Land Indenture
Suffolk, England
1635
Box 12, Folder 1, K4 Report

DESCRIPTION OF THE DOCUMENT AND HAND

The Indenture between Stephen Freman and Thomas Warren of Occold, Suffolk, 1635, is a work of iron gall ink on parchment.1 The document is 15 ¾” wide by 9 ¼” in length and appears to be in good condition. It has 29 lines with approximately 40 words per line. Some damage occurred over time as the document was stored folded in 3 squares. Fully open, the document is divided into 9 boxed squares, making it somewhat difficult to read in the creases. In addition, the document has light and fading ink on both the front and back of the document and inserted text. The bottom of the document has areas where the ink has worn off the documents. The text on the front of the document has been handled so often that it is faded and not legible. Some of the ink has faded to a light gold color, making some letters hard to read. This document employs a mixed hand — some parts of the document include inserted text in very small secretary and court hand. The whole of the document is written in a combination of court, small legal and secretary hands. Insertions have been shown with a parenthesis mark.

GLOSSARY OF TERMS

Charles I: Charles was the King of England from 1625 to 1649. Charles was of the royal house of Stuart and defied parliament when he married a Catholic. After many years of civil war, his continued defiance of parliamentary orders resulted in his trial for treason. On 30 January 1649 Charles I was executed for crimes of High Treason.

Court of Common Pleas: A court in the English system that heard cases that did not directly affect the King. These were usually cases that had to deal with “real property.”

1 “The Suffolk Indenture 1635,” Land indentures collection 1614-1881, Box 12, Folder 1, Item K-4, MSS 1779, L. Tom Perry Special Collections, Harold B. Lee Library, Brigham Young University.
Wetheringsett: A parish in the county of Suffolk, a few miles away from Occold.

Thorndon: A parish in the county of Suffolk, a few miles away from Occold.

Occold: A parish in the county of Suffolk.

Whiggerd Pightelle: In the Norfolk region of England, a Pightles is a small enclosure of land.

Feast of St. Michael the Archangel: A feast celebrating the harvest at the end of September on the 29th. Called Michaelmas, it is traditionally the day that is used for the payment of a lease. Other days that are quarter days are Lady day (25 March), Midsummer (24 June), Michaelmas, and Christmas.

One peppercorn: A metaphor for a very small payment in a legal document. Used to satisfy the requirements in making up a legal document.
ABBREVIATIONS

‘cion’ (abbreviation mark over con)
  ex. Considerac[i]ons
  ex. Estimac[i]on

‘the’ (uses a thorn to commonly abbreviate ‘the.’)
  ex. the

‘that’ (uses a thorn to commonly abbreviate ‘that.’)
  ex. that

‘which’ (missing letters that indicate the abbreviation)
  ex. which

‘pre’ (‘p’ with an abbreviation mark connected to the letter itself)
  ex. p[re]sents

‘par’ (‘p’ with an abbreviation mark connected to the letter itself)
  ex. p[ar]te

‘missing letters’ letters’ (some abbreviations will have an abbreviation mark with random missing letters; fill in the letters accordingly)
  ex. app[ur]tenancies
  ex. mann[er]
  ex. o[u]r
ex. shalbe

ex. Sov[er]aigne

ex. tenem[en]t
On 13 January 1635, Stephen Freman, clerk, and Thomas Warren, yeoman, both of Occold, Suffolk entered into a lease agreement for land located in Occold. Warren was acting as an agent for Edward Scotchmere, who owned the land as well as other properties in Wetheringsett and Thorndon. The agreement was set with the payment of one peppercorn on the day of the feast of St. Michael the Archangel in the same year of 1635. Stephen Freman would pay to Thomas Warren the sum of 200 pounds rent. In the following years the lease would be paid in the amount of thirty pounds on the same feast day. Stephen Freman made the agreement for his son, William, on condition of his son’s marriage being solemnized to Elizabeth Hill of Thorndon, daughter of John Hill.

A lease was created contingent upon the marriage of William Freman of Occold, Suffolk to Elizabeth Hill of Thorndon, Suffolk. The document explains that Edward Scotchmere owned lands in Wetheringsett and Thorndon, as well as the land he was leasing out to the Freman’s in Occold. Of interest is the agreement that seems to be part of a larger marriage contract giving the couple a farm in Suffolk if they were to get married.

The date of the feast of St. Michael the Archangel or Michaelmas is set as the time for the rents of the property to be due. Likewise, it seems that the date of the marriage will be on or around the date determined in the document for the rent cycle. In his article on the seasonality of marriage in England, David Cressy quotes an old Almanac from the 1600s, “marriage comes in on the 13 of January, and by Septuagesima Sunday it is out again; until the octaves of Easter, or day after Low-Sunday, at which time it comes in again, and goes no more out till Rogation Sunday: for Rogamen vetitat; from whence it is forbidden
again untill Trinity-Sunday, when it goes out and comes not in again until St. Hillary, or 13 of January next year.” ²

However, Michaelmas was closer to the 29th of September and, if this quote is to be understood, not a time that was usually used as a marriage date. According to Ann Kassmaul, while many did follow this schedule in their marriages, others also married at the harvest. Her study further supports these findings. She uses parish registers to look at marriages and notices that at certain times of the year marriages do, in fact, increase.³ In her study she shows that in Suffolk the peak marriage season was Autumn or right after the feast of St. Michael the Archangel (Michaelmas).⁴

The lease agreements made clear that rent was to be paid at the end of the term, on Michaelmas or one of the Quarter Days; perhaps in fact the very lives of those who paid rent and lived off the land were also dictated by the term that they lived. Documents such as those available in this collection give new avenues for researchers to look at these questions.

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⁴ Ibid, 760.
Bibliography


“The Suffolk Indenture 1635,” Land indentures collection 1614-1881, Box 12, Folder 1, Item K-4, MSS 1779, L. Tom Perry Special Collections, Harold B. Lee Library, Brigham Young University.

Additional Links and References

For more information on the localities in this document see:

For more information on English marriage, see:
