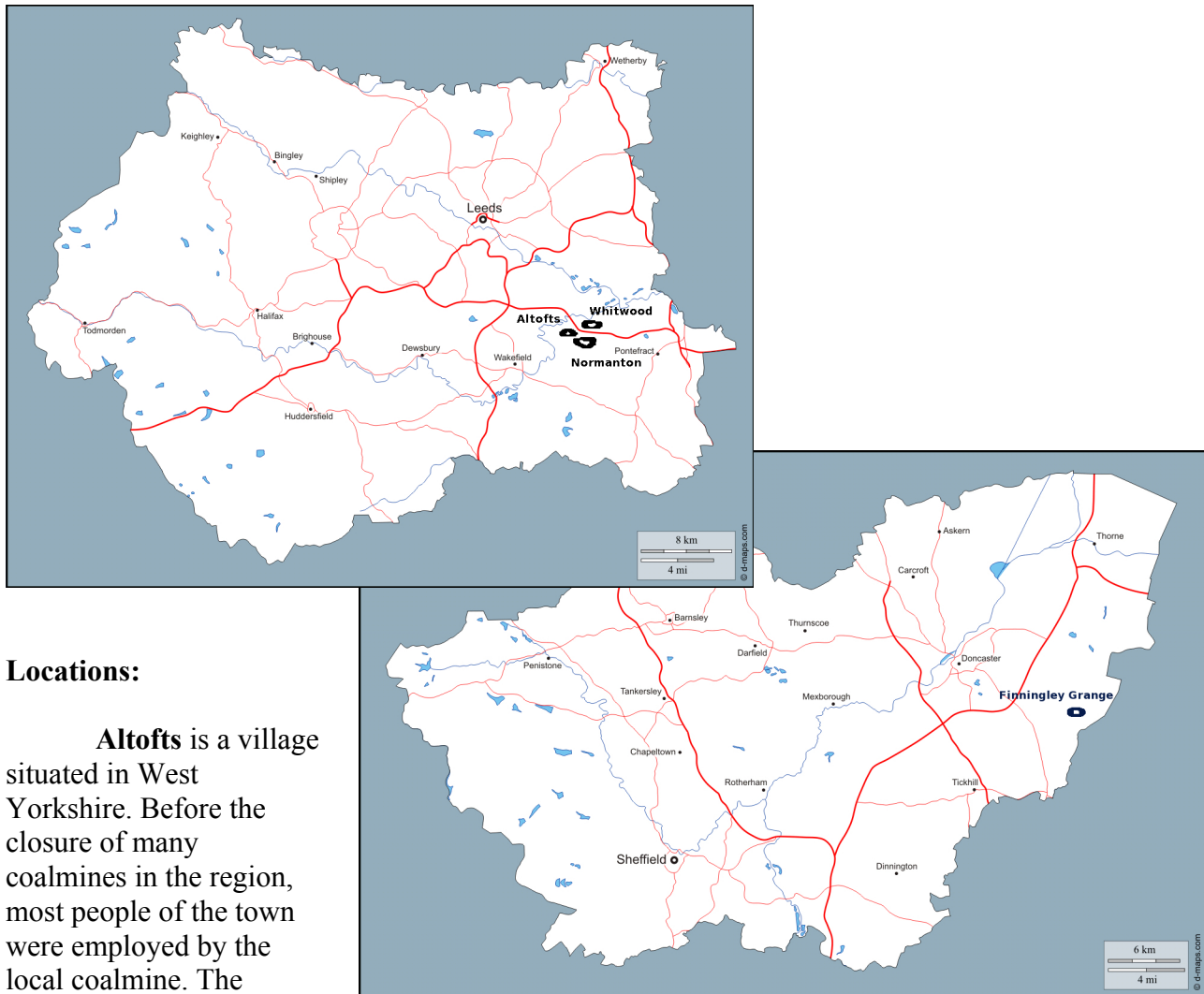


Physical Descriptions of University of Victoria Indentures

Victoria, McPherson Library, Doc.Brown.5

Type	Single sheet parchment, two seal tags with one red wax seal still attached
Date	15 March, 1592
Setting	Legal (English Royal Chancery)
Produced by/for	William Cecil John Fortescue Martin Frobisher
Contents	Mortgage of Manors between Queen Elizabeth I and Sir Martin Frobisher for 500 pounds
Names Appearing in Document	William Cecil (Lord Burghley) John Fortescue Martin Frobisher Elizabeth I
Names Appearing as Witnesses	Henry Maynard Michael Hickes
Region(s)/County	Altoftes, Yorkshire Westminster; Nottinghamshire
Property Names	Whitwood, Finnigley Grange
Shelfmark	Doc.Brown.5
Location	Brown Collection Box 2
Accession Number	1991-088, Item #2
Physical Description	One sheet of parchment with jagged top edge, part of a larger sheet on which the 'indenture' would have been copied out twice, the indented edge serving as a proof of authenticity of the two parts when brought back together. The item is in good condition, although the ink is deteriorating in several spots, especially along fold lines. Pricking is visible at extreme left margin, though no ruling is evident.
Dimensions and notable features are as follows:	
Parchment	585 x 295mm, plus 30mm plica (fold) at bottom
Text Block	535 x 215mm (measured from top of ascender on first line to bottom of descender on last line), with 50mm margin at left
Text	English, 1 column, 33 lines in black ink, with signatures on plica and contemporary note of date, witnesses, and content on dorse. Secretary Hand.
Seal	One red-wax seal in fair condition bearing the arms of John Fortescu
Provenance	Purchased by Bruce and Dorothy Brown from Maggs Bros Ltd booksellers (London), donated to UVic in 1991.

This indenture is a mortgage of two of Martin Frobisher's manors for 500 pounds from Queen Elizabeth I.



Locations:

Altofts is a village situated in West Yorkshire. Before the closure of many coalmines in the region, most people of the town were employed by the local coalmine. The village is the birthplace of Martin Frobisher.

Westminster is located on the north bank of the Thames river, in central London. At the time of the document in question, Westminster was the Royal and administrative centre of the country, housing the royal palace, the parliament, and the law courts

Names:

Cecil, Sir William (Lord Burghley): William Cecil was born in 1520/21, and became Lord Burghley in 1553 on the death of his father, Richard. The biography of Cecil as it appears in the *Oxford Dictionary of National Biography* and written by Wallace T. MacCaffrey, notes that he

enjoyed a classical humanist education at Cambridge, which formed his political ideals. Cecil served in different capacities during the reigns of Edward VI and Mary I, including as a member of parliament. On the first day of the reign of Elizabeth I, Cecil was made Secretary of State. In his capacity as Secretary of State, all official state correspondence passed through his hands, and he had much influence on all the major decisions. Cecil was made Baron Burghley in 1571, and in the following year he was made lord treasurer. Throughout his career, Cecil employed all his skills to advise and serve Elizabeth, developing policies that would lead England forward. In many instances he preferred diplomacy over direct military intervention in the various battles and battlegrounds of the developing European states. MacCaffrey notes in his biography that “from the standpoint of the twenty-first century, Burghley commands attention as the sixteenth-century English statesman who envisioned a changing English polity, one which moved away from the dynastic order of the early Tudor world, governed by the ambitions of the monarch for himself and his house, to a burgeoning perception of the public nature of the monarchy in which exercise of the executive will must be governed by calculations of public—of national—interest. Burghley has a rightful claim to a place among the architects and builders of the early-modern British nation state.”

Fortescue, Sir John: John Fortescue was born in 1533. In his early years, Fortescue served as the keeper of the wardrobe, responsible for the royal attire. While in this post he subsequently served as a member of parliament for Buckingham. In 1588 Fortescue was appointed privy councillor. In Fortescue’s biography written by J. Andreas Lowe and appearing in the *Oxford Dictionary of National Biography*, Lowe notes that “As a privy councillor and, from 1589 to 1603, in his capacity as under-treasurer and chancellor of the exchequer, Fortescue gradually became closely involved in the daily administration of the realm.” By the time of the mortgage agreement with Martin Frobisher, Fortescue had not yet been knighted. Despite his close connections with Cecil, and the key offices he held, Lowe writes that Fortescue’s “contribution to English political life remained marginal.”

