

North Yorkshire County Record Office – Proctor Collection – ZM – Box 1 – Bundle 1
(Item 4)

Leasehold - Proctor & Wilcock, 1706

Transcribed from photocopy of original document

Single-sided single folio.

Condition – fairly good ; to check original at archives for words not legible on photocopy and for last line under the hem

- 1 **This Indenture** made the first day of May in the yeare of Our Lord God according to the Computacōn of the Church of England one thousand seaven hundred & six
- 2 **Betweene** John prockter formerly of Bordley hall and now of Kilnsey in the County of yorke geñ on thone part And Thomas Wilcock of [?Iva] in the parish of Tatham in
- 3 the County of Lancaster yeōm on thother part **witnesseth** that whereas the said John prockter the elder & John prockter the younger his sone & heire apparent by
- 4 their Indenture of Feofment duely executed with livery in seisin in beareing date the fourth day of July in the yeare of Our Lord god one thousand six hundred & ninety & eight for & in consideracōn
- 5 of the sūme of seaven hundred & forty poundes of Lawfull money of England therein mencōned did give grant alien enfeoffee & confirme unto the said Thomas \ Wilcock / his heires & assigns for
- 6 ever **All** that their Mannor or Lordshipp of Bordley in the said County of yorke with all and every its rights members hereditaments & appurtinances And all that Cappitall messuage and
- 7 Tenem^t comōnly called & knowne by the name of Bordley hall scituate within the said Mannor or Lōpp of Bordley in the said County of yorke And all those Closes Inclosures or pcells of ground comonly
- 8 called & knowne by the severall names of parkefoot great Cowhouse bancks Litlecowhouse bancks upperbecks Lowerbecks birkbanks Lonsdale springs Milner Mills \ Barugh / place-hills Bordley Intake being ten pts
- 9 of twenty six parts of that parcell of ground called Bordley Intake And all that messuage farm or tenement called & knowne by the name of [?Barkecy] tenement & all & singular Lanes & Tenements there
- 10 unto belonging and all those sixty sheepegates lyeing & being in a certaine Close or pasture call high marke Close One Close called Calfevall conteyning in all by estimacōn five hundred acres
- 11 be the same more or lesse with their and every of their appurtinañces all scituate & lyeing & beinge within Bordley in the County of yorke & then in the possession of them the said John prockter
- 12 the elder & John prockter the younger or their asssigns with their & every of their Appurtincês & the revercōn & revercōns remainder & remainders thereof of every part and parcell thereof **To have**

- 13 **& to hold** all the before granted premisses with their and every of their appurtenances unto the said Thomas Wilcock his heires & assigns for ever with diverse other Covenants & grants in the said in
- 14 part recited Indentures contained relacion being thereunto that may more fully and at Large appeare **And** whereas the said Thomas Wilcock and James Reyner of [?|va] in the said parish of
- 15 Tathams and County of yorke geñ did by their Indenture of defeazance to the intent to defeazance & make the said premisses redeemable On payment of the said seaven hundred & forty pounds &
- 16 interest duely executed and beareinge date the said fourth day of July in the yeare One thousand six hundred ninety eight And made between them the said Thomas Wilcock & James Reyner on thone
- 17 part And they the said John prockter the elder & John prockter the younger on thother part **witnessing** that it should be Lawfull to & for the said Thomas Wilcock & James Reyner their Exec^{rs} Adm^{rs}
- 18 & Assigns Imediatly after the execucon of the said Indenture of defeazance to enter into and to have receive and take to their owne uses the rents issues & proffitts of all and every the said premisses for
- 19 the terme of five yeares to be accounted from the second day of february then last past paying to the said John prockter the elder the yearely sūme of fifteene pounds of Lawfull English money by
- 20 Equall porcon̄s yearely at the feast of St Martin the Bp̄p in winter And the feast of the purificacōn of the blessed virgin in every yeare the first payment to begin at the feast of S^t Martin then next followinge
- 21 **And** it was then further covenanted condescended \ unto / agreed & concluded upon by and between the said partyes that if the said John prockter the Elder And John prockter the younger or their heires Exec^{rs}
- 22 Adm^{rs} & Assigns or any of them did well and truly pay or cause to be paid unto the said Thomas Wilcock for the use of the said James Reyner And unto the said James Reyner their Exec^{rs} Adm^{rs} or Assigns
- 23 the full & Just sūme of seaven hundred & forty pounds of Lawfull English money at or upon the second day of february which should bee in the yeare of our Lord God one thousand seaven hundred
- 24 & two without drift or further delay then after such paym^t the said Indenture of Feofment should be utterly void and of noe effect any thing therein conteyned to the contrary notwithstanding **And**
- 25 it was further agreed that if default of paym^t were made att or upon the said second day of february in the said year one thousand seaven hundred & two That if the said John prockter the elder & John
- 26 prockter the younger & their heires did by any act & acts by them Lawfully executed extinguish and release to the said Thomas Wilcock his heires & Assigns all the said p^rmisses & their equity and

