Land Indenture  
Cambridge, England  
1779  
Box 14, Folder 1, M19 Report

**CONDITION OF THE DOCUMENT AND HAND**

It is written on one piece of parchment with pen and ink in the secretary hand. It is folded into twelve squares. Three folds run down the indenture, dividing the length into fourths. Thereafter it is folded into thirds across the width of the document. The seal of authenticity is still intact.

The document is fairly well preserved and legible. The exception to the legibility is found in the creases left by folding the document. There, some of the letters are worn away, appearing very light.

**GLOSSARY OF TERMS** (All terms have been taken from the Oxford English Dictionary\(^1\) unless otherwise noted.)

*Acquittance:* “A document showing that a debt has been paid; a receipt in full, barring further demand for payment; a written or printed release.”

*Adjudged:* “To grant, bestow, or impose by judicial sentence, or following a similar legal or official process; to award, to assign.”

*Alienating:* “Transferring to other ownership.”

*Amercement:* “One imposed on an offender at the discretion of the court of his or her lord, as opposed to a statutory fine.”

*Annuity:* “The grant of an annual sum of money, for a term of years, for life, or in perpetuity.”

*Appurtenance:* “A thing that belongs to another, a ‘belonging’; a minor property, right, or privilege.”

Arrearage: “Items overdue, outstanding amounts, arrears; esp. moneys overdue; debts.”

Assignees: “One to whom a right or property is legally transferred or made over.”

Assurance: “The securing of a title to property.”

Bargain: “To treat with any one as to the terms which one party is to give, and the other accept, in a transaction between them.”

Behoope: “Use, benefit, advantage.”

Chandler: “One whose trade it is to make or sell candles.”

Conveyance: “The transference of property (especially real property) from one person to another by any lawful act.”

Dower: “The portion of a deceased husband's estate which the law allows to his widow for her life.”

Easement: “Something that serves for an assistance or convenience; ex. accommodation in or about a house, as rooms, sheds, or farm buildings.”

Emoluments: “Profit or gain arising from station, office, or employment; salary.”

Encumbrance: “A burden on property.”

Enseal: “To affix a seal to (a document); to attest or confirm by sealing.”

Enfeoffe: “To invest with a fief; to put (a person) in possession of the fee-simple or fee-tail of lands, tenements, etc.”

Entail: “The settlement of the succession of a landed estate, so that it cannot be bequeathed at pleasure by any one possessor; the rule of descent settled for any estate.”

Exonerate: “To relieve from anything burdensome, a duty, obligation, payment, task, etc.”

Fee simple: “An estate in land belonging to the owner and his heirs forever, without limitation to any particular class of heirs. In absolute possession.”
Fee tail: “An estate of inheritance entailed or limited to some particular class of heirs of the person to whom it is granted; a limited fee.”

Feofement: “Applied to the particular mode of conveyance (originally the only one used, but now almost obsolete) in which a person is invested with a freehold estate in lands by livery of seisin.”

Fyne: “To pay a fine on the renewal of tenure.”

Indemnify: “To secure against legal responsibility for past or future actions or events.”

Inure: “In or into use, practice, or performance.”

Intrusion: “The action of thrusting oneself into a vacant estate or ecclesiastical benefice to which one has no title or claim.”

Jointure: “The holding of an estate by two or more persons in joint-tenancy.”

Lease: “A contract between parties, by which the one conveys lands or tenements to the other for life, for years, or at will, usually in consideration of rent or other periodical compensation.”

Let: “Hindrance, stoppage, obstruction.”

Maulthouse: “A Brewhouse.” Both baking and brewing posed significant fire danger at that time. This meant it was often done in a separate building. This would account for the maulthouse, or brewery, referred to in the document. ²

Messuage: The word messuage is used throughout the indenture. A messuage included not only land, but a number of buildings on the land. Besides a home, the messuage might have a barn, stable, cowshed, shelter for pigs, small “houses” for chicken, geese, and ducks, a dovecote, garden and orchards.³

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³ Forgeng, 111-112.
Muniment: “A document, such as a title deed, charter, etc., preserved as evidence of rights or privileges; an archival document.”

Privity: “A relation between two parties that is recognized by law as a consequence of their mutual participation or interest in a transaction, covenant, tenure, lease, service, etc.”

Procurement: “The action or an act of causing, arranging, or bringing about.”

Recognizance: “A bond or obligation by which a person undertakes before a court or magistrate to perform some act or observe some condition such as to pay a debt.”

