

Property Conveyance – Yorkshire Archaeological & Historical Society –
YAS MD247-37
Settle, Wade & Kidd, 1616

Transcribed from photographs of original document
Single sided folio with Dorse
Condition : Good

{ recto }

- 1 Anno dm̄i 1616 **This Indenture made** the Seaventh day of maye in the Fourteenth yeare of the Reigne of ou^r Sov^raigne Lorde **James** by the grace of God Kinge of Englands France and
- 2 Irelande defende^r of the faith &c And of his highnes Reigne of Scotlande the Nyne and Fortieth, **Betweene** Margaret Setle widowe, late wyfe of Robarte Setle late of the Northcote of the Lordshipp of Kilnsay in the Countye
- 3 of yorke deceased, And John Setle her sonne of the Hollinhal wthin the Townshipp of Rathmell in the saide Countye of yorke yeoman, on thone p^{tye}, **And** Christopher wade and John kidd of Kilnsay afforesaide in the saide Countye of yorke yeomen on thother
- 4 p^{tye} **Witnesseth** That wheareas one dame Ann yorke widowe and Peter yorke her sonne esquire now deceased, by their Indenture of lease, beareinge date the Fourth day of decembre in the Fourteenth yeare of the Reigne of our late Sov^raigne
- 5 ladie of Famous memorie Elizabeth late Queene of Englande France and Irelande, **Did** demyse grannte and to ferme lett, unto one John Setle Grandfather of the saide John Setle p^{tye} to theis p^rtes, **All** That Messuaige whearein the said
- 6 John Setle the Grandfather did then Inhabitt in Northcote afforesaide, wthin the mann^r of Kilnsaye in Craven in the saide Countye of yorke wth all buildeinges and other appurtennces to the same Messuaige Messuaige¹ belongine **And** also all landes
- 7 belongieinge to the same, Contayneinge by Estimacōn the hundreth acres be yt more or les beinge in the hamletts and feildes of Kilnsaye and Northcote, wthin the saide Mann^r and Lo^rpp of Kilnsay and in the p^rishe of Burnsall in Craven in the saide Countye of
- 8 yorke, Reputed as p^{cell} or belongeinge to the saide Mann^r of Kilnsay in Craven, **And** also thre p^{tes} of the soile grounds and waste of the whole Comōn called Molhammoore alīs Mawmoore lyinge and beinge in the saide Mann^r and Lo^rpp of Kilnsay in Craven in the
- 9 saide Countye of yorke in twentye and fyve p^{tes} to be devyded, And Four p^{tes} lackinge Fourtene pieces of the woodes called Kilnsaye woodes into fyve and thirtye p^{tes} to be devyded, lyinge and beinge wthin the saide Mann^r or Lo^rpp of Kinsay in Craven in the saide
- 10 Countye of yorke, And the Rev^rcōn and Rev^rcōns of the p^rmisses by the saide Indenture of lease demysed Together wthall woodes mynes and other profittes and Comodities of the saide p^rmisses before demysed, (Excepte onelie the Royalties and li^btyes of conveniente
- 11 hawkeinge hunteinge fisheinge and Fowleigne in and upon the p^rmisses in Reasonable Mann^r **To have & to holde** the saide Messuaige buildinges landes Meadows pastures

¹ sic

- feedinges and all other the p^rmisses before demysed unto the saide John Setle the Grandfath^r
- ¹² and his assignes From the makeinge of the saide Indenture of lease unto the ende and tearme of thre Thowsande yeares then nexte ensuinge, and fullie to be Compleete and Ended, wthoute Impeachment of anie waste, and wthoute anie rente fealtye or other suite or service to be paide or
- ¹³ done for the same, **But** onelie yeldinge and payinge theirfore yearelye unto the saide Peter yorke his heires and assignes Dureinge the saide tearme Towardes the yearelye tenths then after due to the saide late Queene Elizabeth her heires and successo^{rs} Seaven
- ¹⁴ Shillings and Elleaven pence of lawfull Englishe monie, And also to the saide Peter yorke his heires and assignes Fourpence at the feaste of S^t Michaell Tharchanngell yearelie to be paide, And suite to the Courte Barron of the saide Kilnsaye mann^r once in the yeare to be holden at the place heare=
- ¹⁵ tofore accustomed, And Suite to the Milne their soe longe as yt shalbe reasonableie used, **And** wheareas the saide John Setle the Grandfather beinge lawfullie Interessed unto and possessed of the saide Messuaige and p^rmisses wth Thappurtennces and of ev^rye p^{te} and p^{cell} their of by
- ¹⁶ vertue of the saide lease, **Did** by his laste will and testamente bequeath and give, unto the said Ro^bte Setle his sonne his executors and assignes All the saide Messuaige Teñte and p^rmisses and ev^rye p^{te} and p^{cell} their of wth Thappurtennces in mann^r and forme as in the saide will beareinge date
- ¹⁷ the twentieth day of Januarie in the yeare of ou^r Lorde, One Thowsande fyve hundreth seaventye fyve is Contayned, As by the said will at lardge appeareth, And did Constitute and make the said Ro^bte Setle his sone, whole executo^r their of, And wheareas also the said Ro^bte Setle beinge
- ¹⁸ lawfullie Interessed and possessed by vertue of the saide will, of the saide Messuaige Teñte and p^rmisses wth Thappurtennces is by his laste will and testamente beareinge date the Four and twentieth day of Julie in the yeare of ou^r Lorde One Thowsande fyve hundreth Nynty and Seaven Give and
- ¹⁹ bequeath all his Interrest tytle and tearme of yeares, of in and to the saide Messuaige Teñte and p^rmisses, and ev^rye p^{te} and p^{cell} their of, unto henrie Setle his sonne, As by the saide will appeareth **And wheareas** the saide henrie Setle by his laste will and testament beareinge
- ²⁰ date the fyve and twentieth day of June or theiraboutes in the yeare of ou^r Lorde God one Thowsande and Sex hundreth, beinge lawfullie Interessed and possessed of all the saide messuaige Ferme Teñte and p^rmisses wth Thappurtennces did give and bequeath to the saide John Setle and his assignes, The saide
- ²¹ Messuaige ferme and Teñte, and all & singule^r the p^rmisses belongeinge to the same in as lardge and ample mann^r and forme as the saide Ro^bte Setle the father did give and bequeath the same to the saide henrie Setle deceased by the laste will and testamente of the said Ro^bte Setle, As by

