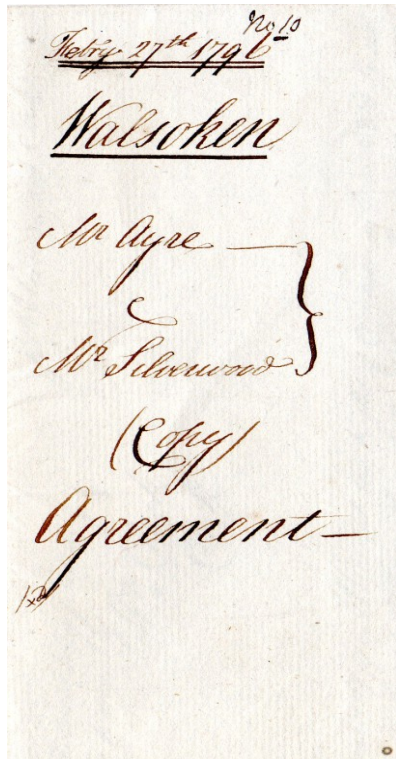


## Agreement between Ayre and Silverwood 1796



# Articles of Agreement

made the twenty seventh day of Feburay in the year of our Lord one thousand seven hundred and ninety six Between John Ayre of Wisbech Saint Peters in the Isle of Ely Gardener of the one part and Joseph Silverwood of King's Lynn in the County of Norfolk Liquor Merchant of the other part as follows (viz)

First the said John Ayre in consideration of the sum of one hundred pounds to be paid as hereinafter mentioned doth hereby for himself his Heirs Executors and Administrators covenant promise and agree to and with the said Joseph Silverwood his Heirs and Assigns that he the said John Ayre and his heirs and all Persons having any right or interest in the Messuage or Tenement & Common Right hereinafter mentioned shall and will with a good Title & free of all in cumbrances when and as soon as an Act of Parliament is obtained for dividing inclosing and draining Marshland Smeeth and Fen and when and as soon as a Common Rights thereon is allow'd under the said Act and the same can be ascertained well and sufficientlly convey and assure or cause to be conveyed and assured unto and to the use of the said Joseph Silverwood his Heirs and Assigns unto such other Person or

Persons as he or they shall direct or appoint All that the Right of common on Marshland Smeeth and Fen and also on the Common of Walsoken belonging or appurtenans to a Messuage in Walsoken in the said County of Norfolk in a field there called Little East Field near the Turnpike Road belonging to the said John Ayre and now in the several occupations of John Hodson Leonard Gibson and [space] with all and singular the privileges to the said Rights belonging and all benefit and advantage thereof from henceforth And the said Joseph Silverwood doth hereby for himself his Heirs Executors and Aministrators covenant promise and agree to and with the said John Ayre his Heirs and Assigns that he the said Joseph Silverwood his Heirs Executors or Administrators shall and will well and truly pay or cause to be paid to the said John Ayre his Heirs or Assigns the said sum of one hundred pounds of lawful money of Great Britain in full for the absolute of the said Right of Common in case a full and complete right of Common or Marshland Smeeth and Fen is allowed in proportion and value as to other Commonable Messauges in Marshland having Rights of common on the said smeeth and fen and on having the same allowed by the Commissioners under the said Act and when the same Right is set out and ascertained and on having a good and sufficient Conveyance and assurance thereof as aforesaid And Also that the said Joseph Silverwood his heirs ExorsAdmons or Assigns shall pay all costs and charges that ny be incurred in respect of the said rights hereby contracted in obtaining an Act of Parliament for dividing inclosing and draining the said Smeeth and Fen Provided and it is hereby declared and agreed between the said parties that in case a full claim or Right of Common on the said Smeeth and Fen is not established by the said John Ayre his Heirs or Assigns and allowed by the Commisioner who may be appointed under the said Act in respect of and to the case Messuage in the same proportion and manner as to Commonable Messauges in Marshland Then this Agreement shall be void And Lastly for the true performance of this Agreement each of the said Parties vindeth himself his Hrirs Executors and Administrators unto the other of them his Heirs Executors and Admons in the penal sum of one hundred pounds sterling

In Witness whereof the said Parties have hereunto set their hands and seals the day and year first above written

Sealed and Delivered (being duly stampd)  
in the presence of Wm. Clark  
Clark

Jno Ayre  
Josh Silverwood

16<sup>th</sup> December 1797 **Whereas** the Rights of Common on Marshland Smeeth and Fen mentioned in the within written Agreement has been objected to by some person or persons and the within named Joseph Silverwood being apprehensive that the said Right may be absolutely rejected hath declared the same to the within named John Ayre who upon the consideration of the Premises and of the expence the said Joseph Silverwood may be put unto in endeavouring to establish the said Rights **Hath** agreed and **Doth** hereby agree that in case the said Right of Common is duly established and all owed that the Purchase money of fifty pounds only shall be paid to him the said John Ayre or his Heirs by the said Joseph Silverwood when of the sum of one hundred pounds consideration money within mentioned **In Testimony** whereof the said Parties have hereunto subscribed their names the day and year first above written

Witness

*Robert Gee junr.*

John Ayre  
Joseph Silverwood