

BENWELL PAPERS

ZC-2-1-p7

INDENTURE of 20<sup>th</sup> Jan 1625, between William SWINBURNE and  
John SHAFTOE, regarding his Tenancy of land in Benwell

(WRITTEN with MODERN ENGLISH SPELLINGS)

	<p><u>[Writing on Back of Document]</u> [ZC-2-1-p7 A] [Cad] signed sealed and deliv[ered] In presence of us James X Swne Mk. Th X [Heml's] Mk. [ ] X [A so]  20<sup>th</sup> Jan 1625 Jo' Shafto Ind [ ] [&amp;] deed  — ( 7</p>
[Line N <sup>o</sup> .]	<u>[DOCUMENT]</u>
1 2 3 4 5 6 7 8 9	This Indenture made the twenty Day of January in the first year ^< of the reign> of our sovereign Lord Charles by the grace of God king of England, Scotland, France and Ireland Defender of the faith, Between John Shaftoe of Horton[s]tic[b]ley in the county of Northumberland gent. on the one part, and William. Swinburne of Captheaton in the same county esquire. on the other. part. Witnesseth that the said John Shaftoe for a certain competent some of money, to him paid before the [unsealing] hereof, wherewhich [se] hold [ether] [simse] satisfied and content, and the said Will. Swinburne thereof discharged, And [sought] lawful considerations him thereunto moving Hath Granted bargained, sold, [enfeoffed] & confirmed, and by these present doth grant, bargain, sell, [infuse], and confirm, unto the said Will. Swinburne, his heirs [or] assigns all these [several] [tenement] [messuage] and farms which [thus] & any of their appurtenance situate, lying & being in Benwell in the county of Northumberland now in th[us] possessed of the ^<[said]> Will.

10 Swinburne or his assigns, commonly called the freehold Land or third part Land of Benwell aforesaid.: And also all Land,  
11 feeding, pastures, common [and] pastures, meadows, moors, closes, heaps, turbary, fishing, wastes, quarries, mines what  
12 soever wood, underwood, houses, building, [loft], croft, yard, rent, renditions servig, liberties, [inrisections], emolument & heredi-  
13 temte. whatsoever which all and singular this appurtenance unto the said tenant and all and singular, other he premisses  
14 which the appurtenance, before in and by this present granted, [enfeoffed], and confirmed, or mentioned or intended w  
15 be granted, [enfeoffed] or confirmed, or any part or parcel thereof belonging [and] in any wise appertaining; now or at any  
16 time heretofore, had, occupied, used, [enjoyed], known, reputed, or taken as part, parcel or [me'b'] of the form And  
17 the reversion & reversions, remainder & remainders of the premisses, and of every part and parcel thereof. And all the estate, intr[upt]  
18 right, claim, reversion' & reversions, remainder & remainders or demand whatsoever of him the said John Shaftoe his heirs  
19 or assigns, of, in, & to the premisses, & every & or any part thereof and all & every dead, writing, & evidence concerning [ ]  
20 premisses, which [he] [shall] in his powers or may [Come] by [ eut] suit in Law. To have & to hold all the said messuage  
21 Land & tenement which their [appeal's] by these present granted [&] sold to the only [p per] use & [beseok] of the said William.  
22 Swinburne his heirs & assigns for Ever. And the ^<said> John Shaftoe for him, his heirs, executors administrators or assigns  
23 doth covenant & grant with, & which the said Will. Swinburne his heirs & assigns, executors or administrators [thur] he [p ]  
24 said Will. Swinburne his heirs or assigns, may peaceably [&] quietly have, hold, possess, occupy & [enjoy] the said messuage  
25 & tenement which their appurtenance and all other premisses, free [ ] and discharged, or otherwise from time to time suff-  
26 iciently saved or kept harmless, of & from all other former bargains, grant, sales charges, and encumbrance whatsoever  
27 Whereby or whereof the said tenant which hapyt'ce or the peaceable or quiet possession thereof in the said William.  
28 Swinburne, his heirs or assigns, may be charged, encumbered, molested or inquieted, had made or done by the said John Shaftoe  
29 and by any person or persons claiming by, for, or under him or ^<their> heirs or by his or their means, [privately], [counsel] or [p'cwem']  
30 And the said John Shaftoe for him, his heirs, executors administrators or assigns doth covenant & grant to & which the said Will  
31 Swinburne his heirs, executors administrators or assigns that he the said John Shaftoe and his heirs shall & will within the se[ ]  
32 & time of [the] years next coming at & [upd] the reasonable request of the said William Swinburne his heirs or assigns  
33 and at his or there cost & charges, do make or suffer or cause to be done make or Suffered, all such other & [further] act  
34 & acts, device, or devices, in the Law, be it by fine, [recourse] which single or double voucher, release, which warranty  
35 or without warranty or otherwise for more perfect or better convincing & assuring the said messuage, Land, & tenement  
36 with the appurtenance Land all the other the premisses, to the said William Swinburne or his heirs as [shalbe] reasonably advised,