Reentry: “The act of retaking or repossessing lands, tenements, etc.”

Seize: “To put in possession.”

Tenement: “All forms of proprietorship or occupation of real property.”

Tenure: “The action or fact of holding a tenement.”
ABBREVIATIONS

“&” = &

“charters” (abbreviation mark over the word), ch[a][t]e[r]s

“cion” (abbreviation mark over con for modern day “tion”), c[i]on

considerac[i]on, occupac[i]on

“er” (Use of an ascender to denote “er”)

after the letter “v”, Sov[er]aigne, div[e]rse

after “c” c[e]rtaine

after “m” m[e]rchant

after “n” mann[e]r

“er” (Use of a superscript to denote “er”)

after “d” defend[e]r

“etc” etc.

“from” Abbreviation mark above the o, fro[m]

“gentleman” Abbreviated after the “l”, gentl[eman]

“ment” A superscript t indicates the missing “en” in tenem[en]t

“our” Abbreviated with a similar superscript, o[u]r

“pre” - pr[e]nts

“per” - p[er]formance

“par” - p[ar]ishe, p[ar]te

“pro” - p[ro]fitts

“rs” Ending a word is shown in superscript, executors

“that” Use of a thorn and superscript “t”, th[a]t

“the” Use of a thorn for “th” and superscript “e”
“the” Abbreviated with an apostrophe and connecting it to the following word, th’eld[e]r

“the” Using the superscript “th”, th[e] said

“with” Using superscript “th”, w[i]thout

“which” Using superscript “ch”, w[hi]ch

“William” An unusually abbreviation of just leaves of the m at the end, Willia[m]

“widow” An abbreviation mark through the two “d’s”, widd[ow]
ABSTRACT

This document is an indenture between John Lowry Senior (a Fishmonger in Cambridge) and George Edmonds (a gentleman in Cambridge). Prior to 14 February 1637/8, John Lowry paid 88 pounds to George Edmonds to settle the indenture previously made on 14 Dec 1634 between the two men. Unfortunately, we do not have the details of the 1634 indenture.

The latter indenture finalizes the transfer of a piece of property within the parish of St. Botolph, located in the town of Cambridge and county of Cambridgeshire. George Edmonds was selling rather than leasing the property to John Lowry. Because the property and its attached buildings were in an urban area, the land around it was carefully described, so as not to confuse it with other property George Edmonds owned. The property he was selling had been gifted to him by his Uncle William Edmonds and was then occupied by Abel Hawkins, a Chandler.

The description of the land around it was as follows:

[1] It was bordered to the east by the property referred to as the Cocke.

[2] It was bordered on the west by the property occupied by the widow Ann Scamps and several tenements on property previously owned by John Wright.

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4 The 13th year of the reign of Charles I was 1637. The change from the Julian calendar to the Gregorian by England in 1752 affects the days from January to March 25th. Taking this into consideration the date would actually be 14 Feb 1638.

5 The phrase “George Edmonds… doth for himselfe his heyres & assignees fully freely & absolutely bargaine sell give grant release infeoffe & confirme unto the said John Lowry his heyres & assignees forev[er]…” indicates this transfer was a sell rather than a lease.


7 This would account for Abel Hawkins signature on the documents as well as the description on the outside of the indenture.

8 The will of John Wright, dated 8 Oct 1631 gave “all my freehold tenements” in St. Botolph to his oldest son, William Wright. In that will it describes the property as “lying and being in the parish of St Buttolph in Cambr[idge] aforesaid in a certayne lane there call Wiss lane”.

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[3] It was border on the north by (1) the street that led from Botolph Church towards Newnham, (2) a garden ground between this messuage and the property occupied by the widow Ann Scamps measuring from east to west 21 yards in length⁹ and (3) the property of George Edmonds occupied by Stephen Rosse.

[4] It was bordered to the south by the maulthouse of the late John Durrants (Alderman of Cambridge towne).

Several stipulations were outlined. These properties and their various arrangements were to be completely transferred to John Lowry and his heirs by 1 May 1638. George Edmonds and his wife, Dorithea, also promised John Lowry that they would pay all reasonable costs and charges of the law that arose within the following five years pertaining to the sell. George and his wife were promised they would not have to travel further than the town of Cambridge to finish these arrangements. The indenture was signed by Josh Sedgwick, Abell Hawkins and George Edmonds.

