

Property document – Yorkshire Archaeological Society – MD247 / 31

Leasehold - Battye, Wade and Yorke 1614

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*Single Single-sided folio*

*Condition – good*

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- 1 **This Indenture made** the Eleaventh daye of Septembre in the Tweltfe yeare of the Reigne of our Sovereigne Lorde **James** by the grace of God Kinge of England Frannc and Irelande defende<sup>r</sup> of the
- 2 faith &c and of his Reigne of Scotlande the Eighte and Fortieth **Betwene** John Battye of kilnesaye in Craven in the Countye of yorke husbandman on thone p<sup>tye</sup>: And Christopher Wade of the sayde kilnesay in Craven & in the saide Countye
- 3 yeoman on thother p<sup>tye</sup>, **Witnesseth** that Whereas one Peter yorke late of Midlesmoore in Nidderdaile in the saide Countye of yorke Esquier deceased, Sonne and heire of one S<sup>r</sup> John Yorke knighte deceased, by his Indenture of Lease,
- 4 bearinge date the tenth daye of Februarye in the Fifteinth yeare of the Reigne of our Late Sov<sup>aigñe</sup> Ladye Elizabeth of Famouse memorye, late Queene of Englande deceased, did for good Causes & consideracōns therein exp<sup>ssed</sup>, demyse, grn<sup>te</sup> & lett unto
- 5 Edwarde Whalley of Blagburne in the Countye of Lancaster yeoman, **All** that messuage or teñte wherein one William Battye, did then dwell, Sett Lyinge and beinge in kilnesaye afforesaide W<sup>th</sup>in the Towshippe of Coniston and w<sup>th</sup>in the
- 6 Mañ<sup>o</sup>r and Lo<sup>pp</sup>e of kilnesaye afforesaide, in the saide Countye of yorke w<sup>th</sup> all and singuler howses buildinges, orchardes garthinges stables and other appurteñcs to the same messuage or teñte belonging, **And** alsoe all Landes meadowes pastures feedinges
- 7 Comōn of pasture wastes heathes, and all other Comodityes profitts emoluments advantages and hereditaments whatsoever, then or before that tyme demysed letten used or occupied, w<sup>th</sup> the saide messuage or teñte, or accepted reputed taken knowen
- 8 or occupied, as \ p<sup>te</sup> / p<sup>cell</sup> or member belonginge to the same, Conteynng by estimacōn Fowerscore Acres (be yt more or lesse) Lyinge and beinge in the hamlets and Fields of kilnesaye, w<sup>th</sup>in the saide Mañ<sup>o</sup>r or Lo<sup>ippe</sup> of kilnesaye & in the p<sup>ishe</sup> of Burnsall
- 9 in the saide Craven, in the saide Countye of yorke, reputed as p<sup>cell</sup> or belonginge to the saide mañ<sup>o</sup>r of kilnesaye in the saide Craven **And** alsoe one parte, and the thirde p<sup>te</sup> of a p<sup>te</sup>, of the soile grounde and waste of the whole Comōn called
- 10 kilnesaye Comōn or Malham moore, atis Mawmoore, Lyinge and beinge w<sup>th</sup>in the saide Manor or Lo<sup>ippe</sup> of kilnesaye in the saide Countye of yorke (into Twentye Five p<sup>tes</sup> to be divided, And one p<sup>te</sup>, and the thirde p<sup>te</sup> of a p<sup>te</sup> of the woodes called kilnesaye

