

BENWELL PAPERS

ZC-2-1-p5

Copy of INDENTURE of 28th Sep. 1622, between William SWINBURNE and John OSBORNE, regarding Colliery Lease

(WRITTEN with MODERN ENGLISH SPELLINGS)

	<p>[Writing on Back of Document] [ZC-2-1-p5]</p>
	<p style="text-align: right;">Sealed and delivered in presence of Myles Dough[c]je [Rco]bauce RI Faudan</p> <p>[Text below in transverse]</p> <p style="text-align: center;">28 Sep^r. 1622 ar. 20th. J[ue]: 1622</p> <p style="text-align: center;">(5 [Document Number]</p>
[Line N ^o .]	<p>[DOCUMENT] [ZC-2-1-p5a]</p>
1,2 3 4 5 6,7 8 9 10 11 12 13 14,15	<p>Articles of agreement Indented and made the 28th. Day of September in the Twentieth year of the / ² Reign of our Sovereign Lord James by the grace of God King of England France and Ireland Defender / ³ of the faith &c and of Scotland the Six and First, Between William Swinborne of Capheaton in – / ⁴ the County of Northumberland Esquire on the one part, And John Osborne of Scotswood in the said County / ⁵ of Northumberland yeoman, on the other part, as follows :: /</p> <p>/ ⁶ Inprimie the said William Swinborne for the Consideration hereafter expressed Has demised granted and to farm-let / ⁷ and by these parties, doth demise grant and to farm-let, unto the said John Osborne his Executors administrators and assigns, the / ⁸ full moiety and One half of all the Coal-mines Coal-pits and Coals which Can shall or may be had sought won wrought obtained / ⁹ or gotten, within all every or any that parcel or ground Called Scotswood, in the County of Northumberland, together also with / ¹⁰ One quarter or Fourth part of all those pan Coals which shall Can or may be won wrought obtained or gotten – / ¹¹ within the field and ground of Benwell belonging to the said William Swinborne, in the County of Northumberland / ¹² aforesaid, together also with free liberty, to and for the said John Osborne his Executors workmen and assigns to – / ¹³ dig sink rid work, and make pit and pits trench and trenches grove and groves, and to drive drift and drifts / ¹⁴ and do and perform whatsoever else as shall be needful necessary fitting and Convenient to be made and done – / ¹⁵ (as well) for the</p>