Frobisher, Sir Martin: Martin Frobisher was born likely in 1535. In the article written by James McDermott for the *Oxford Dictionary of National Biography*, Frobisher is described as “privateer, explorer, and naval commander,” making his first voyage when he was likely only 17 years old. Between 1556 and 1574 Frobisher sailed on several voyages alternating with time spent incarcerated for illegal activity on such voyages. In 1576, after financing was finally arranged, Frobisher set out with a small fleet of three vessels to search for the North-West passage. The passage was not found, but a sample of ore found on one island raised expectations for huge quantities of gold to be mined from the newly discovered territory. On two subsequent voyages, Frobisher and his fleet brought more than 3000 tons of the ore back to England. Unfortunately, neither was the north-west passage found, nor was the ore valuable enough to pay the cost of nearly 25,000 pounds that the three voyages had cost; the ore was found to be fool’s gold. After the final voyage to Northern Canada, Frobisher fell into disfavour, and was not reinstated until 1585. His fortunes rose and fell in subsequent years, as he sailed and commanded several ships in the Queen’s navy. Frobisher was shot while attacking a Spanish fortress. He died of his wound two weeks later. Although McDermott gives a summary of Frobisher’s financial situation, he does not make mention of the forfeiture of the properties of Whitwood and Finningley for non-payment of the 500 pounds borrowed from the royal treasury.

Such documentary evidence can be found at the National Archives: Reference E 178/1466, which notes: Nottinghamshire: Finningley Certificate of default made by Sir Martin Frobisher in a payment of 500L. Due to the Exchequer; and E178/1411, which notes: Yorkshire: Whitwood Certificate that Sir Martin Frobisher had made default in a payment of 500L.³ Due to the Exchequer.

3 In some discussions other archival material is mentioned, as it is here. A full list of the archival material researched including shelf numbers can be found in the Appendix of Archives.

Victoria, McPherson Library, Doc.Brown.5
 Acc. 1991-088, Item #2
 Indenture of William Cecil and John Fortescue,
 concerning mortgage of manors to Martin Frobisher
 England (Yorkshire) 15 March 1591/2

- 1 **This Indenture made** the ffyfteneth daie of Marche in the ffowre and thirtieth yeare of the Raigne of *our* souveraigne Ladie Elizabeth by the grace of god Queene of England ffrance and Ireland defendour of the faith *et cetera* **Betweene** *Sir* Martin
- 2 ffrobyscher of Altoftes in the countie of Yorck knight of the one partie, and the Right honorable *Sir* william Cecill of the most noble order of the Garter knight Lord Burghley Lord high Threasorer of England *and* Iohn ffortescue esquiour chauncellour *and* underthresoror of the exchequour for *and* on the
- 3 behalf of *our* said souveraigne Lady the Queene of the other partie **Wyttnesseth** that whereas *our* said souveraigne Ladie the Queene *maiestie* hath lent and delivered vnto the said *Sir* Martin ffrobisher knight at the ensealing *and* delyverie hereof the some of ffyve hundreth poundes
- 4 of lafull english money, *which* somme of ffyve hundreth poundes, he the said *Sir* Martin hath promised for him his executors administrators and assignes well and truly to repaie and satisfie vnto the same *our* souveraigne Lady the Queenes *maiestie* her heires or successors into the
- 5 Resceyte of her highnes exchequour at westminster at or before the ffyrste daie of Marche *which* shalbe in the yeere of *our* Lord god one thowsand ffyve hundreth Nynety two **Nowe** the said *Sir* Martin ffrobisher to the intente that landes tenementes and hereditamentes
- 6 of the cleere yearly valew of twenty sixe poundes at the leaste maie be conveyed and assured vnto *our* said souveraigne Lady the Queenes *maiestie* for her highnes better securitie and assuraunce of the said somme of money so as aforesaid promised to be repaid and satisfied
- 7 The said *Sir* Martin ffrobisher doth herefore for him his heires and assignes covenaut and graunt by these presentes to and *with* the said Lord Burghley and Iohn ffortescue and their heires That he the said *Sir* Martin ffrobyscher knighte or the
- 8 heires of the said *Sir* Martin before the ffeast of Pentecost next coming after the date hereof shall and will sufficientlie convaie and assure by ffyne by dewe forme of lawe to be levied before the Iustices of the comon plees at westminster to the said Lord Burghley

