

SUMMARY: The indenture tripartite below dated 4 January 1585 between Richard Peacock, Rowland Martin and Hugh de Vere of the first part, Roger Townshend and Thomas Owen of the second part, and Thomas Skinner of the third part provides that Richard Peacock and Roger Martin, lawfully seised of Oxford's former manors of Overhall and Netherhall, Lavenham park, and the advowson of the church in Lavenham, all in Lavenham in Suffolk, will enter into the legal proceeding known as a recovery, at the conclusion of which Roger Townshend and Thomas Owen will stand seised of the manors to the use of the heirs of Thomas Skinner. The document below is Thomas Skinner's copy of the indenture. The Hugh de Vere mentioned in the indenture would appear to be Oxford's first cousin, the eldest son and heir of Oxford's uncle, Aubrey de Vere. For other documents related to this transaction, see TNA C 54/1159, TNA C 54/1176, TNA C 146/6976, TNA C 147/152, and TNA C/7040. For Thomas Skinner's later fraud against Oxford, see BL Lansdowne 63/76, ff. 191-2.

This indenture tripartite made the fourth day of January in the seven and twenty year [=4 January 1585] of the reign of our Sovereign Lady Elizabeth by the grace of God Queen of England, France and Ireland, Defender of the Faith etc., between Richard Peacock and Rowland Martin, citizens and leather-sellers of London, and Hugh de Vere of the city of London, esquire, of the first part, and Roger Townshend and Thomas Owen, esquires, of the second part, and Thomas Skinner, citizen and clothworker of London, of the third part;

Witnesseth that whereas the said Richard Peacock and Rowland Martin by virtue of divers good and sufficient conveyances and assurances in the law are and stand lawfully seised of and in all those the manors of Overhall and Netherhall with all their rights, members, hereditaments and appurtenances whatsoever set, lying and being within the towns, fields, hamlets and parishes of Lavenham, Thorpe Morieux, Cockfield, Preston, Brent Eleigh, Acton, Melford, Shimpling and Alpheton or any of them in the county of Suffolk;

And all and all manner of messuages, houses, edifices, buildings, orchards, yards, gardens, dovehouses, cottages, curtilages, mills, lands, tenements, rents, reversions, services, meadows, leasows, pastures, feedings, woods, underwoods and trees and the soils of the same, commons, heaths, moors, marshes and waste grounds, ways, paths, waters, watercourses, fishings, fowlings, courts, leets, perquisites and profits of courts and leets, escheats, fines, heriots, amerciements, advowsons, gifts, presentations, patronages of churches, rights of parsonages and vicarages, fairs, markets, profits, commodities, casualties, advantages, and all other privileges, liberties, franchises, jurisdictions and hereditaments whatsoever with the appurtenances which at any time were in deed or reputed to be the inheritance or freehold of the right honourable Edward de Vere, Earl of Oxenford, set, lying or being in the towns, fields, hamlets or parishes of Lavenham, Thorpe Morieux, Cockfield, Preston, Brent Eleigh, Acton, Melford, Shimpling and Alpheton or any of them, or situate, lying or being elsewhere in the said

county of Suffolk to the said manors of Overhall or Netherhall or either of them belonging or in any wise appertaining, or at any time heretofore accepted, reputed, taken, used, occupied, esteemed, leased, letten or known as part, parcel or member of the said manors or either of them;

And also of and in all that the park and lands or enclosed grounds called Lavenham park with the appurtenances, and the grounds and the soils thereof, containing by estimation nine hundred and twenty acres of land or ground, be it more or less, together with all manner of houses, messuages, buildings, pales, fishings, pools, ponds, stangs and waters situate, lying or being within the compass, precinct or circuit of the said park of the said Lavenham, or belonging, appertaining or reputed parcel of the same;

And of and in one meadow containing by estimation seven acres of land commonly used or occupied to and with the said park for the deer;

And also of and in the advowson, presentation and patronage of the church of Lavenham;

And all other profits, commodities, things and advantages whatsoever to the said premises and every or any part thereof belonging or appertaining;

And of and in all other the lands, tenements and hereditaments lately the said Earl of Oxenford[‘s] set, lying and being in the towns, fields, hamlets or parishes aforesaid or any of them;

It is now for divers good considerations the said parties and every of them especially moving fully condescended, concluded and agreed by and between all the said parties, and the said Richard Peacock, Rowland Martin and Hugh de Vere for them and every of them, their heirs, executors and administrators and the heirs, executors and administrators of every of them, doth covenant, grant and agree by these presents to and with the said Roger Townshend and Thomas Owen and either of them and the heirs, executors, administrators and assigns of them and either of them, that the said Richard Peacock and Rowland Martin on this side and before the feast of Saint John Baptist next coming after the date hereof shall and will permit and suffer the said Roger Townshend and Thomas Owen to bring and prosecute one writ of entry sur disseisin in le post against them, the said Richard Peacock and Rowland Martin, of, for and concerning the said manors of Overhall and Netherhall, and the said park and lands or enclosed grounds called Lavenham park, and all and singular the foresaid messuages, lands, tenements, meadows, pastures, woods and hereditaments, and all other the foresaid premises with all and singular their appurtenances, and of, for and concerning every part and parcel thereof by the name or names of the manors of Overhall and Netherhall with the appurtenances, and two hundred messuages, four mills, four dovehouses, two hundred gardens, a thousand acres of land, five hundred acres of meadow, a thousand and five hundred acres of pasture, three hundred acres of wood, a hundred acres of furze & heath ground, and forty pounds of rent with the appurtenances in Lavenham alias Lanham, Cockfield, Thorpe Morieux, Preston, Brent Eleigh, Acton, Melford, Shimpling and Alpheton alias Aulton, and the advowson of the church of Lavenham alias Lanham;