ANALYSIS

It is helpful to know the historical background of England to more fully understand and appreciate document M-19 and the people mentioned within it. In 1637 King Charles had been in power for 13 years. The preceding century had been a time for political and religious change in England. The feudal age ended in the 1500s with the Tudors establishing a single monarchy. Henry VIII, part of the Tudors, initiated the break with Rome and Catholicism which helped the Protestant reformation.¹⁰ James I’s reign continued the religious turmoil.¹¹

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⁹ This was a system to standardize measurement and was set by the king.


¹¹ Forgeng, 8.
During George Edmonds’ lifetime, Charles I came into power in March 1625, after the death of his father, James I. His reign was also tumultuous. The king dissolved Parliament in 1629. In 1636, the year prior to this indenture, the National Covenant was signed by the Scots protesting changes Charles I was trying to make in their churches. This eventually led to the First Bishops War in 1639. There is an indication that George Edmonds may have been involved in the religious fervor.

The question is: On which side did George Edmonds stand? A document in England’s National Archives indicates that a George Edmunds of Cambridge was excommunicated from the church in May 1633 for failure to attend church. However, records from the “Booke of Accountes” of St. Botolph in Cambridge show a George Edmonds very much involved in the established church. He signed as a witness to the money spent by the church as well as making donations to the church beginning in 1613 and running through at least 26 March 1638. The records of St. Botolph in Cambridge show a George Edmonds very much involved in the established church.

Many other names mentioned in the indenture also appear in the “Booke of Accountes” which indicates it as a source more closely connected to the George Edmonds of indenture M-19 than the excommunicate George Edmunds. “Willm Edmondes,” the name of his uncle, served as church warden in 1602 and his burial is listed in the books in 1634. The indenture indicated he

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14 Cambridgeshire Family History Society, Miscellaneous Cambridgeshire documents from 1600, “Cambridge St Botolph’s Accounts 1600-1681” ([S.I.]: Cambridgeshire Family History Society, c2011) FHL CD ROM 7295.
had died before 1637. “John Wryght” was listed in 1602 as donating money to the parish; and in 1636 his death is referred to when listing his wife as “Widdo Wright late John Wrights wife.” The indenture referred to the “late John Wrights.” Goodman Cocke donated sox pence in 1602; and an entry saying “Item given to Cocke in the time of his sicknes” five shillings in April 1614. Cocke is the name of one of the properties mentioned. Finally, Abell Hawkins, who resided on the property George Edmonds was selling, also signed as a witness to money disbursed by the church from 1634 through at least March 26, 1638. This is another indication that the George Edmonds in the parish records is the same George Edmonds in M-19.

Class Structure and Occupations

There are two occupations mentioned in the indenture—fishmonger and gentleman. Occupation reflected the class structure you were in during the 1600s, although it was beginning to loosen in its rigidity. By 1637 a merchant who did well could buy his way into the landowning class. This seems to be the case with John Lowry, fishmonger.

The class structure of the time of this land indenture (1637) was briefly as follows:

Aristocracy. The King was at the top followed by the Aristocracy. The aristocracy had been given title of nobility along with vast landholdings. Titles included first duke, then marque, earl, viscount, and lastly baron.

Gentry. Gentry were the following class. Descended from the medieval landholders, they had land extensive enough keep them from entering a laboring class. Titles included knights firstly, then squires, and finally gentlemen. The occupation of George Edmonds fell into the

15 Cambridgeshire FHS, “Cambridge St Botolph’s Accounts 1600-1681.”
16 Forgeng, 22-23.
17 Forgeng, 18.
gentleman category. While gentry didn’t labor, they did spend their time managing their estates in order to keep their lands. Other gentry included occupations in law, university teaching, priesthood, and military.  

Commoners. Commoners, the last classification, included land owners as well as those not holding land. Titles included first yeoman, then husbandman, and finally cottager. A yeoman held land which he could pass on to his heirs. His lands in theory could be larger than those owned by the minor gentlemen, but he probably helped work the land. A husbandman owned about 12 acres which would have been enough to support his family. A cottager had land, but also needed another avenue to meet the needs of his family in addition to farming the land. John Lowry fell in the commoners’ category. As a yeoman, he owned land which he could pass on to his heirs.