16 winning obtaining working and getting of Coals, as also for the avoiding and Conveying of – / ¹⁶ water and styth, Together with sufficient and
17 Convenient way-leave ground ^<staith-room> and, heap-room (as well) for – / ¹⁷ the leading Carrying and Conveying of all such Coals as shall
18 proceed and Come forth of the said premises above / ¹⁸ mentioned the nearest and most Convenient way to Scotswood staith, adjoining to
19,20 River of Tyne, as / ¹⁹ also for the laying and placing of all such Coals stones sand and gravel and other Rubbish as shall proceed / ²⁰ and
21 Come forth of the said premises, together with free liberty to erect build and make hovels shed and – / ²¹ lodges for the workmen to dwell and
22 work Under, which shall be employed about the said Coal-works – / ²² together with one little Cottage house with the appurtenances late in
23 the occupation of John [Beyond], and one boat-room[] / ²³ art Scotswood staith, together with free liberty and passage for a boat to pass and
24 re-pass upon the said – / ²⁴ River of Tyne ~~(as well)~~ about the Carrying and Conveying of travellers and passengers ~~(as also) for the Catching~~
25,26 / ²⁵ ~~and fishing for Salmon in the River of Tyne aforesaid~~ **To Have** and to hold, all the said Coal-mines / ²⁶ Coal-pits and Coals with the[ire]
27 appurtenances and all [and] singular other the [premises] above by these parties / ²⁷ demised and granted or mentioned or intended to be
28 demised or granted and every part and parcel thereof / ²⁸ unto the said John Osborne his Executors administrators and assigns, From the
29 feast of All Saints Commonly Called / ²⁹ All-hallows day next Coming after the date hereof, unto the full end and term of Ten years, From
30 hence next / ³⁰ ensuing and fully to be Complete and ended /
31,32 / ³¹ **In Consideration** whereof the said John Osborne for himself his Executors administrators and assigns / ³² doth Covenant promise and
33 grant by these parties, To and with the said William Swinborne his heirs – / ³³ Executors administrators and assigns, That he the said John
34 Osborne his Executors administrators or assigns sha[ll] / ³⁴ Yearly and every year during the First Three years of the said term well and truly
35,36 Content and pay or / ³⁵ Cause to be Contented and paid unto the said William Swinborne his heirs Executors administrators or assigns / ³⁶ the
37 sum of Twenty and Four pound of lawful money of England, At Four feasts or terms in the – / ³⁷ year (that is to say) At the feast of the
38 purification of our blessed Lady Saint Mary the virgin Commonly / ³⁸ Called Candle-mas day, the Feast of Philip and J[a]cob Commonly Called
39 May day the feast of Saint Peter – / ³⁹ avuncular Commonly Called Sam'as day, And the feast[e] of All Saints Commonly Called All[hallows]
40 day by even and equal / ⁴⁰ [portions, first Portion th]at thereof to begin at Can[dl]e-mas next Coming (A[nd] also[e]) and
41 [] [Damage at fold paper] / ⁴¹ [& e]very and any year during the Seven last years of the said term unto the said William Sw[inborne
42 his] [Damage at fold paper] / ⁴² Heirs or assigns, the sum of Thirty pound of lawful money of England, All the said Four feast or [terms] / ⁴³ in
43,44 the Year (that is to say) At the feast of the Purification of our Lady, the feast of Philip and Jacob, the / ⁴⁴ feast of Saint Peter avuncular, and the
feast of All Saints, by even and equal portions :: /

(WRITTEN with OLD ENGLISH SPELLINGS)

	<p>[Writing on Back of Document] [ZC-2-1-p5]</p> <p style="text-align: center;">Sealed and del'd in p'sene of Myles Dough[c]je [Rco]bauce RI Faudan</p> <p>[Text below in transverse]</p> <p style="text-align: center;">28 Sep^r. 1622 ar. 20th. J[ue]: 1622</p> <p style="text-align: center;">(5 [Document Number]</p>
[Line N ^o .]	[DOCUMENT] [ZC-2-1-p5a]
1 2 3 4 5 6 7 8 9 10 11 12 13	<p>Articles of agreement Indented and made the xxviiith. Daie of September in the Twentieth yeare of the Raigne of oure Sov'aigne Lord James by the grace of God Kinge of Englande Franncce and Ireland Defrnder of the faith &c and of Scotland the Six and Fistith, Betweene William Swinborne of Captheaton in – the Countie of Northumberland Esquier on thone ptie, And John Osborne of Scotewood in the said Countie of Northumberland yeoman, on thother ptie, as followeth :: /</p> <p>Inprimie the said William Swinborne for the Consideracon heerafter expressed Hath demised grannted and to farme letten and by these pw'tes, doth demise grannt and to farme lett, vnto the said John Osborne his Executo^{rs} administrato^{re} and assignes, the full moyetie and One half of all the Colemynes Colepittes and Coles w^{ch} Cann shall or maie be hadd soughte wonn wrought obtayned or gotten, within all evry or any that pcell or ground Called Scotewood, in the Countie of Northumberland, together also w^h One quarter or Fourth pte of all those pann Coles which shall Cann or maie be wonn wrought obtayned or gotten – w^hin the fielde and grounde of Benwell belonging to the said William Swinborne, in the Countie of Northumberland aforesaid, together also w^h free libertie, to and for the said John Osborne his Executo^{rs} workemen and assignes to – digg sinck ridd work, and make pitt and pittes trench and trenches grove and groves, and to dryve drifte and drifts</p>