- 22 the saide laste recyted will more at lardge also yt doth and may appeare, **Now this Indenture witnesseth** That the saide Margaret Setle and John Setle beinge lawfullie Interressed and possessed in the p^rmisses as afforesaide, For and in Considera=
- 23 acōn of the Sōme of One hundreth and threscore poundes of lawfull Englishe monie, to them or thone of them well & trulie before thensealeinge and Selinge of theis p^rtes by the said Christopher wade and John kid Contented satisfyed and paide, The receipte wheareof, They doe hearby
- 24 acknowledge, and thei^rof and of ev^rye p^te and p^cell thei^rof doe Clearlie and absolutelie acquite exon^rate and dischargd the saide Christopher wade & John kidd their executo^rs admistrato^rs & assignes For ever by theis p^rtes, **have granted** demysed assigned t^bgained &
- 25 sett over, And by theis p^rtes: They the saide Margaret Setle & John Setle doe Clearlie absolutelie and absolutelie grannte demyse bargaine assigne and sett over unto the saide Christopher wade and John kidd their executo^rs admistrato^rs & assignes, **One** hole p^te and the thirde p^te of
- 26 a p^te of all the greate and whole pasture in Kilnsay afforesaide called Molhammoore alīs Mawmoore, and the soile of the same, w^{ch} have bene late Inclosed by the Ten^rtes of the Lo^rpp of Kilnsay afforesaide, The saide whole pasture into Twentye and Fyve p^tes to be devyded, Accordinge to the rate of twentye
- 27 shillings rente a p^te, **And also** the Moyetye & halffe p^te of all the Comōn of pasture and the soile of the same, w^{ch} now or at anie tyme did belonge to the saide Messuaige and Teⁿte at Northcote afforesaide, grannted and demysed as afforesaide to the said John Setle the Grandfather
- 28 by the saide dame An yorke and Peter yeorke, wthin the twoo² pastures of Kilnsay afforesaide, Called the ox pasture and the Sleightes, And Now used to be Eaten wth Tenn Cattell, viz: wth six \cattell/ in the Sleightes, and Four cattell in the ox pasture, **Together** wth halffe a Cattlegate
- 29 more, and herbaige and Comōn of pasture for halffe a Cattell ev^rye yeare in the saide twoo laste recyted pastures, And the soile of the saide halffe Cattlegaite, And now or late in the tenure and occupacōn of the saide Margaret Setle and John Setle or of thone of them, or of the assignes of them or of thone
- 30 of them **And** also all & singule^r waies pathes wells welspringes woodes underwoodes waters wateringe places profittes Cōmodities and hereditamentes wth Thappurtennces whatsoever, to the saide Full p^te, and the Thirde p^te of a p^te of the saide pasture called Malhammoore alīs Mawmoore and
- 31 other the p^rmisses belongeinge or in anie wyse appertayneinge, Together wth all their and eyther of their wryteinges onelie towching the same to thother landes and hereditamentes, **And** all the estaite righte tytyle Interrest tearme
- 32 of yeares Ten^rte right use possession benefitt profitt Clayme and demannde whatsoever of them the saide Margaret and John Setle of in or to the same, or of in or to anie p^te or p^cell thei^rof, or w^{ch} they or eyther of them, or their or eyther of their executo^rs admistrato^rs Childe Children ofspringe or assignes

² sic

- 33 or anie of them now have or haith, or at anie tyme heereafter may can might shoulde or oughte to have Challenge Clayme or p^rtende to have in or to the same, or anie p^te thei^rof in anie wyse, (Excepte whatsoev^r is excepted in the saide \first recyted/ Indenture of lease, **To have & to holde** all the
- 34 saide one Full p^te and the Thirde p^te of the saide greate pasture called Molhammoore alⁱs mawmoore to be devyded as afforesaide, and the soile of the same, and all and singule^r other the p^rmisses wth Thappurtennces and ev^rye p^te and p^ccell thei^rof before by thei^r p^rites mencōned and Intended to be
- 35 grannted assigned and sett over wth their appurtennces, and ev^rye p^te and p^ccell thei^rof excepte before excepted) unto the saide Christopher wade and John kidd, their executo^{rs} admistrato^{rs} and assignes, From the makeinge of thei^r p^rites, For and dureinge all the tyme & tearme of yeares of the
- 36 saide thre Thowsande yeares that are yet to come and unexpyred in as lardge ample & beneficiall mann^r and forme to all intentes and purposes as he the said John Setle \the/ Grandfather, Rob^te Setle, henrie Setle, and the saide John Setle p^tye to thei^r p^rites, or anie of them
- 37 did shoulde or mighte have had occupied & enjoyed the same, by vertue of the said Recyted Indenture of lease, or otherwaies howsoev^r, wthoute Impeachmente of anie mann^r of waste, **Yeildinge** and payinge thei^rfore yearlie dureinge the saide tearme, to ou^r saide Sov^rainge Lorde the kinge most
- 38 excellent Ma^{tye} his heires & successo^{rs} Twelve pence yearelie for the Tenths Due to his Ma^{tye} for the p^rmisses heerein demysed, at the feaste of St Michael Tharchangell, And Suite to the Courte Barron to be holden at Kilnsay afforesaide, And suite & sockon to the Milne at the saide Kilnsaye
- 39 as is sett down and expressed in the saide Indenture of lease, as by the same at lardge appeareth, **And** the saide Margaret Setle & John Setle For them and For eyther of them, and for thei^r & eyther of thei^r heires executo^{rs} and admistrato^{rs}, and for ev^rye of them doe Coñnte and
- 40 grannte to & wth the saide Christopher wade and John kidd and to and wth eyther of them, and thei^r & eyther of thei^r executo^{rs} admistrato^{rs} and assignes, and ev^rye of them by thei^r p^rites, in mann^r & Forme as followeth, viez That they the saide Margaret Setle & John Setle, are or thone of them is at
- 41 the sealinge and deliv^rye of thei^r p^rites lawfullie & Rightfullie Interested and possessed to thei^r or thone of thei^r owne onelye uses, of in unto and upon the saide one full p^te and the thirde p^te of a p^te of the saide greate pasture called Molhammoore alⁱs mawmoore to be devyded as afforesaide,
- 42 and of the soile of the same p^te, and the thirde p^te of a p^te, and of all and singule^r other the p^rmisses wth Thappurtennces, and of ev^rye p^te and p^ccell thei^rof, before in & by thei^r p^rites mencōned & Intended to be grannted assigned & sett over excepte before excepted) **And** now have or thone
- 43 of them haith full power lawfull & good righte and authoritie to grannte demyse assigne & set over the same, and ev^rye p^te and p^ccell thei^rof excepte before excepted) unto the saide Christopher wade & John kid, their executo^{rs} admistrato^{rs} and assignes for & dureinge all the tyme & tearme of