- 11 woodes into Thirtye Five ptes to be devyded, Lyinge w<sup>th</sup>in the saide Mano<sup>r</sup> or Lo<sup>ippe</sup> of kilnesaye in Craven in the saide countye of yorke, & the revercōn and revercōns of the p<sup>r</sup>misses by theise p<sup>r</sup>tes demised, Together w<sup>th</sup> all woodds mynes and
- 12 other profitts and Comōdityes of the p<sup>r</sup>misses before demised whatsoever (excepte onelye the roialtyes & Li<sup>b</sup>tyes of Convenient hawkeinge huntinge Fisheinge and Fowleinge in & upon the p<sup>r</sup>misses in reasonable ma<sup>n</sup>er **And** alsoe free egresse
- 13 and regresse, for the saide Edwarde Whalley his heires & assignes, into the saide woodes called kilnesaye woods, at all tymes Conveinente, duringe three Thowsande yeares to carrye and Leade awaye all such woodes and underwoodes as is eyther
- 14 standinge or groweing, or that shall hereafter springe or growe, of the saide one pte and the thirde pte of a pte of the saide woodes called kinesaye woodes before demised W<sup>th</sup>oute anye lawfull let trouble vexacōns Incumbra<sup>n</sup>ce of anye p<sup>r</sup>sonne or
- 15 p<sup>r</sup>sonns **To have** and to holde the saide messuage or tente, buildinges, landes, meadowes, pastures, Feedinges and all other the p<sup>r</sup>misses before demised, w<sup>th</sup>all and singuler their appurten<sup>n</sup>ces unto the saide Edwarde Whalleye & his assignes, From the daye of the makinge
- 16 of the saide Indenture of lease, unto the end and tearme of three Thowsande yeares nexte ensuinge, Fullye to be Complete and ended, W<sup>th</sup>owte Impeachment of \ anye / Waste, and w<sup>th</sup>oute anye other rente Fealtye, or other suite or service to be paide or done for the same
- 17 But onelye yeilding and paieing theirefore yearelye unto the saide Peter yorke his heires and assignes duringe the saide tearme For and towards the yearelye tents then after to be due to the saide Queens ma<sup>tye</sup> her heires & successo<sup>rs</sup> two shillings eighte pence of
- 18 lawfull monye of Englande, And also to the saide Peter Yorke his heires and assignes, three halffe pence, at the Feaste of S<sup>t</sup> Michaell tharchangell yearelye to be paide, **And** suite to the Courte Barron of the saide kilnesaye ma<sup>n</sup>o<sup>r</sup> once in the yeare to be holden at
- 19 the place hearetofore accustomed, And Suite to the Milne their soe longe as yt shalbe reasonableye used w<sup>th</sup> divers other Covennts, gra<sup>n</sup>ts and things Contayned in the saide Indenture of Lease, as by the same more at lardge yt doth & may appeare **And**
- 20 **Whereas** alsoe the saide Edwarde whalley for good Consideracōns him moveinge by his deede in writinge of an assignement bearinge date the Fower and Twentye daye of Julye, in the Fower and Thirtieth yeare of the Reig<sup>n</sup>e of our saide late sov<sup>r</sup>aig<sup>n</sup>e Ladye Queene
- 21 Elizabeth did give grannte assigne and sett over to Thomas Whalley of Shearebancke of the Towenshippe of \ the saide / Blagburne in the saide Countye of Lancaster yeoman, All the saide Messuage and te<sup>n</sup>te, and all the saide Howses, buildinges, orchardes, garthinges landes
- 22 te<sup>n</sup>ts and appurten<sup>n</sup>ces **And** \ alsoe / the saide one parte and the saide thirde pte of a pte of the soile grounde comōn and waste called kilnesaye comōn or Molhammoore, atis Mawmoore in kilnesaye aforesaide (into Twentye and Five ptes to be divided, And alsoe the saide one

