THE GREAT RED BOOK OF BRISTOL

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EDITED BY

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TEXT
(PART III)

Printed for the
BRISTOL RECORD SOCIETY
FIRST PUBLISHED IN 1951

MADE AND PRINTED IN GREAT BRITAIN BY
J. W. ARROWSMITH LTD., QUAY STREET AND SMALL STREET, BRISTOL
PREFACE

HAVING regard to the importance of the subject, an attempt to elucidate the history of the Bristol borough courts requires no apology, but the inclusion of such an attempt as 'an introduction to the present volume certainly calls for an explanation since the reader will find very little in the text which bears on the matter.

Both the Little Red Book and the Great Red Book contain scattered evidence of extreme importance dealing with the various courts, but without the material at the Public Record Office no coherent history would be possible and some years have been spent in accumulating this latter.

With one more volume of text the edition of the Great Red Book will be complete, and if an account of the history of the Courts is to be given it is, therefore, as far as the present writer is concerned a case of "now or never". It is to be hoped that the large area for further research revealed by the documents at the Public Record Office to which the Introduction refers will receive from future students the attention that it deserves.

My thanks are due to Miss Elizabeth Ralph, the City Archivist, for her usual courtesy and helpfulness in making material available and for preparing the subjects index. I am also much indebted to those who helped me with the ungrateful task of proof correcting.

E. W. W. VEALE

14. Orchard Street,
Bristol.
3rd May, 1951
TRANSCRIBER'S NOTE

The Great Red Book has been re-backed and in consequence it sometimes happens that words on the extreme margin of a page are either readable with difficulty or not readable at all. Words in the former category are enclosed in brackets, in the latter case a blank is left in the text.
**LIST OF ABBREVIATIONS**

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
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<tbody>
<tr>
<td><strong>L.R.B.</strong></td>
<td>Little Red Book, edited by Bickley and published by the Bristol Corporation.</td>
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<td><strong>S.S.</strong></td>
<td>Selden Society.</td>
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<tr>
<td><strong>Bristol Charters</strong></td>
<td>The Volumes of Charters published by the Bristol Record Society.</td>
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INTRODUCTION

In an introduction such as the present it is important to define the limits of the subject dealt with and it must be emphasised, therefore, that no attempt will be made to discuss the administration of criminal justice in the borough, important though this subject is, nor the courts of those persons who held liberties there. The scope of the introduction is limited to the history of the Civil Courts in Bristol during the Middle Ages and of their jurisdiction, with some reference to the manner in which they conducted their business.
PART I
THE BOROUGH COURTS

The Hundred Court

It is hardly to be expected that many borough records should supply evidence which would enable the historian to establish beyond question the origin of the borough courts and in the matter of early evidence upon this subject Bristol is particularly poor; there seems, however, no reason to doubt the opinion expressed by Professor Tait\(^1\) to the following effect:

The evidence of Domesday Book confirmed by the later title of certain borough courts leads to the conclusion that the burghal court of the Middle Ages was very generally in origin a hundred court; a unit in the complete system which was gradually worked out for the whole country except in the far north, in the tenth century. . . . The larger boroughs could be treated as hundreds or half-hundreds in themselves . . . but the smaller boroughs would have to be fitted into rural hundreds.

Professor Tait points out\(^2\) that in Domesday Book, Bristol was surveyed with the adjacent royal manor of Barton in Edredestane hundred so that very possibly the hundred court of Bristol was of post-Conquest origin but, however this may be, there is an express reference to it in John's Charter of 1188\(^3\) which provided that it should be held once a week only. From the terms of the Charter it seems clear that it was referring to an institution which was no new thing.

The functions of the hundred were not, of course, confined to judicial proceedings but this aspect of its activities is quite clearly referred to when the Charter provides, for example, that no burgess should plead without the walls of the town, except in the case of tenements outside Bristol "que non pertinent ad hundredum," and that pleas should be held in the town concerning all debts

\(^1\) *The Medieval English Borough*, p. 60.
\(^3\) *Bristol Charters*, vol. i, pp. 8 sqq.
contracted and pledges made there according to the custom of the town.

Like other hundred courts the original judges of the Bristol court were the holders of certain property within the town whose ownership carried with it the burden of suit of court. The names of the persons who owed this suit and the property to which the burden was attached are to be found in the Great Red Book and the Little Red Book. The particulars in these two volumes were, doubtless, prepared at different times. The following lists show in the first column the suitors referred to in the former volume and in the second column the suitors referred to in the latter.

<table>
<thead>
<tr>
<th>Great Red Book</th>
<th>Little Red Book</th>
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<tr>
<td>Bishop of Worcester</td>
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<td>Abbot of St. Augustines</td>
<td>Abbot of St. Augustines</td>
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<td>Abbot of Keynsham</td>
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<td>Prior of St. James</td>
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<td>John de Kerdif</td>
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<td>Master of St. Marks</td>
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<td>Thomas of Berkeley</td>
<td>Maurice of Berkeley</td>
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<td>Richard Arthur</td>
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<td>John de Acton</td>
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<td>Geoffrey Vassal</td>
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<td>Adam de Bucton</td>
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<td>Richard de Grevyl</td>
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<td>Walter de Hereham</td>
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<td>Fulk Fitzwarin</td>
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<td>Reginald Paueli</td>
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<td>Abbot de Bella Loca</td>
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<td>Abbot of Kingswood</td>
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<td>Abbot of Farleigh</td>
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<td>Nicholas de Poyntz</td>
<td>Robert Prentys</td>
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<td>Abbot of Flexleigh</td>
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<td></td>
<td>Edmund de Lyouns</td>
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<td>Roger de Whyte</td>
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1 *G.R.B.*, text (Part I), pp. 97, *sqq.* See also Assize Roll (Crown Pleas) 278, m. 74.

2 *L.R.B.*, vol. i, pp. 13 *sqq*.

3 The particulars in *G.R.B.* were given in the year 1285; the date of the list in the *L.R.B.* is uncertain.
There is some fairly early evidence of the employment of a Jury in this court, and, although this would not necessarily have put an entire end to the practical value of the suitors, it must have diminished their importance considerably. The case referred to is to be found in the Chancery Miscellanea and the record also shows that, at that time, the court was presided over by the Mayor and Bailiffs.

The Mayor's jurisdiction was confirmed by Edward III's Charter of 1373 which provided

"Et quod dictus Maior Curiam suam ibidem similiter teneat ... prout antea fieri consuevit."

The Court of the Mayor and Bailiffs is referred to in Ricart's Kalendar as a court distinct from that of the Mayor and Sheriff which will be referred to later.

Actions relating to land tried in the "curia Bristoliae" are occasionally referred to in the Assize Rolls although it is to be noted that such references are mainly to be found in the Rolls of Henry III's reign and the jurisdiction of the hundred court in such actions is specifically referred to in the following passage in the "Consuetudines Bristoliae":

"... quod breve de recto placitetur in hundredo secundum processus consuetos et dilaciones consuetas donec interrumpatur per pone Et quod alia brevia sive retornata per vicecomitem sive originalia similiter ibidem placitentur . . ."

Until Edward III's charter of 1373 the King's Justices could entertain such proceedings, and the Assize Rolls show that their

1 Bundle 59, File 1, No. 13; see also L.R.B., vol. i, p. 30, clause 7, which may have referred to this court.
2 38 Ed. III.
3 See also L.R.B., vol. i, p. 32; the two men there referred to were probably the Bailiffs.
4 Ed. Toulmin Smith, p. 78.
6 Assize Rolls, Roll 273, m. 24 (writ of right); Roll 273, m. 25d; Roll 273, m. 27 (writ of right of dower); Roll 275, m. 36d (writ of entry). The relevant extract from the first Roll referred to is as follows:

"Et Adam et Alicia veniunt et dicunt quod non debent eis inde ad hoc breve respondere Quia dicunt quod iidem Johannes et Alicia alias implacitaverunt ipsos de predictis mensagis in Curia Bristoliae per breve de recto . . ."

and from the last:

"Et Margareta venit et dicit quod non debet ad hoc breve respondere quia dicit quod predict' Ricardus et Margeria alias in Curia Bristoliae implacitaverunt eam per breve de recto . . ."

7 Corpus Christi College, Cambridge, MS. 405, p. 236.
activities in this direction were very considerable. This circum-
stance must, as time went on, have deprived the hundred court
of much of its business in real actions commenced by writ and have
left it with little more than jurisdiction in the Assize of Freshforce
with which, of course, the King's judges were not concerned.
The importance of the hundred court in this respect might have
revived in 1373 when the jurisdiction of the King's Justices was
taken away but, as we shall see, the Charter in question made
arrangements of a different kind.

THE MARKET COURT

The hundred court was not long in undisturbed possession of
the field. A Bristol Inquisition of 1285 contains plain references
to the existence of a market court in the following entries:

(a) Item dictus Abbas (Abbot of Keynsham) pro iii tenen-
tmentis suis in mercato facit sectam ad Curiam Mercati.

(b) Galfridus Vassall pro tenemento suo ... in mercato ...
debet sectam ad hundredum predictum et similiter ad Curiam
de mercato sed jam subtrahitur per triginta annos.

(c) Adam de Bucton ... pro tenemento Hugonis de Melles et
tenemento Barneleby ex opposito Iudaismo facit sectam ad
hundredum predictum et ad Curiam de mercato.

(d) Ricardus de greuyle pro tenementis in mercato ...facit sectam ad hundredum predictum et ad Curiam de mercato.

(e) Fulco filius Warini pro tenemento suo ... in mercato
facit sectam ad hundredum predictum et similiter ad Curiam de
mercato sed subtrahitur per unum annum.

(f) Reginaldus Paueli pro tenemento suo ... in mercato ...
facit sectam ad hundredum predictum et ad Curiam de mercato.

(g) Abbas de Kyngeswode pro tribus tenementis juxta portam
Laffardi que quondam fuerunt Radulphi de Weliton qui tempore
fecit sectam ad curiam in mercato pro qua dicta tenementa
fuerunt de tyna² Castri nomine Baronie et ad huc quieta sunt sed
jam subtrahitur dicta secta per XX annos.

(h) Prior de Fairleigh pro tenemento ... in mercato debet
sectam ad curiam predictam de mercato ut quidam credunt eo
quod idem tenementum est quietum de tyna Castri nomine tene-
menti de Baronia per XII annos.

1 G.R.B., text (Part I), pp. 98 sqq.
2 Tina Castri was a prise of beer taken by the Constable of Bristol Castle.
THE GREAT RED

(i) Nicholas de Poyntz pro tenemento suo ... in mercato facit sectam ad curiam predictam in mercato per IIII annos.

Certain other facts emerge from these entries the first being that the court can be dated back with certainty to 1255 and probably to an earlier date, the second being that in most cases suit was owed in respect of tenements in the market and the third being that if did not follow that if suit was owed to the market court, it was owed to the hundred court as well. The hundred and the market court were quite obviously separate and distinct courts.

THE TOLZEF COURT

The origin of this court is obscure but it is obvious that three alternatives must be considered: (a) That the court developed from the market court, (b) That the court was nothing more than the hundred court sitting in a different place, (c) That the court had an origin which was independent of either of these courts.

As to (a). The reader will have noticed that the Prior of Fairlegh owed suit to the market court, as certain persons believed, because his tenement was quit of "tina castri" and that the same thing was true of the Abbot of Kyngeswode.

Now "tina castri" was a prise of ale taken by Bristol Castle and it rather looks as though this arrangement represented a bargain exempting the owner of a tenement from the prise in exchange for the suit; this would, obviously, be unprofitable to the person entitled to the profits of the Castle unless these included the profits of the market court as well. In other words it looks as though there were some connection, close or otherwise, between the market court and the Castle.

The Assize Rolls contain the following entry for the year 1323:

"Idem presentaverunt quod Ricardus Tilly nuper maior yille Bristolie [and a number of other persons conspired] ... quod quilibet eorum alium manteneret in omnibus placitis et querelis per ipsos vel contra ipsos motis et quod ipsi placita et querelas que unus eorum inciperet ad maunten 'tam in Gildhall' quam in curia tonderie eiusdem ville et quod predictus Ricardus et alii falso mantenerunt quoddam placitum inter Ricardum Brian de Brampton querentem et Robertum

1 Entry (b).
2 The inquisition contains numerous entries of suit to the hundred court alone.
3 Supra, p. 5.
4 Assize Roll 291, m. 1d; see also Assize Roll 1560, m. 62.
le Passour et Johannem de Celer defend' in curia tonderie de quadam navi ipsius Ricardi cum apparatu precii centum marcarum . . . Et quod predictus Ricardus et alii false et maliciose moveri procuraverunt quoddam placitum coram constabularium in Tunderia . . . de debito XXXIII li . . . (other alleged false suits follow)."

The fact that the Constable of Bristol Castle was interested in both courts does not, of course, prove that the one court was derived from the other or was identical with it, but it is certainly suggestive.

The Assize Rolls, as we have seen on occasions, speak of the "Court" of Bristol although it is quite certain that the market court was then in existence and the use of the singular is both understandable and accurate if the market (or Tolzey) Court were presided over by the Constable because the latter would not have been a borough court at all.

It is also remarkable that when the burgesses were petitioning for the Charter of 1373 and, amongst other things, were asking for jurisdictional privileges, the Tolzey Court, which was certainly in existence at that time, was not even mentioned and that in the Charter itself the King when reserving the jurisdiction of the Tolzey Court used the phrase:

"Salvo semper quod placita que in curia nostra in dicta villa Bristolie vocata Tolseld' coram Senescallo et aliis ministris nostris ibidem teneri consueverunt in Eadem curia coram Senescallo et aliis ministris nostris . . . ibidem decetero teneantur."

When the borough farmed the revenues of Bristol the court would, of course, have become a borough court, but not till then. The close connection between the Tolzey Court and the Market Court is shown by the following:

"These ben the ordinaunces establed and inacted . . . for the gode rewle of the Styward of the Courte of the Tolzey and market withinne the town of Bristowe that now is and his successours Stywardes in the seyde courtes . . . Imprimis the seyde mayre and notable persones have ordeyned and establed that the Styward that now is and that for the here aftyr shall be in the seid courtes. . . ."
It will be observed that the ordinance uses the word "court" in the singular once and in the plural twice, but it may well have been the case that when the market was in progress the court functioned as the market court and otherwise as the Tolzey Court. Ricart's Kalendar\(^1\) does not mention the Tolzey Court at all but refers to the "markett court."

As to \((b)\). The only direct evidence is also derived from one of the Assize Rolls\(^2\) and is as follows:

"De Subtractionibus ... dicunt quod Abbas de Kinggeswode debet facere sectam ad hundredum domini Regis in mercato Bristollie et subtraxit sectam illam per XXII (annis) Et Prior de Farle debet facere sectam ad hundredum illud et subtraxit sectam illam per XV annos. . . ."

This evidence so far as it suggests that the hundred court on occasions sat in the market (as it does on the face of it) is heavily discounted by the "Consuetudines Bristollie"\(^3\) which Miss Bateson dates at 1240, and which contain the following passage:

"Nullus Burgensis respondeat burgensi de ullo placito preterquam de placito debiti nisi in hundredo . . . Et quod Burgenses inter se invicem et burgenses versus extranei et extranei versus burgenses et extranei versus extraneos possunt placitare de debitis maioribus sive minoribus de die in diem sine breve secundum consuetudinem ville."

If this is a true statement it can hardly be doubted that whatever court heard these pleas of debt (and it obviously could not be a market court sitting as such because such a court would not sit from day to day) it was not the hundred court.

As to \((c)\). Almost the best that can be said for this hypothesis is that it must be true if both the others are not; the only evidence for it is the following extract from the Consuetudines Bristollie and perhaps a few rather difficult petitions in Chancery. The passage in the Consuetudines is as follows:

"Et quod de contencionibus ortis (inter) mercatores et nautas sive inter mercatores et mercatores sive inter nautas et nautas et sive per terram et sive per aquam vel per mare utrum fuerint burgenses vel extranei rectum teneatur

\(^1\) p. 75 ("And therupon forthwith one of the Bailiffs, by the Maires Commandement to go kepe the markett court.").

\(^2\) Assize Roll 278 (Crown Pleas), m. 74 (1287).

\(^3\) Corpus Christi College, Cambridge, MS. 405, p. 236."
querelentibus secundum leges et consuetudines ville unde difficile sive impossibile est singulos casus enumerare."

The Lex Mercatoria¹ makes it quite clear that the Law Merchant was used in sea ports and provides:

"In portubus attachiamenta sive adiornaciones sunt similiiter ordinatim sicut et res venales veniunt ad portum et exeunt portum scilicet de daytyda in daytydam, nec computari debent tide noctuales."

The Lex Mercatoria leads one to expect provision in sea ports for the settlement of disputes between sailors and merchants using the port as such and the Consuetudines show that this provision existed in Bristol² but it is one thing to admit this and quite another to assume that a new court was required to deal with these matters; one would rather expect an existing court to perform this function though in a different capacity. A petition to Chancery,³ of which the following is a summary, suggests that for a particular purpose the Tolzey Court could sit in this capacity although the dispute referred to in the petition was not one in which either a merchant or a sailor was concerned.

The petitioner alleged that he had agreed with one Richard Andraves that the latter should farm the petitioner’s benefice for a quarterly payment of £40 to be secured by a surety on the finding of which he could take possession. The surety not being forthcoming, possession was refused by the petitioner. Richard thereupon, with the assistance of John Sheppard of Bristol merchant, started an action of covenant in the Tolzey Court putting his damages at £40 "wereupon by the means of the seid John Sheppard there was called a court of Pipowdres wherein your seid oratour wrongfully shuld have been condemned."

The petitioner communicated with the Bishop of Worcester who wrote to the Mayor of Bristol asking him to "surcesse the processes of the seid accion in the seid courte of Piepowdre" until he had examined the complaint. Arbitration was agreed upon and, pending the appointment of the arbitrators, the petitioner went to Oxford but returned when they were elected. Richard, however, with the support of John Sheppard caused the

¹ L.R.B., vol. i, p. 57.
² This is confirmed by the fact that the Laws of Oleron are inscribed in full in the L.R.B. although they were not transcribed by the editor.
³ Early Chancery Proceedings, bundle 64, No. 192; see also bundle 64, No. 831.
petitioner to be attached " uppon the seid accyon and therupon hath caused a nue Court of Piepowdres to be set wherin your seid Oratour is likely to be condemned." The petitioner asked for a certiorari to the Bailiffs.

There is nothing in the petition to show why the case could be considered suitable for a court of Piepowder but it does seem clear that for the purpose of the case the Tolzey Court sat as such.

In Boroughs a court of Piepowder could sit otherwise than in a fair or market. This is made clear in Year Book 13 Ed. IV fol. 8 as follows:

"en le chauncerie Pigot reherse q'il ad este assign purerreur deuant cest temps dun judg' done in Curia pedis pulverisat' secundum consuetudinem civitatis etc pur ceo q'il ne fuit dit quod fuit in pleno mercato vel in plena feria, et ceo fuit aiudge pur nulerreur, pur ceo que il fuit secundum consuetudinem civitatis, issint un court de pipouders poit este per custome sans faire ou market."

The weight of evidence, such as it is, clearly favours the hypothesis that the Tolzey Court developed from the market court with the reservation that for special purposes the Tolzey Court could sit as a Court of Piepowder.

The earliest extract from a Tolzey Court Roll which has yet been found and which is dated 1289 commences as follows:

"Ad curiam Tol' tentam die mercurii proximo post festum Translacionis Sancti Thomas martiris Anno regni Edwardi nunc XVII/°"

Whatever may be the origin of the Tolzey Court it is perfectly clear that there was a court sitting in the Tolzey in 1280, and probably long before, and that it was distinct from the hundred court sitting at the Guildhall.

The court, as already mentioned, is referred to in Edward III's Charter of 1373, when, in the course of certain grants of jurisdiction, he excepted pleas which were accustomed to be held in his court in Bristol called the Tolzey before his steward and other ministers and directed that the latter should continue to hold such pleas as before and that they should account for the profits.

Evidence of the Court's proceedings is plentiful for the years 1477 and 1480 because Court Books for those years have been

1 Bristol City Archives, No. 00567(1); see also Select Cases in the Law Merchant S.S., vol. ii, p. xcv.
found but, apart from those volumes and some references to it in Chancery Miscellanea and early Chancery proceedings, evidence is scanty until the latter part of the sixteenth century.

The following extracts show the manner in which the Court was described at different periods in its history:

18 Edward I.\(^1\) Ad curiam Tol' tentam die mercurii proximo post festum translationis Sancti Thome. . . .

8 Henry IV.\(^2\) Placita tenta in Curia Tols' ville Bristollie secundum legem mercatoriam et consuetudinem eiusdem Curie . . . coram Johanne Sutton Senescallo Thome Berkeley domini de Berkeley firmarii domine Regine Anglie ville Bristollie.

6 Henry VI.\(^3\) Placita Curie domini Regis Tols' ville Bristollie tenta in Guyhalda ibidem coram Hugone Wydeford at Clement Bagot Ballivis\(^4\) maioris et communitatis eiusdem ville ac curie predicte.

20 Edward IV.\(^5\) Curia domini Regis Tols' tenta in mercato eiusdem ville secundum legem mercatoriam et consuetudinem a tempore etc coram Roberto [illegible] et Johanne Houndes-low ballivis maioris et communitatis . . .

The question at once arises as to why this second Court became necessary at all and in this connection two main reasons suggest themselves. The first reason lies in the procedural differences between real actions and others and the second in the introduction of the Law Merchant procedure in cases other than real actions.

**Procedural Differences**

There are very obvious procedural differences between real and other types of action which is precisely expressed by the distinction which existed, for instance, in Ipswich\(^6\) between the Court of Great Pleas in which actions of the former type were dealt with and the Court of Little Pleas which dealt with most of the remainder.

One of the most important of these distinctions was, of course, the manner in which proceedings were commenced. In accordance

1. Bristol Archives No. 00367(1).
2. Chancery Miscellanea, bundle 59, file 2, m. 8.
3. Chancery Miscellanea, bundle 59, file 2, No. 48, m. 12.
4. In spite of the provisions of the 1373 Charter the Court would be held before the representatives of whoever was farming the revenues of the town.
5. Tolsey Court Book, 1480, Bristol Archives No. 04428, fo. 1.
with the principle that no one need answer for his freehold without
the King's writ, such actions had to be commenced by Writ in
the borough courts as elsewhere except that one type of action,
peculiar to boroughs, called the Assize of Freshforce\(^1\) could be
commenced by bill; other pleas were commenced by plaint or
bill.

