

**NYCRO Northallerton – Proctor Collection - ZM 116**  
**Sale of Common Rights - Richard Wiglesworth & Samuell Tennant, 1689**

*Transcribed from digital copy of original document*  
*Single sided folio with Dorse*  
*Condition good*

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{Recto}

- <sup>1</sup> This Indeture<sup>1</sup> made the Twenty third day of november in th<sup>e</sup> first yeare of the Raigne of o<sup>r</sup> sov<sup>ne</sup> Lord & Lady William the third & Mary th<sup>e</sup> second by th<sup>e</sup> grace of god King & Queene of England Scotland France & Ireland defend<sup>rs</sup> of th<sup>e</sup> faith etc
- <sup>2</sup> in th<sup>e</sup> yeare of our Lo<sup>d</sup> god one thousand six Hundred eightie & nine Beetwene Richard Wiglesworth of Coniston in Kettlewelldale in th<sup>e</sup> County of yorke yeoman of thone partie & Samuell Tennant of Chappelhouse w<sup>th</sup>in th<sup>e</sup> Manne<sup>r</sup> or Lordshipe of
- <sup>3</sup> Kilnesay in Craven in th<sup>e</sup> said County Gentl<sup>~</sup> of th<sup>e</sup> tho<sup>t</sup>her partie Witnesseth th<sup>t</sup> th<sup>e</sup> said Richard Wiglesworth for & in Consideracōn of th<sup>e</sup> sume of Fifeteene pounds Six Shillings & eight pence of Lawfull money of England to him well & truely
- <sup>4</sup> by th<sup>e</sup> said Samuell Tennant in hand payd the receipt whereof he doth hereby acknowledge, And there of & of everie parte & parcell their eof doth clearly acquit & discharge th<sup>e</sup> said Samuell Tennant his heires execut<sup>rs</sup> & administ<sup>rs</sup> & everie of them for ever
- <sup>5</sup> by these p<sup>r</sup>sents Hath granted bargained sold remysed released quitclaimed & conformed, & by these p<sup>r</sup>sents hee th<sup>e</sup> said Richard Wiglesworth doth for & from him & his heires grant bargain sell release & for ever quitclaime unto th<sup>e</sup> said
- <sup>6</sup> Samuell Tennant in his actuall possession now being by vertue of a bargaine & sale to him thereof made \ by / th<sup>e</sup> said Richard Wiglesworth for one whole yeare by Indeture beareing date the day next before th<sup>e</sup> date hereof & by force of th<sup>e</sup>
- <sup>7</sup> statute for transferring of uses into possession & to his heires & assignes for ever : All th<sup>t</sup> th<sup>e</sup> Comōn of pasture & Comōn of Turbarie \ Royalties / herbage & pastureage goeing Keeping & feeding of & for all mann<sup>r</sup> of \ beasts horses sheepe & / cattell removable in & through
- <sup>8</sup> out all th<sup>e</sup> inclosed & stinted pasture belonging to Coniston aforesaid called th<sup>e</sup> new close, according to & after th<sup>e</sup> rate of five shillings ancient rent thear & th<sup>e</sup> soyle & ground their eof
- <sup>9</sup> all mann<sup>r</sup> of Cattell Comonable w<sup>th</sup>in & through out all th<sup>t</sup> other pasture belonging to Coniston aforesaid called Coniston ould pasture, yearly from & after the feast day of St Michael, th<sup>t</sup> Archangell or from & after what time so ever
- <sup>10</sup> of th<sup>e</sup> yeare as th<sup>e</sup> stint in th<sup>e</sup> \ said / ould pasture shall be broken up & not kept, untill th<sup>e</sup> feast of St Andrew th<sup>t</sup> Apostlle then next following according to & after th<sup>e</sup> rate of five Shillings rent there And also Comōn of pasture & Comōn of Turbary
- <sup>11</sup> herbage & pastureage for all manner of Cattell comōnable with in & upon & throughout all th<sup>e</sup> outmoores & Comōns of & belonging to Coniston aforesaid according to & after th<sup>e</sup> rate of four shillings ancient rent there & th<sup>e</sup> Soyle & ground
- <sup>12</sup> thereof All w<sup>th</sup> said p<sup>r</sup>misses are situate Lying & being within Coniston in Kettelweldale aforesaid in th<sup>e</sup> County of yorke Late in th<sup>e</sup> possession of th<sup>e</sup> said Richard Wiglesworth And all & singuler wayes pathes wells waters walls fences hedges ditches