- 44 of the saide thre Thowsande yeares that are yet to Come & unexpyred, Accordinge to theffecte and true meaneinge of theis p̄tes **And that** the saide Christopher wade & John kidd their executo^{rs} admistrato^{rs} and assignes shall or may lawfullie peaceablelie & quietlie have holde
- 45 occupye use possesse & enioye, All the saide one Full pte, And the thirde pte of a pte, of all the saide pasture to be Devyded as afforesaide, and all & singule^r other the p̄misses wth Thappurtennces, and evrye pte or pcell thei^rof hearein and heareby granted assigned & sett over, excepte before
- 46 excepted wthout anie mann^r of lett vexacōn suite truble eviccōn eieccōn Incumbrance Denyall or Contradiccōn of them the saide Margaret Setle and John Setle, and Thomazin Setle now wyfe of the saide John, or of anie of them, or of their or anie of their executo^{rs} and assignes
- 47 of anie of them, or of anie other p̄sonne or p̄sonnes whatsoev^r, lawfullie Claymeinge, or that shall or will lawfullie Clayme the same or anie pte or pcell thei^rof, **And that** all the landes p̄misses heareby mencōned to be assigned wth Thappurtennces now are & be, and so from henceforth
- 48 dureinge & unto the ende of all the yeares yet to Come & unexpyred of the saide tearme of thre Thowsande yeares above mencōned, shall remayne Continew & be unto the saide Christopher wade & John kidd their executo^{rs} & admistrato^{rs} & assignes Clearelie frelie and absolutely acquittedd
- 49 exon^rated and dischargd, or upon reasonable requeste made sufficientlye saved & kepte harmles by the saide Margaret Setle & John Setle their executo^{rs} admistrato^{rs} or assignes, or some of them, of & From all & mann^r of Former and other t̄gaines granttes assignmentes estaites in truste
- 50 mortgaiges Condicōns willes obligacōns rentes arearages of rentes tentes extentes Issues fynes am^rciementes respecte of homadge fynes for alienacōns Intrucōns laiyes statues Marchante and of the Staple Recognizannce Judgmentes execucōns debtes of Recorde escheates actes
- 51 tytles troubles and other Chardges & Incumbrances whatsoev^r, hearetofore hadd made Comitted suffered or done by the saide Margaret Setle or John Setle, or anie of the Ancesto^{rs} of the said John Setle deceased, or heareafter to be hadd made Cōmitted or done by the saide Margaret
- 52 & John Setle or eyther of them in anie wyse, (**The** saide rente of twelvecence yearelye to be paide to his Ma^{tye} his heires & successo^{rs} For the tentes of the p̄misses as afforesaide suite to the Courte & Milne of Kilnsay as afforesaide, and all galdes leyes & Sessmentes due from
- 53 henceforth to be paide for the p̄misses to our saide Sov^raigine Lorde the kinges Ma^{tye} his heires & successo^{rs} and in the way of Neighbourhoode, Accordinge to the rente of tenn shillinges rente) **And moreover** the saide Margaret Setle and John Setle for themselves and
- 54 eyther of them, and their & eyther of their heires executo^{rs} & admistrato^{rs} and for ev^rye of them doe Cōnnte & grannte to and wth the saide Christopher wade & John kidd and eyther of them and their or eyther of their executo^{rs} admistrato^{rs} & assignes, and wth ev^rye of them by theis p̄tes

- 55 That they the saide Margaret Setle & John Setle, their executo^{rs} admistrato^{rs} & assignes, shall & will at all & ev^rye tyme & tymes hereafter wthin the space & tearme of Seaven yeares now nexte Cōmyng after the date of theis p^rites, upon the Reasonable requeste costes & Chardges
- 56 in the lawe of the saide Christopher wade & John kidd their executo^{rs} or assignes or of anie of them, **make** doe knoweldge execute and suffer, or cause to be made done knowledged executed, suffered, All and ev^rye such further acte or actes thinge or thinges devyse & devyses
- 57 assurannce & assurannces in the lawe whatsoev^r For the better more cleare and absolute assureinge surety & suremakeinge and p^rfecte Convayinge of all the saide one full p^rte and the thirde p^rte of a p^rte of the saide greate pasture to be devyded as afforesaide, and all & singul^r other
- 58 the p^rmisses wth Thappurtennces of ev^rye p^rte & p^rcell thei^rof Excepte before excepted unto the saide Christopher wade & John kidd their executo^{rs} admistrato^{rs} & assignes Accordinge to theeffecte & meaninge of theis p^rites, For and under the saide rente of twelve
- 59 pence of lawfull Englishe monie suite of Courte & Milne, galdes layes & Sessmentes as is afforesaide, For & dureinge all the saide tea^r/r/me of yeares that ar³ yett to Come & unexpyred of the saide tearme of thre Thowsande yeares wth warrantye thei^rin to be Contayned Againste them
- 60 the saide Margaret Setle & John Setle, and eyther of them, and their and eyther of their executo^{rs} admistrato^{rs} & assignes, and againste ev^rye of them, and all & ev^rye other p^rsonne and p^rsonnes lawfullie Claymeinge the same, or that shall or will lawfullie Clayme the same or anie
- 61 p^rte or p^rcell thei^rof, **As** they they⁴ the saide Christopher wade & John kidd their executors or assignes or anie of them or their Counsell learned in the lawes of this lande shall & will Reasonablelie devyse advyse or require **And** the saide Christopher wade and John
- 62 kidd For them their executo^{rs} admistrato^{rs} & assignes doe Cōnnte and grannte to and wth the saide Margaret Setle and John Setle their executo^{rs} admistrato^{rs} and assignes and to and wth ev^rye of them by theis p^rites; That they the saide Christopher wade and John kidd
- 63 their executo^{rs} admistrato^{rs} & assignes shall and will well & truelie Contente and pay yarelye⁵ & ev^rye yeare to ou^r saide Sov^raigne Lorde the kinges Ma^{tye} his heires & successo^{rs} Fo^rthe tentes hereafter due to be paid For the p^rmisses the saide rente of twelvecence, and also all the galdes
- 64 leyes Sessmentes & Impositions as shall heereafter be leyde of the p^rmisses or anie p^rte thei^rof in mann^r and forme afforesaide, And accordinge to the rate of Tenn shillinges of Anciente rente, And also suite of Courte and Milne as afforesaide dureinge the saide tearme And acquitte & dischardge
- 65 the saide Margaret Setle & John Setle their executo^{rs} & assignes and ev^rye of them thei^rof and of ev^rye p^rte & p^rcell thei^rof **And furthermore** the saide John Setle for himselffe his executo^{rs} admistrato^{rs} & assignes and ev^rye of them, doth Cōnnte