THE INTRODUCTION OF THE LAW MERCHANT

The Lex Mercatoria\(^2\) contains this categorical statement which
draws the sharpest possible distinction between real actions on
the one hand and the remaining pleas on the other:

"Ad leges istas [i.e. Law Merchant] pertinent naturaliter
omnia placita preter placita terre tantum."

It is not intended at this point to deal with the differences
between Common Law and Law Merchant procedure in detail,
suffice it to say that the latter offered great advantages to litigants
in the matter of speed and gave a plaintiff an effective remedy
against a debtor who did not appear, by permitting articles taken
by distraint to be handed to the creditor (subject to certain safe-
guards) in satisfaction or part satisfaction of his debt.\(^3\) The
distraint referred to was that taken from the debtor to compel
him to appear. There was a similar process at common law except
that the creditor never received the benefits of the distress.

It is remarkable that Bracton, writing in the middle of the
thirteenth century, showed his appreciation of the advantages
of the Law Merchant procedure in the following well-known
passage\(^4\):

"Bonum esset igitur (ut videtur) distinguere inter placita
sive actiones civiles, utrum videlicet actio esset personalis et
pecuniaria descendens ex contractu, quo casu bonum esset
adjudicare querenti ab initio seysinam catallorum secundum
quantitatem debiti petiti, et dare ei diem et summonere
illum de quo queritur. Et si ad diem summonitionis veniret,
estunc restitueretur ei catalla ita quod super principali
responderet, si autem non quod ulterius super catallis non
audiretur, sed querens extunc verus possessorius efficeretur."

\(^1\) There were other types of Assizes peculiar to boroughs; an important
example of which is the Assize of Nuisance.

\(^2\) L.R.B., vol. i, p. 57.

\(^3\) Ibid., p. 60.

\(^4\) Bracton, 1569 ed., fo. 440d.
So far as the practice in the King's Court was concerned, Bracton's advice fell on deaf ears and it was long before a creditor had an effective remedy against a debtor who did not appear, but it was otherwise in the case of Bristol as is shown by the following plea in reply to a complaint that certain goods had been taken by the Richard Tilly previously referred to:

"Ricardus defendit et dicit quod cum ipse implacitasset predictum Walterum et quendam Willelmmum de Stowe de quodam debito XXXIII li coram Ricardum de Rodeneye tenentem locum constabularii Castri Idem Walterus et alius non defensi per consideracionem curie reperiebantur per quod catalla ipsius Walteri in hac bila contenta secundum consuetudinem ville appreciebantur ad XII li et eodem Ricardio liberabantur per ministros curie predicte ad precium XII li Juratores dicunt quod predictus Ricardus implacavit predictum Walterum et Willelmmum de Stowe in Curia Bristollie et tanquam indefensos recuperavit versus ipsos predicta IIII dolia vini etc.

and by the following extract from the Assize Roll the date of which is 1286:

(The plaintiffs alleged a debt for goods sold to the Defendant and a demand for it from the latter) . . . et hoc parati sunt probare versus eum secundum legem mercatoriam de libertate ville Bristollie."

An early reception of the Law Merchant procedure by the Bristol Tolzey Court is also strongly suggested by the fact that an invaluable tract upon the Law Merchant is copied into the Little Red Book in what the learned editor of that volume describes as a fourteenth-century hand. It is obvious from the inclusion of this document (which occupies 18 pages of text) in such a volume that much importance was attached to its contents.

The tract referred to also contains the following statement:

1 Assize Roll (Crown Pleas), 1260, m. 40 (1324); see also L.R.B., vol. i, pp. 41, 42, which suggests that only perishable goods should be handed to the plaintiff, and which makes particular provision in the case of money taken by way of distress.

2 Assize Roll (Crown Pleas) 278, m. 17.

3 The tract itself was probably written much earlier. There is not much internal evidence as to its date but in the section dealing with communications to other courts (L.R.B., vol. i, pp. 80 sqq.) the precedents are all dated in the reign of Edward I. This is not, of course, conclusive.
"Sciendum quod in omnibus predictis quinque locis [i.e. cities, fairs, seaports, market towns and boroughs] semper est lex mercatoria tenenda nisi ambe partes manifeste et expresse consensciant ad legem communem. . . ."

This is a somewhat startling claim for the Law Merchant but when the jurisdiction of the Tolzey Court comes to be considered it will be seen that the claim was in certain directions made good. The growing importance of the Tolzey Court can be readily imagined and it is little wonder that Edward III excepted it when making the substantial grants of jurisdiction to be considered hereafter.

**The Courts Created by Edward III's Charter of 1373**

This Charter is an extremely important one in the history of the Bristol Courts.

**The County Court**

The Charter made Bristol a County with a Sheriff of its own and created a new Court by providing¹:

"Et quod idem vicecomes Bristollie Comitatum suum ibidem de mense in mensem per diem lune teneat prout alii vicecomites in eodem regno comitatus suos tenent. . . ."

Although the Charter does not say so, the suitors of this court were probably the same persons who before the Charter did suit to the County Court of either Gloucester or Somerset. No reference to the judicial activities of this Court in the Middle Ages have come to light and it may well be that from this point of view it was unimportant.

**The Court of the Mayor and Sheriff**

In addition to confirming the jurisdiction of the old hundred² court the Charter created an entirely new Court by the provision³:

"Sed quod Maior et vicecomes dicte ville Bristollie qui pro tempore fuerint habeant cogniciones omnium placitorum necnon assisarum nove disseisine mortis Antecessoris ac certificationum arrainiatarum . . . de quibuscunque terris

¹ *Bristol Charters*, vol. i, p. 122.
² *Supra*, p. 4.
³ *Bristol Charters*, vol. i, pp. 126, 128.
tenementis redditibus et Tenuris infra dictam villam Bristollie suburbia et precintum existentibus, et eciam quorumcumque transgressionum convencionum debitorum compotorum contractuum et querelarum necnon cujuslibet rei infra dictam villam Bristollie, suburbia et precintum qualitercumque factorum sive emergencium quascumque personas tangencium coram dictis maiore et vicecomite Bristollie infra predictam villam Bristollie in la Gildhalle eiusdem ville tenendas et habendas...”

This is a somewhat carelessly drawn provision since the Assize of Novel Disseisin would but rarely have been brought in a borough where the Assize of Freshforce lay, and the Assize of Mort D’ancestor did not lie in Bristol1 at all, but even after allowing for this and for the fact that a considerable part of the jurisdiction in personal actions had clearly passed or was passing to the Tolzey Court, the jurisdiction granted was a very considerable one.

At first sight it may seem curious that these matters should not have been left to the old hundred court sitting in the Guildhall but it must be remembered that the same Charter which granted these privileges deprived the King’s Justices of all their civil jurisdiction in Bristol2 and the old hundred court having by then declined in importance3 from a judicial point of view a new court had to be created to fill the gap.

This court had no suitors, and the mayor and sheriff were judges as the following heading to an entry in Chancery Miscellanea proves4:

“Curia domini Regis tenta in Gihalda ibidem coram Thoma Yonge maiore ville Bristollie et Johanne Spyne vicecomite eiusdem ville Justiciariis domini (regis) die mensis Octobris regno regis Henrici Quarti post conquestum XIII”

The Court was quite distinct from the old hundred court held before the mayor and bailiffs as the following entry from Ricart’s Kalendar5 shows:

1 Assize Roll 275, m. 36d, and other entries therein.
2 Bristol Charters, vol. i, p. 130.
3 Supra, p. 5.
4 Bundle 59, file 2, No. 46.
5 Ed. Toulmin Smith at p. 78; see also Chancery Miscellanea, bundle 59, file 1, No. 26, which refers to an Assize of Freshforce held before the mayor and bailiffs and the action of trespass referred to in footnote 1, p. 50, tried before the mayor and sheriff.
"... and thereupon the saide maire to proceed to all his Courtes before the maiore and Shiref or before the Bailiffs for the tyme beyng to be holde and thereupon to sett and proclayme the daies of Assize and pleas of land under this forme that almaner of pleynfifs and defendaunts demaundants and Tenaunts that have a day before the maire and Shiref of Bristowe or the maire and Bailiffs of Bristowe in any Assize or in any other plea of Launde that they keep their daie in the Guyldehalle of Bristowe."

The jurisdiction of the Court of the Mayor and Sheriff was transferred to the Mayor and two Aldermen by a Charter of 1499. Although they can hardly be described as new Courts, the Charter granted certain further privileges of a quasi-judicial nature.

In the first place it gave the Mayor in full court in the Guildhall power to receive and record Charters and other writings touching lands and rents in Bristol its suburb and precinct; these entries became as of record in the same way as Charters and writings enrolled in the Chancery or in the King's Courts. This function was performed in full hundred court.

In the second place it gave the Mayor and Sheriff sitting in full Court in the Guildhall power to receive probates of wills of lands and rents in Bristol and its suburbs and precinct within two years after the death of the testator and to enter them on the rolls of the court when they would become of record. The mayor and sheriff were also given power to enforce the bequests by the writ ex gravi querela. The enrollment also took place in the full hundred court.

The Charter also provided that if a writ were issued out of Chancery for the purpose of levying a fine in respect of property in Bristol its suburbs or precinct the mayor and sheriff should have jurisdiction (again in full court in the Guildhall) the usual fee being paid for "licencia concordandi."

This concludes the list of Bristol Courts which were open to everyone for the trial of ordinary disputes but before considering the nature and extent of the jurisdiction of these various courts, an account must be given of two other kinds of court both of which

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1 Bristol Charters, vol. xi, pp. 181, 182.
2 Intra, p. 142, et passim.
3 Reg. Brev. (1595 ed.), 244d, and Natura Brevium in Frenche (1557 ed.), pp. 85 sqq. According to a custumal in L.R.B. (vol. i, pp. 32, 33) this was an ancient custom. The same custumal (p. 33) mentions the writ ex querela which may have been intended to refer to the writ ex gravi querela.
4 Intra, p. 61, et passim.
in one way or another exercised a specialised function. These courts were the Staple Court and the Fair Courts and since the Bristol Record Society has already published a volume dealing with the former and the latter were very much like other Fair Courts, little more need be done than to draw attention to some early and hitherto unpublished material.

THE Staple COURT

This Court, as is well known, was of statutory origin being created by an Act passed in 1353 which provided (amongst other things):

(a) That the mayor and constables of the Staple in a Staple Town should have jurisdiction in that town in all matters touching the Staple.

(b) That all merchants coming to a Staple Town their servants and people should be governed by the Law Merchant in all matters touching the Staple and not by the Common Law or by the customs of that town.

(c) That they should not plead or be impleaded before the ordinary courts of that town in pleas of debt, covenant or trespass touching the Staple and that this rule applied even if the person to be impleaded were not of the Staple provided (apparently) that he was to be found there and provided also that if only one of the parties were a merchant of the Staple the plaintiff in the action could elect to have his action tried at common law.

(d) That the Staple Court should have no jurisdiction in pleas of land.

An act passed in the year 1362 limited the jurisdiction to debts, covenants, contracts and other pleas concerning merchandise and surety of merchandise between persons known as merchants but so that alien merchants (whether plaintiffs or defendants) should have a right to determine their disputes before the Staple Court or at Common Law as they should elect.

There was a Staple Court in Bristol but there is little early evidence\(^1\) of its proceedings.

There is an unpublished entry in the Little Red Book\(^2\) which is not very helpful for our present purpose since a good half of it consists of those statutory provisions in the 1353 Act which are outlined above, while the remainder consists partly of a list of

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\(^1\) For later evidence, see *Bristol Charters*, vol. v.

\(^2\) *L.R.B.*, fo. 49d.
fees payable to various officials of the Staple and the form of oath to be administered to persons coming to the Staple to buy and partly of a short account of the jurisdiction of the court with the form of entry appropriate in an action for debt in which the defendant appeared at the first summons and admitted liability. This section concludes with the hardly surprising statement that if the plaintiff had no evidence at all of his debt the defendant could rebut the claim by his own unsupported oath.

There is, fortunately, an early Bristol case in Chancery Miscellanea which is of considerable interest not only as showing the constitution of the court but also the manner in which it conducted its business. The record is as follows:


Ricardus Hantisford queritur de Johanne Spyne in placito detencionis catallorum per plegiagium Johannis Bruggewater et vocatis partibus predictis prefatus Johannes Spyne per summonicionem eidem factam comparuit et predictus Ricardus in propria persona sua comparuit similiter et petit de predicto Johanne Spyne quatuor pipas waide precii cujuslibet quarterii quinque marcarum et quinque solidorum in quibus sibi tenetur per quandam remembranciam in papiro dicti Ricardus de manu predicti Johannis Spyne scriptam que curie hic ostenditur in hec verba Item jeo doye a mon' dit Maistre pur amendex de tout la gaide q' jeo ay crompat pur luy quatr' pipes de gaide a son aventure venaunt de Bayon' Et predictus Johannes Spyne bene cognoscens remembranciam predictam fore scriptam de manu sua propria dicit quod diu post scriptionem remembrancie predicte ipse misit extra Baionam circa festum Sancti Michaelis ultimum preteritum tres pipas waide prefato Ricardus ad aventuram ipsius Ricardi in quadam bargea vocata La Jonette de Bristollia unde Johannes Cornkey adtunc fuit magister quas quidem pipas waide postquam bargea predicta salvo ad portum Bristollie adventa fuit predictus Ricardus waidam predictam de predicto Johanne Cornkey super kalam Bristollie acceptip juxta formam remembrancie predicte et sic

1 "Et encas qil est ascun merchant Q'voet faire une pleint sus un autre sans oblig' taille ou ascun testimoinants ou evidence. . . ."
2 Bundle 59, fil 4, No. 18.
tres pipas predictas non detinet et hoc predictus Johannes Spyne pretendit verificare qualiter vel quomodo curia in hac parte considerare voluerit et quod quartam pipam waide predicte prefatus Johannes Spyne dicit solutis expensis eidem quas fecit ad instanciam dicti Ricardi pro fretamento et askippamento waide predicte quod ipse paratus est illam dicto Ricardo deliberare et Semper fuit et hoc pretendit verificare ut supra ... super hoc quia tunc videbatur predicto Johanni Caudevere uni constabularionum curie predicte quod responsio predicti Johannis Spyne non est sufficiens contra cognicionem suam propriam remembrancie predicte consideratum fuit per ipsusm Johannem Caudevere in presencia Thome Knapp maioris predicti quod predictus Richardus recuperet quatuor pipas waide predict' vel precium per inquisitionem inde faciendam et super hoc datus est dies partibus predictis tam de Inquisitione predicta capienda quam de executione judicii predicti facienda usque in diem Jovis proximum post festum Sancti Johannis Baptiste tunc proximum sequentem ad quam diem vocatis partibus predictis comparuere ut supra Thomas Colston alter constabularius curie predicte existens in contraria oppinione judicii predicti sibi apparens quod responsio predicti Johannis Spyne est satissufficiens ad precludendum predictum Ricardum de accione sua quam plures alii mercatores ea de causa in curia predicta coadjuvati in oppinione predicti Thome Existentes datus est dies partibus predictis usque ad proximam curiam tunc prox' sequentem absque aliquo die in certo et postea per plures curias partibus predictis non vocatis nihil actum fuit de judicio nec de processu predict'

This record was furnished as a return to a Writ requiring that the matter should proceed.¹

There are certain references to the Staple Court in Early Chancery proceedings of which the following is a summary:

(a) A petition² by William Twyte alleging that one John Forster had brought an action of debt before John Burton the Mayor of the Staple (who was also Mayor of Bristol) and the

¹ For further references to this Court, see *Early Chancery Proceedings* bundle 46, No. 377; bundle 48, No. 148; bundle 64, Nos. 138 and 567; bundle 66, No. 100; bundle 77, No. 177; bundle 116, No. 9; bundle 131, No. 24; bundle 150, No. 45; bundle 178, No. 45; and bundle 189, No. 13.

² *Early Chancery Proceedings*, bundle 7, No. 199. John Burton was Mayor in 1448 and again in 1450.
constables and that he had been imprisoned on a judgment improperly obtained. The debt was founded on an arbitrator's award against him for £100.

(b) Nicholas Baker¹ alias Spicer petitioned against John Pryne alleging that because of his great confidence in the latter he left diverse bills binding him to John Pryne for sums amounting to £40 in John's hands although the bills had been paid and that John had brought debt against him in the Staple Court before the mayor and constables of the Staple with a view to recovering the above amount twice. The petitioner asked for certiorari to bring the matter before the Chancellor to be determined as right and conscience required.

(c) John Wyly² and Thomas Draper of Bristol were the owners of a ship called the St. Julian of Fowey. John Rouchant and John Gregory merchants of Bristol had "laboured" to obtain a safe conduct from the French King to enable the ship to proceed to Bordeaux. For some reason (which the record does not explain) the petitioners gave an obligation for 40 marcs to one Edmund Westcot and to another man called Okerford for the use and behest of John Rouchant and John Gregory to be handed to the latter when the ship reached Bordeaux. On the voyage the ship was met by the Earl of Warwick, who was proceeding to Ireland to help conduct the Duke of York into England, and was pressed into his service and retained for six months whereby the petitioners lost their French voyage and the advantage of the safe conduct. They were, however, sued in the Staple Court in an action of debt, by Edmund Westcot and William Okerford who proceeded on the obligation on behalf of John Rouchant and John Gregory. The petitioners complained they had been "attached by their bodies" as a result of these proceedings.

(d) George Ireland³ citizen and Alderman of London brought a plea of debt in the Bristol Staple Court before William Codder Mayor and the other judges of the court against Alice Sutton executrix of her late husband in the course of which she was arrested by Nicholas Pole, an officer of the court by force of which

¹ Early Chancery Proceedings, bundle 10, No. 168. This petition is endorsed "Coram domino Rege in Cancellaria sua in XV Sancti Mich". Date of the Petition probably between 1432 and 1450. For somewhat similar cases, see bundle 11, No. 165; bundle 48, No. 148; bundle 116, No. 9; bundle 131, No. 24.
² Ibid., bundle 27, No. 1383; date probably about 1460. There is another petition by John Wyly about the same occurrence in bundle 27, No. 477. William Codder, referred to as mayor of the Staple, was mayor in 1452 and 1457.
³ Ibid., bundle 31, No. 331.
arrest "she shuld have ben comytted to warde there to abyde withoute baylle or maynprise or elles put in a sufficient cuacion\(^1\) to the value of the said sum in demaunde after the custome of the said Town." William Codder, in spite of the custom, ordered Alice to be released. The petitioner complained that he had no remedy at common law.

(e) William Gryffyth\(^3\) complained that he had owed £25 to John Stacy who held two obligations for the amount and that he had paid all but 50s. and had allowed John Stacy to retain the obligations until the whole was paid. John Stacy had died leaving his wife his executrix and she, finding the obligations, had commenced an action in the Staple Court before the Mayor and Constables. The petitioner asked for a certiorari to remove the case into the Chancery.

(f) Robert Carew\(^3\) alleged that he John Glasse and Richard Mesenger entered into a joint bond with John Thomis in respect of certain merchandise purchased from the latter. John Glasse went to Ireland and since he (the petitioner) had had none of the goods purchased, he asked the seller to proceed against Richard Mesenger; proceedings were commenced in "the Towne Court of Bristol" as a result of which Richard Mesenger went to prison and was still there although he had paid part of the money and was willing to pay the rest. In spite of this John Thomis had brought a plea of debt against the petitioner in the Staple Court. The petitioner alleged that John Thomis was a burgess there and a merchant of the Staple and concluded "for which cause no man in that Court woll do aynst him and your poure Oratour is a spirytuall man and can not in that court of Staple defend himself." He asked for the usual certiorari.

(g) The Petitioner\(^4\) alleged that he had bought certain madder from Henry Oxenham which was to be paid for in cloth. In spite of this, Henry Oxenham was suing him in the Staple Court for cash. He asked for the usual certiorari.

(h) The Petitioner\(^6\) alleged that he had entered into a bond with William Tocote which he had paid him in London. The latter said that the bond was in Bristol and would be handed over when they both met there. He then went abroad and did not return. John Pollard who had "the keping of William

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\(^1\) i.e. security.


\(^3\) *Ibid.*, bundle 46, No. 377, probable date between 1432 and 1450.

\(^4\) *Early Chancery Proceedings*, bundle 64, No. 138.

Tocotes stuffe and writings brought an action against the petitioner in the Staple Court. He asked for the usual certiorari.

(i) The Petitioner alleged that John de la Porte by means of Nicholas Spycer brought actions of debt against him in the Mayor and Sheriff's Court, the Tolzey Court and the Staple Court and then left Bristol leaving Nicholas Spycer his attorney. The Petitioner said that he was arrested and imprisoned, a verdict having been given against him by a jury who were friendly with Spycer. He was not allowed bail, although ready to find security, because he was a foreigner.

(j) The Petitioner who was the executor of John Meysam had been arrested in an action of debt brought against him in the Staple Court. The debt was one formerly owed by the Testator but paid by him without an acquaintance. The usual certiorari was asked for on the ground that the Petitioner had no remedy at common law.

(k) The Petitioner alleged that Hugh Elyot of Bristol merchant had begun an action of debt for £100 against him in the Staple Court which money was, in fact, not owing. The petition concludes what the plaintiff "of his malicious mynde will not declare upon the said accion to thentente that your seid oratour shulde not be maynprised but only to remayne in prison ayenst all right and goode conscience.

(l) The petitioner had been sued by Thomas Russell burgess and merchant of Bristol and arrested by the order of Richard Forster, Mayor of the Staple. He alleged that he was sued on a forged obligation for 200 marcs in respect of which in any event the Staple Court had no jurisdiction since it was not "for the Staple ne for no merchandise that longed to Staple Court." He alleged that writs had already been sent to the Mayor and Constables of the Staple ordering them to have his body in Chancery at a stated date but that these writs had been disobeyed.

