

Denmark Copyhold Deeds (Fæsteprotokoller)

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Life in the Copyhold System

In 1682 it was found that of the 59,000 farms in Denmark, only 1,700 were owned by independent farmers¹. The other 57,300 farms were either owned by a noble, the king, or an institution. The king's land was controlled by his local bailiffs and were recorded in the taxation districts (amtstue), the rest was divided up into 728 estates all over Denmark.

In a typical estate, about 15% of the land is for the lord's direct use and 85% is leased out to the peasants who lived on the estate.

Peasants would enter contracts with the lord who could be either a nobleman, middle class proprietor, an institute, or a crown bailiff. Regardless, the lord would provide a lifetime lease to a plot of land, a residence, equipment (wagons, plows, animals, etc.), protection from foreign and domestic enemies, and legal protection. In return, the peasant provided annual rent, which was often primarily grain, but also included a mixture of cash, animals, and unpaid labor called corvee (hoveri). Typically, the peasant would farm the lord's personal land free of charge. As long as a peasant fulfilled these obligations, he could not be evicted.

Although a peasant had the right to remain on the farm for the rest of his life, he did not own the farm, nor did he have to right to pass it on to one of his heirs. The lord or his steward had the final word on who took over a farm. If the steward could convince a peasant to pay an entrance fee to take over a copyhold, he got a commission and was therefore interested in "highest and best." Families often tried to keep the farm in the family by staying in the lord and steward's good graces by keeping the farm in good repair, keeping up on dues, etc., but there was no guarantee.

The only exception to this rule is the right of widows. When a peasant died, his widow had the right to remain on the farm until her death as long as she did not remarry. If she wanted to remarry her new husband needed to enter into a new contract.

Originally in the medieval period, the copyhold system is not thought to have been particularly harsh on peasants and there were many prosperous peasants, especially after the Black Death. As Denmark moved to a more market oriented economy, however, lords began to squeeze their peasants harder and harder and conditions were bad starting about 1650.² By the 1780-1790's the summer workday was 6 am to 7 pm, some peasants had to walk over 3 miles to get to their

¹ T.K. Derry, *A History of Scandinavia: Norway, Sweden, Denmark, Finland, and Iceland*, (Minneapolis, Minnesota: University of Minnesota, 1979), page 140.

² Nils Hybel and Bjørn Poulsen, *The Danish Resources 1000-1550: Growth and Recession*, (2007).

lord's lands, a farmer's household provided about 300 days per year of unpaid labor and cottagers 52 days per year.³

Copyhold Deeds (Fæsteprotokoller)

A copyhold deed is a record of the terms that a lord and a peasant have entered into so both sides could always know and remember the agreed to terms. Some copyhold deeds exist from the middle ages, but these are rare. Starting in 1719, estates were required to make two copies of copyhold deeds (hence the term copy). One was to be kept by the peasant and the other by the lord in a special list. Although the law was passed in 1719, many estates had been keeping these records as early as the 1680's-1690's and many others either did not keep them or did not preserve them. Thus, many copyhold records begin in 1719, but a significant amount either start earlier or don't exist.

Copyhold records are an invaluable source of genealogical material because the first few lines will typically include:

- The name of the new tenant
- The new tenant's birthplace
- The name of the previous tenant
- The relationship between the two men if any

Statistics

Around 1650-1660 the king owned 45% of the land, the nobility and institutions owned 52.12%, and independent farmers (selvejer) 2.88%. The king especially owned large amounts of land in Copenhagen and Roskilde districts and on the islands of Falster and Bornholm, but had land scattered all throughout the realm.

Using the thousands of copyhold deeds that exist, researchers have drawn up some statistics about how likely a farm was to be passed to a family member. The numbers vary greatly from estate to estate depending on factors like the quality of the land, the peasant's work ethic, and how well the estate was managed, but generally conditions were better on Jutland and Fyn than Sjælland and the surrounding islands. In general, the following conclusions were drawn:

- 45% of all tenants kept the farms until their deaths
- About 22.5% were evicted
- Average length of a tenancy was 20 years

In Eastern Denmark

- 1719-1750: 30% of tenants forfeited their farms
- 1719-1750: 28.33% of farms are passed down father to son
- 1760-1765: 50+% of farms are kept in the family
- 1766-1786: 40% of farms are kept in the family

³ Palle Ove Christiansen, *A Manorial World: Lord, peasants and cultural distinctions on a Danish estate 1750-1980*, (Oslo, Copenhagen, Stockholm, Oxford, & Boston: Scandinavian University Press, 1996).