³ sic⁴ sic⁵ sic

- 66 promise & grannte to & wth the saide Christopher wade and John kidd their executo^{rs} admistrato^{rs} & assignes and to & wth ev^rye of them by theis p^rtes: That he the saide John Setle his executo^{rs} admistrato^{rs} & assignes, shall From henceforth dureinge all the reast
- 67 and residue of the saide tearme of thre Thowsdande yeares yet unexpyred, Safelie keepe the saide Indenture of lease before in theis p^rtes recyted, in his & their Custodie, unsurrendered unforfitted, uncanceled, and not made voide, **And** That neyther he the saide
- 68 John Setle his executo^{rs} admistrato^{rs} or assignes nor anie of them shall at anie tyme or tymes heareafter Cōmitt doe & suffer anie acte & actes whatsoev^r, wheareby the saide Interrest and tearme of yeares grannted by & in the said lease yet to come & unexpyred shall
- 69 or may in anye wyse be Impeached Infringed, impaired made frustrayte or voyde **And** also That he the saide John Setle his executo^{rs} and admistrato^{rs} & assignes, and ev^rye of them shall & will at all tymes and from tyme to tyme heareafter, at & upon the Reaso=
- 70 nable requeste costes and Chardges of the saide Christopher wade & John kidd their executo^{rs} admistrato^{rs} & assignes or anie of them **Shewe** further as well the saide originall Indenture as also all other his & their evidences & escriptes whatsoev^r Touchinge
- 71 or concerneinge the saide heareby grannted p^rmisses or anie p^rte thei^rof amongste other thinges in anie Courte or Courtes and before anie Judge or Judges whatsoev^r of this Relme where and so often as occasōn shall require the same to be Shewed for the better
- 72 defence maintennance and Justificacōn of the estaitte tittle and Interreste and meaneinge of theis p^rtes: **In witnes wheareof** the p^rtyes abovesaide to theis p^rte
- 73 Indntures⁶ Interchandgeablelye have their hands & seales: dated the day & yeare firste above written.
- 74 {signatures on hem} Margret V Settle marke John Settle

{Dorse – written in several different hands}

- 75 Signed sealed and delivered in the sight and p^rsence
- 76 of us Edward Warde George Warde
- 77 Stephen Franckland & Henry
- 78 Ibbotson.

79 Apnd Bradford vicesime tertio die January 1632

80 Comissu inter Attornat gōvalom

81 dmī Regi &

82 Christofer Wade eq:

⁶ sic

83 Shewn unto Edward Ward gent at the tyme
83 of his exaiacōn before us & the also shewed to henry
84 Ibotson Clerk
85 {signatures} [?—d—er] Tho: prestonn
86 Ho: Stanhope Antho: Foster

87 7th May. 14. Jac: 1st 1616.
88 Margarett & John Settle
89 Kilnsay 3000 years.

90 Marg^t & Jn^o Settle to Wade & Kidd
91 Ass^t of one whole p^t. & th^e 3^d. p^t \of a p^t. / of the Part^e.
92 Called Malham moor & also th^e ½ p^t of the
93 Comōn &^c for th^e rem: of 3000 yrs
94 yrly rent 12^d.