(m) As a result of some complicated and dishonest negotiations concerning a manor which belonged to the petitioner but of which Sir Robert Poyntz had obtained possession an agreement was made between him and the petitioner whereby the manor was

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1 Early Chancery Proceedings, bundle 77, No. 117. This petition is very confused in its terms and seems to be nonsense on the face of it. It was probably dated about 1475.
2 Ibid., bundle 131, No. 24.
3 Ibid., bundle 135, No. 76. It was probably dated about 1455.
4 Early Chancery Proceedings, bundle 150, No. 48. Richard Foster was Mayor in 1446, though he may not have been Mayor of the Staple then.
5 Ibid., bundle 178, No. 45. It was probably dated about 1450.
to belong to the petitioner for his life and thereafter to the petitioner's son (who was married to Sir Robert Poyntz's daughter). It was agreed that the terms of the agreement should be prepared by a learned counsel but through Sir Robert Poyntz's default this was never done nor did the petitioner see the document. Sir Robert Poyntz through the instrumentality of Thomas Harding Town Clerk of Bristol, and the Mayor and Sheriff, had himself made a burgess of the Staple and brought a plea of debt against the petitioner and had him arrested and imprisoned although he offered sufficient surety to the court to answer. According to the petitioner, the refusal to accept the surety arose from the favour shown to Sir Robert Poyntz by the Mayor and Sheriff. The petitioner was the son and heir of Edmund Wykes Esquire of Dursley in the County of Gloucester.

(n) The Petitioner† had sued a privy seal against Thomas Norton of Bristol for the reformation of "suche riottis, hurtes and injuries" as Thomas had done to the petitioner. In order to prevent the petitioner going to London to pursue the matter, Thomas caused one John Jones of Bristol merchant to bring a plea of debt against the petitioner in the Staple Court where "ne suretie will be taken but oonly plate or wolle" and on this plea the petitioner was arrested and imprisoned in the Newgate Prison of Bristol.

Petitions such as the above are obviously unreliable sources of information in matters of detail but they cannot be dismissed as being of purely antiquarian interest.

There is clear evidence of the use of the capias both to secure an appearance (e.g., case m.) and by way of execution (e.g., case t). A similar procedure of the former type in a Law Merchant court is to be found in Rastell² and the evidence also accords, more or less, with a curious ordinance in the Little Red Book,³ which provides that if a burgess should break an attachment⁴ made on him by a King's sergeant, he should first be summoned, and if he did not then appear, be distrained with the proviso that if he had nothing by which he could be distrained a capias should issue against him. In the case of a "foreigner" the summons was apparently omitted.

2 Book of Entries, fo. 168d.
3 Vol. i, p. 31.
4 The precise meaning to be attached to this expression in the passage in question is not clear. If the term is given its ordinary meaning it makes nonsense of what follows.
The curious custom that the Staple Court would only accept plate or wool as security will have been noticed (case n).

Case (d) is a curious one in that an executrix was imprisoned in respect of her deceased husband’s debt. One would hardly have thought such a process possible under the circumstances especially if she had pleaded “plene administravit.”

THE FAIR COURTS

There were three Fair Courts in Bristol and they were Courts of Piepowder. One was created by Henry III’s Charter of 1255, one by Edward IV’s Charter of 1461, and the other granted to the Prior of St. James by William of Gloucester. Records of the latter court for part of the reign of Henry VIII and the first three years of the reign of Edward VI have been found, and show that the Court commenced its sittings on the Vigil of Pentecost and continued until the following Saturday. A transcription of the proceedings for one year is as follows:

“Saynt Jamys Juxta Bristol’
Placita in Curia Domini regis civitatis Bristolie secundum usum et consuetudinem eiusdem civitatis A tempore quo non extat memoria usitatam et probatam ac secundum libertates et Fraunchesia nuper prioribus priorat’ Sancti Jacobi Bristolie predicte ibidem et successoribus suis ab antiquo consuetud’ hactenus usitat’ tenta infra portam eiusdem nuper priorat’ coram Nicholao Poyntz milite tunc capit’ Senescallo ibidem die Sabbati videlicet XXVIII die Maii anno regni Edwardi Sexti dei gratia etc primo ac pro debit’ pros’ dierum et horarum usque meridiem diei Sabbati vigille Sancte Trinitatis tunc Prox’ sequent’ tempore Henrici Brayne civitatis London’ armigeri domini ibidem (here follows a list of the various Officers of the Court).

s’ po’ per vad’ dis’

Thomas More grocer queritur de Georgio Hoper grocer in placito debiti super demand’ XII li XVIII s Querens legittime probavit debitum suum predictum die Martis in festo predicto fore vera [sic] et Just’ [sic] per Johannem Walton grocer et Johannem Wychewell saddler et inventit eos plegios etc s’ po’ per vad’ dis’

1 Bristol Charters, vol. I, p. 34.
2 Ibid., vol. II, pp. 136 et seq.
Thomas More grocer Queritur de Johanne Mekyn Tornour in placito Debiti super demand' xxx s vd Querens legittime probavit . . . [as above] . . per Johannem Walton grocer et Johannem Wychewell saddler et inven' eos pleg' etc
Manuc' Thomas Jefferis Hoper pro lic' concord'
Ricardus Golde Wever queritur de Patricio Lang carpynder' in placito debiti super demand' iis ii/ Super patriam
Patricius Lang Carpynder' queritur de Willelmo . . . organ-maker in placito debiti super dem' vs xi d
s' po' per vad' dis'
Johannes Davys' alias Gybbs queritur de Agneta Atwater vidua administrat' bonorum et catall' que nuper fuerunt Michaelis Atwater defuncti in placito debiti super dem' vis Alicia Hopkyn's senglewoman' administratrix bonorum et Comp' catall' que nuper fuerunt Thome Hopkyns defuncti queritur de Margareta More vidua in placito Detencionis bonorum et catall' val' iii li vi s viiid

Curia tenta die lune videlicet xxx° die Maii ante meridiem
Robertus Alen Maryner queritur de Thoma Hyscokis Beerbruer in placito Transgressionis damp' xs xd
s' po' per vad' dis'
Henricus Sedyford et Willelmus Serche de civitate Bristollie pelly\(^1\) parere queruntur de Ricardo Grenowe de dicta civitate Bristollie pellipar' in placito debiti super dem' xxli
Johannes Wyte' Generosus queritur de Johanne Compton Bochour in placito Transgressionis Dam' vi li
s' po' per vad' dis'
Johannes Wyght Generosus queritur de Roberto Lewys' Glover in placito debiti super demand' x s

Curia tenta ibidem die lune viz xxx° die Maii post meridiem pro li' concord'
Johannes Fysshepyll' et Henricus Erull' Marienarii queruntur de Petro Fryse in placito debiti super dem' v li xs
Johannes Gryffyth' Tayllour queritur de Johanne Saynt John' Spanyard in placito debiti super dem' ixs xd
s' po' per vad'
Robertus Lewys Glover queritur de Johanne Whyte Generoso in placito detencionis bonorum et catallorum ad val' xiis

\(^1\) i.e. Pelliper or Pelterer.
THE GREAT RED

Curia tenta' die Martis viz Hora nona ante meridiem

Curia tenta' hora tertia post meridiem eiusdem diei Robertus Manuc' Ellyett mercator queritur de Henrico Newneth vicision.¹ in placito convencionis fracte Damp' xli

Wamp'

Thomas Magges Caryer' queritur de Dionisio Fowler Car- pynder et Johanna Uxore eius in placito debiti super demand' xl s

Ricardus Langstone queritur de Thoma Clements in placito debiti super demand' vis

Ricardus Wyvole et Johannes Davys alias Gybbys procuratores Ecclesie Beate Marie virginis de Redclyffe queruntur de Willelmo Mosley clerico in placito transgressionis damp' c marc'

(super) Patriam

Curia tenta hora nono [sic] die Mercurie [sic] ante meridiem

Curie tenta hora tertia eiusdem diei post meridiem

Curia tenta hora nona die Jovis ante meridiem s po' per va' dis'

Johannes Walton Grocer queritur de Alicia Alowe vidua in placito debiti super demand' xxs

Querens legittime probavit debitum suum predictum die Sabbati in fest' predict' fore vera et Just' [sic] per Egidium Roe at Johannem Coke et invenit eos plegios etc.

Curia tenta hora tercia eiusdem diei post meridiem

Edwardus Jonys Hallyer queritur de Ricardo Sparowe alias Ricsparowe in placito compoti damp, xxxvis VIIIId

Curia tenta die Veneris Viz hora nona ante meridiem

Curia tenta hora tertia eiusdem diei post meridiem

¹ Query physician.
PART II

JURISDICTION

THE HUNDRED COURT

If Professor Tait's view is the correct one, Bristol's first court was one with undefined and almost unlimited jurisdiction and the subsequent history of the topic would amount to the manner in which this jurisdiction was directed into defined channels, and in the case of a borough like Bristol, a parallel development of courts into which these various channels would lead.

It is believed that the progress of events did, in fact, take this form in consequence of a pressure produced largely, if not mainly, by the economic development of the borough. The economic history of Bristol is not a subject with which this introduction can deal even in outline, but it is not unreasonable to suppose that the reign of Henry III was a period in which this economic pressure became pronounced. The well-known passage in Ricart, for instance, which mentions what must have been the laborious and difficult undertaking of constructing a deep-water quay in the neighbourhood of what is now the Tramway Centre suggests a notable advance in the importance of Bristol as a seaport.

The first restriction to be put on the jurisdiction of the Hundred Court must have been the rule established by Henry II that no one need answer for his freehold without the King's writ nor is there anything in John's Charter of 1288 which is inconsistent with this rule. Although the Charter provided that no Bristol burgess should plead outside the walls except in the case of pleas concerning tenements outside Bristol (with which, as the Charter points out, the Hundred Court had no concern) and that disputes concerning tenements within the town should be dealt with according to the custom of the town, the provision would not have excluded and did not, in fact, exclude the

1 Supra, p. 2.
2 Ricart's Kalendar, ed. Toulmin Smith, p. 28. For the deed by which the necessary land was transferred to the Mayor and Commonalty of Bristol see G.R.B. text (Part I), pp. 89, 90.
3 The Assize Rolls dealt with hereafter contain several references to such customs.
jurisdiction of the Royal Justices if they sat in Bristol. That they proved formidable competitors to the Hundred Court in disputes concerning land is shown by the following analysis of an Assize Roll for the year 1248:

<table>
<thead>
<tr>
<th>Action</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assizes of Novel Disseisin</td>
<td>8</td>
</tr>
<tr>
<td>Writs of Right</td>
<td>14</td>
</tr>
<tr>
<td>Writs of Entry</td>
<td>14</td>
</tr>
<tr>
<td>Debt</td>
<td>1</td>
</tr>
<tr>
<td>Detinue</td>
<td>1</td>
</tr>
<tr>
<td>Warrantia Carte</td>
<td>2</td>
</tr>
<tr>
<td>Replevin</td>
<td>1</td>
</tr>
<tr>
<td>Nuisance</td>
<td>1</td>
</tr>
<tr>
<td>Writs of Right of Dower</td>
<td>3</td>
</tr>
<tr>
<td>Writ of Dower’ unde nichil habet</td>
<td>1</td>
</tr>
<tr>
<td>Covenant</td>
<td>2</td>
</tr>
</tbody>
</table>

Total: 48

This shows a considerable volume of business, and the various actions pursued before the Royal Justices took a normal course on the whole though the following points are worthy of note:

(a) The following entry on Roll 273 membrane 25 (d) shows the Bristol custom as to the Grand Assize: “Et ponit se in Juratam ville loco magne assise.”

(b) The following entries refer to proceedings in the Borough Court (presumably the Hundred Court) by Writ:

In proceedings by way of Writ of entry the Defendants pleaded... “Et Adam et Alicia dicunt quod non debent eis inde ad hoc breve respondere Quia dicunt quod [Plaintiffs] alias implacaverunt ipsos de predictis mesuagis in Curia Bristollie per breve de recto.”

The Plaintiffs were unable to deny this and the Defendants were given judgment.

1 Assize Roll 273, m. 20-35. The Roll records that the Justices were sitting in Gloucester which, having regard to the Charter provisions, is curious. Later evidence shows that the Mayor and Bailiffs of Bristol claimed their court under such circumstances; see for example, L.R.B., vol. i, pp. 94 sqq.

2 See also Assize Roll 275, m. 36d.

3 Assize Roll 273, m. 24. The jurisdiction of the hundred court in real actions is plainly affirmed in Consuetudines Bristollie in the following passage. “quod breve de recto placitetur in hundredo secundum processus consuetas et dilaciones consuetas...” Miss Bateson puts the date of the Consuetudines at about 1240 (S.S. Borough Customs), vol. i., p. 251.
In proceedings by way of writ of dower unde nichil habet, the Defendant pleaded "... et dicit quod non debet ei inde ad hoc breve respondere Quia dicit quod predicta Isabella alias in curia de Bristolia implacavit ipsum ... per breve dotis de recto."

The same result followed as in the previous case.

(c) The following entries which are taken from a slightly earlier roll of the same reign shows the Bristol custom as to the Assize of Mort D'ancestor:

(1) "Omnia Brevia de assisa mortis antecessoris franguntur quia nullum breve jacet infra Burgum vel libertatem,"

and

(2) "Et super hoc veniunt Ballivi Bristollie ubi tale breve non currit et proferunt cartam Regis Henrici avi etc que hoc testatur."

Reference has already been made to the Assize of Fresh Force and although it clearly lay in Bristol the earliest case yet found was tried in the year 1364. Fleta seems to refer to this action in the following passage:

"nee locum habebit breve nove disseisine in hujusmodi locis [i.e. Cities] sed sufficit sola querimonia infra quadraginta dies a tempore disseisine facte post quod tempus non habebit locum nisi breve de recto secundum consuetudinem loci."

This requirement that the proceedings should commence within 40 days of the disseisin is also affirmed in a section of the Liber Albus headed "De assisis Novae Disseisinae vocatis Freshforce" and is referred to in Natura Brevium in Frenche and in Rastell's Book of Entries.

1 Assize Roll 273, membrane 27. See also same roll m. 25d and Assize Roll 275, m. 36d. It is to be noted that such references only appear in rolls of Henry III's reign.

2 Assize Roll 271, m. 4, and see also Consuetudines Bristoliae, "Et quod nullum breve de morte antecessoris ibidem placitet."

3 Assize Roll 756, m. 4d. There is no known charter of Henry II to Bristol which refers specially to this question. In another Assize Roll 275, there is an entry which explains the custom on the ground that tenements in Bristol could be devised by will.

4 Chancery Miscellanea, bundle 59, file 1, No. 13.

5 Selden's Fleta, pp. 119, 120.

6 Munimenta Guildhallae Londoniensis, vol. i., p. 105. London and Bristol customs were in many respects similar. See also Coram Rege Roll KB 27, m. 49, where, in a Bristol case failure to allege that disseisin took place within this period was suggested as one of the "errors."

7 1557 edition.

8 p. 73.
There are two Bristol cases referred to in Chancery Miscellanea\(^1\) which are both fairly early (38 Edward III and 7 Henry IV) of which the following is a summary:

(A) **Date**  
February 1364

**Heading**

Placita frisce forcie tenta apud Bristoll' coram Roberto Cheddre maiore ville Bristollie Elia Spelly et Henrico Wyveliscombe Ballivis eiusdem ville etc...etc.

Assisa frisce forcie secundum consuetudinem ville Bristollie

**Parties**  
John Gotereste v William Bolour his wife Agnes and others.

**Dispute**  
Whether the Defendants unjustly and without judgment disseised the Plaintiff of a messuage and its appurtenances in Mary-le-Port Street and other premises after the last passage of Henry III to Gascony.

**The Trial**  
Two of the Defendants failed to appear and the Sub-Bailiffs reported that they could not be found. It was ordered that the Assize should be taken against them "per defaltam." The remaining Defendants appeared and pleaded that they neither had nor claimed to have any interest in the premises in question and denied the disseisin. Both parties put themselves on a jury of 12. The jury found dispossession by William Bolour and his wife with force and arms but not by the other Defendants, and assessed the damages at 40 pence.

The Court ordered the arrest of William and his wife "pro disseisina predicta vi et armis facta".

(B) **Dated**  
September 1406.

**Heading**

As in previous proceedings except that the names of the Mayor and Bailiffs are different.

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\(^1\) Bundle 59, file 1, Nos. 13 and 26. See also G.R.B. text (Part I), p. 220 and Bristol All Saints' documents, 159.
PARTIES
John Parys v John Burbacke Joan his wife and Margareta Burbacke.

DISPUTE
Whether the Defendants had unjustly and without judgment disseised the Plaintiff of a tenement on Bristol Bridge.

Plaintiff's declaration that the Defendants had disseised him "die veneris proximo ante diem impetracionis bille assise predicte."

Defendants' pleading. John Burbacke claimed that he was entitled to the land as tenant by the curtesy on the death of his wife Lucy Parys and being expelled by the Plaintiff and heir of Lucy, he re-entered. The other Defendants denied the dispossession.

Plaintiff's reply. John Parys admitted that John Burbacke was tenant by the curtesy as the husband of Lucy but said that the latter wrongly transferred the fee simple in the property to William Parys and William Poure, whereupon John Parys entered the property and remained in possession until disposessed by the Defendants.

Defendants' reply. Denial of the Plaintiff's allegation of a wrongful transfer.

Judgment. Both parties put themselves on a jury, who said that there was no such wrongful transfer as alleged and found in favour of the Defendants.

The statement in the first of these cases that the disseisin took place after Henry III's crossing to Gascony is ambiguous in relation to the 40-day rule but it obviously does not exclude it and the second case clearly conforms to it; it seems clear on the evidence as a whole that the Assize of Freshforce very closely resembled that of Novel Disseisin (the terms were used interchangeably in Liber Albus) except that it was commenced by Bill instead of Writ and that it only lay if the disseisin was within 40 days of the disseisin. The latter rule would have affected the value of the remedy very little since the proceedings could have been commenced without the delay caused by application to the Chancery for a Writ.

The number of proceedings by way of Novel Disseisin in the Assize Roll analysed above and in an Assize Roll of 18 Edward I is surprising if Freshforce was then available and it is possible that it was not.
Fitz-Elwynes Assize of Buildings for London is, of course, well known and amongst other things it provided for a tribunal of sorts to settle disputes. Although a somewhat similar practice in Bristol seemed probable no actual evidence of it was found until a search among the various documents in the possession of All Saints Church revealed it. A summary of the record is as follows:

On the Saturday before the feast of the Decollation of St. John Baptist in the year 1439 the vicar of the Church of All Hallows and his two churchwardens appeared before the Mayor of Bristol (John Sharp) and said that newly-built premises of theirs in the High Street situate between a tenement belonging to the Priests of Walter Frampton's Charity on the one side and a tenement belonging to Thomas Stamford on the other were overhung by the former premises. They prayed the mayor "after the custome of the seide towne" for a view of the premises by masons and carpenters chosen by the mayor.

The mayor chose two masons and two carpenters and they were sworn to make "sight and due serche and to act indifferently between the parties".

In due course they announced that the Priest's House did overhang and gave detailed measurements. The record concludes:

"In witnesse of which thyng the seal of the office of the mairaltee of Bristowe atte the praier and requeste of the seide vyker procuratours and parisscheners is putte to this present wrtyng in more evidence of this seide matier...."

Although this dispute was not really within the jurisdiction of the Hundred Court it is convenient to refer to it at this point.

If the position of the Hundred Court be considered at the end of the reign of Henry III it seems clear firstly that in the matter of real actions it had a serious rival in the King's Justices (and this in spite perhaps of the Assize of Fresh Force which must have been a useful remedy) and secondly that in personal actions the Tolzey Court was becoming a more and more formidable competitor. The position is summed up in about the year 1240 in the following passage of the Consuetudines Bristollie:

1 Munimenta Guildhallae Londoniensis, vol. i., pp. 319-331. The expression "assize" in this context means "regulations".
2 All Saints Documents No. 197. For an action of Nuisance before the King's Justices see Assize Roll 273 m. 26. (The cause of action was interference with a right of light.)
3 August 29th.
“Nullus Burgensis respondeat burgensii [sic] de ullo placito, preterquam de placito debiti nisi in hundredo preterquam ipse idem calumpniatus fuerit hundredum suum . . . Nullus burgensis respondeat extraneo de ullo placito preterquam de placito debiti nisi in hundredo preterquam calumpniatus fuerit hundredum suum et quod burgenses inter se invicem et burgenses versus extraneos et extranei versus burgenses et extranei versus extraneos possunt placitari de debitis maioribus sive, minoribus de die in diem sine breve secundum consuetudinem ville.”

At the date of Edward III’s Charter of 1373 the position in the former respect must have been very much the same, while in the latter it must have deteriorated still further. The Charter itself while conferring upon the Hundred Court certain powers of a semi-judicial nature did in fact diminish the court’s true judicial functions still further by the creation of the Mayor and Sheriff’s Court.

THE TOLZEY COURT

Lack of evidence, as we have seen, obscures the origin of the court and the same remark is unhappily true of its early jurisdiction. Apart from a case published by the Selden Society\(^1\) and the cases referred to in the Assize Rolls\(^2\), one of the two earliest records so far found is in the City Archives\(^3\) and the other amongst the All Saints Documents\(^4\); both, curiously enough, are actions of trespass with which, as will be seen later, the Court was soon to have nothing to do. The following is a summary of the proceedings:

(a) The entry is headed “Ad curiam Tols’ tentam die mercurii proximo post festum Translacionis Sancti Thom’ Martir’ anno regni Edwardi nunc XVIII.”

The action was one of trespass wherein Brother Thomas, Master of the Hospital of St. John, offered himself by his attorney against Peter Muntestevene.

The plaintiff declared that he and his predecessors had been seised of a rent of 20s. issuing out of a tenement in Broadstreet which the Defendant held of him at that rent, that the rent being

\(^1\) Supra, p. 10, fn. 1.
\(^2\) Supra, p. 18.
\(^3\) Supra, p. 10.
\(^4\) No. 95 (1398). This case looks remarkably like an attempt to try the title to the freehold by an action which ostensibly was concerned with an alleged trespass to goods.
two years in arrear he took one of the doors of the tenement as he
was entitled to according to the custom of Bristol and that the
Defendant came and unlawfully retook it—damages 100s.

The Defendant denied the Plaintiff's statement and both
parties put themselves on a jury.

On the Friday following the Defendant attended Court and
admitted the trespass and it was adjudged that the Plaintiff
should recover his damages.

(b) The entry is headed "Placita tenta in curia Tols' Ville
Bristollie secundum consuetudinem eiusdem curie die Junii
proximo post festum Sancti Georgii martyr anno regni Regis
Ricardi secundi vicesimo primo."