- 9 and Iohn ffortescue and to their heires All that the mannour of whitewood *with* his *rightes* members and appertenances in the countie of yorke, And all other the landes tenementes and hereditamentes whatsoever of the said *Sir* Martin ffrobisher in whitewood aforesaid And
- 10 also all that Graunge or Tenement called fffinnigley Graunge *with* all landes tenementes and hereditamentes therevnto belonging in the county of Nottingham, And all other the landes *and* tenementes of the said *Sir* Martin ffrobisher called by the name of ffynnigley graunge in
- 11 the said countye of Nottingham And that the said ffyne so to be levied shall be, And the said Lord Burghley and Iohn ffortescue and their heires and assignes ymediatelie from and after the levyeng of the said ffyne shall stande and be seised of all the said mannour Graunge
- 12 landes tenementes and hereditamentes to be comprised in the said ffyne to the only vses intentes condicions and agreementes hereafter in theise presentes expressed and declared and to no other vses and intentes That is to saie to the only vse of the said *Sir* Martin ffrobisher his heires *and*
- 13 Assignes vntill the said ffyrste daie of Marche in the said yeere of *our* Lord god one thousand ffyve hundreth Nynety twoo in *which* the said *somme* of ffyve hundreth poundes ought as is aforesaid to be paid And yf yt happen the said *Sir* martin and his heires
- 14 to make defalt of payment of the said *somme* of ffyve hundreth poundes at or before the said ffyste daie of Marche That then ymediately from and after such defalt of payment so had and made of the said *somme* of ffyve hundreth poundes or any
- 15 part thereof That then and from thensforth the said ffine so thereafter to be levied, and all other assurances to be made of the promisses before the said feast of Pentecost shalbe, And the said Lord Burghley and Iohn ffortescue their heires and assignes
- 16 shall stand and be seised of all the said mannour Granngelandes tenementes and hereditamentes mencioned and to be expressed and comprised *within* the saide ffyne to the only vse of *our* said soveraigne Lady the Queene her heires *and* successors for ever
- 17 **But** yf yt happen that the said *Sir* Martin ffrobisher or his heires executors or administrators shall and doe well and truly satisfie content and paie vnto *our* said soveraigne Lady the Queenes *maiestie* her heires and successors the said *somme* of ffyve
- 18 hundreth poundes at or before the said ffyrste daie of Marche in *which* the some ought as aforesaid to be paid That then and ymediately from and after such payment *and* satisfacion so had and made the said ffyne shall be and the said Lord