In Western Denmark

- 1719-1750: 15% of tenants forfeited their farms
- 1719-1750: 56.67% of farms in Jutland are passed down to a family member
- 1760-1765: 60% of farms in Jutland are passed down to a family member
- 1765-1786: 50% of farms in Jutland are kept in the family
- After 1790's: 66.67% of farms in Jutland are kept in the family
- 1800-1810: Sons and step-sons on Funen obtained the copyhold 40% of the time

The odds that a farm was passed down to a family member is never lower than 25% and can be as high as 66%. Therefore, it is always worth checking the copyhold records

Strategy

Copyholds are most likely to be helpful from whenever they begin (often 1719) until 1787 when the census was taken and military levying rolls start. The information in them remains constant, but other sources tend to be more helpful when they exist. None of the major genealogical companies have created searchable databases and many are unindexed so you often have to go page by page, but this is easier than it sounds. Usually the name of the new copyhold is written in the margins and you just need to read those while you browse.

Many of the copyhold records are available for free online at FamilySearch and through the Danish State Archive's catalog called Daisy. Check both of these. Daisy is more likely to have an index.

Although none of the major companies have indexed these records, some genealogical enthusiasts have abstracted the records of estates that are of interest to them. The biggest ones are as follows:

Website	Region	Number of Estates Published
www.aurelia-clemons.dk/probate.htm	Holbæk and Svendborg	6
www.brejl.dk/skift.html	Eastern and Central Jutland	13
https://fynhistorie.danmark.dk/taxonomy_menu/5/114	Fyn and Langeland	17
www.slaegt.dk/kilder/hvor-finder-du/afskrevne-kilder/	All of Denmark	28

In addition to these try typing in the name of your estate on Google and the word "fæsteprotokoller" and see if anything interesting comes up.

How to Determine the Correct Estate

The bad news is there is not a quick and easy way to determine which estate your ancestor was bound to. The good news is A. families often stayed with the same estate (even if they didn't stay on the same farm) so once you figure it out, the rest is a lot easier and B. I will be teaching a class entirely on figuring out the correct estates and jurisdictions at our next Nordic day on January 9th.



In the meantime, the best ways are as follows:

- Using the Wiki
 - Go to www.familysearch.org/wiki/en/Main_Page
 - Type in the name of your ancestor's parish and go to that parish page
 - On the right-hand side of the parish page will be a box showing the various jurisdictions that parish belonged to.
 - The bottom slot will be called "Gods" which means estates. A list will be provided of all the estate that are known to have owned some land in that parish
 - Check the FamilySearch catalog for each of those estates, see if they have copyholds, and check them if they do
- Using the FamilySearch catalog
 - Go to www.familysearch.org/search/catalog
 - In the "Place" search bar, type "Denmark, [the name of your parish]" and click search
 - If copyhold records come up as a search result you can try those directly, if not click on the available probate records
 - You can ignore any probate jurisdiction that says either "provsti" or "herredsret" on it. Of the others which should say "gods" click on each one. Each estate should have a list showing not just which parishes they had land in, but which specific hamlets within those parishes their land was located in. These lists are therefore more detailed than the ones in the wiki, but harder to get to.
 - Check all of the estates that held land in your specific hamlet
- Using www.danskeherregaarde.dk/
 - This website is dedicated to estates in Denmark. Click the red button that says "HISTORIE" so you can see all estates even the ones that no longer exist.
 - Zoom in on the map to where your ancestor's parish was located.
 - The dots on the map mark the location of the estates' manor houses. Once you are zoomed in, hover over each of the dots to see that estate's name. Your ancestor probably belonged to one of the closest estates since one of their main jobs was to work the lord's land. Check each of the closest estates.

If these strategies fail, your ancestor may have lived on land owned by the king. If so, your ancestor's copyhold would have been recorded a special taxation district called the amtstue. Often these had similar boundaries to the counties that existed at the time. For example, if your ancestor lived in Koldinghus county, try searching for "Koldinghus Amtstue" in the FamilySearch catalog and Daisy.

Further Reading

If you want to learn more about what life was like for your ancestors who belonged to the copyhold system, I highly recommend *A Manorial World: Lords, Peasants and Cultural Distinctions on a Danish Estate 1750-1980* by Palle Ove Christiansen and *The Danish Resources 1000-1550: Growth and Recession* by Nils Hybel and Bjørn Poulsen. The first book focuses on Giesegaard estate and goes into exceptional detail about every aspect of the peasants' lives. The latter book focuses heavily on life in medieval Denmark and I consider it as "A Manorial World: Origins Story." The Family History Library has copies of both books.