The action was one of trespass ("quandam querelam de
transgressione secundum consuetudinem huius curie") brought
by John Clyne and Geoffrey Godeyne churchwardens of the
Church of Holy Trinity Bristol against John Floyt and Walter
Tewkesbury.

A serjeant of the court was ordered to attach the defendants
to answer—The parties appeared.

The Plaintiffs declared that by virtue of their office they were
entrusted with the custody of certain books, vestments and other
things necessary to divine service and that the defendants on the
Monday next after the feast of St. Michael in the 21st year of the
reign of Richard II expelled the Plaintiffs from the premises be­
longing to the church where the goods were stored and occupied
it themselves and excluded the plaintiffs from possession of the
articles mentioned; the plaintiffs claimed damages amounting
to £60 and produced suit.

The Defendant John Floyt admitted his occupation of the
premises which he claimed was lawful, but denied the remainder
of the Plaintiffs' declaration alleging that the Plaintiffs never had
anything in the premises. He said that in the reign of King
Edward (grandfather of Richard II) one William Haill was
seised of the premises in his demesne as of fee; and died seised
whereupon his son William as heir entered and, after his death,
John Haill, enfeoffed himself (John Floyt) and that he claimed the
premises as his freehold.

The Defendant Walter Tewkesbury pleaded that he was tenant
of John Floyt and as such occupied the premises.—He denied
that he had expelled the Plaintiffs.

The Plaintiffs denied the Defendants' plea and said that the
property had belonged to the Church from time immemorial.
Each side put themselves on a jury and one of the serjeants was ordered to summon it on the Wednesday following (quod venire faciat hic secundum consuetudinem istius curie die mercurii proximo sequenti duodecim liberos et legales homines de visneto de Wynchestret predict' qui nec prefatis [Plaintiffs] nec prefatis [Defendants] aliqua affinitate vel consanguinitate attingunt ad faciendum juratam illam).—The jury summoned did not appear and the serjeant was ordered to have the bodies of the jurors in court on the Monday next after the Feast of St. Dunstan following.

The jury found that the premises belonged to the Church and had done from time immemorial and assessed the damages at 10s.; and the court gave judgment accordingly.

There is a short gap between the last of these two cases and the following:

(c) The entry is headed “Placita tenta in Curia Tols' ville Bristollie secundum legem mercatoriam et consuetudinem eiusdem curie Die veneris proximo post festum Sancti Math' Apostoli anno regni regis Henrici quarti Octavo coram . . .”

The action is one of debt on demand for £250 4s. od. brought by John Sampson executor of the Will of John Sampson the elder of Plymouth against Edward Courtenay the younger Robert Cary and Robert Weyd clerks, administrators of Philip Courtenay.

The Plaintiff appeared with his pledges to prosecute and protested his desire to pursue his claim according to the law merchant and the custom of the court from time immemorial and sought process against the defendants.

The water bailiff, who was a serjeant of the court, was ordered according to the Law Merchant and the custom of the court to summon the defendants by good summoners to appear on the Monday following.

The serjeant on that day reported that the defendants had been summoned by two persons named; the plaintiff appeared but the defendants, being called, did not do so and the same Bailiff was ordered according to the law merchant and the custom of the court to attach the defendants by gage and pledge (quod ponat per vadios et salvos plegios . . .) to attend on a day which unfortunately is illegible.

On that day the Bailiff returned that he had attached a ship with its gear belonging to the deceased Philipp. The plaintiff

1 Chancery Miscellanea, bundle 59, file 2, No. 48.
THE GREAT RED

appeared but the defendants did not do so and the Bailiff was
ordered according to the law merchant and the custom of the
court to distrain the chattels of the defendants within his bailiwick
if they had any there and to have the bodies of the defendants at
the court on the Friday following.

On that day the Bailiff reported as before and the plaintiff
appeared and the defendants did not do so. The plaintiff asked
permission according to Law Merchant and the custom of the
court to prove his debt since the defendants had defaulted at
four courts.

The plaintiff alleged that the late Philip Courtenay in Bristol
by a written obligation, which the Plaintiff produced, acknow­
ledged himself bound to John Sampson in the sum of £100 4s. od.
to be paid on a stated day and that the debtor defaulted and gave
a new obligation for the £250 4s. od. claimed. The plaintiff also
alleged that John Sampson had appointed him (the plaintiff) and
his (the deceased’s) wife executors and that the latter had died
and that Philip Courtenay died intestate and that the defendants
were his administrators and that the debt had often been de­
manded. The plaintiff put his damages at £20.

The plaintiff having produced his father’s Probate sought per­
mission to prove his debt formally according to Law Merchant
and the custom of the court and that he did by two persons
named in the record.

The court thereupon according to the Law Merchant etc.
ordered that he should recover the sum claimed with £10 damages
out of the goods and chattels belonging to Philipp Courtenay.

The Court ordered that the ship should be valued by honest
and lawful men of the bailiwick together with any other goods of
the deceased and that the valuation should be returned at the
court held on the Monday next before the Feast of St. Patrick;
this was done and the valuation was returned at £140.¹

The Plaintiff was thereupon ordered according to Law Mer­
chant etc. to find there, in court, sufficient security to answer
the court and the defendants within a year and a day. The Plaintiff
failed to find security and the ship was ordered to remain in the
custody of the Bailiff. The Plaintiff was given a day (Wednesday
next after the Feast of Holy Trinity) “ad mauntenendam re­
cuperacionem suam predictam secundam formam in eadem curia
usitatam et preceptum est secundum legem mercatoriam et

¹ It is not quite certain that this was the exact sum for the record at this
point is partly illegible.
consuetudinem eiusdem curie” — the same day was given to the defendants.

On the day appointed the defendants being called did not appear but the plaintiff did and asked that the ship and its gear as valued should be handed to him without condition or security in part satisfaction of his debt.

The court made an order accordingly.

There are two other cases in Chancery Miscellanea decided in the reign of Henry VI which present no particular points of interest but which should be mentioned; the following is a short summary of them:

(b) Action of debt on demand.—The Plaintiff demanded to pursue his claim according to the Law Merchant and the custom of the court from time immemorial. The case turned on a point of pleading and the Plaintiff successfully demurred to the Defendant's plea.

(c) Action of debt for rent—a long case in which the Tenant denied the title of the Plaintiff his Landlord and suggested that the premises were demised to him by someone else.

The next evidence as to jurisdiction is continued in an ordinance made in 1449 which is to the following effect:

"Item the seyde mayre and counsell' have ordeyned that the seyde clerke ne non of hys successoures in the seide office shall not take noon accion a fore the seyde mayre and shreve saf' only accions oftrespace and deceyt and afore the seyde mayre and hys successours as mere of the Estaple within the seyde Town and the Constables accions of Dette as hit hath been of olde tyme usyd and all other accions to be referred to the Courte of Tolzey withine the seyde town."

Another ordinance made in the reign of Edward IV considerably amplified and modified this ordinance as follows:

"Item it is ordeyned that froe this day forward all maner accions of debt detenu covenant and accompt be take pladde and determyned In the Court of the Tolzey ... Provyded Alwey and except all such accyons of dette and othir accyons that of old tyme have been usyd and accustumyd to be takyn In the court of the Estaple ... Item that all manner

1 Bundle 59, file 2, No. 48 (both).
2 G.R.B., text (Part I), pp. No. 120-121.
3 G.R.B., text (Part II), pp. 64 and 65.
accions of Trespasses and accions of trespasses and deceyt and accions uppon the Caacys and grounded uppon eany statut or statuts be takyn... before the maire and Shereff..."

To which should be added:

"Item zif Eany accyon of dette or eany othir accyon above specifyd to be takyn in the Court of the Tolzey... be syewed in the seid court... and there and theryn the partye or partyes playntyfs or defendaunts may gane noo hasty and ryghtfull speede in... there siewyd after the course of the lawe that than hit schall be lawfull to every maire and Sherreff att the request of the partye playntyf or playntyfs defendaunt and defendaunts to calle the seyd processe to foore thaym in thair courte... in the Yeold halle there to foore thaym to be syewed... un to the uttureste determynacyon of the lawe."

Having reached this point we are in touch with the first real weight of evidence which is contained in two Tolzey Court books1 (not, of course, rolls) for the years 1476/78 and 1480. An analysis of the latter of these shows the actions tried to have been:

<table>
<thead>
<tr>
<th></th>
<th>£20 or over</th>
<th>£10 or over</th>
<th>£5 or over</th>
<th>£1 or over</th>
<th>Under £1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Debt</td>
<td>10</td>
<td>12</td>
<td>25</td>
<td>153</td>
<td>239</td>
</tr>
<tr>
<td>Detinue</td>
<td>3</td>
<td>1</td>
<td>2</td>
<td>22</td>
<td>9</td>
</tr>
<tr>
<td>Trespass</td>
<td>—</td>
<td>—</td>
<td>2</td>
<td>3</td>
<td>2</td>
</tr>
<tr>
<td>Account</td>
<td>2</td>
<td>2</td>
<td>2</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>Covenant</td>
<td>4</td>
<td>1</td>
<td>3</td>
<td>11</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>19</td>
<td>16</td>
<td>34</td>
<td>191</td>
<td>252</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td><strong>512</strong></td>
</tr>
</tbody>
</table>

The remainder of the unpublished evidence, which is mostly from the fifteenth century (although it is difficult to fix precise dates), is found in Early Chancery Proceedings; the following is a summary of the most important cases and it also contains references to other cases not summarised:

1 Bristol Archives No. 04755 and No. 04428.
<table>
<thead>
<tr>
<th>Reference</th>
<th>Chancellor</th>
<th>Summary of Petition</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Bundle 18, No. 3.</td>
<td>Archbishop of York</td>
<td>Petitioner alleged that an action for debt had been commenced against him before the Bailiff in the Tolzey and that &quot;subtilly under colour of tretee judgment had been obtained against him by default&quot;. He complained that the Bailiff had entered his house and taken goods to the value of £40 which he still held.</td>
</tr>
<tr>
<td>2. Bundle 22, No. 33.</td>
<td>Cardinal Archbishop of Canterbury</td>
<td>Petitioner had brought a plaint of debt against another before the Bailiffs of the mayor and commonality in the Tolzey Court &quot;after the Lawe merchant&quot;. The proceedings reached the point when a jury of twelve was summoned. The Petitioner challenged one of the jurors on the ground that he had no lands or tenements in Bristol of the value of 40s. but, notwithstanding, the case proceeded. The Petitioner brought a Writ of Error but in returning the record of the proceedings no mention was made in it of the challenge or of the fact that a bill of exceptions had been refused.</td>
</tr>
<tr>
<td>3. Bundle 64, No. 567.</td>
<td>Bishop of Lincoln</td>
<td>Certain men had entered into a bond to pay a sum of money to two others; these latter had assigned the bond to the petitioner, who requested payment. The debtors to delay payment had caused: &quot;Thomas Norton Gentilman to attache by a plaint of debt the seid parties and the seid money in their handes after the custome of the seid towne of Bristowe.&quot;</td>
</tr>
</tbody>
</table>
| 4 Bundle 67, No. 324. | Bishop of Lincoln                  | The Petitioner had become surety for two persons being sued in the Tolzey Court. Judgment was given against them but they could not be found. Thereupon the bailiffs directed that the Petitioner should be arrested until he had fully paid the debt and costs awarded against his principals: "For it is ... that the custume within the towne of Bristowe is and fro' tymne of no mynde hath [continued on next page]
<table>
<thead>
<tr>
<th>Reference</th>
<th>Chancellor</th>
<th>Summary of Petition</th>
</tr>
</thead>
<tbody>
<tr>
<td>5. Bundle 30, No. 39.</td>
<td>William Kirkeham Master of the Rolls and Keeper</td>
<td>Petitioner after stating that a false plea of debt had been entered against him before the bailiffs in the Tolzey Court &quot;he (the plaintiff) havyng no writyng of the same so that by the comyn lawe his accion is not mayntenable but oonly by the usage and custome of the said towne&quot;. The Petitioner alleged that the Bailiffs were influencing the jury and asked that the case should be removed into Chancery.</td>
</tr>
<tr>
<td>6. Bundle 28, No. 133.</td>
<td>Bishop of Bath</td>
<td>An action(^1) of debt had been brought against the Petitioner in the Tolzey Court. The Petitioner stated that he would probably lose the action because the Plaintiff had influence with the jurors and if they found against him &quot;he hath no remedy by atteynt forasmuch as upon a verdit in that Courte noon atteynt lieth...&quot;</td>
</tr>
<tr>
<td>7. Bundle 47, No. 272.</td>
<td>Bishop of Rochester</td>
<td>Petitioner(^2) complained that in an action of debt he was not allowed to wage his law.</td>
</tr>
<tr>
<td>8. Bundle 48, No. 114.</td>
<td>Bishop of Durham</td>
<td>Petitioner alleged that a certain man had given him wheat to take to Spain making the Petitioner his factor and attorney to buy fruit there. He said that his return had been delayed and that when he got back the market for the fruit being unfavourable, he was being sued in detinue for the return of the wheat.</td>
</tr>
</tbody>
</table>

\(^1\) See also bundle 49, No. 64, and bundle 64, No. 38.

\(^2\) See also bundle 63, No. 187; bundle 64, No. 38; bundle 64, No. 884; bundle 76, No. 100; bundle 78, No. 145.
The Petitioners, who were the Prior and Convent of the Friars Preacher, alleged that one John Swayne was bringing an action for debt in respect of a transaction in which a former Prior improperly pledged certain plate belonging to the convent to John Swayne.

John Swayne in his answer denied that the pledge was improper and alleged "that the custom of the said towne of Bristow is and hath be the tyme that no mynde is that if goodes lie in plegge over a year that than the party that hath any such plegge may at his own liberte take and afferne a pleynte of dette for his said money lent upon any such plegge; ... against the said party that ought to pay the said dewte and thereupon by the same custome the said goods shall be praised and sold and the party contented with the mony thereof for his said dewte".

The Petitioner, a priest, had agreed with another priest that the latter should have the former's benefice to farm if he found sureties to pay the agreed rent. This he failed to do and the petitioner refused to carry out the transaction, whereupon the latter priest brought covenant in the Tolzey Court "whereupon ... there was called a Courte of Pipowdres". The Bishop intervened and an arbitration was agreed upon, but in spite of this the latter priest "hath caused a nue Court of Pipoudres¹ to be set".

The evidence reviewed above is admittedly scanty but certain inferences can be drawn from it with reasonable certainty.

(1) In the record of Case (c)² which was decided in 1407, it is stated over and over again that the plea was held according to the law merchant and the custom of the court and it is, of course, beyond argument that the court was at that times governed by the law merchant. In Case (d)³ which was decided in 1398, only

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1 See also Bundle 64 No. 831.
2 Supra, p. 35.
3 Supra, p. 34.
nine years earlier, the law merchant is not referred to in terms
but the court was said to be held "according to the custom of
the court." If during the intervening period some event had
happened which introduced law merchant procedure into a court
which, until then, had not used it, it must necessarily have been a
notable one and in fact there is no evidence of any such.

It can safely be inferred that in 1398 the Court was as much a
law merchant court as in 1407 and that the "consuetudo" re-
ferred to in the former case included rules of the law merchant.
A custom is no new thing when mentioned in such a context and
the custom of the court referred to in 1398 almost certainly links
up with the "consuetudo ville" mentioned in the Assize Roll
case already referred to.¹

(2) The court was presided over by the Bailiffs of Bristol
when the revenues were farmed by the town, and by a representa-
tive of the person farming the revenues in any other case.²

(3) The court sat, more often than not, every day in term,³
which is precisely what one would expect in a law merchant court.

(4) The court certainly entertained jurisdiction in actions of
trespass and this practice was, probably, continued until the ordi-
nance in Edward IV's reign already referred to⁴; after this and
according to the evidence of the 1480 Court Book, the trial of
such actions almost, but not quite entirely, ceased (there were
seven such actions in the year 1480/81 out of a total of 512).

(5) The court adopted precisely the procedure laid down by
the Lex Mercatoria in the case of a defendant who failed to appear.
Case (c) sets this out in the greatest detail though unfortunately
in one or two places the record is illegible. The Court Book of
1480 entirely confirms the practice thus described as the following
takes more or less at random show:

"Clemens Prese queritur de Alicia Gryffyth vidua in placito
debiti petit XIIIs IId defendens attachiata est per unum cloke
ii basyns a towell et unum shete in manibus querentis Querens
legittime probavit debitum suum fore verum per Thomam
Reve et Ricardum Taillour et invenit eos plegios ad respon-
dendum tam curie quam parti infra annum et diem etc

¹ Supra, p. 13.
² In case (c) the court was held before the Steward of Thomas Berkeley
who farmed the revenues from the Queen.
³ In the Court Book of 1480 from which the above conclusion is reached the
person making the entries was incredibly careless in matching days of the
month with the names of the days of the week.
⁴ Supra, p. 38.
⁵ These symbols mark the defaults.
Galfridus Lewis et Walterus Crane querunter de Thome Talbot in placito debiti petunt XXs defendens attachiatus est per ii li sylke in manibus querentis Querens legitime probavit debitum (suum fore verum) per Willelrum Aspe et Thomam Appowell Taillours et invent eos etc"

Entries of this type are repeated over and over again.

(6) Case No. 3 in the summary of Early Chancery Proceedings\(^1\) contains a fortunate reference to the process of Foreign Attachment. This process was also used in London and according to a Year Book\(^2\) case the custom there was that if a debt were affirmed the defendant would be summoned to the next court; if he then made default and it was certified that he had nothing by which he could be attached but that another person owed him a debt, the court would order that he be attached by the debt to appear at the next court. If he then made default and continued to do so at the next three succeedings courts, process would issue to summon his debtor to the next court. If the defendant's debtor came and acknowledged the debt alleged to be due from him and could not show cause why the plaintiff should not have execution he was ordered to pay the debt to the plaintiff to the amount of the sum owing by the defendant to the plaintiff. If the defendant's debtor alleged that the debt due from him was payable at a future date he was required to find sureties. After the defendant's debtor had paid the plaintiff he was released from his debt to the debtor and the latter was released (pro tanto) from his debt to the plaintiff.

The plaintiff so paid had to find security to make the amount good if the defendant appeared within a year and a day and succeeded in the action.

Provision was made for the case of a third party who claimed that the alleged debtor's debtor was really his.

(7) According to the Lex Mercatoria\(^3\): 

"... non admittit aliquem ad legem in parte negativa, sed semper in ista lege querentis est probare ut per sectam vel per factum seu per utrumque et non defendentis."

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1 Supra, p. 39. The Petition was addressed to the Bishop of Lincoln. Henry Beaufort was Bishop between 1398 and 1404 and Chancellor in 1403 and Thomas Rotheram was Bishop between 1472 and 1480 and Chancellor in 1474. The latter is the more probable date of the petition.


This is borne out by Case (7) in the summary of Early Chancery Proceedings and the other cases mentioned in the footnote thereto but not entirely by the 1480 Court Book which mentions two cases in which the defendant waged his law, in one case two handed and in the other three handed. In the first case the debt was 2s. 5d. and in the second 6s. 8d. and the employment of wager of law in these cases is in accordance with the following pronouncement of the custom of the court in the Tolzey Court Book for the years 1605/6:

"Memorandum that whereas George White . . . broughte an accon' of debt . . . against Humfrye Fitzherbert uppon the demaund of XXli XIIIIs xd as by the playnte above and the record remayninge in the Courte more att lardge appeareth to the which the Defendaunt Fitzherbert by Nicholas Hill his attorney appeared and did tender in this Courte his wager of law contrayre to the use and custome of this Citye heretofore used in such cases. It was therefore in the same Courte by the Baylies and Sherrives and Steward then beinge with the consent of the mayor and aldermen then being ordered and adjudged that the plea shoulde be rejected accordinge to the custome of the saide Citye and that from thenceforth noe wager of law should be admytted in anye courte holden before the said Bailyes and Sheriffes and Steward if the same shoulde mounte above the sum of six shillings and eightpence."

This was probably a reminder of an old custom and not a new order having regard to the evidence already mentioned.

(8) The evidence afforded by the Early Chancery Proceedings contains numerous suggestions of corrupt jurors to which no serious attention need by paid but there is also in these and the other documents referred to, evidence of one custom which is important. Apparently no attaint lay against a jury in the Tolzey Court. This corresponds with the provisions of the Lex Mercatoria.

(9) The Early Chancery Proceedings provide evidence of a custom that if in the course of proceedings one person became surety or mainpernor for another and after judgment the defendant was returned "non est inventus," the former was arrested and

1 Bristol Archives No. 04761.
2 Summary of Early Chancery Proceedings, Case 6, supra, p. 49.
3 L.R.B., vol. i, pp. 78 and 79.
detained until he had fully satisfied the judgment. This custom, again, corresponds with the Lex Mercatoria.¹

(10) According to the Early Chancery Proceedings² it was a custom of Bristol that if goods were in pledge to another for over a year (presumably after they should have been redeemed) the latter could bring an action of debt for any money lent on the goods and the goods would be appraised and sold for the benefit of the pledgee if, of course, the action terminated in his favour or if, presumably, the pledgor failed to appear and the plaintiff proved his debt. The goods, although in the possession of the plaintiff when he commenced the action, would be treated in precisely the same way as goods distrained in the course of it.³

(11) It may finally be observed that there is nothing in the above evidence to suggest that the causes of action dealt with concerned a market court as such.

Edward IV’s Ordinance,⁴ by giving jurisdiction to the mayor and sheriff’s court in actions of trespass and deceit and actions on the case, would at first sight appear to have put this court in a very advantageous position in the field of contract and if the Tolzey Court had applied Common Law principles this would undoubtedly have been so. The Tolzey Court, however, was quite capable of covering this ground because there is clear evidence that in Bristol as in many other boroughs the action of covenant lay without deed. This is proved by an action of covenant referred to in the Tolzey Court Book of 1480 where there was no mention of a deed.

