

Thornton Latin 33 3022

1. hec indentura testatur quod cum Rogerus Westiby de Bonyngtona par cartam suam nupar dedit concessit et confirmavit Petro de Thorp de Eborum Draper heredibus
2. et assignatis suis imperpetuum duo messuagia et septem bovatas terre cum pertinencijs suis que predictus Rogerus nupar habuit de dono et feoffemento gerardi de Brunneby civis
3. Eborum et Willelmi de Brunneby de Eborum capellani in villa et territorio de Thorntona in the Strete prout in predicta carta feoffementi inde confecta plenius
4. continetur, predictus tamen Petrus vult et pro se heredibus et assignatis suis per presentes concedit quod si dictus Petrus heredes et assignati sui pacifice habeant et
5. teneant predicta duo mesuagia et septem bovatas terre cum pertinencijs suis a die confeccionis presencium usque ad finem quinque annorum proximorum sequencium plenarie
6. completorum sine calumpnia placito vel demanda predicti Rogeri vel heredum suorum seu alterius cuiuscumque et quod predictus Rogerus heredes vel executores sui solvat
7. vel solvant prefato Petro heredibus vel executoribus suis aut suo certo attornato apud Eborum viginti libras sterlingorum videlicet decem libras ad festum nativitatis
8. beati Johannis Baptiste proximum futurum post datum presencium et decem libras ad festum natali domini tunc proximum sequens. Et eciam quod quandocumque prefatus Rogerus
9. vel aliquis alius nomine suo fideliter solvat prefato Petro heredibus vel executoribus suis aut suo certo attornato apud Eborum quadraginta marcas
10. sterlingorum infra terminum triginta annorum proximorum sequencium post predictos quinque annos elapsos et plenarie completos ita quod predictus Petrus heredes et assignati sui
11. habeant et teneant predicta duo mesuagia et septem bovatas terre cum pertinencijs suis toto termino predictorum triginta annorum quousque predicte quadraginta
12. marce dicto Petro heredibus vel executoribus suis in forma predicta plenarie fuerunt persolute quod extunc predicta carta feoffamenti cum seisina inde liberata pro nulla

13. habeatur ac omni robore careat et effectu vel etiam si predictus Petrus heredes et assignati sui habeant pacifice et teneant predicta duo mesuagia et septem
14. bovatas terre cum pertinencijs suis a die confeccionis presencium usque ad finem triginta et quinque annorum proximorum sequencium plenarie completorum et quod dictus Rogerus
15. heredes vel executores suis aut aliquis alius nomine suo fideliter solvant vel solvat dicto Petro heredibus vel executoribus suis aut suo certo
16. attornato apud Eborum predictas viginti libras ad terminos superius nominatos ut predictum est quod extunc lapsis predictis triginta et quinque Annis et
17. plenarie completis et solutis predictis viginti libris in forma prescripta predicta carta feoffamenti cum seisina inde liberata careat omni robore et virtute
18. pro nulla habeat ac etiam dicto Rogero vel heredibus suis reliberatur et restituatur Et si predictus Rogerus defecerit in solucione predictarum viginti librarum in parte vel
19. in toto modo et forma supradicta solvendarum aut etiam quod predictus Petrus heredes et assignati sui predicta duo mesuagia et septem bovatas terre cum
20. pertinencijs suis usque ad finem predictorum quinque annorum proximorum sequencium datum presencium pacifice non habuerint et tenuerint in forma predicta vel etiam dictus
21. Rogerus heredes et executores sui defecerint in solucione quadraginta marcarum infra terminum predictorum triginta annorum proximorum post predictos quinque annos
22. elapsos et plenarie completos dicto Petro heredibus vel executoribus suis in forma predicta solvendarum et dictus Petrus heredes et assignati sui predicta duo
23. mesuagia et septem bovatas terre cum pertinencijs suis usque ad finem predictorum triginta et quinque annorum plenarie ut premittitur completorum in forma
24. predicta pacifice non habuerunt et tenuerint quod tunc dicta carta feoffamenti cum seisina inde liberata penes dictum Petrum heredes et assignatos

25. suos in suis robore et virtute stet et permaneat. Et si predicte viginti libre dicto Petro heredibus vel executoribus suis in forma predicta plenarie fuerint
26. persolute et predictus Petrus heredes seu assignati sui tenuerit seu tenuerunt predicta duo mesuagia et septem bovatas terre cum pertinencijs suis ultra
27. terminum predictorum Triginta et quinque annorum extunc concedit predictus Petrus pro se heredibus et assignatis suis post finem predictorum triginta et quinque Annorum
28. plenarie completorum annuatim reddere prefato Rogero heredibus vel assignatis suis decem libras sterlingorum ad terminos Pentecoste et sancti martini in
29. yeme per equales porciones pro quo quidem redditu si extunc a retro fuerit in parte vel in toto ad aliquem terminum bene licebit prefato Rogero
30. heredibus vel assignatis suis in omnibus predictis terris et tenementis cum pertinencijs suis distringere et districciones inde ducere fugare asportare et penes se
31. retinere quousque de predicto redditu et de arreragijs si que fuerint dicto Rogero heredibus et assignatis suis plenarie fuerint satisfactum In cuius
32. rei testimonium partes predicte sigilla sua partibus huius indenture alternatim apposuerunt. Datum apud Eborum die veneris in festo sancti Gregorij pape
33. Anno domini millesimo trecentesimo sexagesimo sexto. Et regni Regis Edwardi tercij post conquestum quadragesimo primo.