- 23 pte and the thirde pte of a pte of \ kilnesay / woods into Thirty Five ptes to be devided, Together alsoe w<sup>th</sup> all and singuler \ other / the p<sup>r</sup>misses whatsoever are mentioned and comp<sup>r</sup>sed in the saide Indenture of Lease, and everye pte and pcell theireof (except Wheresoever theirein is
- 24 excepted) Together w<sup>th</sup> the saide Indenture of Lease, and all other Wrytings towching the same, **To have and** to holde the saide messuage and teñte landes teñtes, rentes, revercōns, and all and singuler other the p<sup>r</sup>misses w<sup>th</sup> thappurteñces Comp<sup>r</sup>sed & Intended
- 25 to be comp<sup>r</sup>sed in the saide deede of an assignement (excepte before excepted) unto the saide Thomas whalley his executo<sup>rs</sup> administrato<sup>rs</sup> & assignes, From the makinge of the saide deede of an assignemente duringe all the tearme & demannde of him the said Edward Whalley
- 26 w<sup>ch</sup> he then had, of in and to the same or anye pte theirof **yeildinge** paieing & pforminge all and everye thinge and thinges reserved in the saide Indenture and w<sup>ch</sup> on the ptye and behalffe of the saide Edward Whalley oughte to be pformed yeilded or done as
- 27 by the saide laste recited Indenture of an assignemente, more at lardge yt doth and may appeare, **And whereas** alsoe the saide Thomas Whalley by his Indenture of one assignemente bearinge date the tenth daye of Auguste laste paste, For & inconsideracōn
- 28 of the sōme of Two hundreth and Fyftye poundes of Lawfull Englishe monye, to him well and trulye by the saide John Battye before thensealinge and deliverye of the saide laste recyted Indenture, did demise grannte assigne and sett over unto the saide John Battye his executo<sup>rs</sup>
- 29 admīstrato<sup>rs</sup> and assignes, All that the saide messuage and teñte Scituate Lyinge and beinge in kilnesaye afforesaide & w<sup>th</sup>in the saide Towneshippe of Coniston afforesaide & w<sup>th</sup>in the saide mano<sup>r</sup> Lo<sup>ippe</sup> of kilnesaye afforesaide in the saide County of yorke, w<sup>th</sup> all and
- 30 the saide Howses buildinges orchardes garthings stables and other appurtenñces to the saide messuage or teñte belonginge, And alsoe all landes meadowes pastures feedinges, Comōn of pasture, wastes heathes & all other Comōdities pfittes emolumentes & hereditamentes whatsoev<sup>er</sup>
- 31 by the saide Indenture of lease demysed, letten, used or occupied w<sup>th</sup> the saide messuage or teñte or accepted reputed taken knowen or occupied as pte pcell or member belonginge to the same, conteyninge by estimacōn Fowerscore acres (be yt more or lesse) and beinge in the saide
- 32 hamlets and Fieldes of kilnesaye w<sup>th</sup>in the mano<sup>r</sup> or Lo<sup>ippe</sup> of kilnesaye afforesaide, and in the saide p<sup>ishe</sup> of Burnsall afforesaide in the sayde Craven, & in the saide Countye of Yorke, reputed as pcell or belonginge to the saide mano<sup>r</sup> of kilnesaye in the saide Craven, **And** alsoe
- 33 the saide one whole pte and the saide thirde pte of apte of the saide sole grounde Comōn and waste of the whole Comōn called kilnesaye Comōn or molham moore w<sup>th</sup>in the saide maño<sup>r</sup> or Lo<sup>ippe</sup> of kilnesaye in the saide countye of yorke, into Twenty Five ptes to be devided, All w<sup>ch</sup> comōn