The entry is as follows:

"Johannis Newland Abbas Monasterii Sancti Augustini Bristollie queritur de Ricardo Bayle alias Leche in placito convencionis fracte dampna XXli Et unde idem querens in propria persona sua versus prefatum defendentem queritur De eo quod dictus defendens XX° die Marcii anno regni regis Edwardi quarti XXI apud Bristolliam convencionem fecit cum prefato querenti quod ipse citra XX° diem Maii tunc prox' sequentem curaret quendam Willelmum Hunt canonicum de quadam infirmitate quod [sic] idem Willelmus adtunc patiebatur et dictus querens dicit quod idem Ricardus non curavit predictum Willelmum de predicta

¹ L.R.B., vol. 1, p. 61.
² Summary of Early Chancery proceedings, Case g, supra, p. 41.
³ Supra, pp. 36, 37.
⁴ Supra, p. 37.
THE GREAT RED

infirmitate citra supradictum XX diem Maii Et sic idem querens dicit quod dictus defendens convencionem ei fregit etc protestand' dampna XXli et defendens in propria persona sua venit et defendit vim et injuriam etc et dampna etc et pro placito dicit quod ipse non fregit convencionem cum prefato querenti prout predictus querens superius declaravit Et de hoc ponit se super patriam Et predictus querens similiter Ideo etc."

A more comprehensive remedy for breach of contract could hardly be imagined and supplemented as it was, by the action of debt conducted according to the rules of the Law Merchant the field of contract (except, perhaps that of implied contract) was well covered; developments in the jurisdiction of the Mayor and Sheriff's Court which will presently be discussed are consistent with this view.

THE MAYOR AND SHERIFF'S COURT

The petition which led to the granting of the Charter of 1373 makes a very comprehensive claim for jurisdiction. There is, firstly, a claim that not only should no burgesses plead or be imploiled in respect of their tenures within the town before any judge outside the town but also that the same rule should apply to all contracts, covenants, debts, trespasses or other things arising within the town, secondly a claim that the burgesses should have jurisdiction in all pleas touching lands within the town and contracts, covenants, debts, trespasses and other pleas and plaintiffs made or arising with the town touching any person whatsoever, thirdly that the jurisdiction of the King's Justices should

1 Tolsey Court Book (1480), fo. 129d; see also fo. 96d and fo. 119 (an interesting case in which the plaintiff claimed that grain sold to him by the defendant was not up to sample. The custom of London is referred to in Natura Brevium in Frenche (1557), p. 103.

2 It is probable that Bristol had the same custom of the "concessit solvere" in actions of debt as was observed in London. The following passage is contained in Y.B., 38 Henry VI, 29, as to the London custom: "Nota quod concordatum fuit prolege que in det in London sur une concessit solvere per le Custome, le count sera quod pro mercandisis Sibi prius venditis concessit solvere Xli issint que merchaundise doiteste rehere et uncore le merchandise nest pas traversable ut videtur".

See also Rastell, Book of Entries, p. 550d. This procedure would obviously have enlarged the scope of the action of debt very considerably. It is known that this procedure was used in Bristol at a much later date but there is, unfortunately, no evidence of its employment in the Middle Ages. (See The Practice of the Tolsey Court (1845) p. 12 where it is stated that "The form of declaration most commonly, and from time immemorial, used by the practitioners in this court, in all actions of debt on simple contract, is the common concessit solvere ...")

be excluded except in matters touching the King or his heirs, 
fourthly that in litigation as to lands, writs of right patent, should 
issue to the mayor and bailiffs and that a plaintiff so suing could 
plead his action in the manner of any real action he might choose¹ 
and fifthly that actions of contract, covenant, debt or trespass 
should be commenced by bill or plaint and be tried before the 
mayor, bailiffs or sheriffs. This part of the petition concludes 
with the words:

“So that all manner of pleas, as well real as personal, be 
held and terminated before the said mayor bailiffs and sheriff 
in form aforesaid.”

It is by no means clear that the petitioners intended that a 
new court should be set up. They asked that the court should be 
presided over by the mayor and bailiffs (as was the hundred court) 
with the natural addition of the Sheriff of Bristol, an official who 
would come into being if the King granted their request that 
Bristol should become a county.

The Charter, however, in precise 
language confirmed the old 
jurisdiction of the mayor, but granted the jurisdiction mentioned 
above to the mayor and sheriff² (without mention of the bailiffs) 
and excepted altogether the jurisdiction of the Tolzey Court.

It has already been mentioned³ that the jurisdiction of the old 
Hundred Court had by this time shrunk to narrow limits but, 
with jurisdiction in the Assize of Freshforce competing with the 
mayor and sheriff’s court on the one hand and with the growing 
jurisdiction of the Tolzey Court on the other, the new court’s 
actual jurisdiction would not have been quite so impressive as 
the provisions of the charter might lead one to suppose.

No evidence of the trial of a real action in this court during

¹ There is a curious resemblance between a writ of right patent of this kind 
and the writ of right close in a manor of ancient demesne. Dealing with this 
latter writ a passage in the Natura Brevium, in French, p. 11, proceeds thus: 
“Et en cest brief le demaundant fera sa protestation en cest Court, de suer 
on brief en nature de quel brief il voet, sicome con cas gist”. This is, perhaps, 
hardly surprising in view of Fleta’s remark (Selden’s Fleta, p. 119) when 
speaking of the peculiarities of the writ of right in Boroughs, that they are 
accounted for “eo quod huiusmodi loca sunt antiqua dominica coronae”.
² The fact that the Mayor and Sheriff’s Court was a creation of the Charter, 
very clearly appears in the heading of a Court Book of 1585:
“Placita tenta coam Willelmo Pepwall maiore civitatis Bristollie ac 
Davido Harrys Roberto Saxcy Rogero Jones et Willelmo Carr 
Aldermannis eiusdem civitatis tent’ secundum usum et consuetudinem 
dicte civitatis a tempore cuin amemoria etc in eadem civitate instat’ 
et approbat’ ac virtute diversarum cartarum Tam domini Regis Edwardi 
... etc.”
³ Supra, p. 5.
the Middle Ages has yet been found and the evidence of the trial of other actions is scanty and must be collected from the Chancery Miscellanea and Early Chancery Proceedings. This evidence will now be reviewed.

The cases referred to in Chancery Miscellanea are as follows:

(a) The record is headed as follows: “Curia domini Regis tenta in Gihalda ibidem coram Thoma Yonge maiore ville Bristollie et Johanne Spyne vicecomite eiudem ville Justiciariis domini Regis die mensis Octobris anno regni regis Henrici quarti post conquestum XIII.”

Margaret Bysche commenced an action of trespass against John Cokkyng by bill alleging assault and the carrying away of goods (these were particularised in detail and included a quantity of cloth and household furniture). She appeared and found pledges to prosecute and it was directed that the defendant should find pledges to appear at the next court to be held on the Wednesday following.

On the appointed day both parties appeared and the defendant asked to hear the plaintiff’s bill, after which he pleaded the general issue and put himself on a jury as did the plaintiff.

One of the bailiffs of the court was ordered to summon a jury to attend the court on the Friday next before the Feast of St. Leonard and the same day was given to the parties.

The parties appeared on the appointed day and the Bailiff produced the names of the jurors who, however, did not appear. A new day was given for the following Friday and as before the parties appeared but the jurors did not. A new day was given for the Monday next before the Feast of St. Hugh. The parties appeared on the day appointed and so did the jury who decided in favour of the plaintiff and assessed the damages at £54. Judgment was given accordingly and the defendant was committed to the “monkebryg” prison (presumably until the damages were paid or secured).

(b) The record is headed as follows: “Placita in curia domini Regis in Guyhalda ibidem die lune quinto die Septembris anno regni Regis Henrici Octavi quinto coram Johanne Ellyott tunc maiore ville Bristollie ac Nicholas Brown Rogero Dewes Johanne Vaghan ... et Johanne Cabull tunc Aldermannis

1 Bundle 59, file 2, No. 46. The record is, unfortunately, badly damaged.
2 Chancery Miscellanea, bundle 59, file 2, No. 55.
3 At this date the aldermen had taken the place of the sheriff; see supra, p. 16.
eiusdem ville secundum legem mercatoriam ac usum et consuetudinem curie illius hactenus usitat."

Waiter Kymmyton commenced an action for deceit against Walter Petwyn by plaint and having found pledges to prosecute, sought "processum fieri versus Waltersum Petwyn secundum legem et consuetudinem predict' et ei conceditur." A serjeant of the court was ordered to attach the defendant to appear on the following Wednesday.

On that day the plaintiff appeared and the serjeant reported that the defendant had nothing in the court's jurisdiction by which he could be attached. The serjeant was ordered to arrest the defendant and have him before the court on the Friday following.

On that day the plaintiff appeared and the serjeant reported that he had the defendant in court. Five persons then appeared as pledges and mainpernors of the defendant "usque finem placiti secundum consuetudinem eiusdem curie. . . ." The plaintiff declared that on the 12th August 1503 he, by Richard Russell carrier, received from one James Turberfeld a quantity of articles (specified) to the value of £26 in a linen sheet of the value of 6s. od. to be held by him (the plaintiff) in safe custody and to be re-delivered to James Turberfeld on demand. The plaintiff alleged that on 24th August of the same year the defendant, falsely and with intent to deceive the plaintiff, came to Bristol and pretending that he was the servant of James Turberfeld said to the plaintiff:

"my master Jamys Turberfeld commendeth him unto you and will that ye deliver unto me a shete of canvas with certeyn goods conteigned in the same whiche he sent you and a lettre therewith resyting in the same lettre that he was not acqueyntid with you."

The defendant, according to the plaintiff's story, then requested the plaintiff to deliver the goods to him on James Turberfeld's behalf which the Plaintiff did to his great loss and damage (the latter he put at £40).

The defendant then pleaded the general issue and both parties put themselves on a jury. The court fixed Monday 12th September for the next hearing but before that date a writ of certiorari was received.

The cases referred to in Early Chancery Proceedings are as follows:
1. Bundle 9, No. 157

Bishop of Bath and Wells

Two actions of trespass commenced by bill were brought by Robert Burleye and Stephen Foster against Agnes Knyght the petitioner in the fifteenth year of Henry VI. The cases were heard before the mayor alone when they should have been heard before the mayor and sheriff according to Charter (the Charter of 1373 was that referred to). The petitioner complained that she had been imprisoned by way of execution. She alleged that the record of the case had been falsified when required by the court of Kings Bench in the course of proceedings in error.

2. Bundle 46, No. 97.

Bishop of Bath and Wells

Petitioner was, with his master, lodged in a “hostrey” in Bristol and goods worth 100s. were stolen from his master’s room. The innkeeper to forestall an action by the master, brought an action of trespass against the latter in the mayor and sheriff’s court alleging that the master had stolen goods worth 100s. from the inn.


Bishop of Bath and Wells

Complaint of an action of trespass brought against Petitioner without due cause in the mayor and sheriff’s court. Petitioner alleged that the person bringing the action was powerful in Bristol and that he was unknown there.

Compared with the petitions relating to proceedings in the Tolsey Court, the above and those mentioned in the footnotes are of little interest. The records of the cases mentioned in Chancery Miscellanea and in the Petitions justify the following inferences:

(1) It is quite clear that by the reign of Henry VIII the court of the mayor and sheriff (which had then become the court of the mayor and aldermen) had adopted the law merchant procedure and the question arises as to when this took place.

1 For another reference to an action of trespass in the mayor and sheriff’s court see bundle 32, No. 385.

2 For a similar complaint see bundle 46, No. 274 (in that case the court is referred to as the court of the Mayor and Bailiffs but this is probably a mistake on the petitioner’s part), bundle 46, No. 290; bundle 48, No. 185; bundle 49, No. 33; bundle 61, No. 521 (bribing of jurors); bundle 61, No. 565 (ditto); bundle 64, No. 397 (ditto); bundle 64, No. 608 (collusive action); bundle 64, No. 918; bundle 64, No. 1091; bundle 66, No. 354; bundle 66, No. 444; bundle 67, No. 22 (there is a reference in this case to the custom of arrest since the Petitioner was a stranger and not a freeman); bundle 77, No. 36; bundle 170, No. 32; bundle 226, No. 32.
It seems improbable that it occurred during the early part of the fifteenth century since the petitions while almost entirely silent on procedural questions affecting the mayor and sheriff’s court are full of such questions in the case of the Tolzey Court, and most of such points as we have seen were questions of law merchant procedure.\(^1\)

This view is borne out, also, by an ordinance\(^2\) made in the reign of Edward IV to the effect that if an action were commenced in the Tolzey Court and it could be proved by either party that no time would be gained by continuing it there it could be removed into the Mayor and Sheriff’s Court.

(2) Although other types of action are occasionally referred to, by far the largest number are actions of trespass so that the ordinance made in the reign of Edward IV\(^3\) seems to have reflected a more or less current practice.

(3) There is no reference at all to the trial of a real action in the Court but, even allowing for the Assize of Freshforce, it seems incredible that the court did not try such actions and in all probability further light will be thrown on this subject as additional evidence becomes available.\(^4\)

Bearing in mind the ordinance in Edward IV’s\(^5\) reign which assigned jurisdiction in actions of trespass and deceit, actions on the case and actions founded on a statute to the mayor and shreiff’s court, it is of some interest to consider the activities of the court from 1585 (the date of the first of a series of court books still preserved) until 1634.\(^6\) It must be emphasised that these documents are not Court Rolls and contain only very scanty particulars of the disputes to which they refer.\(^7\) Some extracted particulars are as follows:

\(^1\) It seems possible that when the Court of the Mayor and Sheriff became the Court of the Mayor and Aldermen, the latter may have been influenced by the rule in the London Court (which was copied into Ricart’s Kalendar, pp. 95 and 96 and which contains the following passage), “Item les ditz maire et Aldermans usent illoqes de tenire et terminer pleas de dette et autres acciouns personels, par bile sibien parentre marchaunts et marchaunts par ley marchaunde, come parentre autres qe se pleindre voilient par processe fait devers les parties.”

\(^2\) G.R.B., text (Part II), p. 65.

\(^3\) Supra, p. 37.

\(^4\) The passage already quoted from Ricart’s Kalendar, supra, p. 16. confirms this view.

\(^5\) Supra, p. 37.

\(^6\) This date was selected as a reasonable one for ascertaining whether the court entertained actions of indebitatus assumpsit. If it had, of course, it would have been in direct competition with the Tolzey Court.

\(^7\) The commonest form of entry gives the name of the parties, the nature of the action and the amount claimed. No particulars at all are given of the cause of action; a most unfortunate omission.
<table>
<thead>
<tr>
<th>Date</th>
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<th>£</th>
<th>s</th>
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1585

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1606

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</table>

1 After stating the cause of action and the damages sought the entry (which is unusually informative) records that "defendens manucaptus est per Johannem Dooe et Ricardum Roe" to appear on 22nd October and afterwards on the 31st October at which date he made no defence so that on 3rd November the court ordered that the plaintiff should recover his term the plaintiff having agreed to forego his damages.
1634
10th October......Trespass on the case 200 0 0
......ditto 10 0 0
......ditto 20 0 0
......ditto 4 0 0
......ditto 2 0 0
......ditto 1 0 0
12th October......ditto 2 0 0
......ditto 10 0 0
......Trespass 100 marcs
17th October......Trespass on the case 200 0 0
......ditto 2 0 0
......ditto 200 0 0
......ditto 100 0 0
......ditto 4 19 0
......ditto 3 0 0
......ditto 4 19 0
......Trespass and insult 200 0 0
20th October......Trespass on the case 100 0 0
......ditto 20 0 0
......ditto 2 0 0
......ditto 60 0 0

The above cases have been taken quite at random and one is immediately struck by the fact that whereas the action of trespass was fairly common in 1585, it had become the exception by 1606; that indebitatus assumpsit does not appear at all; that actions of ejectment are rare and that the court was a busy court dealing with claims that in many cases were substantial. It is a thousand pities that no indication at all is ever given of the cause of action; it is safe to say, however, that up to 1634, at any rate, the Tolzey Court was holding the field in actions of debt and probably in actions for breach of contract generally.

THE COUNTY COURT

As mentioned above, this court was expressly created by the Charter of 1373 and like the hundred court it would have had an undefined and almost unlimited jurisdiction. In view of the activities of the other courts, however, it probably had little importance from a judicial point of view although it had at its disposal the procedure by way of outlawry.

Up to the present, no satisfactory evidence has been found of its activities as a court of justice during the Middle Ages.

THE STAPLE COURT AND THE FAIR COURTS

The jurisdiction of these courts has already been referred to.
The conclusions to be drawn from the evidence which has been reviewed must necessarily be tentative for, although along certain lines the material available at the Record Office has been fairly thoroughly investigated, there are other avenues to be explored which might well have a bearing on the present problem. Very little is known of the economic history of Bristol, important though this is, and this must clearly constitute the background against which the development of the Borough Courts and their jurisdiction should be set; it is reasonable to suppose also that the records of the Exchequer would have an important contribution to make. It may well be that when these sources have been investigated conclusions reached from the material available at present will have to be modified; with this caution, however, the following suggestions seem to be justified.

(a) That the original borough court was the hundred court and that this, in addition to its other functions, possessed an undefined and, in some directions at any rate, an unlimited jurisdiction which would in no material way differ from the jurisdiction of other hundred courts; certain types of litigation however would tend to become increasingly prevalent as the trading activities of the borough became more pronounced. This does not imply that procedurally the borough hundred court originally differed in any way from other hundred courts but it is obvious to anyone acquainted with the cumbrous common law procedure that this was not a state of things which could continue in a community whose rapidly increasing commercial activities required an administration of justice which would be speedy and effective.

(b) That sometime early in the thirteenth century a market court came into existence and that this court was connected with Bristol Castle. Its original function in all probability was confined to enforcing ordinances affecting the market and settling the disputes which arose from time to time between persons resorting to it.

(c) That, in all probability the Market Court either became the Tolzey Court and ceased to exist as such except in name, or that the Market Court instead of being confined in its functions to the activities of the market became also a court sitting almost continuously and concerning itself with activities with which the market had nothing to do.

(d) That probably by 1240 the court or courts referred to in paragraphs (b) and (c) had an exclusive or almost exclusive jurisdiction in the matter of debts. This is stated categorically in the
Consuetudines Bristollie to which many references have been made.

(e) That in the matter of real actions commenced by writ the hundred court until 1373 was in competition with the King’s Justices but that in the case of the Assize of Fresh Force (a remedy the origin of which is uncertain) the jurisdiction of the hundred court was exclusive.

(f) That in 1373 a new court was created by Royal Charter of that year the judges of which were the mayor and sheriff and that, except possibly in the case of real actions generally and certainly in the case of the Assize of Fresh Force, and actions within the jurisdiction of the Tolzey Court the Court of the Staple and the Fair Court, this court transacted the contentious business of the borough. Certain functions of a non-contentious character referred to in the Charter, such as the Probate of Wills and the recording of documents, were performed by the hundred court.

(g) That after 1373 the Tolzey Court and the Court of the Mayor and Sheriff were the only two borough courts in Bristol discharging important judicial functions if the Fair Courts and the Court of the Staple, both strictly limited in scope, be excepted.

(h) That in 1449 the jurisdiction of the Court of the Mayor and Sheriff on the one hand and of the Tolzey Court on the other was strictly defined by ordinance, actions of trespass and deceit being allotted to the former and all other actions (except those concerning the Court of the Staple) to the latter. It is probable that this ordinance did no more than confirm an existing division and that it did not interfere with the very limited jurisdiction left to the hundred court nor, of course, with the Fair Courts.

(i) That the law merchant procedure was employed in the market or Tolzey Court possibly in the thirteenth century, almost certainly in the fourteenth, and quite certainly at the beginning of the fifteenth and that when the Court of the Mayor and Sheriff became the Court of the Mayor and Aldermen, and perhaps earlier, this court also adopted it.

(j) That this procedure seems to have followed fairly closely that described in the Lex Mercatoria of the Little Red Book.

(k) That in spite of the development of Case the Tolzey Court continued to exercise its functions in the case of litigation arising out of contract apparently to the exclusion of the Court of the Mayor and Sheriff or Mayor and Aldermen although by an ordinance in the reign of Edward IV the latter was given jurisdiction in “all manner accions of Trespasses and accions of trespasses and deceit and accions uppon the Caacys...”
THE TEXT

Folios 196 a WILL of John Burton burgess of Bristol dated 1st March 1454.

1. Directions for burial in the Parish Church of St. Thomas the Martyr in the diocese of Bath and Wells, near the altar of St. John Baptist

2. Legacies for pious uses
   (a) To the Cathedral Church of St. Andrew Wells 20d
   (b) For the fabric fund of St. Thomas 5 marcs
   (c) For funeral expenses and for distribution amongst the poor on the day of his funeral according to the discretion of his executors 20 pounds

3. Devises.
   (I) To Nicholas Pittes, Philip Mede, John Gaywode and Richard Thyngwale of Bristol the reversion to a moiety of the tenements, mesuages, shops, cellars, gardens and closes with their appurtenances lately purchased from Agnes wife of John Spycer of Bristol formerly the wife of Thomas Fyssche burgess of Bristol and his executrix and which Agnes held of the Testator for her life particulars of which are as follows:
   (a) a tenement in St. Nicholas St Bristol lying between the Belfry of St. Nicholas Church on its eastern side and a certain cellar lately belonging to Thomas Cheddar Esquire and then held by Robert Bracy on its western side fronting on St. Nicholas St and extending backwards to the old city wall.
   (b) A tenement with its appurtenances in Wynchestret Bristol occupied by Thomas Gryffyth smith and lying between a tenement belonging to the mayor and commonalty occupied by Thomas Herbard on the west and a tenement belonging to the Chantry of Robert Chepe lately founded in St. Thomas Church and occupied by Richard Webbe cook on the east and extending backwards from the said street to the tenement belonging to the said Chantry.
   (c) Three shops with their appurtenances occupied by Richard
Forbour Thomas Cotyller and William Stappe respectively also situate in Wynchestret and lying between a tenement belonging to John Cokkes brewer occupied by Thomas Spenser on the west and a tenement belonging to John Tydryngton and his wife Edith occupied by John Clerke pointmaker on the east and extending backwards from Wynchestret to the said tenement belonging to John Tydryngton and his wife.

(d) A garden and shed\(^1\) occupied by John Symondes hooper lying in the market of Bristol between the garden of the Almshouse at Laffordesyate then occupied by the poor on the east and the garden belonging to Johanna Erley widow and occupied by John Newton on the west and extending backwards from the highway to a lane called St. Philippes Lane.

(e) A garden or vacant space occupied by John Ryder tanner and lying on the Were Bristol on a way leading from the Were towards Erlesmeade between a tenement belonging to the prioress and sisters of the House of St. Mary Magdalen Bristol and occupied by John Ryder tanner on the east and a garden belonging to Philipp Mede and occupied by John Clerke pointmaker on the east and extending backwards from the said way to the water of the Frome.