14 and doe and p'forme whatsoev' ells as shall be needfull necessarie fitting and Convienient to be made and done –
15 (aswell) for the wyning obtayneing working and getting of Coles, as also for the avoyding and Conveying of –
16 water and styth, Togeather w^h suffitient and Convenient wayleave ground [^]<staiethroome> and, heaperoom (aswell) for –
17 the leading Carrying and Conveying of all such Coles as shall proceed and Come forth of the said p'misses abov[e]
18 menco'ed the nearest and moste Convenient waie to Scotewood staieth, adioyning to the Ryver of Tyne, as
19 also for the laying and placeing of all such Coles stones sand and gravell and other Rubbishe as shall proceed
20 and Come forth of the said p'misses, together w^h free libertie to erecte buyld and make hoveles sheede and –
21 lodges for the workemen to dwell and worke Vnder, w^ch shall be ymployed about the said Coleworkes –
22 together w^h one litle Cottage howse w^h thapperten'nces late in thoccupacon of John [R]ee yond, and one boteroom[]
23 att Scotewood staith, togeather w^h free libertie and passage for a boate to passe and repasse vpon the said –
24 Ryver of Tyne (~~aswell~~) aboute the Carrying and Conveying of travellers and passengers (~~as also~~) for the ~~Catching~~
25 ~~and fishing for Salmon in the Ryver of Tyne aforesaid~~ **To Have** and to hould, all the said Colemynes
26 Colepittes and Coles w^h the[jire] apperten'nces and all [and] sing'ler other the p'miss[es] above by these pwtes
27 demised and grannted or menco'ed or intended to be demised or grannted and ev'y pte and pcell theareof
28 vnto the said John Osborne his Executo^{rs} administrato^{rs}.and assignes, From the feaste of All S^{te} Com'only Called
29 Allhallowe daie next Comeing after the date heareof, vnto the full end and tearme of Tenn yeares, From hence next
30 ensewing and fully to be Compleate and ended /
31 **In Consideracon** wheareof the said John Osborne for himself his Executo^{rs} administrato^{rs} and assignes
32 doth Coven'nte promisse and grannt by these pwtes, To and w^h the said William Swinborne his haire –
33 Executo^{rs} administrato^{rs} and assignes, That he the said John Osborne his Executo^{rs} administrato^{rs} or assignes sha[ll]
34 Yearely and ev'y yeare dureing the First Three yeares of the said tearme well and truly Contente and paie or
35 Cause to be Contented and paid vnto the said William Swinborne his haire Executo^{rs} administrato^{rs} or assignes
36 the some of Twentie and Foure ponde of lawfull money of England, Att Foure feastes or tearmes in the –
37 yeare (that is to saie) Att the feaste of the purificacon of oure blessed Ladie S^t Marie the virgine Com'only
38 Called Candlemas daie, the Feaste of Phillipp and J[a]cob Com'only Called Maie daie the feaste of S^t. Peter –
39 adv'nc'la Com'only Called Sam'as daie, And the feast[e] of All S^{ts} Com'only Called All[hallowe] daie by even and equall
40 [porcons, first Porcon th]at theareof to begyne att Can[dl]emas next Comeing (A[nd] also[e]) and [] [[Damage at fold

paper]

41 [& e]very and eny yeare dureing the Seaven last yeares of the said tearme vnto the said William Sw[inborne his] [Damage to at fold paper]
42 Haires or assignes, the some of Thertie pounde of lawfull money of England, All the said Foure feaste or tearme[s]
43 in the Yeare (that is to saie) Att the feaste of the Purificacon of oure Ladie, the feaste of Phipp and Jacob, the
44 feaste of S^t Peter advncla, and the feaste of All S^t, by even and equal porcons :: /

[ZC-2-1-p5a]