37	and devised by the learned counsel in the Law of the said William Swinburne his heirs or assigns so that
38	the said John Shaftoe or and his heirs be not compelled for effecting the same, [be not compelled] to travel any [ [ ] words crossed through]
39	of the county of Northumberland or further the city of [Newham]. In witnesses whereof the said parties have
40	Interchangeably sett to their hand & seals the Day & year first above written. Ansq' dm. 1625.
41	John Shaftoe
	[ZC-2-1-p7B]

(WRITTEN with OLD ENGLISH SPELLINGS)

	<u>[Writing on Back of Document]</u> [ZC-2-1-p7 A]
	[Cad] signed sealed and deliv' In prsence of ws James X Swne Mk. Th X [Heml's] Mk. [ ] X [A so]  20 <sup>th</sup> Jan 1625 Jo' Shafto Ind [ ] [&] deed  — ( 7

[Line N <sup>o</sup> .]	<u>[DOCUMENT]</u>
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1	This Indenture made the twenty Day of January in the first yeare ^< of the raigne> of our sov'ane Lrd Charles by
2	the grace of God kinge of England, Scotland, France and Ireland Defend <sup>r</sup> . of the faith, Between
3	John Shaftoo of Horton[s]tic[b]ley in the county of Northumberland gent. on thone pty, and Willm. Swinburn
4	of Captheato' in the same county esq <sup>l</sup> . on thoth'. pty. Witnesseth that the said John Shaftoo for a certaine
5	competent some of mony, to him paid before the unsealinge hearof, whearw <sup>o</sup> h se [hould] [ethe] simsel satisfied and co'tent, and