In which writ of entry sur disseisin in le post to be brought, as is aforesaid, the said Richard Peacock and Rowland Martin shall appear and vouch over the said Hugh de Vere, which said Hugh de Vere shall also appear and vouch over the common vouchee, who after imparlance shall make default, so as thereupon one perfect recovery in due form of the law shall and may be had and suffered in all things after and according to the usual order and course of common recoveries used and accustomed;

And that execution thereupon shall be had by one writ of habere facias seisinam accordingly, which said recovery and execution so to be had, prosecuted and suffered, and all other recoveries and assurances to be had, prosecuted or suffered of the said manors of Overhall and Netherhall and all and singular the foresaid messuages, lands, tenements, meadows, pastures, woods and hereditaments and of all other the premises with all and singular their appurtenances or of any part or parcel thereof by what name or names soever against the said Richard Peacock and Rowland Martin by the said Roger Townshend and Thomas Owen, and wherein the said Hugh de Vere shall appear as vouchee, on this side and before the said feast of Saint John Baptist next ensuing shall be and should be adjudged, esteemed and taken to be, and the said Roger Townshend and Thomas Owen and their heirs and every of them from and after such recovery so had and prosecuted shall stand and be seised of and in the said manors of Overhall and Netherhall, and of and in all the foresaid messuages, lands, tenements, meadows, pastures, woods & hereditaments, and all other the foresaid premises with all and singular their appurtenances, and of every part and parcel of the same to the uses and behoofs hereafter mentioned, expressed and declared and to no other use, intent or purpose, that is to say;

To the use and behoof of John Skinner, son and heir apparent of the said Thomas Skinner and the heirs males of his body lawfully to be begotten, and for default of such issue to the use and behoof of Thomas Skinner, one other of the sons of the said Thomas Skinner, and the heirs males of his body lawfully to be begotten, and for default of such issue to the use and behoof of Richard Skinner, one other of the sons of the said Thomas Skinner, and the heirs males of his body lawfully to be begotten, and for default of such issue to the use and behoof of the right heirs of the said John Skinner forever;

Provided always that if the said Thomas Skinner, the father, party to these presents, at any time or times hereafter during his natural life shall be minded, disposed or determined to alter, change, revoke, disannul or determine the said uses or any part or parcel of them by these presents mentioned, limited or declared of or in the said manors, lands, tenements and hereditaments with the appurtenances or any part of parcel thereof with their appurtenances, and thereupon the said Thomas Skinner, the father, during his natural life shall by writing or writings under his seal signed or sealed in the presence of two sufficient witnesses or by his last will and testament in writing subscribed with his hand signify, declare or appoint that the said uses or any part or parcel of any of them by these presents limited, mentioned or declared of, in or to the said manors, lands, tenements or hereditaments or any part or parcel thereof with their appurtenances shall be altered, changed, revoked, disannulled or determined;

That then and immediately at all times from thenceforth all and singular the foresaid uses and every or any of them which shall be so signified, declared or appointed to be altered, changed, revoked, disannulled or determined shall cease, determine and be utterly void and of none effect in law to all intents, constructions and purposes, and that then and immediately from thenceforth the said recovery and recoveries shall be, and the said Roger Townshend and Thomas Owen, their heirs and assigns and every of them shall stand and be seised, to such uses and behoofs of such person and persons and in such manner and form and under such conditions, provisos, limitations and reservations as in and by the said writing or writings signed or sealed with the seal of the said Thomas Skinner, the father, or in and by the last will & testament of the said Thomas Skinner, the father, shall be by the said Thomas Skinner declared, nominated, expressed, mentioned, limited and appointed, and to none other use, intent or purpose;

And if no declaration, limitation or appointment of any new use or uses shall be made in or by such writing or writings or last will and testament of the premises or any part or parcel thereof whereof any such alteration, change, revocation, disannulling or determination shall be by the said writing or writings or last will and testament so signified, declared or appointed as is aforesaid, that then the said recovery and recoveries shall be, and the said Roger Townshend and Thomas Owen, their heirs and assigns and every of them, shall stand and be seised of and for so much of the premises whereof no such new use or uses shall be so declared, limited or appointed, to the only use and behoof of the said Thomas Skinner the father, his heirs and assigns, forever, and to none other use or uses;

In witness whereof to the first part of these present indentures remaining with the said Roger Townshend and Thomas Owen, the said Richard Peacock, Rowland Martin, and Hugh de Vere & Thomas Skinner have set their seals;

And to the second part of these presents remaining with the said Richard Peacock, Rowland Martin, and Hugh de Vere, the said Roger Townshend and Thomas Owen and Thomas Skinner have set their seals;

And to the third part of these present indentures remaining with the said Thomas Skinner, the said Richard Peacock, Rowland Martin, Hugh de Vere, Roger Townshend and Thomas Owen have set their seals. Dated the day and year first above-written.

P{er} me Richard Peacock
P{er} me Rowland Martin
Hugh Vere(?)
Roger Townshend
P{er} me Thomas Owen

Sealed and delivered in the presence & witness of John Ingledew(?) and Robert Doughty