- 34 and waste are now Inclosed and stinted, And alsoe all other thinges mentioned to be demysed in the said Indenture of Lease (excepte whatsoever is excepted in the same lease) and all the lawfull tyle righte Intereste Claime and demannde of him the saide Thomas Whalley of in
- 35 and to the same, and of in and to everye pte pcell and member of the same, **To have and** to holde the saide messuage and teñte, landes teñtes and all and singuler other the p'misses w<sup>th</sup> thappurtenñces and everye pte and pcell their eof, except before excepted unto
- 36 the saide John Battye his executo<sup>rs</sup> and assignes, From the daye of the makinge of the saide last recyted Indenture of an assignmente For and duringe the tyme and tearme of all the yeares of the saide tearme of three Thowsand yeares, that was then to come & unexpected
- 37 Comp<sup>r</sup>sed and declared in the saide Indenture of Lease, and in as lardge and ample mañer and Forme in everye respecte as the saide Edward Whalley or Thomas Whalley or eyther of them, had or mighte have had and enjoyed the same, And w<sup>th</sup>owte Impeachemente of waste **yeilding**
- 38 and paieinge their eofre yearelye to our saide Sov'aigñe Lorde the kinges Ma<sup>tye</sup> that now is, his heires and successo<sup>rs</sup>, Two Shillinges eighte pence yearelye and everye yeare duringe the said tearme for the teñtes at the Feaste of S<sup>t</sup> Michaell tharchangell, And suite to the
- 39 Courte Barron to be holden at kilnesaye, And suite and soken to the milne of kilnesaye, (as is sett downen in the saide lease, (as by the saide laste recyted Indenture, more at large yt doth and may appeare) **Now this Indenture** witnesseth that the saide John
- 40 Battye, For and inconsideracōn of the some of Three hundreth Fortye and Three poundes, of lawfull Englishe monye well and trulye to him by the saide Christopher Wade before thensealinge and deliverye of these pntes Contented & paide, the receipte whereof he doth hearebye
- 41 acknowledge, and their eof and of everye pte and pcell their eof, doth clearelye acquite exonerate and dischardge the saide Chrispher Wade his executo<sup>rs</sup> and admīstrato<sup>rs</sup> for ever by these pntes, haith grannted demysed b̄gained \ so [?--] / assigned & sett over, and by these pñtes he the
- 42 saide John Battye doth fullye wholelye clearelye and absolutelye grannte demyse b̄gaine sell assigne and sett over unto the saide Christopher Wade his executo<sup>rs</sup> and assignes, All his pte of one Cloase of grounde conteyninge by estimacōn three ptes of the whole cloase, (be yt
- 43 more or lesse, Called Beggerflatts cloase in kilnesaye afforesaide. All one other Cloase of grounde called hesleheade \ w<sup>th</sup>out little pocke or garth adioyninge to the same / two sellions or leyes of grounde in Sandholme w<sup>th</sup> all the groundes their belonginge, and occupied \ to & / w<sup>th</sup> the same, one little pcell of grounde in the
- 44 saide Sandeholme, All that one Acre of grounde by estimacōn be yt more or les, called the greate Acre a<sup>t</sup>is Broadpeece under the Scarr of kilnesaye afforesaide, One halffe acre of grounde, by estimacōn be yt more or lesse under the saide Scarr, alitle above the saide

- 45 greate acre. One other halffe acre of grounde by estimacōn be yt more or lesse. called Sidgaite lande, **All** w<sup>ch</sup> groundes and p<sup>r</sup>misses affore by these p<sup>r</sup>ntes, g<sup>r</sup>nted assigned and sett over, are att the date of these p<sup>r</sup>ntes, in the tenure and occupacōn of the saide John
- 46 Battye or his assignes and p<sup>r</sup>tes and p<sup>r</sup>cells belonginge to the saide messuage and teñte, And alsoe the harbaige pasture gayte and Feedinge, of and for, Fower cattell to goe depasture and feede of in upon and throughowte all the pasture of kilnesaye called the
- 47 Sleightes, **And** alsoe the harbaige pasture gaitte and Feedinge of and for Fower cattell, to goe depasture and Feede of in upon and throughowte another pasture of kilnesaye called the oxe pasture, **And** alsoe one whole p<sup>r</sup>te and the thirde p<sup>r</sup>te of apte
- 48 of all the saide soile pasture and grounde called kilnesaye Comōn atis new Incloasure atis Molhammoore atis Mawmoore, in kilnesaye afforesaide, \ & / now latelye Incloased into Twentye and Five p<sup>r</sup>tes onelye to be devyded. Lykewyse now in thoccupacōn of the saide John Battye
- 49 his assigne or assignes and p<sup>r</sup>tes & p<sup>r</sup>cells of the p<sup>r</sup>misses, demysed in the saide Indenture of lease, And alsoe all and singuler wayes, pathes, wells, welspringes, hedges, hedgerawes, woodes underwoodes revercōn and revercōns of the p<sup>r</sup>misses profittes Comōdityes & hereditamentes
- 50 whatsoever belonginge to the same, or accepted, reputed used and occupied to and w<sup>th</sup> the same, and now in the tenure and occupacōn of the saide John Battye or of his assignes. **And** all his lawfull tytle righte and Intereste of in & to all the saide p<sup>r</sup>misses, &
- 51 everye p<sup>r</sup>te and p<sup>r</sup>cell theireof hearein and hearbye menconed, or Intended to be assigned and sett over (excepte whatsoever is excepted in the saide Firste recyted Indenture of lease, **To have and** to holde all his p<sup>r</sup>te of the saide cloase of grounde called
- 52 Beggerflate cloase, the saide cloase of grounde called hesleheade cloase and all the saide other groundes and p<sup>r</sup>misses hearein and heareby grannted assigned and sett over, and everye p<sup>r</sup>te \ & / percell theireof w<sup>th</sup> thappurtenñces (excepte before excepted) unto him the saide Xpōpher Wade his
- 53 executo<sup>rs</sup> & assignes From the makinge of these p<sup>r</sup>ntes unto the Full end and tearme of all the yeares of the saide three Thowsande yeares that are yett to come & unexpired \ & / in as large and ample mañer and Forme in everye respecte as he the saide John Battye
- 54 the saide Edwarde Whalley and Thomas whalley or anye of them or anye of their assignes, did may or mighte occupye the same, by vertue of the saide Indenture of lease, and other the Indentures of one assignementes or otherwyse \ & / w<sup>th</sup>owte Impeachment of waste and
- 55 W<sup>th</sup>owte anye rente fealtye Suite or service to be yeilded paide or done for the same But onelye **yeilding and** paieinge to our saide Soñraigñe Lord the kings < the kinges > Ma<sup>tye</sup> his heires successo<sup>rs</sup> yearelye eighte pence for the tents of the p<sup>r</sup>misses at the Feast \ Day /

