefield the Twenty fifth
57 Day of May Seventeen Hundred and
58 Seventy eight at Two in the afternoon in
59 Book ED page 176 and Number 261
60 {Signature} [?--]

{change of hand}

61 Signed sealed and delivered by the within named John
62 Tennant party to the within Deed in the presence of
63 {Signatures} H. Atkinson
64 Geo: [?Moo] junr. Sworn.

{change of hand}

65 Sealed and Delivered being First duly
66 Stampt {change of hand} by the within named Geoffery Hornby and William
Shaw the Elder
67 {Signatures} [?---] John Clark servant to [?---]

{change of hand}

{to right of lines 68-71} 4th Febry 1778 assignm^t of Mortge off Bordley Estate house & land at Bordley formerly in possession of Thomas Proctter of Rd. P.

68 Geoffery Hornby Esq^r &

69 M^r William Shaw the Elder

70 to

71 John Tennannt Esq^r
