

LES ENLUMINURES, LTD

2970 North Lake Shore Drive 11B
Chicago, Illinois 60657

tel. 1-773-929-5986
fax. 1-773-528-3976
chicago@lesenluminures.com

LES ENLUMINURES

Le Louvre des Antiquaires
2 place du Palais-Royal
75001 Paris

tél : 33 1 42 60 15 58
fax : 33 1 40 15 00 25
info@lesenluminures.com

Land Indenture (sale of land in the villages of Good Easter and Mashbury [Essex])

In Latin, on parchment

England, Essex (Good Easter and Mashbury), dated April 16, 1444

Single sheet or strip of parchment, anopistograph, text complete, written in dark brown ink in a highly abbreviated gothic English cursive documentary script [cursiva anglicana], on 8 long lines, opening initial S with pen flourishing, document folded at the bottom with 5 WAX SEALS INTACT, alternating black and brownish wax, seals bearing monograms, possibly merchant marks, seals attached to the folded lower edge of document with parchment tags or ribbons made from recycled parchment from an earlier document, top part of parchment could have been cut with a wavy edge, indicating the common practice of indenture. Document in excellent condition, archivally mounted with thread on acid-free board, fully legible and seals intact. Dimensions (without seal) 250 x 75 mm.

Of paleographic and historical interest, this is an excellent example of a type of document that conveys property from one owner to another, including the key features of notification, grantors, grantees, grant, witnesses, and dating clauses, and it is unusual in that it preserves the original wax seals--mostly from individuals of the merchant classes--in nearly intact condition.

PROVENANCE

1. Text copied in the town of Good Easter (Essex) and dated April 16, 1444 (22nd year of the reign of Henry VI). This private charter documents a land transaction involving parcels of land in the villages of Good Easter and Mashbury in Essex. The first name is rendered as Goodichestre in the document. Also mentioned is the nearby parish of Springfield. Names of the vendors (John Bysshop, John Everard Senior, John Armurer, William Heyward and Richard Byshhop) and purchasers (John Bourghcher, John Maltby rector of the church of Springfield, William Deonys, John Gybeloun and Richard Osbern) are listed in the charter, as well as the witnesses to the transaction (William Glacecok, John Everard Junior, William Elbode, John Alworth, Nicholas Love).

2. Private Collection, Germany.

TEXT

Transcription and Translation

Sciant p[re]sentes et futuri q[uo]d nos Ioh[ann]es Bysshop Ioh[ann]es Ev[er]ard Sen[ior] Ioh[ann]es Armurer Will[el]m[us] Heyward et Ric[ard]us Bysshop // dimisum[us] lib[er]avimus et hac p[re]senti carta n[ost]ra confirmavim[us] Ioh[ann]i Bourghcher Ioh[ann]i Maltby rectori ecc[les]ie de Spryngefeld // Will[el]mo Deonys Ioh[ann]i Gybeloun et Ric[ard]o Osbern om[n]ia ill[as] t[er]ras et ten[ementa] redd[it]us et s[er]vicia cu[m] om[n]ib[us] suis p[er]tin[entibus] in vill[is] de Goodichestre // et Masshebury que nup[er] fuer[unt] Ric[ard]i Ynge cu[m] al[iis] feoffat[is] h[ab]end[a] et tenend[a] om[n]ia p[re]d[i]c[t]a t[er]ras et ten[ementa] redd[it]us et s[er]vicia cu[m] om[n]ib[us] suis p[er]tin[entibus] // p[re]fat[is] Ioh[ann]i Bourghcher Ioh[ann]i Maltby Will[el]mo Deonys Ioh[ann]i Gybeloun et Ric[ard]o Osbern her[edibus] et assign[at]is suis de capitalib[us] // d[om]nis ill[ius] feodi p[er] s[er]vicia inde debita et de iiius [quartus] consuet[is] in p[er]petuum. In cui[us] rei testimoniu[m] huic p[re]senti carte n[ost]re sigill[a] n[ost]ra appesum[us] // Hiis testib[us] Will[el]mo Glacecok Ioh[ann]e Euerard Iun[ior] Will[el]mo Elbode Ioh[ann]e Alworth Nich[ol]o Love et aliis. Dat[um] apud Goodich- // - estre p[re]d[i]c[t]am sexto decimo die mens[is] April[is] anno regni Regis Henrici sexti post conq[uestu]m vicesimo s[ec]c[un]do.

Let it be known to those present and to come that we, John Bysshop, John Everard Senior, John Armurer, William Heyward and Richard Bysshop have demised (1), delivered and by this our present charter have confirmed to John Bourghcher, John Maltby rector of the church of Springfield, William Deonys, John Gybeloun and Richard Osbern all these lands and tenements, rents and services with all their appurtenances in the villages of Good Easter and Mashbury which formerly were held by Richard Ynge with other foefees (2), to have and to hold all the aforesaid lands and tenements, rents and services with all their appurtenances to the aforesaid John Bourghcher, John Maltby, William Deonys, John Gybeloun and Richard Osbern, their heirs and assigns (3) from the chief lords of that fee by the services due from them and for the accustomed fourpence in perpetuity. In testimony of which we attach to this our present charter our seals. These being the witnesses: William Glacecok, John Everard Junior, William Elbode, John Alworth, Nicholas Love and others. Given at the aforesaid Good Easter on the 16th day of the month of April in the 22nd year of the reign of King Henry the sixth after the conquest. (1444)

(1) Conveyed or granted by will or lease; (2) Holders of land title by fee; (3) One to whom property is legally transferred.

The text in this charter is highly formulaic and many words are heavily abbreviated on the assumption that anyone who needed to would know what they were supposed to be. Much

of it is taken up with lists of names of parties to the transaction and the witnesses. An interesting feature of this document is the survival, intact, of five seals. The five seals, representing the five vendors, are attached to the folded lower edge of the document with parchment tags, as is usual by this date. They are of the relatively small and simple type typical of the lesser gentry or town merchants or craftsmen. Three of them appear to bear some sort of monogram, or possibly merchant marks, while a fourth bears perhaps a figure with arms upraised. Another interesting feature is the writing on the seal tags, which means that the tags were made from recycled parchment from what appears to be an earlier document. The cursive script of the text is only moderately formal, and highly abbreviated. As so often occurs with charters, the text is brief and formalized. It refers to several parcels of land in two separate villages, but the charter itself contains no means of actually identifying those parcels of land. Even at this late date, certain essential information is still embodied in the oral tradition.

Medieval deeds were not usually signed, but were authenticated by sealing and by quoting the names of witnesses. But deeds--also seals--were sometimes forged and so indentures came into use as a protection against fraud. For a deed involving two parties, a pair of indentures was made thus: two copies of the deed were written on the same sheet of parchment and separated by an indented i.e. toothed, cut (Lat. *dens*, "dentis" a tooth). One copy was held by each party so that at a future date they could be placed together to check that the indentations matched. The present indenture thus may be cut at the upper edge.

Many of the individuals cited in the charter can be traced in Essex local history, and some preserve their occupational names (e.g., John the Armurer).

LITERATURE

Brown, Michelle. *A Guide to Western Historical Scripts from Antiquity to 1600*, London, The British Library, 1999.

Denholm-Young, N. *Handwriting in England and Wales*, Cardiff, 1954.

Hector, L.C. *The Handwriting of English Documents*, London, Edward Arnold, 1958.

ONLINE RESOURCES

Legal terms in land records:

<http://users.rcn.com/deeds/legal.htm>

Analysis (and exercises) based on this charter

www.medievalwriting.50megs.com/exercises/goodeaster/structure.htm