- 56 of S<sup>t</sup> Michaell tharchangell duringe the saide tearme and suite to the Courte and Milne accordinglye as yt menconed in the saide Indenture of lease **And** the saide John Battye for him his heires executo<sup>rs</sup> & admīstrato<sup>rs</sup> & covenīteth promiseth & grñteth < to & >
- 57 to and w<sup>th</sup> the saide Xpōpher Wade his executo<sup>rs</sup> admīstrato<sup>rs</sup> and assignes, and everye of them by these pñtes That he the saide John Battye at the date sealinge and deliverye of these pñtes is Lawfullye Interested and possessed of in and upon all the saide pte of the saide
- 58 cloase of grounde called Beggerflatte cloase, the saide cloase of grounde called heslheade cloase all other the saide groundes & p<sup>r</sup>misses w<sup>th</sup> thappurtenñces hearein and heareby menconed & Intended to be grannted assigned and sett over, And now haith in himselffe (onelye
- 59 Full power lawfull and good righte and authoritye to grannte assigne & sett over the same & everye pte and pcell therieof to the saide Christopher Wade his executo<sup>rs</sup> and assignes for the tearme afforesaide accordinge to theeffecte and true meanninge of these p<sup>r</sup>ñtes **And**
- 60 that he the saide Christopher Wade his executo<sup>rs</sup> and assignes shall or maye Lawfully peaceablelye and quietlye have holde occupye and enioye all the saide pte of the saide cloase of grounde called Beggarflatte cloase all the saide cloase of grounde called hesleheade cloase
- 61 all the saide other groundes and p<sup>r</sup>misses and everye pte and pcell theireof w<sup>th</sup> thappurtenñces (excepte whatsoever in the saide Indenture of lease is excepted) For and duringe all the saide yeares of the saide tearme of yeares as yet not expired w<sup>th</sup>owte any lawfull lett
- 62 vexacon suite trouble or Incumbrance of the saide John Battye his executo<sup>rs</sup> or assignes or of anye other psonne or psōns whatsoever clearelye and absolutelye acquitted exonerated & dischargd of all <all> other tbgaines leases wills rents arreariges of rentes fynes amerciaments, tentes
- 63 respecte of homadge fynes for alienacōns Intencōns lib<sup>r</sup>ies statutes mchannte and of the staple recoginzañce iudgements execucōns escheates actes tytles troubles & other charges and Incumbranñces Whatsoever (the saide eighte pence rente yearelye to be paide to his Ma<sup>tye</sup>
- 64 his heires and successors (as afforesaide) Suite to the Courte, and suite and Soken to the Milne of kilnesaye as is sett downen in the saide Indenture of lease and all galdes and laies to be paide yearelye heereafter for the p<sup>r</sup>misses to the kinges Ma<sup>tye</sup> his heires and successors, accordinge
- 65 to the rate of eighte Shillinges \ & / eighte pence \ rent / onelye excepted and forep<sup>s</sup>ed **And** moreover the saide John Battye for him his heires executo<sup>rs</sup> and admīstrato<sup>rs</sup> and for everye of them Covennteth promiseth and gnnteth *{sic}* to and w<sup>th</sup> the saide Christopher Wade his
- 66 executo<sup>rs</sup> admīstrato<sup>rs</sup> & assignes and to and w<sup>th</sup> everye of them by these pntes: that The saide John Battye his executo<sup>rs</sup> and assignes shall and will at all everye tyme and tymes heereafter, w<sup>th</sup> the Space and tearme of Seaven yeares, now next cominge

- 67 after the daye of the date of these p<sup>r</sup>ntes upon the reasonable requeste costs and Charges in the lawe of the saide Christopher Wade his execut<sup>rs</sup> & assignes or anye of them Mayke doe knowledge execute and suffer or cause to be made done knowledged executed & suffered
- 68 all & everye such Further acte and actes, thinge and thinges, devyse and devyses, assurañce & assurañces in the Lawe whatsoever, for the better morecleare and absolute assuringe suertye sure makinge and p<sup>r</sup>fecte Convayinge of all the saide p<sup>r</sup>te of the saide cloase of grounde
- 69 called beggerflatt cloase, the saide cloase of grounde Hesleheade cloase, all the saide other groundes, and of all and singuler other the p<sup>r</sup>misses w<sup>th</sup> thappurtenñces & of e<sup>v</sup>ye p<sup>r</sup>te & p<sup>r</sup>cell theireof w<sup>th</sup> thappurteñces (excepte whatsoev<sup>er</sup> is excepted in the saide lease) unto the saide
- 70 Christopher Wade his executo<sup>rs</sup> & assignes, accordinge to the effecte & true meaninge of these p<sup>r</sup>its for & under the saide rent of eighte pence, Suite of Courte and milne and galdes and layes as is afforesaide for and duringe all the saide tearme of yeares that are yet to expire, of
- 71 the saide tearme of three Thowsande yeares w<sup>ch</sup> w[?--<sup>rs</sup>] theirin to be contained againste all people **As** he the saide Christopher Wade his executo<sup>rs</sup> & admīstrat<sup>rs</sup> or assignes & his and their Councell learned in the lawe shall & will reasonableye & lawfullye devyse or require in anye
- 72 wyse, **And** the saide Christopher Wade for him his executo<sup>rs</sup> and admīstrato<sup>rs</sup> doth Covennte promisse and grannte to and wth the saide John Battye his executo<sup>rs</sup> admītrato<sup>rs</sup> & assignes by these p<sup>r</sup>its: That he the saide Christopher Wade his execut<sup>rs</sup> admīstrato<sup>rs</sup> or assignes < shall and >
- 73 shall and will well and trulye Contente and paye yearelye to the kinges Mat<sup>lye</sup> his heires and Successo<sup>rs</sup> for the tents dewe owte and for the p<sup>r</sup>misses heareby assigned and sett over (the rente of eighte pence, and all galdes and laies in the waye of Neighbourhoade dew to be
- 74 Levied and paide to the kinges Ma<sup>lye</sup> his heires and successo<sup>rs</sup> respectivelye for the p<sup>r</sup>misses accordinge to the saide rate of eighte shillinges eight pence rente, and alsoe suite to Courte and Milne as afforesaide, duringe the saide tearme and acquite & dischargd the saide John Battye his
- 75 execut<sup>rs</sup> and assignes of all the saide rents galdes and laies & of everye of them as afforesaide **In Witnes** whereof the p<sup>r</sup>tyes abovesaide to these p<sup>r</sup>ite Indentures Interchannablelye have sett their handes & seales dated the daye and yeare Firste above written.
- 76 {Signature} John Battye