(f) A tenement occupied by Richard Wexmaker and lying upon the Avon Bridge between a tenement belonging to the testator and occupied by Walter Benet hosier on the south and a tenement belonging to William Taverner gentleman and occupied by Margaret Pyke on the north and stretching from the highway to the waters of the Avon.

(g) A tenement and two cellars situate on Avon Back comprising diverse habitations\(^2\) occupied by Edward William and others and lying between a lane leading from the Avonback to Bastestrete on the north and a tenement belonging to William Wanster and occupied by Thomas John on the south and extending backwards from the highway to Bastestrete.

(h) Two messuages occupied by Edward Mason and Nicholas Stokke in Merchestrrete and lying between a tenement belonging to the Fraternity of St. John Baptist Bristol on

\(^1\) The manuscript has "logge".

\(^2\) The text has "mansiones".
the south and land belonging to John Sherpe on the east and stretching from the said street backwards to a garden belonging to the said John Sherpe.

(i) A close with its appurtenances in St. Michaels Hill occupied by Richard Ewyn haulier and lying between a close belonging to the Abbot and Convent of St. Augustines Bristol and occupied by the said Richard Ewyn on the West and land belonging to the Commonalty of Bristol on the east and stretching backwards from the highway which leads towards Clifton to a garden belonging to John Sherpe the elder.

(j) A tenement with its appurtenances occupied by John Elyott in Redeclyfstrete and lying between a tenement belonging to John Hampton de Bathe on the south and a shop lately belonging to Thomas Fysshe on the north and stretching backwards from the said street to a tenement lately belonging to Thomas Parkhous.

(k) A tenement with its appurtenances which Oliver Meke chaloner occupied in Redeclyfstrete lying between a tenement belonging to John Seymour Knight and occupied by Lodewicus the chaloner on the north and a vacant space belonging to the Hospital of St. John Bristol occupied by John Meke and others on the south and stretching backwards from the said street to the waters of the Avon.

(l) A tenement with its appurtenances in Redeclyvestrete occupied by William Tanner potter lying between a tenement belonging to Thomas Vyell gentleman and occupied by Thomas Taillour on the south and a tenement belonging to John Hampton de Bathe and occupied by William Hone weaver on the north and stretching backwards from the said street to a tenement lately belonging to Thomas Parkhous occupied by Nicholas Hyle.

(m) A shop with its appurtenances in Redeclyfestrete occupied by John Elyot and lying between a shop lately belonging to Thomas Parkhous and occupied by Thomas Tadelton latimer on the north and the said tenement occupied by John Elyot (see j) on the south and stretching backwards from the said street to the said tenement occupied by Nicholas Hyll (see l)

(n) A tenement with a shop in front of it with its appurtenances in Lewensmede lying between the tenement of the chaplain of Thomas Halleweye and his wife Johanna's chantry
lately founded in the parish church of All Saints on the east and a certain common gutter running from Lewensmede to the river Frome on the west and stretching backwards from Lewensmede to the River Frome.

(o) A tenement with its appurtenances situate at the northern end of the Avon bridge and lying between a tenement belonging to John Thorpe and occupied by John Compton merchant on the south and a tenement lately belonging to Thomas Fyssche and occupied by Richard Wexmaker on the north and stretching backwards from the highway to the waters of the River Avon.

(p) A tenement with two shops on its south side and a garden behind situate on the west side of Templestrete immediately opposite the cross called Stalegecrosse and lying between the tenement of the Chaplain of Robert Chepes chantry lately founded in the church of St. Thomas Martyr on the north and a tenement belonging to Lady Margaret Salope on the south and stretching backwards from the said street to the Lawedyche.

(II) To the same devisees two tenements with gardens and appurtenances situate in a lane called Saint Thomas Lane opposite the south door of St. Thomas Church between a tenement belonging to the Prior and Fraternity of the House of Kalendars Bristol on the south and a tenement belonging to the churchwardens of St. Mary Redcliffe on the west and stretching backwards from the said lane to a path leading to privies on the Lawediche.

To hold the above to themselves and their heirs upon condition that with the advice and at the discretion of the executors of the testator they should found a chantry of one priest to celebrate divine service in perpetuity at the Altar of Saint John Baptist in St. Thomas Church for the good estate of the King, Queen Margaret and Edward Prince of Wales for the testator and Isabella his wife and for their souls after they should have departed this life and for the souls of their parents and all the faithful. The chantry to be called "the perpetual chantry of John Burton merchant of the town of Bristol" and the chaplain to be called "Chaplain of the perpetual chantry of John Burton merchant of the Town of Bristol" and in that name to profit from the endowment of the Chantry. The devisees to obtain the license and letters patent necessary in law for the foundation of a chantry at the cost of the estate. In case the devisees should
be evicted from the land devised or any part of it by title paramount the executors to grant to them property of equivalent value for an estate in fee simple.

(III) To his wife Isabella all his remaining lands tenements rents reversions and services in Bristol with their appurtenances for her life with remainder to his daughter Isabella Yonge wife of Thomas Yonge and her heirs for ever.

**General Legacies**

(a) Isabella his wife:

1. £100 sterling; merchandise to the value of £200 and eight sacks of wool then in his house.
2. His cups, salt spoons, silver mazer and his other precious objects\(^1\) of silver and all other household utensils for her portion and on condition that she sought nothing further on account of her portion out of the testator's other goods.
3. His quarter share in a ship called "le Marie de Bristollia" then in Iceland of which Robert Goteham was master together with its gear and the testator's merchandise therein.

(b) To Nicholas Burton his brother:

1. Cloth to the value of 200 marcs at cost price and the testators best cloak.
2. Two sets of white harness "cum pertinenciis de plate"\(^2\) for 2 men.

(c) To Robert Jonys his cousin

1. Forty pounds worth of cloth, a pipe of woad, a set of harness as above, two shields, two sets of armour, two pairs of blankets and two pairs of linen sheets two "pollax"\(^3\), two cloaks edged with fur of a black colour and another lined cloak with testator's best headresses and a scarlet cloak edged with fur.

(d) To Edith Jonys his cousin Ten marcs.

(f) Four orders of mendicant Friars in Bristol Ten shillings each to pray for the testator's soul.

\(^1\) Text has "jocalia mea".

\(^2\) i.e. the thin pieces of iron or steel composing plate-armour.

\(^3\) i.e. pole-axe.
Residue

Subject to payment of his debts and funeral expenses to be disposed of by his executors for the benefit of the testator's soul.

Executors

Thomas Yonge and John Fortescu knight who were to receive £20 each.

Sealed by the testator in the presence of Master Nicholas Pyttes, William Canynges, Philip Mede, John Jonys, William More, Nicholas Parker, Richard Hykkes, John Edwardes.

Will proved at Lambeth by the executors named on the 28th July 1455 and proclaimed three times in full hundred held at the Guildhall Bristol before Thomas Coder Mayor and John Wykeham Sheriff on the 6th February 1458 in the presence of Robert Bole and John Clarke¹ bailiffs Thomas Oseney Clerk and Robert Todde Thomas Kokkis and other worthy men.

Folio 198 d WILL of John Vyell dated 17th November 1464.

to 199 a.

1. Direction for burial in the parish church of St. Mary in Foro Bristol.

2. Legacies.

   (a) Mother church at Worcester 8d.
   (b) Mother Alice and sister Hawisia all his utensils and furniture in equal shares.

3. Devises.

   All lands, tenements rents and services wherever situate in Bristol Gloucester or elsewhere in England to Thomas his son and heir and the heirs of his body and in default of such heirs to his daughters Susanna and Elizabeth and the heirs of their bodies in equal shares and in default of such heirs to Hawisia his sister and the heirs of her body and in default of such heirs to the right heirs of the testator in fee simple.

4. John Jones of Bristol dyer to have the guardianship of his son Thomas and his daughters Susanna and Elizabeth during infancy and to employ the revenues of the lands etc previously mentioned towards the support of such children, the maintenance of the properties and the payment of the testators debts and funeral expenses.

¹ According to Ricart's Kalendar John George and Robert Bulle were bailiffs in that year.
5. Residue after payment of debts to be disposed of by John Jones and Richard Boderham for the benefit of the testator's soul.

6. Executors John Jones and Richard Boderham who were to receive forty shillings in equal shares.

7. Supervisor\(^1\) Thomas Joce chaplain who was to receive twenty shillings.

8. Sealed by Testator in presence of Thomas Oseney, Thomas Sawyer, Thomas Newton, Thomas Joce and others.

Proved in Church of St. Augustine Bristol on the 22nd November 1464 and proclaimed three times in full hundred held in the Guildhall Bristol before William Coder mayor and John Cogan sheriff on the 6th December 1464 in the presence of John Eyton and William Rookes bailiffs Thomas Oseney clerk and Robert Todde, Thomas Newton, Thomas Sawyer and other worthy men.

\(\text{Folio 199 a} \) WILL of William Seymour otherwise Clerke Burgess of Bristol to \(\text{199 d.} \) dated 20th August 1482.

1. Direction for burial in the Chapel of St. Katherine within the church of the Blessed Mary in Foro Bristol.

2. Legacies.

(a) To Cathedral Church of Worcester 6d

(b) To the Church of St. Mary in Foro for use at the testator's funeral obsequies a gilt mazer bound with silver with the inscription "Nomen Jesus" at the bottom with the proviso that if it should be alienated or pledged the legacy would be forfeited.

(c) To the rector of St. Peter's Church (the testator's curate) twenty shillings for ten oblations.

(d) To his wife Johanna a silver cup with cover and "signo de Egle", a flat cup and six silver spoons.

(e) To wife and to Elizabeth Cootyler (otherwise Lewis) in equal shares testator's household utensils the wife's share being in augmentation of her portion.

(f) To wife for her life a gilt mazer bound with silver with the sign "Jhesus" at the bottom with remainder to Elizabeth Cootyler

\(^1\) A person appointed by a testator to supervise his executors.
3. Devises.
House in St. Mary's Street Bristol to wife Johanna for life on condition that she lived in it with remainder to William Wege otherwise Spicer mercer of Bristol his heirs and assigns for ever. Condition that if Johanna ceased to live in the house or should alienate or let it or any part of it the remainderman should have an immediate right of entry.

4. Residue.
To be applied by his wife Johanna subject to the payment of the testator's debts and funeral expenses, for the benefit of the testator's soul.

5. Executrix wife Johanna

7. Sealed by the Testator in the presence of John Bersey rector of the Church of St. Mary in Foro Nicholas Wiseby butcher William Smale brewer Thomas Loryman smith and others.

Proved in Church of All Saints Bristol on the 8th October 1482 and proclaimed three times in full hundred held in the Guildhall Bristol before Robert Strange Mayor and John Estifielde sheriff on the 8th January 1483 in the presence of Thomas Spicer and Henry Dale Bailiffs Robert Ricart clerk and John Jay Thomas Cokkys William Weston and other worthy men.

WILL of John Bailly dated 18th May 1483.
Direction for burial in St. Stephens Church Bristol before the 'image' of St. John Baptist in the northern part of the church.

Legacies.
1. To Cathedral Church of Worcester 20d
2. To the Rector of St. Stephens for ten oblations 10s
3. To a suitable priest to celebrate in St. Stephens Church for the souls of the testator and his parents for one year £6
4. To John Bracy son of Dionisius Bracy one pipe of woad and a ton of [iron]
5. To William, John and Elizabeth other children of Dionisius Bracy Two pipes of woad between them.

Direction that if John Bruges should give security to the satisfaction of testator's wife and Dionisius Bracy to observe and
perform the covenant made by him with the testator namely that he should give the testator's daughter Agnes a jointure in lands and tenements to the value of 10 marcs per annum he should have Agnes for his wife and that Agnes should receive as her marriage portion firstly five pipes of woad, ten 'seeclothes' two silver saltcellars one of which was with a cover, a cup with a cover of gilt, one 'Paryse cuppe' of silver and six of the testator's best silver [spoons] and secondly after the death of the testator's wife Isabella the reversion to the house in which the testator was then living. Proviso that if John Bruges made default Agnes should take none of the above mentioned articles except at the discretion of the testator's wife.

**RESIDUE.** After payment of debts and funeral expenses to testator's wife Isabella to be disposed of by her for the good of the testator's soul.

**EXECUTOR** Testator's wife.

**SUPERVISOR** Dionisius Bracy who should receive a ton of iron and forty shillings in cash.

**SEALED** by Testator in presence of John Edwardes and Thomas Coldey chaplains


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*Folio 201 a. TEMPORE WILLELMI FROME MAIORIS ANNO REGNI REGIS HENRICI\(^1\) SECUNDO*

Henricus dei gracia Rex Anglie et Francie et Dominus Hibernie Omnibus (1) ad quos presentes littere pervenerint salutem Inspeiximus litteras patentes Domini Ricardi nuper Regis anglie Secundi post con (2) questum factas in hec (3) verba Ricardus dei gracia Rex Anglie et Francie et dominus Hibernie (4) omnibus ad quos presentes littere pervenerint salutem Sciatis quod cum (5) Johannes Thorp' et Johannes Sherp' Burgenses ville nostre Bristollie quandam Ca (6) pellam infra villam nostram predictam in honore dei et Sancti Johannis Baptistae ad intentionem (7)

\(^1\) The King referred to is Henry IV.
inveniendi ibidem quendam Capellanum divina pro salubri statu nostro et carissime consortis mee Regine dum vixerimus ac animabus nostris cum ab hac luce migraverimus necnon animabus progenitorum nostrorum et omnium fidelium defunctorum et pro fratribus cuissadum Fraternitatis pro perpetuo Fundande ordinande et incorporande imperpetuum celebratur' fundaverint ut accepiram. Nos de gracia nostra speciali concessi mus et licenciam dedimus pro nobis et heredibus nostris quantum in nobis est eisdem Johanni et Johanni quod ipsi quandam Fraternitatem imperpetuum duraturam infra Capellam predictam in honore dei et Sancti Johannis Baptiste fundare valeant ordinare et incorporare ac quendam custodem Fraternitatis predicte ordinare quodque ipsi qui Custodes erunt et Confratres Fraternitatis predicte per eorum communem assensum quendam Custodem eiusdem Fraternitatis singulis vicibus eligere valeant prout sibi placierit et fore viderint faciendo necnon quod ipsi terras tenementa et redditus ad valorem centum solidorum per annum pro sustentacione dicti Capellani et successorum suorum ex causa predicta adquirere et ea sic adquisita ad susten tationem dicti Capellani usque ad valorem Centum solidorum per annum predict' eisdem Custodi et Confratribus et successoribus suis Custodibus et Confratribus Fraternitatis predicte imperpetuum tenere ac insuper dictam fraternitatatem habere et ea cum omnibus bonis usibus ac ordinacionibus probalibus et acceptabilibus dicte Fraternitati ordinandis gaudere valeant absque perturbatione seu impetitione nostri vel heredum nostrorum aut minis- trorum quorummucque statuto de terris et tenementis ad manum mortuam non ponendis edito et aliis statutis seu ordinacionibus quibuscumque in contrarium factis non obstantibus In cuius rei testimonium has litteras nostras fieri fecimus Teste meipso apud Westmonasterium sextodecimo die Octobris anno regni nostri vicesimo secundo Nos autem litteras predictas ac omnia et singula in eisdem litteris contenta Rata habentes et grata ea pro nobis et heredibus nostris quantum in nobis est acceptamus approvamus et prefatis Custodi et Confratribus et eorum successoribus tenore presencium confirmavimus prout littere predicte Rationalibiliter testantur Proviso semper quod idem Custos et confratres sive eorum successores aliqua terras sive tenementa ultra predictam summam centum solidorum colore presentis confirmacionis nostre non adquirant seu adquiri faciant et quod
in singulis adquisicionibus huiusmodi tam dictas litteras ipsius nuper Regis quam presentes litteras nostras exhibeant et ostendant In cuius rei testimonium has litteras nostras fieri fecimus patentes Teste me ipso apud Westmonasterium vicesimo die maii anno regni nostri primo pro centum solidis solutis in hanaperio

Gannstede

Universis Christi fidelibus ad quos presens scriptum pervenerit Johannes Thorp et Johannes Sherp Fratres Fraternitatis Sancti Johannis Baptiste Bristoll' salutem in domino sempiternam

Sciatis nos tarn ex licencia et concessione domini Ricardi nuper Regis Anglie secundi post conquestum de Data apud Westmonasterium sextodecimo die Octobris Anno regni sui vicesimo secundo quam ex concessione et confirmacione Illustrissimi domini Regis Henrici quarti post conquestum de Data confirmacionis predicte apud Westmonasterium vicesimo die Maii Anno regni sui primo sicut per quasdam litteras patentes nobis edit' plenius liquet virtute concessionis et confirmacionis predictarum ad honorem dei et Sancti Johannis Baptiste ex assensu et consensu omnium Fratrum et Sororum predicte Fraternitatis quondam Capellam in villa predicta in ecclesia Sancti Andoeni construxisse et fundasse ac Robertum Gloucestre in realem et corporalem possessionem in Capella predicta imposuisse divina singulis diebus in eadem ad altare Sancti Johannis Baptiste celebratur' pro salubri Statu domini Regis nunc et pro anima sua cum ab hac luce migraverit et pro anima domini Ricardi nuper Regis Anglie predict' ac anima domine Anne Consortis sue nuper Regine Anglie et animabus omnium Regum predictorum et pro salubri statu Fratrum Fraternitatis predicte et pro animabus Fratrum defunctorum eiusdem Fraternitatis et omnium fidelium defunctorum Ita quod idem Robertus et successores sui Capellani ad sustentacionem Fratrum et sororum predict' divina servicia predicta ad Altare predictum singulis diebus celebrent ut Capellani titulati in predicta Capella ut predictum est imperpetuum et non devillabunt dictus Robertus aut successores sui nisi habeant causam racionabilem et per licenciam magistorum et procuratorum Fraternitatis predicte qui pro tempore fuerint optentam et si predictus presbiter qui pro tempore fuerit contra aliquam ordinacionem per dictam Fraternitatem ordinatam et approbatam aliquid facere vel
contractare voluerit postquam inde bis vel ter moneatur per magistros et procuratores predictos qui pro tempore fuerint et inde se corrigere noluerit per dictam terciam monicionem aut publice fuerit ab aliquo crimine diffamatus unde se per sex Fratres Fraternitatis predicte coram ordinarium purgare non valeat statim amoveatur et alius Capellanus idoneus loco suo in Capellam predictam imponatur divina celebratur' juxta ordinaciones predictas Sciatis in super nos dictos Johannem Thorp' et Johannem Sherp' virtute litterarum patentium predictarum ordinasse et incorporasse Fraternitatem predictam in Capella predicta ex consensu et assensu omnium Fratrum et Sororum predict' in eadem Capella coadjuratorum ad honorem dei et Sancti Johannis Baptistae predict' et dictam Fraternitatem sic fundatam gracia divina imperpetuum duraturam habere et tenere cum omnibus bonis usibus et ordinacionibus probabilibus et acceptabilibus dicte Fraternitati que quidem ordinacione in quadam cedula presentibus annexa sunt contente In cuius rei testimonium nos predicti Johannes Thorp' et Johannes Sherp presentibus sigilla nostra apposuimus Et quia sigilla nostra pluribus sunt incognita sigillum officii maioratus ville Bristollie similiter Hii apponi procuravimus Specialiter Dat' Bristollia primo die Maii Anno regni regis Henrici Quarti post conquestum secundo

Folio 202 a. Al honour De dieu et nostre Dame et De Seint John Le Baptiste et De toutz Seintz de Paradys Ceux sont iez ordenauncez faitz et establez en la Fraternite de Tailleurs de Bristuyt del Taylours Gilde de seint John le Baptiste par vertue dez libertees et licenses a eux grauntez par lettres patentes de Roy Richard Seconde et confermez et ratifiez par lettres patentez de nostre tresredouble Seigneur le Roy Henry le quart qore est

En prime ordeigne est par vertue de lez Chartres grauntez par nostre seignour le Roy qu chescun an al Fest de Nativite de seint John le Baptiste serra eslieux par launcien maistre del an precedent un novell maistre del mesteer de Taillours pur governer le Fraternite et la dite mesteer pur lan ensuant et qu launcien maistre ensigne de Son election al dite Feste de seint John le Baptiste et en plein maungerie mettre un Garland sur le teste de novell maistre le quell' novell maistre a mesme le jour eslera par lassent de sez confreres illeq esteantz quatre Gardenis de qeconqes persons qu meulx a
dit maistre semblera destre eslieux lez quelles novell' maistre et quatre <12> Gardenis a lour elecion ferrount lour surement de bien et loialment gouverner la dite Fraternite <13> et la dite mesteer et toutz lour libertees et bons ordenaucez et qils ne resceiueront duraunt lour temps <14> null' home ne femme a dite Fraternitee pur lower ne pur prier ne pur amour sil ne soit de bon' <15> fame et le bone condicion et qu le dit maistre et quatre Gardenis a chescun foith q'ascune <16> chose de charge touchant la dite Fraternite serre fait ou ordeigne qils serount ensembles et q' <17> null' de eux face saunz aultre et q' al fyn de dit an le dit maistre et quatre Gardenis rendront <18> loial accomplt al novell' maistre et quatre Gardenis del an ensuant et a eux delivernoent toutz <19> lez biens appurtensaunzt al dite Fraternite oue lez arrerages si ascuns soient <20>

Item q' lez ditz maistre et quatre Gardenis chescun an al dite Fest' de seint John le Baptistre <21> puissint eslier un Bydull' pur quiller lour Rentes et toutz autres Diwtees <sic> appurtensaunt al <22> dite Fraternite et pur somoner les Confriers de dite Fraternite si soient qil soit garne <23> par lez ditz maistre et quatre Gardenis pur venir as masses et services de lour festes et as <24> dirigees et Crinentez de lour Confriers le quell' Bedull' portera un blanc verge pur son' signe <25>

Item q' chescun Confrier en dite mesteer de Taillours q' soit reasonablement garne par le <26> dit Bydull de venir a certein jour a luy assigne par le dit Bydull' et soit absent saunz <27> cause reasonable qil paiere al oeps de dite Fraternite al prim' defauta IIIId et al seconde <28> defauta VIIId et al tierce defauta d'estre oustee de dite Fraternite sil refuse de paier sez <29> Amercements assez par lez maistre et quatre Gardenis pur sez defauta quant il soit reaso- <30> -nablement par lavaundit Bydull demaunde <31>

