

Indenture between James Auchmuty and Francis Savage 2nd December 1740

This Indenture made the 2nd day of December in the year of our Lord 1740 between the Reverend **James Auchmuty** Dean of Ardmagh of the one part and **Francis Savage** of Longtown in the county of Kildare esq of the other part

Whereas by indented Deeds of Lease and Release bearing respectively the 10th and 11th days of May in the year of our Lord 1738 and made between **Charles Hamilton** of Killnecarrow in the county of Longford gent and **Anthony Hamilton** of the same gent eldest son and heir apparent of the said **Charles Hamilton** of the one part and the said **James Auchmuty** of the other part by which said Deed of Release the said **Charles Hamilton** and **Anthony Hamilton** in consideration of the sum of £1,320 sterling to them in hand paid by the said **James Auchmuty** they the said **Charles Hamilton** and **Anthony Hamilton** and each of them did grant bargain sell alien remise release and confirm unto the said **James Auchmuty** and to his heirs and assigns

All that and those the town and lands of Aghaga containing by estimation 141 acres, 1 rood and 10 perches or thereabouts profitable land plantation measure be the same more or less of Killnecarrow 124 acres profitable land plantation measure be the same more or less situate lying and being in the Barony of Longford and county of Longford aforesaid, Smear 295 acres 2 roods profitable land plantation measure be the same more or less and Crott otherwise Crutt 262 acres 3 roods and 20 perches profitable land plantation measure be the same more or less both situate lying and being in the Barony of Granard and county of Longford together with all and singular the rights members and appurtenances to the said lands and premises or any part or parcel thereof belonging or in any wise appertaining

To have and to hold all and singular the said lands and premises with their and every of their appurtenances to the said **James Auchmuty** his heirs and assigns to the only use and behoof of the said **James Auchmuty** his heirs and assigns for ever

Now this Indenture witnesseth that the said **James Auchmuty** for and in consideration of the sum of £1,000 sterling to him in hand paid by the said **Francis Savage** the receipt of which sum the said **James Auchmuty** doth hereby acknowledge and thereof and there from doth acquit release and discharge the said **Francis Savage** his executors administrators and assigns hath granted bargains sold alien remise released and confirmed and by this presents doth grant bargain sell alien remise release and confirm unto the said **Francis Savage** (in his actual possession now being by virtue of a bargain and seal to him thereof made by the said **James Auchmuty** for the term of one whole year in consideration of 5s. sterling by Indenture bearing date the day next before the day of the date of these presents and by force and virtue of the statute for transferring uses into possession) and to his heirs and assigns

All that and those the said town and lands at Aghaga containing by estimation 141 acres 1 rood and 10 perches or thereabouts profitable land plantation measure be the more or less Killnecarrow 124 acres profitable land plantation measure be the same more or less situate lying and being in the Barony of Longford and county of Longford aforesaid Smear 295 acres 2 roods profitable land plantation measure be the same more or less and Crott otherwise Crutt 262 acres 3 roods and 20 perches profitable land plantation measure by the same more or less both situate lying and being in the Barony of Granard and county of Longford together with all rights members and appurtenances to the said recited premises or any part or parcel thereof belonging or appertaining as also the said recited Indenture

To have and to hold all and singular the said recited lands and premises and every part and parcel thereof with their appurtenances together with the said recited Indenture unto the said **Francis Savage** his heirs and assigns to the only use and behoof of the said **Francis Savage** his heirs and assigns forever

provided always and these presents are upon this express condition that if the said **James Auchmuty** his heirs executors administrators or assigns shall well and truly pay or cause to be paid unto the said **Francis Savage** his executors administrators or assigns the said sum of £1,000 sterling at or upon the 3rd day of March next ensuing the date of these presents together with the lawful interest thereof that then not only these presents but also one Bond with warrant of attorney to confess judgement thereon of the penalty of £2,000 sterling conditioned for the payment of the said sum of £1,000 entered into and perfected by the said **James Auchmuty** to the said **Francis Savage** and bearing equal date with these presents shall cease determine and be absolutely void anything in these presents to the contrary thereof in any wise notwithstanding

And the said **James Auchmuty** doth for him his heirs and assigns covenant grant to and with the said **Francis Savage** his executors administrators and assigns that he the said **James Auchmuty** his heirs and assigns shall and will well and truly pay or cause to be paid unto the said **Francis Savage** his

executors administrators and assigns the said sum of £1,000 sterling upon the said 3rd day of March next ensuing together with the lawful interest thereof

And also that he the said **James Auchmuty** hath in himself full power and lawful and absolute authority to grant and convey the said lands and premises unto the said **Francis Savage** his heirs and assigns in manner aforesaid

And further that he the said **James Auchmuty** his heirs and assigns and all and every other persons person whatsoever having or lawfully claiming any estate right title or interest of in or to the said premises or any part thereof by from or under him them or either of them shall and will from time to time and at all times hereafter within the space of 7 years from the date hereof upon the reasonable request and at the costs and charges of the said **Francis Savage** his heirs or assigns make do and execute or cause or procure to be made done and executed all and every such further and other lawful and reasonable grants acts and assurances in the law whatsoever for the further better and more perfect granting conveying and assuring of all and singular the said premises and every part and parcel thereof with the appurtenances unto the said **Francis Savage** his heirs and assigns according to the true intent and meaning of these presents as by the said **Francis Savage** his heirs or assigns or his or their Council learned in the law shall reasonably devised or advised and required

In witness whereof the parties to these presents have hereunto set their hands and seals the day and year first above written

Ja. Auchmuty **Francis Savage**

(Wilts & Swindon Record Office) Ref: 1040/101

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Also Antony Hamilton agrees to convey in trust to the trustees the lands of: Killnecarrow containing 124 plantation acres (201 statute) and Aghaga containing 141 plantation acres (248 statute) both in the Barony of Longford and the lands of Smear containing 295 plantation acres (418 statute) and Crott alias Crutt containing 262 plantation acres (324 statute) both in the Barony of Granard. Which were **leased on 11th May 1738 by the Rev James Achmuty, Dean of Armagh**, to Charles Hamilton, deceased, father of Antony Hamilton for the lives of: Charles Hamilton (the father) Antony Hamilton his son and William Hamilton his second son at a rent of £66. Signed: Ant Hamilton; Edwd Bomford; Catherine Bomford; James Tyrrell.

www.bomford.net/IrishBomfords/Chapters/Chapter8