Income and Money

The yearly income also gives an idea of the social strata. According to Jeffrey Forgeng, temporal lords made £320 in the 1600s, baronets made £800, and esquires £450. George Edmonds, as a gentleman, would fall around the £280 a year range. This would obviously vary depending upon his ability to manage his land. Forgeng also points out lesser merchants and traders by sea, which would include fishmongers such as John Lowry, made £198 per year. Tenant farmers made £42, shopkeepers and tradesmen £45, laboring people £15, and cottagers £7.
Foreng warns that it is hard and often misleading to compare values of currency then to now. The cost of labor was much less than today whereas the costs of manufactured goods were more. England also had severe crop failures in the early 1620s, around 1630, and in the late 1640s, affecting the economy greatly. However some sample prices were given by Foreng which could be compared with the £88 that was spent by John Lowry. A carthorse was £1 and a 30-acre leasehold with home, pasture, and meadows were £20 per year.\textsuperscript{21} However, we are unclear whether the £88 was the full amount paid for the land, or if more had been paid in the prior indenture mentioned.

\textit{Locating the property}

Parishes were an integral part of the government and were therefore listed in indentures to help pinpoint location. A parish was used for the spiritual, political and social needs of the community. It carried out the poor relief mandated by the government as well as provided for a militia. The law required everyone to pay one tenth their income yearly to the church.\textsuperscript{22} Most parish churches were built by at least the 1400s.\textsuperscript{23} The property of this indenture lay in the St. Botolph parish of Cambridge. St. Botolph Church lay on Trumpington Street (see Map 1) and was built by 1200. The “body of the church” was added in early 1400. The porch and chapel were added in the mid-1500s.\textsuperscript{24}

Indenture M-19 is centered on land in the town of Cambridge. Cambridge is situated north of London, about 52 miles and is known for its university which had been established in the thirteenth century. The river Cam and the bridge spanning is the town’s namesake (see Map

\textsuperscript{21} Foreng 79-81.

\textsuperscript{22} Forgeng 114.

\textsuperscript{23} Forgeng 114.

2). In 1753 Edmund Carter described the area as very fertile, specializing in the grains “wheat, rye, barley and saffron.” It was readily provided with supplies due to the river and roads. However, in 1637 Cambridge would have been lacking in good roads. They were not paved until Henry VIII had been in power for 15 years. Prior to that, Edmund Carter describes the roads as “almost impassable.” This may have been why George Edmunds specified he travel no further than Cambridge in dealing with issues of the indenture.

An estate map was sometimes drawn to show the property owned by an individual. This type of map was not made in England until the 1500s. While they were becoming more common by the 1600s, the “golden age of the local land surveyor” was from 1700-1850. To have an estate map of George Edmond’s holdings would clarify where the property John Lowry purchased was located and give a feel for its size. Unfortunately, an estate map could not be found of this property. From landmarks mentioned in the indenture, however, a general idea of the location can be surmised (See Map 3).

Summary

Today we hold both a tie and a variance with George Edmonds, John Lowry and others of the seventeenth century. We are each involved in providing for ourselves or our families through an occupation. We buy, sell, or rent places to live that best meets our needs. And we all have our separate opinions on religion and politics. However, conditions of the 1600s create


stark divisions as well. We have a much more fluid class structure. Owning land does not define our children’s future. Looking at land indentures allows us an opportunity to look into the past. We can see similarities and contrasts which allows us to appreciate our time as well as consider that people of all ages have a great commonality. It also reminds us that there is much that we do not know, but could be learned with further research.

Map 1

St. Botolph Church in Cambridge

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27 Barnett’s Cambridge street plan with index (Barking: G. I. Barnett, [197-?]), FHL BRITISH Map Case 942.59/C1 E7ba. A map of Cambridge made in 1637 could not be found that gives enough details. Although maps 1-3 were drawn much later, a visual can still be seen from them of the land involved in the M-19 indenture.
The property being sold in indenture M-19 was probably located within one of the ovals shown above. It would have needed to touch the street running from St. Botolphs on the way towards Newnham (both indicated by arrows). The road would also need to turn so as to allow additional property to border it to the north as well as the street.

28 Barnett’s Cambridge street plan with index.

29 Barnett’s Cambridge street plan with index.
Bibliography


*Barnett’s Cambridge street plan with index*. Barking: G. I. Barnett, [197-?].


*Land Indenture Collection*. L. Tom Perry Special Collections. Harold B. Lee Library. Brigham Young University. MSS 1779, Box 14, Folder 1, Item M-19.


**Additional Links and References**

For more information on the places mentioned in this document, see these resources:

Cambridge St Botolph, Cambridgeshire:

https://familysearch.org/learn/wiki/en/Cambridge_St_Botolph,_Cambridgeshire

http://www.stbotolhs.net/