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<sup>1</sup> sic

- <sup>13</sup> walls fences wasts wastegrounds Comōns Comōn of pasture & turbarie mynes quarrels freestone slate Ling heath turbarie Rushes thactch Sods hubs flaughts bracons Royalties profitts Liberties privilidges comodities advantages & hereditarnts which
- <sup>14</sup> thappūrtañces what so ever to th<sup>e</sup> said hereby granted p<sup>r</sup>misses belonging or in \ any / wise appertaineing or accepted reputed used taken knowne occupied or accounted as parte parcell or member theireof or of any part theire of And th<sup>e</sup> rev<sup>r</sup>cōn & rev<sup>r</sup>cōns
- <sup>15</sup> remainder & remainders rents issues yearly other profitts theireof And all his full & whole estate right title interest inheritance use possession propertie claime & demand whatsoever<sup>r</sup> of in & to th<sup>e</sup> saide Comōn of pasture & p<sup>r</sup>misses hereby granted &
- <sup>16</sup> of in & to everie parte & parcell therof To have and to hould th<sup>e</sup> sayd Comōn of pasture & Turbarie herbage & pastureage in upon & throughout th<sup>e</sup> said stinted pastures & out-moores & Comōns of & belonging to Conistone aforesaid & th<sup>e</sup> said
- <sup>17</sup> Soyle & ground thereof < All > And all & singuler the hereditaments & p<sup>r</sup>misses before by these p<sup>r</sup>sents granted or mencōned or intended to be heareby granted released & confirmed & everie parte & parcell thereof with there & every of there appurtañces
- <sup>18</sup> unto th<sup>e</sup> said Samuell Tennant his heires & assignes To th<sup>e</sup> onely use & behoofe of him th<sup>e</sup> said Samuell Tennant his heires & assignes for ever To behoulden of th<sup>e</sup> Chieffe Lord or Lords of th<sup>e</sup> Fees of the p<sup>r</sup>misses by th<sup>e</sup> rents & Services thereof due & of right
- <sup>19</sup> accustomed And th<sup>e</sup> said Richard Wiglesworth & his heires th<sup>e</sup> said Comon of pasture & turbarie & all & singuler th<sup>e</sup> said p<sup>r</sup>misses hereby mencōned to bee granted w<sup>th</sup> thappūrtañces unto th<sup>e</sup> said Samuell Tennant & his heires to th<sup>e</sup> only use & behoofe
- <sup>20</sup> of him th<sup>e</sup> said Samuell Tennant & his heires & assignes for ever Against him th<sup>e</sup> said Richard Wiglesworth & his heires & all & everie other person & persons Lawfully claimeing by from or under him & them shall & will warrant & for ever by thesse
- <sup>21</sup> p<sup>r</sup>sents defend And th<sup>e</sup> said Richard Wiglesworth for himselfe his heires Execut<sup>ts</sup> & administ<sup>ts</sup> & for every of them doth Covenant & grant & agree to & w<sup>th</sup> th<sup>e</sup> said Samuell Tennant his heires & assignes by thees p<sup>r</sup>sents That he th<sup>e</sup> said Samuell
- <sup>22</sup> Tennant his heires & assignes Shall & Lawfully may at all tymes here after for ever peaceable & quietly have hould occupie use posses & enjoy th<sup>e</sup> said Comōn of pasture & Turbarie herbage & pastureage & th<sup>e</sup> Said Soyle & ground thereof And all and
- <sup>23</sup> Singuler the said p<sup>r</sup>misses hereby mencōned to be granted released & confermed w<sup>th</sup> there & every of there appurtañces and receive & take to his & there owne use benefitt & behoofe Thee {sic} rents Issues yearly & other profitts therof Without th<sup>e</sup> Lawfull
- <sup>24</sup> Lett suite trouble eviccōn ejeccōn molestacōn deny all or disturbance of him th<sup>e</sup> said Richard Wigesworth his heires execut<sup>ts</sup> or administ<sup>ts</sup> or any of them or of any other person or persons Lawfully claimeing by from or under him them or any of
- <sup>25</sup> them Clearly discharged of & from all & all manner of form<sup>r</sup> & other bargaines Sales gifts grants wills Leases mortāges intailes Joyntures dowers & tytles of dower rents arrear\ages of rents debts judgm<sup>ts</sup> elegitts And of & from all former & other
- <sup>26</sup> acts estates titles troubles incumberānces claymes & demands whatsoever heretofore had made suffered or executed or hereafter to be had made suffered or done by him th<sup>e</sup> said Richard Wiglesworth or by any other person or persons Lawfully
- <sup>27</sup> claimeing by from or und<sup>r</sup> him or by his right tytle or interest The said rents & services due to th<sup>e</sup> Chieffe Lord or Lords & galds Lays taxes & impossicōns here after p<sup>p</sup>sonable due for th<sup>e</sup> said hereby granted p<sup>r</sup>misses all ways excepted &