- 19 Burghley and other the conisees named and their heires shall stande and be seised of all the premisses in the said ffyne to be comprised to the only vse of the said *Sir* Martin ffrobisher his heires and assignes for ever *without* anie condicion or
- 20 mortgage **And** the said *Sir* Martin ffrobisher for him his heires executors and assignes doth covenaut graunt and agree to *and with* the said Lord Burghley and Iohn ffortescue their executors administrators and assignes by theise presentes and
- 21 everye of them That he the said *Sir* Martin ffrobisher or his heires at the time of the said ffyne so to be levied as is aforesaid shall and will then be seised of all the said mannour Graunge landes tenementes and hereditamentes in theise presentes
- 22 mencioned to be contained of a good rightfull and lafull estate in ffee simple to him *and* his heires, And that the said mannour Graunge landes tenementes and hereditamentes and other the premises at all times after the saide ffyne so to be levyed *and*
- 23 ymediately from and after defalt of payment of the saide somme of ffyve hyndreth poundes shalbe of the cleere yerely valewe of twenty sixe poundes over and above all charges incombraunces and reprises, and so shall or maie continuwe vnto *our* said soveraigne
- 24 Lady the Queene her heires and successors of the said cleere yerelie valewe for ever **And** that he the said *Sir* Martin ffrobisher his heires executors administrators or assignes or somme of them shall and will from time to time and at all times after
- 25 such defalt of payment made as ys aforesaid well and sufficientlie exonerate acquite and dischargde or otherwise uppon reasonable request in that behaest to be made vnto the said *Sir* Martin ffrobisher his heires or assignes save and keepe
- 26 harmeles as well the said mannour Graunge landes tenementes and hereditamentes and all other the premisses *with* all and singuler their appertenances and everie part and parcell thereof of and from all and all manner of former bargaines sales Iointures dowers titles
- 27 vses willes intayles ffees Annuities Rentes Aererages of Rentes Rentes charge Rentes secke Statutes marchauntes and of the Staple recognisaunces iudgementes execucions condemnacions and of *and* from all other charges and incombraunces whatsoever hadd made or donne or to be
- 28 had made or donne by the said *Sir* Martin ffrobisher his heires or assignes **And** the said *Sir* Martin ffrobisher for him his heires executors administrators *and* assignes doth further covenaut promisse and graunt to *and with* the said Lord Burghley and Iohn
- 29 ffortescue their heires and assignes by theise presentes That he the said *Sir* Martin and his heires ymediately from and after defalt of payment to be made as ys aforesaid Shall and will at all time and times during the space of three yeeres next coming

- 30 after the said defalt of payment make doe knowledge and suffer to be made donne and knowledged vnto *our* said soveraigne Lady the Queene her heires and successors All and everie such further Acte and Actes thing *and* thinges devise and devises whatsoever
- 31 for the better assuraunce and sure making of all and singuler the said mannour Graunge landes tenementes and other the premisses vnto *our* said soveraigne Lady the Queene her heires and successors for ever as by the councell lerned in the lawes of *our* said soveraigne
- 32 Lady the Queene her heires and successors shall be reasonably devised advised or required **In wittnes** whereof to the one parte of these Indentures remaining with the said Lord Burghley and Iohn ffortescue the said *Sir* Martin ffrobisher knight hath putt his
- 33 seale And to the other parte of these Indentures remayning *with* the said *Sir* Martin ffrobisher the said Lord Burghley and Iohn ffortescue have putt their seales, yeoven the daie and yeare first above written. /

PLICA:

(signatures)

William Burghley *Iohn* fortescue

DORSE:

(upper middle left)

Sealed and delivered in the presence of

Henry Maynard (signature)

Michael Hickers (signature)

(lower middle right, in a later hand)

15 March 30 *Elizabeth* 1592 .2

Sir Martin ffrobisher

Counterpart of the mortgage

to

of the mannor of Whitwood

Lord Burghley *and* ffortescue

and ffyningley Grange for

500^{li}

Textual Notes

- 15 March in 34 Elizabeth I corresponds to 1591 by Early Modern English legal years (where the new year does not begin until March 25) and 1592 by current dating practices.
- The words /ffyrste/ and /Marche/ are written in lighter and larger script: that is, blanks were left in the originally composed copy and these words added after. It is likely that the exact agreed upon repayment terms were filled in at the time of signing. This same feature is visible at lines 13, 14, and 18.

5. The words /nynety two/ are written in lighter script: that is, blanks were left in the original copy and these words added after. This same feature is visible at line 13.
5. The repayment year is given as 1592 (1593 by current dating practices). Frobisher will have 1 year to repay the mortgage.
7. The parchment has been scraped and four x's written to fill the resulting space between the words /knighte/ and /or/.
14. The words /or before/ have been written over an erasure (parchment has been scraped away and then this phrase added as a correction).
18. Two x's have been written to fill in the space between the words /hundreth/ and /poundes/, although no scraping of parchment is discernible.
18. The words /or before/ have been written over an erasure (parchment has been scraped away and then this phrase added as a correction).
 - Only John Fortescue's seal remains attached to the document.
 - In the note in a later hand on the dorse, the Regnal year is wrong, but the calendar year is correct by modern dating practices.
 - A separate mark which appears as an 'N' can be found on the dorse, although it is uncertain what, if any, meaning this mark has.