



Be it known to all men by these presents me Joseph Jobister eldest lawd
son to Adam Jobister mercht in Stromness, procreat betwixt him
& y^e deceased Elizabeth Johnston his first spouse my mother for as much
as the deceased Helen Manson spouse to y^e also deceased George Dallas mercht
in Stromness who was heretible proprietrie of y^e ground underwriten wth y^e spe-
ciall advice & consent of y^e sd George her husband & he for himself, his own right
& interest, wth y^e speciall advice & consent of y^e sd Helen Manson his spouse, & as taking
burden in & upon him for her, & they both with one unanimous advise consent and
assent by their heretible bond subscribed by ym of the date at Stromness the
last day of June 1617 & eight years granted ym wth advice & consent forsd
befor & at the making y^e of, to have borrowed & roed from y^e sd Adam Jobister
& Elizabeth Johnston my father & mother all & haill y^e soume of one hundred
pound scots money, in security of y^e qth soume y^e sd Helen Manson with
advice & consent of her sd husband, & he y^e sd George Dallas wth consent and
advice of his sd spouse, & as burden taker for her as said is, & they both with one
unanimous advise consent & assent band & oblidge ym, y^e heirs & successors, wth all
convenient diligence noot after y^e date y^e of to duly lawfully & sufficiently in soft and
safe by charter & seasing titulo oneroso wth procept & instrument of seasing follow-
ing y^e upon y^e sd Adam Jobister & Elizabeth Johnston my father & moyr, & y^e heirs
of soever procreat or to be procreat betwixt ym heretibly under reversion in manner
y^e in, & after mentioned in all & haill y^e their than piere of waist ground lying and
bounded in manner y^e in & after specified, viz: bounded from James Turnbull and
Wm. Melvills marches on y^e south & northwards eleven fathoms, & from y^e road
above y^e shore on y^e east, to Oliver Smiths marches on y^e west, ly and at y^e shore
side of Stromness, mainland, late Bishoprick, & now stewardrie & sherrifdom of
Orkney, & y^e by tuo severall infeftments & manner of holdings in manner contained in
y^e sd heretible bond by qth mysd father, & deceased moyr, and y^e heirs procreat be-
twixt ym were ym at y^e granting y^e of impowered to enter to y^e peaceable pos-
session of y^e forsd than piere of waist ground, & to build houses & yards y^e upon
& to uplift the rents & dutys y^e of in satisfaction to ym of y^e rents of y^e sd printh
soume, & for payt to ym of y^e publick burdens y^e should be imposed y^e upon (if
any publick burdens & taxations should happen to be imposed upon y^e samen)
and y^e yearly during y^e not redemption y^e of, provyding always, like as it is
thereby expressly provyded, y^e y^e forsd ground, houses and yards y^e to be built
y^e upon, should be reddeemable & under reversion by y^e sd George Dallas and
Helen Manson spouses, and theirs therein named from mysd father & deceased
mother, & their forsd at any foast and term of Whilsonday or Martinmas after
expiring of the term of whilsonday in y^e year of God 1617
Joseph Jobister

years

by payt, or lawfull consignation of the sd principall soume of one hundred
pound scots money, w^{ch} what soume or soumes of money my said fath^r and moyr
and their forsaids should happen to waik out & depend in building
houses & yards upon y^e forsd ground conform to an appropriation and
comprysment to be made y^e of befor redemption, together wth the expenses
of writing & perfyting y^e sd heretab^l bond, and insoftment following
y^e ruysson hail & together in one soume, the place of redemption and
consignation to be in manner mentioned in y^e sd heretab^l bond, as the
samen containyng claus^e of absolute warrandis & prescript of seazine in
the end y^e of, w^{ch} severall oyr claus^es regrd in y^e stewart Court books of Orkney
in it self at gr^{er} length proports, in and to y^e g^{er} ground, houses, and yards
built y^e upon, & soume of one hundred pound scots money, & oyr soums due y^e upon, of the
sd Joseph Jobister as the only child procreat betwixt y^e sd Adam Jobister, & the
deceased Elizabeth Johnston his spouze my moyr, have y^e only right, after the decease
of my sd father, q^hsoever the samen shall happen, and can make & grant the
right underwritten. And now being & have already been for these severall years
bygone abroad, and am yet resolved by Gods strength, to go & try my fate in
the world, & knowing perfectly weel y^t y^e sd soume of one hundred pound scots
and oyr soumes y^t were expended, on building y^e houses & yards, y^t are now built
and planted upon y^e sd ground was y^e proper money belonging to my sd deceased
moyr, as her dote & tocher, & having no neerer friend on my mothers side, than
John Johnston mercht in Stromness my uncl^e, who has already purchased the
heretab^l right & property of the sd ground, houses & yards, from y^e sd deceased
Helen Manson, & to whom I own my self very much oblidge^d, considering y^t
he for a considerable time in my younger years, did mantain, inlertain, and
educate me in bed board, & at school gratis, wthout any good deed, payt or reward
and also for severall oyr onerous causes, great respects, & good considerations
moving me hereunto, With y^e me, to have sold, assigne^d & dispone^d, Likeas & by
the tenor hereof (in case it shall please God y^t I shall happen to depart this
mortall life abroad, wthout having heirs lawfully begotten of my own body)
sell, assign, transferr & dispone from me, & all oyr^s my heirs & assigneys of some
ever, the heirs lawfully to be begotten of my own body, if any be, being disp^led
to and in favours of the sd John Johnston his heirs and assigneys of soever,
all right, title, interest, & claim of right of soever, q^h I have, or may have
claim, or pretend in and to y^e forsd ground, houses yards & oyr^s built
and planted y^e upon, lying and bounde^d in manner forsaid, but prejudic^e
always to y^e sd Adam Jobister my father to br^{uik} & enjoy the samen
~ ~ ~ ~ ~ Joseph Jobister

during all y^e days of his lifestome, and further w^{ill} y^e me for the
reasons and causes forsaid to have made and constitute, like as by
the tenor hereof in the case forsaid, make, nominate, constitute and
appoint the said John Johnston and his forsaids my lawfull execu-
tors and assignees in and to the said soume of one hundred pound
scots money contained in the said heretable bond, and in and to the
haill other soums, that my said father and deceasid mother have
waired out and expended in building the houses and yards
built and planted by them upon the forsaid ground and otherways
waired out by them for writing the said heretable bond and paying
infestment thereupon if any be passed, and like says in and to the
said heretable bond it self, laws of warrandice therein con-
tained and haill clauses, oblidgements, tenor and contents of
the same, with all that has followed or may follow thereupon
surrogating and substituting him and them in my full right
and place thereof, with full power to the said John Johnston and
his abovenamed (in case j shall happen to die abroad without
having heirs lawfully begotten of my own body, as said is) imme-
diately after the decease of my said father to enter to the
possession of the houses, yards, and others built and planted upon
the forsaid ground, and to the uplifiting of the rents and duties
thereof, and if need bees to call, follow, charge, and pursue therefor
as accords of the Law and generally to do all other things anent
the premisses suchlike and as freely as I might do my self if I wer
present or in life, provyding always, like as it is hereby specially
provvyded and declared yt y^e sd John Johnston shall be bound and
oblidged, like as he by acceptation hereof binds & oblidges him his heirs
and successors, in case it shall please God that j shall happen to return to
this country, or shall have heirs whither male or female lawfully begotten
of my own body immediately after my return, or after my said lawfull
heirs begotten of my own body as said is shall appear, to reppone and ret-
=cess me in the right of the sd heretable bond, soums of money therein

~ ~ ~ ~ ~ Joseph Isbester