Item q' le ditz maistre et quatre Gardenis ordeigneront chescun an Vesture bone et covenable <32> dune sute pur toutz Freres et Soers de dite Fraternite et ceo encounter le Fest del Nativite <33> de seint John le Baptistre et a mesme le jour tiendrount un maungerie a toutz lez Freres <34> queux illoqes viendre voudrout et q' chescun Confrier illoques esteaunt paiera pur lez commones del dit maungerie solonqz lordenauce de lez maistre et quatre Gardenis suisditz et q' <2> chescun Confrier del dite mesteer q' soit absent al dit maungerie saunz cause reasonable <3> qil paiera le moite de ceo q' lez autres paient q' sount present et q' toutz les ditz Freres <4> paierent pur leur vesture et del
maungerie deinz un moys proschein ensuant desoz (5) le dit Fest de seint John le Baptiste sur peyne destre ouste de dite Fraternite toutz (6) jours (7)

Item q' si ascun debate ou discorde soit parentre ascuns Confreres de dite mesteer de (8) Taillours q' lez parties issint en debate et discorde esterount al rewarde et ordenaunce de lez (9) maistre et quatre Gardenis q' sount pur le temps et si ascun Confrier ceo refuse qil (10) soi ouste de dite Fraternite pur toutz jours Purveu tout soith q' null' chose ne soit (11) fait ne mys en (Eovre) per colour de ceste ordenaunce q' poet estre damage ou preiudice al (12) Fraunchise de Bristuyt en ascune manere (13)

Item pur ceo q' avaunt ceo heoures le mesteer de Taillours en ceste honorable ville ad este et (14) unquore est hautenment disclaundre en plusours parties du Roialme pur taunt q' chescun (15) Ribaud ou Garceon del dite mesteer tout soit qil soit nient sachaunt de dite mesteer ou (16) laron' per embiere drap a luy baille sil soit burgeys qil poet tiendre une shop' del dite (17) mesteer et perdre lez Garnemementz per luy taillez et ascun soith seu suount oue tout le drap' (18) a graunde disclaundre sibien' al dite ville come al mesteer suisdite et as graundes damage (19) du poeple (sic) et ceo en defaut q' bone ordenaunce nest fait en ceste ville come il est en Loundres (20) Everwyk' et auters villes en Roialme en lez queux citees et villes est ordene et estable q' null' (21) home del mesteer de Taillours serra rescueu daivore Fraunchise ne tener son mesteer (del) (22) art Avauntdite pur tailler ascun drap' sil ne soit presente par lez maistre et Gardenis del dite (23) mesteer al mair del ville come person able et sachaunt son Arte Ordene est et estable (24) par le mair et tout la comone Cousaill' de dite ville de Bristuyt q' desore enavaunt null' (25) home de mesteer de Taillours serra enfranchise en la dite ville si noun lez maistre et quatre (26) Gardenis del Fraternite de seint John le Baptiste en Bristuyt q' pur le temps serrount (27) tesmoignent as mair viscount et toute la courte qil est person able de bone' condicion et de (28) bone fame et bien sachaunt son mesteer Adonqes par lavys dez mair et Bailiffs q' pur (29) le temps serrount il serra rescueu piaiant sa fyne et sez fees al avys et ordenaunce dez mair (30) et Bailiffs et auxi q' null' home del mesteer suisdite ne taillera null drap' si ne soit (31) enfranchise deinz la ville en la manere suisdite Et oultre q' null' tiel enfran­chise (32) teigne son mesteer si noun en outre lieu et nemy en Chaumbres ne en halles ne en (hurnes1) (33) si ne soit en maisons dez Burgieses del dite ville hors de dite arte et auxint q' null'  

1 The word is almost illegible. It appears to be "hurnes".
servaunt de dite mesteer tiendra apprentice ne servaunt south luy tanqe il soit enfranchishe (35) Et si ascun le face q' chescun maistre du dite mesteer q' cee poet esper garnera le mair q' pur (36) le temps serre et q' le dit mair par avys du maistre et quatre Gardenis suisdzit poet delyver (sic) (37) l'apprentice on servaunt a un maistre del mesteer suisdite pur luy ensigner en de dite mesteer (38) tanqe son prim' maistre soit enfranchishe deinz la ville suisdite (39)

Folio 203 a Item si ascun Frier on Soer de la dite Fraternite devye de la la (sic) mear ou de cea (?) taunt tost come cee (1) soit conue al maistre de la dite Fraternite fra. (sic) le Bedeman praiour pur lalme alaunt par toute (2) la ville as costages de dite Fraternite et toutz lez chapeleyns Clerkes de mesme la Fraternite (3) chaunterount solemnement Dirige per par note et lendemeyn masse par note en la Chapell de la (4) dite Fraternite pur lalme del Frier ou Soer quest mort et toutz lez Freres et Soers de la dite (5) Fraternite se assemblerount illoques al dirige et al masse et offerount en mesme la manere (6) pur luy come pur un Frier ou Soer q' devye deinz la Citee Et si ascuns dez dita Freres (7) de dite mesteer de Taillours absent de dite Dirige ou masse ou faille de offerien en manere (8) suisdite saunz cause reasonable q' chescun ensi absent paiera une lyver de cere al dite Chapell (9) et sil refuse de cee paier saunz cause reasonable il forfetera la dite Fraternite Et auxi si ascun (10) Frier ou Soer de la dite Fraternite devye deinz X leges entour la ville et devise son corps estre (11) (enterre) deinz la dite ville qadonqes lez ditz maistre at Gardenis ordeignerount de porter le corps (12) a la ville sur lez costages de la Fraternite sil nest de biens sufficeaunzt (13)

Item si ascun Frier ou Soer de la dite Fraternite devye de la la (sic) meer ou de cea (?) hors de la ville (14) ou dedeinz chescun person de la dite Fraternite paiera as ditz Gardenis un denier pur faire (15) chaunter masses pur lalme de luy qest mort et le ditz Gardenis leverent et quillerent loialment (16) par lour Bydull lez deners et lez porterent la moite a lez Chapeleyns presente et chauntantz masses (17) le jour del enterement pur lalme de celluy qest mort et lautre moite as povres gentz gisantz (18) languiszant

Item si chescun Chapelayne chauntaunt pur la dite Fraternite serra charge par son surement (19) de chaunter especialment pur lez almes dez Friers et Soers q' devyent en quelle lieu q' (20) (ceo) aveygne erantz especial memorie de lour propres
nouns en lez masses continualment par (21) (un) an entier
proschein ensuent la desesse dun tiel Frier et Soer qest mort (22)
Item si en cas q'ascun person de la dite Fraternite chie en poverte
et non puissance de luy (23) mesmes sustener taunt seulement
par fortune nemy par hasardrye felonyene pur son (24) malnays
desert q' chescun tiel avera XIIid chescun symaygne pur sa sus-
tenauce paiez (25) par lez maistre et quatre Gardenis a quatre
termes en lan par owels porciions et le dite person (26) ensi cheie
en poverte monstra loialment as ditz maistre et Gardenis son
necessite et rendra (27) (suys) a eux tout son estore si ascun
y ad et serra sustenu de la dite Fraternite en manere (28) suisdite
et si ascun person qad este maistre de la dite Fraternite cheie en
poverte en manere (29) come dist est et ad este person profitable
a son poair al dite Fraternite avera chescun symaigne (30) XVI
paiez en la manere suisdite (31)
Item si ascun person de la Fraternite et mesteer suisdite despise le
maistre et lez Gardenis (32) de la Fraternite suisdite en temps
qils souent en lour offices saunz cause (33) reasonable paiera quatre
lyvers de cere al Chapelle de dite Fraternite et sil refuse de ceo
(34) paier soit ouste de la
dite (35)

Folio 203 b Item en Salvacion et maintenaunce del pees nostre Seignour le
Roy ordeigne est q' si ascun person del (1) mesteer soit trove main-
tenour de querels debatour destorbour del pees ou Communement
vagant (2) de noet pur riote ou debate fair' ou mainten' q' please
al mair chescun tiel fair' arester et (3) mettre en garde al request
del maistre de dite mesteer et ensi garde demourer iesqes taunt
qil (4) soit duement chaste par bon avys del mair et son Coun-
saill' (5)
Item si ascun Taillour del dite Fraternite perde par sa male over-
age ascun drap' ou garnement (6) a luy baille pur tailler si le
possesseur del dite drap' se voudra pleindre al maistre et Gardenis
(7) suisditz lez ditz maistre et Gardenis se aviserent de lez defautes
et si tiels soient trovez (8) q' le dit Garnement ne poet pas Coven-
ablemant servier son possessor Adonqes le (9) possessor certe-
fiera par son surement lez ditz maistre et Gardenis come bien de
drap' luy (ad) (coste) (10) et lez costages luy serrount pleynement
renduz ou le garnement demoura oue la Tauillor (par gey)
(11) chescun Taillour serra meulx avise de tailler bien et
sufficeaument le drap' a luy baille (12) a tailler (13)
Item si ascun Taillour nemy enfranchise soit trouve hauntant la
mesteer de Taillours (14) en ascun lieu prive ou apert deinz la
Fraunchise de Bristuyt q' chescun tiel paie al mair (15) xld et al dite Fraternite xld en sustenaunce de pouers del dite Fraternite et ceo a chescun foith qil (16) purra estre trove de overer en larte de Taillour en manere suisdite sil ne doit deinz lez (maisons) (17) dez Burgeises de dite ville et al use et profyt dez ditz Burgeyses

Folio 204 b TEMPORE JOHANNIS BARSTAPLE MAIORIS VILLE BRISTOLLIE ANNO REGNI REGIS HENRICI QUARTI QUINTO

As honourablez Sores (sic) Mair Viscount et bons gentz de comune Smythes Ferrours and Lockyers
Consaill del ville de Bristuyt Suppliant humblement lez bons (1) gentz de lartificez de Ferrours Feours Cotelers, et lokyers de dite ville qi come plusieurs gentz de leur dite mestier (2) deinz la dite ville si bien foreine come, deniszenis par defaute de survewe et bone reule overount fauxement (3) et non sufficeautement lour overaignes cestassavoir ascsunz par non Sachantise a cause qils ne souent my sufficeautement (4) a pris en lour ditz mestiers a graunde deceite et damage au pople et auxi a tresgraunder lesclandre dez ditz bons (5) gentz des mestiers avauntditz Qi plese a vos tresnobleze sores considerer lez deceytes et damages suisditz et pur lez (6) oustier et destruire au profite de pople sur ceo graciousment grauntere as ditz bonez gentz lez articles poinitz et ordinauncez desouth escriptz destre enrollez en la Gyhald de Bristuyt pur ester unsez (sic) excutz et ennjoez par (8) et entre lez ditz gentz et leur successours pur toutz jours (9)
Ceux sount lex ordinaunces1 faitez et enrollez en la Gyhald de Bristuyt par lez prodez hommes dez artes2 (io) de Ferrours Cotelers et lokyers en la temps de John Barstaple mair de dite ville lan du regne (11) le Roy Henry quart puis le conquest quint (12)
En prim' souent assentuz et accordez q' null persone dez qatrez artes avauntditz ne use mye null' manere overaigne en (13) salez ne en schopes ane en autre lieu dyems la Fraunchisez de Bristuyt tanql il soit Burgez et iurez al Fraunchisez de mesme (14) le ville (15) ne null de lour servauntz ne apporte my la ville null’ (16) manere de Irewar’ a vender en lour Brachez ne sur lour testez ne en sackez prive ne apiert eins qillis aient (17) un lieu overt ieus le hauste Croice de Bristuyt ou en lour maisons overtemt ne my aillours sur peyne de (18) paier al oeps del cominalte de Bristuyt XXd desterlingez et aultres XXd a lez maistres dez

1 A version of these ordinances in English is to be found in L.R.B. Vol. II p. 181.
2 'Mestiers' above the line.
ditz qatre artiz (19) en lour comen boxe en sustenancetze de
lour almoigne et aultres expens (20)
Et q’ toutz estrangers qui veingnount al dite ville ou ascun darrez
appelle Smythwar’ a vender qills esterrent (21) a un lieu ioust la
hauste (sic) Croix de Bristuyt overtament issint q’ lez defautz si
ascun y souent de le dit Smythwar’ (22) puissent estre surveu par
lez maistrez dez ditz mestriez et en null lieu aillours sur certeynez
paynez ordeynez par (23) lez discretion’ du mair de Bristuyt et
sez ministrez (24)
Et auxi souent assentuz et accordez q’nul de ditz qatre artez
occupiera ascun servaunt en lez ditz artez si il ne soit (25) par
covenantz per un an entier ou dimi an a mainz saunz cause rason-
able et ceo sur lez payns avauntditz (26)
Item q’ null maistre dez ditz artz ne occupie autre servaunt deyns
le terme entre eux accordez ne autre servaunt esloigne (28) de
autre service ne procurer si face et de ceo soit atteynt en courgee
en lez paynez avauntditz et outre fra gree a cel (28) q’ ceo sent
greve (29)
Et sur cestez ordinauncez et articles lez bons gentz dez ditz qatre
artes prient q’ qatre maistres purrent estre eslez (30) par lez
ditz artez chescun an de survoer lez defautez dez ditz mestiers et
Jurrez devaunt le mair de loialment presenter (31) al mair et a
lez ministrez de dite ville toutz lez defautz queux ills troverount
(32) Reservaunt tout foith al mair de Bristuyt el al counsayl del
ville poair correcter punisser amerrier et redresser si (33) bien lez
maistrez et toutz aultres persons dez ditz qatre mestiers chescun
solonc lour desert et trespas come le cas (34) requiert nient obstaunt
ascun ordinauncez comprisez en cest cedule et q’ bien lirroit a
chescun Burgeis de cest (35) ville en edificacion de lour maison ou
en faiasuunz de lour niefs et autres vessels de ocupier et lower (36)
Feours en lour maisons et habitacionz a lour propre oeps nient
contristicauntz ascun ordinaunce avauntditz (37)
Et pur garauant donner a lez maistres de ditz qatre artez et plus
seurement fair’ degarder le ditz ordinaunces la copie (38) de
cyelles sount a eaux delivrez en seal du seal del office del mairalte
de Bristuyt (39)
Memorandum the VIIth day of August the yere of the Reign of
Kyng Edward the fourth after the Conquest (1) the second the
right worthi and reverent Siour Philipp Mede Maire of Bristowe Gold smythes
and William (2) Spencer Sherif of the same and all the right wyse
and discrete Counsell of the seid (3) Towne for grete urgent and
necessarie causes theym mevyng And for the good governaunce
and the grete tranquilite prosperite and avayle of the seid Towne of Bristowe to been hadd and kept in the craft and mistieer of Goldsmythes have ordeigned sett inacted established and be enrolled this ordinaunce and actes that hereafter folowith etc

Furst your seid Oratours and servantis besechyn that a comyn Pownson be made and hadd with a certeign signe of the Bullis hed y graved in the same and Rolled in the pauper of the Guyldhall perpetually to endur and to remayn in the Ward and Gouernaunce of two Wardeyns of the same Craft for the tyme beyng the oon of hem to kepe the key and the othour the Box to thenent that any thyng that is wrought of true gold or true sylver by any man of the same Craft within the same Towne subbarbes or precincte of the same have the touche of the seid Pownson of the Bullis hedd of the seid Wardeyns if hit may be touched payend the fee of every mark wrought and if the seid Wardeyns wott nott suffre no such tyng wrought of true gold or sylver to have the touche of the seid Pownson yf hit may be touched payeng the seid fee or els yf that they put the seid toche of the seid Pownson to any untrue gold or untrue sylver or other fals metall wrought in dissaite of any person that then the seid wardeyns that bith for the tyme soo thereof convicte shall forfett XLs as ofte as they be thereof convicte Whereof the mayre for the tyme beyng shall have the oon half to the comyn use and profyte of the Comynaltee of the seid Towne And that other half Remayne to the Comyn Boxe of the seid Crafte etc

Item that noo Goldsmyth of the same Crafte within the seid Towne subbarbis or precyncte that ys a straunger and noo Burgeys hold ne occupy no shop nor Chambir in musett ne prive to wirche no thyng that longith to the seid Crafte within the seid Towne subbarbis nor precyncte And yf he doo and hit may be provyd by the seid Wardeyns or oon of hem or by any other person before the seid mayre that then every suche Goldsmyth that ys soo convicte thereof shall pay XXs Whereof the seid maire for the tyme beyng shall have XS to the comyn use and profite of the seid Towne And the other half to the Comyn Boxe and soo as ofte as he shall be convycte thereof undir the fourme forseid

Item that noo Goldsmyth within the seid Towne and precyncte shall take resyve ne occupy ye noon apprentice to lerne and

i.e. punch.  

2 i.e. hiding.
wirche in the seid Crafte but yf that he be a free man (33) borne and noo bondman of birthe ne scalled1 ne pylled2 and noo lesse then for the (34) term of VII yere at the lest etc.— (35)

Folio 206 a Item that noo Goldsmyth of the same Crafte shall take ne rescyeve ne procure to take ne rescyeve noo (1) mannes servaunte appren­tice nee Covenantante man of the seid Crafte oute of the service that he ys yn (2) withoute lycence of hym that he is in service with And yf he do and duly be convicted or atteynt by (3) the said wardeyns or oon of hem and presented before the mayre he shall forfett Vls VIIIld (4) whereof he shall pay to the mayre for the tyme beyng to the Comyne use of the seid Towne (5) Ills Illld and Ills lillld to the seid Wardeyns to the comyn use and profitt of the same Crafte (6) as ofte as he is found with any suche defaute And nevertheles he shall restore ayen the seid (7) appren­tice servante or Covenantant man soo taken or rescyeved to his Maistere in whoos service that (8) he was in afore till the seid appren­tice servaunte or Covenantant man have duly perfourmyd his (9) Covenantante butt yf any other accord be made betwixt theym etc (10)

Item yf any man of the seid Crafte be in defaute of any werk that he wirchith in the seid Crafte (11) within the said Towne subbarbis or precyncte and refuse and will nott be justefyed nor corrected (12) thereof by the seid Wardeyns that been for the tyme the seid wardeyns shall present hym (13) to the mayre and Shire£ of the seid Towne that been for the tyme to justefye and rule hym (14) after her discrescions and yf he be atteynt or convicte of the seid defaute before hem he (15) shall forfett and pay to the Comyn use of the seid Towne Ills lllld And to the seid Wardeyns (16) Ills lllld to the Comyn use of the seid Crafte And soo every tyme as ofte as he is Rebell (17)

Item that every man of the seid Crafte kepe yerely the observ­vaunce of the feste of Seynt Dunston (18) and be at evynsong in the eve of the seid fest and on the morowe at Mateyns howres (19) Masse and att the second Evynsong and to kepe her rule of the seid fest in all other (20) thynges as all men of the seid Crafte have usid and doon att all tymes before upon (21) peyn of for­feyture of II lb wax to be payed of every man of the seid Crafte that woll (22) do the contrarie to the lyght of Seynt Dunston butt yf he have a resonable excuse (23)

1 i.e. scabby.
2 i.e. bald. This curious provision has reference to the use by goldbeaters of the natural grease of the hair in the process of goldbeating.
THE GREAT RED

Item that hitt be levefull to the said wardeyns and ther successours to goo as ofte aboute as hit semyth to hem nedefull fro shop (sic) to shopp and in all other places within the seid Towne subbarbis and precyncte aswell in fayres as in markkettis to oversee serche and present the defaultis doon belonging to the same Crafte And every suche defaulte soo by hem found to taxe the oon half thereof to the mayre for the tyme beyng to the Comyn profit and avayle of the seid Towne and the other half to the Comyn boxe of the same Craft

Item that noo man of the same Crafte within the Towne dwellyng subbarbis nor precyncte gyld nee make noo Copre ne laton of noo maner of werke withoute he have leve of the Mayre for the tyme beyng but yf hit be to ornamentis of holy Churche And yf that he make any such ornamentis to holy Churche what maner of werke that ever hit bee that he leve a certeyn place notable opyn ungyld for to knowe and see whate maner metall there ys undernethe And yf any suche Copre or laton may be found or made other then for the ornamentis of holy Churche and withoute licence of the Mayre that then the maker thereof pay XXs that oon half to the mayre of the seid Towne to the Comyn avayle And that other half to the Comyn Boxe of the same Crafte as for the furst defaulte And for the second defaulte XL s. And for the third defaulte lli Li And soo double att every tyme and as ofte as he is thereof convicte to be departed in like wyse as hit is aforseid

Item that the seid Wardeyns of the same Crafte that nowe bee and for the tyme hereafter shalbe yeid her accomptis every yere oonys within XLI3 dayes nexte after the fest of Seynt Dunston to the new Wardeyns that shalbe chose for the yere folowyng and to the Comynaltee of the same Crafte of all maner rescietis of money and of all other thynges the whiche they or any of them have rescveyed to the behoof of the seid Crafte in theyre tyme upon pein of forfeyture of XL s the oon half whereof to be payed to the Maire for the Comyn profit and avayle and the other half to the use and behoof of the Comynaltee of the seid Crafte as ofte and whan as they or any of them refuse to yild the seid accompte And that every yere contynually fro yere to yere newe wardeyns be chosyn in the same Crafte by the Aggrement and consent of the hole felawship and Cominaltee of the same in the day of Seynte Dunstone And the seid wardeyns soo chosyn to be

1 an alloy resembling brass.
presented to the mayre for the tyme beyng and afore hym to be sworn to observe perfrome and kepe the wele worship and good rule of the same craft etc

Item att all tymes provyded and reserved to the seid mayre sheriff\(^1\) and Comyn Counsell above specified and to ther successores full auctorite and power the above writ ordynaunces and every of theym to Revoke anull augment newe make and Dymynewte when and as ofte as to the seid Mayre Shiref and Comyn Counsell afore specified and ther successours is sayen expedient and behoooffull to be doon for the better governaunce of the seid Crafte and the avayle and profit of the Cominaltee above seid In Witnesse whereof to this present wrytyng oure Comyn Seall of the Towne of Bristowe aforesaid we have made to be putte the day and yere abovesaid etc

