

V.

ON A DEED RELATING TO JOHN EVELYN, Esq.

By WILLIAM HENRY HART, Esq., F.S.A.

IN my paper on the Churchwarden's Accounts for the parishes of Seal and Elstead, in this county, reference is made to the father of the celebrated John Evelyn, viz. Richard Evelyn, whose signature is attached to one of the accounts of the overseers of the poor for Seal parish. I am fortunate in possessing a deed under the hand and seal of this Richard Evelyn, whereby he makes certain provisions for the advancement of his sons John and Richard; and as this document is historically interesting, I append a transcript, together with a facsimile of the signature.

THIS INDENTURE made the Sixteenth day of June in the Eleaventh yere of the Raigne of our Soveraigne Lord Charles by the grace of God of England Scotland France and Ireland Kinge Defendor of the Faith &c. Betweene Richard Evelyn of Wootton in the County of Surrey esquier on thone partie and Robert Hatton of the Midle Temple London esquier and George Duncumbe of Albury in the said county of Surrey esquier on thother partie WITNESSETH that the said Richard Evelyn for the naturall love and affecc'on which he beareth to John Evelyn gentleman his second sonne and Richard Evelyn his yongest sonne and for

their better advancement and preferment in tyme to come, and to thintent the Landes Tenements and hereditaments aftermenconed may goe remayne and be To the uses intents and purposes herein and hereby lymitted expressed and declared Under and uppon the Provisoe and condic'on aftermenc'oned Doth covenant and graunt for him his heires executors and assignes to and with the said Robert Hatton and George Duncumbe their heires and assignes by theis p'nts in manner and forme following, that is to say, That he the said Richard Evelyn and his heires and all and every other person and persons which now doe or hereafter shall stand or be seized of or in all those landes tenements and hereditaments with thapp'ten^ances called or knownen by the name or names of Old Mawling or by any other name or names whatsoever conteyneing by estimac'on threescore acres scituat lying and being in Sowth Mawling in the county of Sussex now or late in the tenure or occupac'on of Thomas Trayton gentleman or of his assignes, and of or in any other landes tenements or hereditaments in South Mawling aforesaid late purchased by the said Richard Evelyn of and from John Levett George Levett and Arthur Levett or of any or either of them Of or in any estate of Inheritance either in possession Revere'on use or Remaynder shall and will for ever hereafter stand and be seized thereof and of every part and parcell thereof with thapp'ten^ances and of the messuage barne and buyldinges uppon the landes first menc'oned scituat and standing and of all woodes underwoodes and trees comons wayes easements passages proffits comodityes and apptennces to the said Landes and p'misses before menc'oned and every any or either of them belonging or app'teyneing or now or heretofore accepted reputed

taken or knowen leased used occupied or enioyed as part parcell member or belonging of or to the same or of or to any part or parcell thereof, and of the Revercōn and Revere'ons Remaynder and Remaynders thereof and of every part and parcell thereof To and for thuses intents and purposes after in and by theis p'nts lymitted expressed and declared Under and uppon the Provisoe and Condie'on after in these p'nts menc'oned and to or for noe other use or uses intent or purpose, that is to say, TO THUSE and behooffe of the said Richard Evelyn partie to theis p'nts for and dureing the Terme of his naturall lief without ympeachment of wast And after his decease To thuse and behoof of the said John Evelyn and the heires males of his body lawfully to be begotten and for want of such yssue To thuse of the said Richard Evelyn the sonne and of the heires males of his body lawfully to be begotten And for want of such yssue To thuse and behooffe of George Evelyn gentleman sonne and heire apparant of the said Richard Evelyn partie to theis p'nts and of the heires males of his body lawfully to be begotten And for want of such yssue To thuse of the heires of the body of the said Richard Evelyn party to theis p'nts begotten and to be begotten And for want of such yssue To the use of the right heires of George Evelyn esquier deceased late Father of the said Richard Evelyn partie to theis p'nts for ever and to or for use other use or uses intent or purpose PROVIDED allwayes that yf the said Richard Evelyn partie to theis p'nts shall at any tyme or tymes hereafter dureing his naturall lief by any wryting to be sealed and subscribed by him the said Richard Evelyn party to theis p'nts in the presence of twoe Credible wittnesses or by his last will and testament in wryting

subscribed and published in manner as aforesaid Revoke or make voyd or publish expresse or declare his mynd and meaneing to be to Revoke or make voyd this present Indenture or any the use or uses herein or hereby lyMITTED either of for or concerneing all the said Landes and pmisses or of for or concerneing any or either of them or of any part or parcell of them or of any or either of them That then and from thenceforth this Indenture and the use and uses estate and estates herein and hereby lyMITTED expressed or declared as to such and soe many of the said Landes and premisses whereof any estate or estates use or uses shalbe revoked or made voyd or declared or intended as aforesaid to be revoked or made voyd shall cease determyne and be utterly made voyd And that then and from thenceforth the said Richard Evelyn Robert Hatton and George Duncumbe and every of them and their and every of their heires and all and every other person and persons which now doe or hereafter shall stand or be seized of such of the said Landes and premisses whereof any estate or estates use or uses before in and by theis p'nts lyMITTED shalbe soe revoked or made voyd or declared or intended to be revoked or made voyd To and for such other use and uses estate and estates intent and purpose as the said Richard Evelyn partie to theis p'nts shall by his last will or by any other wryting to be sealed and subscribed before Twoe sufficient and credible wittnesses as aforesaid lyMITT or appoynt the same And that from and after such new use or uses lyMITACON and appoyntment shall end and determyne Then to and for thuse and behooffe of the said Richard Evelyn partie to theis p'nts and of his heires for ever and to or for noe other use or uses intent or purpose This Indenture or any-

thinge herein conteyned to the contrary in anywise notwithstanding IN WITTNES whereof the partyes first abovenamed to theis present Indentures Interchangably have sett their handes and seales the Day and yere first above wrytten 1635.

Richard Evelyn

Sealed and delyv'ed in the presence of

JOHN ROWE

HENR BALDWIN

WILLIAM WILDING

RICHARD HEIGHAM.