Thornton English 33

1. This indenture witnesseth that whereas Roger Westiby of Bonyngton by his charter lately gave, granted and confirmed to Peter de Thorp of York Draper with his heirs
2. and assigns in perpetuity two messuages and seven bovates of land with their appurtenances that the aforesaid Roger lately had by gift and enfeofment from Gerard de Brunneby citizen
3. of York and from William de Brunneby of York chaplains in the town and territory of Thornton in the Strete as is contained in the aforesaid charter of enfeofment thence made more fully
4. however the aforesaid Peter wishes and for himself his heirs and assigns by presents he grants that if the said Peter his heirs and assigns should have and
5. should hold the aforesaid two messuages and seven bovates of land with their appurtenances from the day of the drawing up of the presents until the end of five years next following fully
6. completed without challenge plea or demand of the aforesaid Roger or his heirs or whichever of either of them and that the aforesaid Roger his heirs or executors pay
7. or they should pay to the aforementioned Peter his heirs or executors or to his reliable attorney at York £20 sterling that is to say £10 at the feast of the nativity
8. of the Blessed John the Baptist next in the future after the date of these presents and £10 at the feast of the birth of the Lord then next following. And also that whenever the aforementioned Roger
9. or any other in his name faithfully should pay to the aforementioned Peter his heirs or executors or his reliable attorney at York forty marks
10. sterling within the term of thirty years next following after the aforesaid five years having elapsed and fully completed on condition that the aforesaid Peter his heirs and assigns
11. should have and should hold the aforesaid two messuages and seven bovates of land with their appurtenances entirely until at the end of the aforesaid thirty years the aforesaid forty
12. marks to the said Peter to his heirs or executors in the aforesaid form were completely paid in full that from then the aforesaid charter of enfeofment with seisin thence delivered should count for nothing

13. and should lack all strength and effect or also if the aforesaid Peter his heirs and assigns have and hold peacefully the aforesaid two messuages and seven
14. bovates of land with their appurtenances from the day of the drawing up of these presents until the end of the five and thirty years next following fully complete and that the said Roger
15. his heirs or executors or any other in his name faithfully should pay or one should pay to the said Peter his heirs or executors or to his reliable
16. attorney at York the aforesaid £20 at the terms above named as was aforesaid and that from then with the aforesaid five and thirty years having elapsed and
17. fully completed and with the aforesaid £20 having been paid in the prescribed form, the aforesaid charter of enfeoffment with seisin thence delivered should lack all strength and virtue
18. and should count for nothing and also to the said Roger or to his heirs should be handed back (i.e. the charter) and restored And if the aforesaid Roger should have defaulted in payment of the aforesaid £20 in part or
19. in total now and in the aforesaid form to be paid or also that the aforesaid Peter his heirs and assigns the aforesaid two messuages and seven bovates of land with
20. their appurtenances until the end of the aforesaid five years next following the date of these presents peacefully they should not have nor hold in the aforesaid form (i.e. the messuages and bovates) or as well the said
21. Roger his heirs and executors should have defaulted in payment of forty marks within the term of the aforesaid thirty years next after the aforesaid five years
22. elapsed and fully completed to the said Peter his heirs or executors in the aforesaid form to be paid and the said Peter his heirs and assigns, the aforesaid two
23. messuages and seven bovates of land with their appurtenances until the end of the aforesaid five and thirty years fully as is mentioned completely in the aforesaid form
24. peacefully they should not have nor hold that then the said charter of enfeoffment with seisin thence delivered into the possession of the said Peter his heirs and assigns

25. in its strength and virtue should stand and remain. And if the aforesaid £20, to the said Peter his heirs or executors in the aforesaid form will not have been entirely
26. paid in full and the aforesaid Peter, his heirs or assigns, should have held or they should have held the aforesaid two messuages and seven bovates of land with their appurtenances beyond
27. the end of the aforesaid five and thirty years from then grants to the aforesaid Peter for himself his heirs and assigns after the end of the aforesaid five and thirty years
28. fully completed to render annually to the aforementioned Roger his heirs or assigns £10 sterling at the end of Pentecost and St Martin in
29. winter by equal portions for which indeed payment if from then it would have been in arrears in part or in whole at any term it will be allowed to the aforementioned Roger
30. his heirs or assigns in all the aforesaid lands and tenements with their appurtenances to distrain, and the distrains then led away driven away carried away and to retain in his possession
31. until as for the aforesaid payment and as for the aforesaid arrears if those should be made fully satisfied to the said Roger his heirs and assigns
32. in testimony of which matter the aforesaid parties have affixed their seals alternately to the parts of this indenture. Dated at York on the Friday of the feast of St. Gregory the Pope in the year of the Lord 1366 And in the forty first year of the reign of King Edward the third after the Conquest.

(Feast day of Pope Gregory 12th March)