6 the said Will. Swinburn therof discharged, And [srotht] lawfull considerations him therevnto moveing Hath  
7 Granted bargained, sould, [infeoffed] & cofirmned, and by thes p'senth doth grant, bargaine, sell, infeosse, and confirme,  
8 unto the said Will. Swinburn, his heires [or] assignes all thease se[vr]all te[nement]e [messuage] and farmes w[ch] [theuce] & en'yof  
9 theire appten'nce scituate, lyinge & being in Be'well in the county of Northum'bland now in th[ic] possessed of the ^<[sd]> Will.  
10 Swinburn or his assignes, comonly called the frehould Land or third pt Land of Benwell aforesd.: And also all Lande,  
11 feadinge, pastures, comon [and] pastures, meadowes, moores, closes, heapes, turbary, fishinge, wastes, quarryes, mynes what  
12 soev<sup>r</sup>. wood, vnd'woode, houses, buyldinge, [lofte], croft, yarde, rente, ren'tions servig, lib'tes, inrisections, emolmnte & heredi-  
13 tamte. whatsoev<sup>r</sup> w<sup>ch</sup> all and singular theic appten'nce vnto the said tenente and all and singular, other he p'misses  
14 w<sup>ch</sup> th'apptenc[ ], before in and by thes [ ]sent granted, infeoffed, and confirmed, or mentioned or intended w  
15 be granted, infeaffed or co'firmned, or any pt or pcell therof belonginge [and] in any wise apyteneing; now or at any  
16 tyme heartofore, had, occupied, used, iniyed, knowne, reputed, or taken as pt, pcell or [me'b'] of the form And  
17 the re[ver]tion & re[ver]tions, remaind<sup>r</sup> & remaind<sup>rs</sup> of the p'misses, and of ev'y pt and pcell theiroyf. And all the estat, intr[upt]  
18 right, clame, rev'tio' & rev'tio's, remaind<sup>r</sup> & remaind<sup>rs</sup> or demand whatsoev<sup>r</sup> of him the said John Shaftoo his hei<sup>r</sup>s  
19 or assignes, of, in, & to the p'misses, & ev'y & or any pt thereof and all & evr' dead, writeing, & evidence concerning [ ]  
20 p'misses, w<sup>ch</sup> [he] [shall] in his powres or may [Come] by [ eut] sut in Law. To have & to hould all the said messuage  
21 Lande & tenem<sup>t</sup> w<sup>ch</sup> their app'le's by thes p'sent granted [& ] sould to the onely p per vse & beseok of the said Willm.  
22 Swinburn his heires & assignes fo<sup>r</sup> Ever. And the ^<s<sup>d</sup>> John Shaftoo fo<sup>r</sup> him, his heires, exec's admis's or assig's  
23 doth covenant & grant w', & w<sup>ch</sup> the said Will. Swinburn his heires & assignes, exer<sup>es</sup> or admisst<sup>es</sup> thur he p[ ]  
24 said Will. Swinburn his heires or assignes, may peaceably [&] quietly have, hould, possess, okupy & [inioy] the said messuage  
25 & tenem<sup>t</sup>e w<sup>ch</sup> their apptenc' and all oth<sup>r</sup> p'misses, free [ ] and discharged, or otherwise from tyme to tyme suff-  
26 iciently saved or kept harmles, of & fro' all oth[er] forrme[r] bargains, grante, sales charges, and encombrance whatsoev<sup>r</sup>  
27 Whearby or whearof the said tenente w<sup>ch</sup> hapyt[ ]ce or the peaceabl or quiet possessi' their[of] in the said Willm.  
28 Swinburn, his heires or assignes, may be charged, incombred, molested or inquieted, had made or done by the said John Shaftoo  
29 and by eny pson or psons clameing by, for, or vnder him or ^<their> heirs or by his or their meanes, privity, [conseul] or p'cwem<sup>t</sup>  
30 And the said John Shaftoo for him, his heirs, exec<sup>rs</sup> admin<sup>trs</sup> or asig' doth covenant & gra't to & w<sup>ch</sup> the said Will  
31 Swinburn his heires, exec'es admise'es or assignes that he the said John Shaftoo and his heirs shall & will w<sup>th</sup> in the se[ ]  
32 & tyme of [the] yeares next comeing at & [vpd] the reasonable request of the sd. Will. Swinburn his heires or assignes

33 and at his or there cost & charges, do make or suff<sup>r</sup> or cause to be done make or Suffered, all such other & f[ur]the act  
34 & acts, device, or divices, in the Law, be it by fine, recou[ce] w<sup>o</sup>h single or double vowcher, release, w<sup>o</sup>h warranty  
35 or w<sup>o</sup>hout warranty or otherwise for more p<sup>r</sup>fect or better co<sup>v</sup>cying & assureing the sd messuage, Lande, & tenem<sup>t</sup>  
36 w<sup>h</sup> th<sup>app</sup>'ce Land all the other the p<sup>r</sup>misses, to the said Will. Swinburn or his heires as shal[be] reasonably advised,  
37 and devised by the learned counsell in the Law of the said Will. Swinburn his heires or assignes so that  
38 the said John Shaftoo or and his heirs be not co<sup>p</sup>elled fo<sup>r</sup> effecting the same, [be not co<sup>p</sup>elled] to travell any [ [ ] words crossed through]  
39 of the county of Northumberland or furth<sup>r</sup> the city of [Newham]. In wittnes whearof the said pties have  
40 Interchangeably sett to their hand & seales the Daye & yeare first above written. Ansq' dm. 1625.

41 John Shafto

[ZC-2-1-p7B]