- 27 power of redempcōn therein And that after such extinguishm^t & release & not before the said James Reyner his heirs Exec^{ts} Adm^s or Assigns should pay yearly to the said John prockter the elder
- 28 the yearely sūme of tenn pounds yearely and every yeare dureinge his nrāll life att the said feast dayes of s^t Martin the Bp̄p in winter and the purificōn of the blessed virgin by equall porcōns & **Now**
- 29 for extinguishing the power title & equity of redemptōn of & in all every the said p^rmisses vested in the said John prockter party to these presents his heires and Assigns And for making the same absolute & indefeazable
- 30 to the sd Thomas Will/cock & his heires & Assignes for ever **This Indenture** witnesseth that the sd John proctor ptie to these p^rsents as well for & in consideracōn of a further competent sume of money to
- 31 him in hand pd by the said Thomas Wilcock at & before thensealinge & execucōn of these p^rsents And also for that the sd Thomas Wilcock & James Reyner have agreed to secure the paym^t of the yearely sūme of
- 32 ten pounds of Lawfull English money to Elizabeth wife of the sd John prockter & her assigns for & dureing her naturall life And in case the sd John prockter doe survive his said wife the yearely sūme of six poundes of like
- 33 \ money / to him the sd John procter & his Assigns for & during his n^rfall life which yearely payment of six pounds to the said John prockter is to have begining from & after the death of the said Elizabeth his wife & not before And
- 34 also for diverse other good causes & valuable consideracōns him the sd John prockter partie to these p^rsents thereunto moveinge **hath** granted remised released quit claimed & confirmed And by these p^rsents doth for him &
- 35 his heires for ever grant remise release quit claim & confirm unto the said Thomas Wilcock in his full quiet & peaceable possession & seisin being And once his heires forever all the estate right tyle interest use possession
- 36 revercōn condicōn limitacōn & limitacōns of estate or estates & all manner of benefitt & advantage thereof & all & all mannner of claime & demand right tyle & equity of redempcōn w^{ch} he the said John prockter his heires & Assigns hath may can
- 37 might should or of right ought to have or claime in Law or Equity by force & vertue of the sd in pt recited Indenture of defeance *{sic}* or by force of any other defeazance in [?paroll] or in writeinge or any other agreem^t whatsoever in or to **all**
- 38 th^t these mannon or Lōpp of Bordley in the said County of yorke wth all & every its rights members hereditam^{ts} & appurtencês and all that Capitall message & tenem^t comōnly called & knowne by th^e name of Bordley hall scituate wthin the said
- 39 Manñ or Lōpp of Bordley in the sd County of yorke And all those Closes Inclosures or p^cells of ground comōnly called & knowne by th^e seṽall names of parkefoot great Cowhouse bancks Little Cowhouse bancks upperbecks lowerbecks birkebank Lonsdale

- 40 springs Milnerhills Barugh place hills Bordley Intack being ten parts of twenty six parts of th^t pcell of ground called Bordley Intack And all that messuage ferme or tenem^t called or knowne by the name of Barktop tenem^t & all & singular landes &
- 41 tenem^{ts} thereunto belonging & all these sixty sheepegates lying & being in a certaine close or pasture called High marke close One close called Calf fall conteynge in all by estimacōn two hundred acres (be the same more or lesse) wth their & every of their
- 42 Appurtinances & th^e rev^rcōn & rev^rcōns remainder & remainders thereof & of every part & pcell thereof together wth all easem^{ts} pfitts Comodytyes & hereditam^{ts} whatsoever to the same belonging or to or wth the same usually occupied demised or
- 43 enjoyed & now or late in the tenure or possession of the said Thomas Wilcock or his assigns & scituate lying & being at Bordley aforesd in the said County of yorke **To have & to hold** the sd Mannor or Lōpp & all & singular other the
- 44 Pmisses wth their appurtiñces unto him the said Tho: Wilcock his heires & Assigns to th^e only use & behoofe of him the said Thomas Wilcock his heires & Assigns forever so that neither the sd John prockter his heires or Assigns or any other pson
- 45 or psons for him or them or in his or their name hereafter can or may have any right or title of redempcōn Interest claime or demand either in Law or Equity in or to the premisses or any pcell thereof but be therefrom utterly & wholly
- 46 excluded and debarred by these p^rsents **And** the said John prockter & his heires these Mannor or Lōpp & all & singular the p^rmisses before mencōned unto the said Thomas Wilcock & his heires Ag^t him the sd John prockter
- 47 & his heires & all & every pson & psons Lawfully claymeinge the same by from or under him the said John prockter shall & will warrant & for ever defend by these p^rsents **In Witnesse** whereof the partyes above
- 48 {Last line obscured by upturned hem at bottom of document}
- 49 (signature} John {seal} Proctor