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28 fore prised And th<sup>t</sup> he th<sup>e</sup> said Richard Wigglesworth his heires & assignes shall & will att all tymes here after when & soe often as need shall require produce all th<sup>e</sup> deeds conce<sup>r</sup>ing the said p<sup>r</sup>misses in any Cor<sup>t</sup> or Cor<sup>ts</sup> wheresoever & before any Judge Jury or

29 p<sup>r</sup>son whatsoever att th<sup>e</sup> request & charges of the said Samuell Tennant his heires & assig<sup>s</sup> for th<sup>e</sup> defence & maintenance of his and their right tyle & interest of in & to th<sup>e</sup> said hereby granted p<sup>r</sup>misses In Witness whereof the parties above <sup>2</sup>

30 p<sup>r</sup>sent Indentures either partie to oth<sup>r</sup> interchangeably have sett their hands & seales dated th<sup>e</sup> day & yeare first above written.

31 {signature} Samuell Tennant <sup>3</sup>

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{Dorse}<sup>4</sup>

1 The Counterpte of  
2 M<sup>r</sup> Samuell Tennant  
3 deed.

1 23 Nov 1689. 116 C.98P  
2 Richard Wigglesworth  
3 Sam<sup>l</sup> Tennant  
4 Common of pasture 50.anc. rent.

1 Sealed Signed & delivered  
2 in the Sight & p<sup>r</sup>sence of  
3 Margrett \ her mark / x Hewitt  
4 Daniell Preston  
5 William Hewitt

1 Sealed Signed & delivered  
2 Memorandū th<sup>e</sup> p<sup>r</sup>cells w<sup>th</sup> mencōned one p<sup>r</sup>te & member  
3 of a Tenem<sup>t</sup> w<sup>ch</sup> th<sup>e</sup> said Richard Wigglesworth did  
4 Lately purchase of Symon Wilkinson & his wife John  
5 Wilkinson & \ hi / wife & Thomas Lambert & his wife  
6 w<sup>ch</sup> did [?de—e-d] to them from Thomas Airton Late  
7 of ScarthCoate this memorandū was indorsed before  
8 th<sup>e</sup> Sealeing & delivery hereof  
9 Witness  
10 Margret x Hewitt  
11 Daniell Preston  
12 Wiliam Hewitt

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<sup>2</sup> End of line hidden underneath up-turned hem of document

<sup>3</sup> Wax seal now missing

<sup>4</sup> Each paragraph on the Dorse is in a different handwriting