Oseney

\(\text{Folio 207 a. Mekely besechith your high lordeship the Enhabitauntis of the King our Naturall Liege Lordes towne of Bristowe petewusly compleynyng that where they ever before this tyme have lyved by making of wollen clothe within the said Towne and have hadde ther by their chief sustenaunce and lyvyng to their continuell comfort and releef unto nowe late by grete and habundaunte passage of wollys over the see they and their servantis have stondyn and yit stondith destitude of werk and occupacion for lak of wollys soo that by defaute of the same they dayly leven as vagarauntis in ydelnys not havyng noon understanding in any other occupacon but oonly in the labour of clothe making which is to thair grete discomfort and perpetuall undoyng if such passage of woll whitoute restreynte shuld bee contynued and by mean wherof grete povertie hath reigned and dayly yit reigneth among thaim whitoute any remedy Please hit your good lordeship at Reverence of God and in wey of Cheritee the premysses considered to moeve the Kingis highness that hit may please his moost noble and habandaunte grace to have a convenient restreynte of woll soo that his said liegmen of his Towne of Bristowe may have a meane of lyvyng vertuously by Clothe making as of oold tyme they have hadde and used before this tyme And that where the maire and Cominaltee of the said Towne of Bristowe late of the Kingis high Commaundement sended to him LX men and moo defensibly arrayed waged for the space of II\(^{16}\)}

\(^1\) Written above the line.
monethes to attende to his service at his pleysir the wage of which men by the said tyme \(17\) amounteth the some of VIII\(xx\) Li and more wherof they were duly content before thair \(18\) departing oute of his said Towne of Bristowe And where youre said suppliaunts also \(19\) before this tyme have dispended of thair owne propre goodis and borne charge in waggyng \(20\) of men to his service into the parties of the North fyndyng of Shyppes and Naweys at two \(21\) dyvers tymes into the parties of Walys And the thirde tyme fyndyng a Nawey for \(22\) conveyaunce of his Ambassiatours unto the parties of Castile the some of ml Li. and moreover \(23\) lent unto him at his desire the sum. of C.C.Li wherof as yit thay have noo contentement \(24\) yit nowe of late tyme Commissions been directe unto certein persoons of his said Towne to levey \(25\) of theym a quynsyne granunted unto hym in his\(^1\) last parliament which to bere and paye is \(26\) to thaim importable whiche premisses considered please hit your benigne lordeship and \(27\) blyssed disposicon to moeve the king our said soveraign lord to graunte unto thaim \(28\) his gracious lettres patente of pardon of the Vmxxx Li of the some charged uppon the \(29\) inhabitaunts of this said Towne of Bristowe byfors of the graunt of the said quynsine \(30\) to his highnes and thai shall evere pray to God for the conservation of your hygh noble \(31\) estate in longe prosperite \(32\)

\(^1\) Written over the line.
Mychell the Archangell every yere to fulfill And do asmocche as in thayme is for to Complyssh all actes and Ordynaunces that here Folowen—

First that hit schall be leefull to the seid Brokours to medlye\(^1\) and occupye by twene\(^16\) partye and partye in all maner of merchaundyszes to the profyte of the Inhabitantys\(^17\) of the seid Towne All maner of Wolle except\(^a\) butt that the said Brokours have noo\(^18\) thyng a doo neither intermete of any maner of wolle in buying sylyng or Counsell\(^19\) yevyng in eany maner of Wysze\(^8\)\(^20\) Also hit schall not be leeffull to the seid Brokerours to sylle profre or yeve in\(^21\) to be sold eany maner of merchaundyszes that schall be soold atte Waane\(^3\) price to eny\(^22\) maner Straungier beyng no Burgeys of the seid Towne Butt all sucche maner of\(^23\) merchaundiszes so to be soold atte wanne price that hit be profred and soold to the Burgeyess\(^24\) of Bristowe and to noone other be hit mer­chaundyszes that schall be soold fro the Burgeys\(^25\) or eny other Straungier in eany wysze.\(^26\)

Also hit schall be leeffull to the seid Brokours and every of thayme to take and receyve\(^i\) of all suche parties where they make eany bargayne bytwene thayme for every Li that\(^2\) the bargayne drawyth unto till the summe of L li. of every li. lld and no more\(^3\) To be paied the oone halff by the byer And the other half by the Syller And zyff\(^4\) the Bargayne excede the summe of L li. Than the seid Brokours to receyve for\(^5\) thair labour of every li that the Bargayne drawith to ld onely half to be paied\(^6\) by the byer and half by the syller.\(^7\)

Also hit schall not be leefull to the seid Brokours to suffre eny other persoone Withynne\(^8\) the Towne and Shire of Bristowe to medle occupye or intermette as Brokours\(^4\) bytwene Partye\(^9\) and partye Burgeys othir Straungier in eany manner wysze butt zyff they or eny\(^10\) of thayme may knowe eny persoone or persoones takyng uppon hym eny succh occupacion\(^11\) of Brokour by twene partye and partye that thanne the seid Brokour to yeve Knewlitch\(^12\) to the Maire of Bristowe for the tyme

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1. Literally "intermix": presumably it means in this passage "act as intermediaries between".
2. This seems to mean that the brokers mustn't be concerned on their own account nor must they advise buyer or seller.
3. i.e. 'one'.
4. The words "as brokours" are written above the line.
beyng withynne 1 day next after he knowith (13) eny succh persoone so takyng uppon hym the Office of Brokour with oute auctorytee (14) of the Maire and Commune Counsell as well his name as his Offence (15) Also that hit schall not be leeffull to eny of the seid Brokours or thair successours Brokers (16) to make or do to make eny maner of Bargayne of Merchaudyszes with Burgeys or (17) Straunger to thair owne propre usze or eny of thayme but hit be for thair necessarye (18) occupacyon not to be soold azeyne ward in eany wysze.

Also hit is ordeyned and stablysshyd by the seid Maire Sheriff and Commune (20) Counsell that ziff of the seid ll Brokours For the tyme beyng offend (21) or do the Contrary of eny of the seid articles a foore written And woll not (22) attend by thair power the avyle and profyte of the Inhabytaunts of the seid towne (23) as mocc as in thayme is schull leeesze and pay to the usze of the Chambre as ofte (24) and atte every tyme that he doith the contrary yn eany poynyt of the premyses (25) XLS Without eny pardon and also to departe From his seid offyce (26) for evermore (27)

Folio 209 a. Forasmoche as hit is well undirstand that grete Inconvenyences and hurtes (1) daily growth to the Kyngis People MERCERS In the Towne of Bristowe bi diverse (2) Straungers and alyons resortyng to the seid Towne and Poorte of the same (3) with dyverse merchaudyszes longyng and apparteynyng to the Occupacyon of (4) Mercery and othirs and in especyall of lynnen Cloth callid Crossecloth that (5) where every pece of Crossecloth beyng putt to saale to the kyngis people schold hold (6) and conteyne XXV Crosses and every crosse conteynyng V yardes yard and (7) ynch of Englyssh mesur of olde tyme uszed hit is so nowe mysse uszed that in (8) every peece of Crossecloth hit lakkith VI yerdis litill more litilllasse to the grete (9) hurt and discyeyte of the Kyngis People aforesaid. (10)

Hit is therefore Stablysshid and Ordeyned the Xllth dai of Novembre the yere off (11) the Regnyng of Kyng Edward the IIIlth aftir the Conquest the VIth by William (12) Carynges than Maire and the Commune Counsell of the seid Towne That every yere there schall be chooszen a warden (13) the which schall be an honeste man of the Crafte of Mercers and Chooszen (14) bi

1 The words "the commune Counsell of the seid Towne" written above the line.
theym And to be presentyd to the Maire for the tyme beyng the morowe Uppon (15) Mighelmasse day yerely and swooren trewely to oversee and present all the defautes (16) presentable in the seid Crafte And in especiall of the defawtes of Crossecloth (17) in the length thereof The said Warden to oversee that every man straunger (17) bryngynge eny Crossecloth to the Towne and Poorte of Bristowe to be sold that (18) hit be brought to the Commune hall callid Spycer is Hall there to be soold and (20) in noone other place And the seid Cloth to be oversey by the Wardeyne (21) of Mercers Crafte for the tyme beyng that every peecce of Crossecloth hold (22) his dew length That is to sey XXV crosses and every (23) crosse V yardes yarde and ynch (24)

Also ziff eny peecce lack of the seid mesur that than the Byer abaate of (25) the money that he schall pay therefore as hit comyth to after the just (26) Rekenyng (27)

Also hit is ordeigned and Stablisshed that no maner of persoune Burgeys of the seid Towne of Bristowe or other dwellyng or Resteant withynne (28) the same schall suffre eny sucche maner thynges or merchaundiszes above specified hereafter brought to the same Towne by eny Foreyn not beyng (29) Fremen of the same to be schewed bought retaillyd loggid kept monstred or putt to saale in his hows Chamberes Celars Ostrye or places (30) of dwellyng there in eany wysze contrary to the Fourme above specified And that every sucche Burgeys and Resteant doyng the contrarye (31) of this Ordynaunce forfayte to the Baillyfs of Bristolle for the tyme beyng and thair successours every tyme he schall so doo and offend (32) VIS and Vllld To be leveyed in maner and Fourme abovesaid.

**Folio 209 b.** Also whate Burgeys of Bristowe bye in the seid halle eny succh Crosse clotth (1) but ziff hit holde his du lengthe Othirells that the seid byer abate of his money (2) as hit cometh to as hit is affoore seid Shall leesze and paye to the Baillyfs for (3) the tyme beyng XL d sterlynges for every peecce the oone halff to the usze of the (4) seid Bailliffs and the other halff to the Wardeyn of the seid Crafte to the usze of (5) the same Crafte (6)

Also hit is Ordeigned and stablysshid that every Burgeys of Bristowe usyng and (7) beyng of the Crafte of Mercers byyng Crossecloth in the Countrey and to bryng hit (8) to Bristolle that they bryng hit First to the seid Commune halle there to be sحدد
bi the wardeyn (9) for the tyme beyng or his deputee that every piece of Crossecloth be of his due mesure (10) as hit is by foore said Othirells that hit may be undirstand by the seid Wardeyn or his (11) deputee that the seid Burgeys byer of same Cloth in the Countrey have abatyd to (12) the Syller thereof For the lacke of the mesure of every piece aftir the just Rekenynge (13) thereof under the Fourme above seid And ziff hit so be that eny succh Crossecloth do (14) come to Bristowe atte the Aventure of the Burgeys than hit to be hadde froo the (16) seid halle Freely without eny hostelage payyng atte the pleasour of the seid Burgeys

Also hit is ordeigned and stablisshid that every estraunger byryng-yng mercerye or (17) haberdasshe or eany other waare to Bristowe hit there to putt to saale that they (18) schall bryng hit to noo celars Chambres no Solers nor to eany other places (19) withyn Bristowe bute onely to the Commyne halle as hit is a foore ordeigned (20) And that uppon Payne of leeszyng of VI S and Vllld atte every tyme that (21) they doo the contrarye halff thereof to be hadde to the usze and profyte of the (22) Bailliffs of Bristowe for the tyme beyng above seid and the other halff to the (23) Wardeyn of the seid Crafte to the usze of the same Crafte (24)

Also hit is Ordeigned and Stablysshyd that no maner of persoone Burgeys of the seid Towne of (25) Bristowe nor other dwelllyng or Resteant withynne the same schall bye eany maner of Crossecloth (26) mercery Grocery nor haberdasshe brouzt to this Towne to be putt to saale but onely in the Commune (27) halle and that uppon Payne of leeszyng atte the First defaute that they be Found defectyff in (28) eany wysze doyng contrarye to this Ordynaunce of VI S and Vllld halff thereof to be hadde to (29) the use and profyte of the Bailliffs of Bristowe for the tyme beyng And the other halff thereof (30) to be hadde to the Wardeyn of the seid Crafte to the usze of the same Crafte and atte the (31) secund defaute of XIIIls and lllld and atte the thrid defaute of XX S to be leveeyed (32) in maner and Fourme above specifyed (33)

Folio 210 a. HERE FOLOWEN THE ACTYS AND ORDYNAUNCES MADE BY WILLIAM (1) CANYNGES MAIRE OF BRISTOWE Marchantis JOHN GAYWOD SHEREFF OF THE (2) SAME JOHN SHIPWARD THE ELDER WILLIAM CODER PHILIPP MEDE (3) JOHN WYKEHAM WILLIAM SPENCER AND ALL
THE COMMUNE COUNSAILL OF BRISTOWE (4) FOR GOODE SADDE AND PROFITABLE REWLE OFF AND UPPON IIII CERTEIGNE (5) MERCHAUNDISZES USYD IN BRISTOWE THAT IS TO SEY METEOYLE WOLOYLE (6) Tren AND WAX Anno4 VIIo Edwardi Quarti (7)

First that Every yere withynne XV daines aftir Mihelmasse The Maire and Shereff for (8) the tyme beyng schall do Sompne the grete Counsaille and by thair advyce and assent (9) Cheeses a worschipfull man of the seid Counsaille that hath be Maire or Shireff of this Towne (10) to be maister of the Felaweschipp of merchaunts withynne the seid Towne for the yere folowyng (11) And to Cheeses also other II merchaunts atte large For Wardeynes of the seid yere. And also (12) (ii) Byddills which Schull Occupye as Byddills and Brookers for the seid yere And to be (13) attendaunt uppon the seid maisters and Wardeynes atte sucche tyme as they been callid by theym (14) or eany of theym And the seid Maister Wardeynes and Byddills to take thair charge off (15) the maire for the tyme beyng (16)

Item the seid Maister and Felaweschipp schall have and Occupye atte thair Wylle the (17) Chapell and the Drawght2 Chambre apperteynyng thereto in the hows Callyd Spycer is (18) Halle uppon the Back of Bristolle There they to have thair Communion off sucche (19) matiers necessary and apperteynyng to the premyses The seid Maister and Wardeyns paiyng (20) yerely for the seid hows XX S (21)

Item that all merchaunts of Bristowe schall be redy to come and appere to foore the saide (22) Maister and Felaweschipp atte all sucche tymes Resonable as they ben warned to the Commune (23) place to thaym assigned and ordyned for the goode Expedicion of the saide Rewle and (24) Governaunce off and uppon the said llll merchandiszes or eny of thayme uppon payne (25) of leessying of I lib' wax to the seid Maister and Felawschipp atte every defaute that they (26) ben callyd ziff that they be in Towne. (27)

Item sucche Rewle and Governaunce as schall be ordeigned and stablysshyd by the Seid (28) Maister and Felaweschipp in the price of Syllingy by the Burgeys to eny Estraungier (29) Of eny of the seid llll merchandisizes That hit be kepe and observed bi every Merchaut Burgeys and in no wysse to be brooke

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1 In a later hand.
2 i.e. withdrawing room.
upon the payne of XX S For every defawte (1) withoute mytygacyon halffe to the usze of the Felaweschip and halffe to the usze of the (3) Chambre (4)

Item that noo merchant of this towne Burgeys sylle noone of the seid merchaundyszes to (5) eany Estraungier withynne the pryce sette by the Maister and Wardeynes and bi the ad vye (6) off the Felaweschipp For the tyme beyng upon the payne afooreseid For every Defawte (7)

Item ziff eny merchant Burgeys be in eany distresse whereby he must sylle for his necessity (8) eany of the seid llll merchaundyszes That thanne the seid merchant Burgeys Come to the (9) seid Wardeynes or Byddills or to oone of thayme declaryng his distress And than ziff the seid (10) Wardeynes or Byddills or oone of thayme kan not provyde a remedye for his necessytee (11) withynne llll daiis next aftir his waarnyng That thanne hit schall be leeffull to the seid (12) merchant Burgeys to sylle eny of his sucche merchaundiszez atte that tyme atte his plea sire (13) withoute lette or distourbaunce of the saide Wardeynes Bedills or eany othir (14)

Folio 211 a. DE TEMPORE JOHANNIS SCHIPWARD MAIORIS ANNO REGNI REGIS EDWARDI QUARTI NONO.

Meekly bysechen your goode Maisterschipps The Burgeyses of the Crafte and (1) Occupacion of Wyredrawers and Cardemakers withynne the Towne of Bristowe (2) Forasmocche as noo maner off ocupacion nor crafte is encreacyd nor menteigned (3) without Sadde Steedefast and Politique Rule be Ordeigned and Stablissid in the (4) same Hit please therefore your Maisterschipps to Enact and Ordeigne under your (5) Commune Seal For the Bettir Rewle and Governaunce to be hadde in the same Crafte and (6) Occupacion above specified These Articles and Ordyn­aunces Folowyng under the Forme (7) as sewith And they shall pry to almyghty God For the Conservacyon off youre (9) Pros­perites long to Endure

Fyrst that every yere Froo yere unto yere ll Niewe Wardeyns be Chooszen (10) of the seid Craftis Oone of the Cardewyre­drawers and another off the (11) Cardemakers in the day of Seynt Mathie that is to sey the XXII dai of Septembre (12) next byfoore the feest of Seynt Mychell the Archangell By the house­holders Burgeyses (13) of the seyd Craftis withynne this Towne
off Bristowe dwellyng and procinct of the same \(I_4\) And the seid Wardeyns soo chooszen to be presentyd byff.oore the maire and Sherreff of \(I_5\) Bristowe For the tyme beyng withynne VIII dais next aftir the feest of Seynt Mychell \(I_6\) the Archangell And by Foore thayme to be Swooren To observe kepe and per­fourme All the \(I_7\) Rewlys Actis and Ordynaunces To thayme and to thaire Britheren of the same Craftis grauntid \(I_8\) by the Maire Shiryff And the Commune Counsell of Bristowe And to be legall and Trewe \(I_9\) bytwene partye and partie withoute parcial­tee in all thynges that bylongeth to thair \(I_9\) Officez off the seid Craftis \(I_2\) And that hit may be leefull and lawfull to all the howseholders Maisters of wyre \(I_2\) drawers and Cardemakers Craftis Burgeisis of Bristowe to have withynne thayme selfsis a Forge or inne other \(I_2\) conveyent places in Bristowe to thaire necessaries behoveth thereynne to have men wirkyng thaire wyre \(I_3\) (Toolys) instrumentis and all other that longith or apperteynyth to thaire seid Craftis and occupacions and noon othir \(I_4\)

Item that Noe mane of the same Occupacions and Craftis take noone Apprentice nor servaunt \(I_5\) to learne the seid ocupacion and Craftis lasse thanne onely For the terme of VII yeres \(I_6\) Fully Complete And that Noo sucche apprentice nor servaunt of the seid Craftis soo taken \(I_7\) be in eany maner wysze a Preovyd theoff a mysse Rewlyd man ayenst the Kyng \(I_8\) ys lawes or othirwysze borne thanne a Free man of Birthe and under the Kyng off \(I_8\) Englond is Obeysaunce uppon payne off Forfaiture and leaszyng to the Maire off \(I_3\) Bristowe For the tyme beyng to the Behoveth of the Chambre of the same \(I_3\) of Sterlyng \(I_8\) And to the Contribucion of the Comynaltee of the same Craftis other \(I_3\) Sterlyng That Fyne so paiid notwithstandyng The seid persoone or persoones so \(I_3\) the premysses myssedoyng

\textit{Folio 211 b.} that he \(I_3\) ys in Coveaunt with uppon Peyne of Forfaituryng and leeszyng to the Maire off \(I_3\) Bristowe For the tyme beyng To the Behoveth of the same Chamber of \(I_3\) of Sterlyng And to the Contribucion of the Comynaltee of the seid Craftis \(I_3\) Sterlyng That Fyne so paiid notwithstandyng The seid persoone or persoones so \(I_4\) the premysses myssedoyng

\footnote{1 The words " and that hit . . . and noon othir " interlined.}
Thatt he or they to Restoore a geyn the seid servaunt or servauntris (5) appyntece Journeyman or Tasker To his maister in whoos servyce he was in byffoore (6)

Item that noo Foreyn Cardewyredrawer nor Cardemaker beyng no Burgeys of the (7) seid Towne nor noone Other personne of whate Crafte Science or Occupacion soever (8) he be hold ne Occupye noo Shopp nor Chamber in musett no pryvie place to Wirke (9) Uttir ne ssyll eany thyng that by longeth to the seid Craftes withynne the seid Towne of (10) Bristowe or procynct of the same Othir wysze thanne oonely under a Burgeys of the Seid (11) Craftis And ziff eny sucche Foreyn not beyng Burgeys or eany other persoone not beyng of (12) the Occupacion and Craftys of Wyredrawyng and Cardemakyn withynne this Towne (13) of Bristowe do the Contrarye he or they to Forfaite and leesyze to the Maire of Bristowe (14) For the tyme beyng to the Behoveth of the Chambre of the same lIS Sterlynges And (15) to the Contribucion of the Commynaltee of the seid Crafs and other (16) as ofte as he or they (17) is or bitth Fownde thereof defectyff Provided alwey that this Acte extend nor stretche (nott) (17) to noo Burgeys Butt that every Burgeys have opteyne and enjoye his Full Fredome and (18) libertee as they have hadd of Olde tyme (19)

Item that noo Maister of the seid Craftys of Cardewyre drawers and Cardemakers (desire) (20) nor Sette in noo manerwysze awerke eany Servaunt appyntece or Journeyman of another (21) maister of the seid Crafs withoute lycence and leve of his seid maister that he is or was (22) in servyce with And that uppon payne of leesyng off lIS to the Maire of Bristowe (23) For the tyme beyng To the behoveth of the Chamber of the Same And other ll, S to the (24) Contribucion of the Commynaltee of the same Crafs (25).

Item that noo Journeyman of the seid Craftys of Cardewyredrawers and Cardemakers (26) not beyng Burgeys of Bristowe take nor Receyve noone appyntece in to his Servyce nor (27) Covenauant And that uppon payne of Forfaityng of X S to the Maire of Bristowe For (28) the tyme beyng to the Behoveth of the Chamber of the same And other X S to the (29) Contribucion of the Commynaltee of the same Crafs (30).

Folio 212 a. Item that noo maner off persoone ne persoones withynne the shyre and procynct off (1) Bristowe occupye noo Cardewyre
drawyng ne Carde makyng withoute that he or they be sufficiently learnyd in the seid Craftis And that upon pynge of For-
ffaytyng of XIIIIS lllld to the mayre of Bristowe For the tyme beyng To the Behoveth off the Chamber of the same And othir XIIIIS lllld to the Contribucyon off the Commynaltee of the same Crafte Provided alwey that these acte extend nor stetche not to no Burgeys nither Burgeysses wyves nor doughtors.

Item that the Wardeyns of the same Craftis For the tyme beyng have Full Power and auctoritee by these present ordynaunce to Goo as ofte abowte as thayme schall sceeme nedefull and expedient atte all tymes withynne the seid Craftis to oversee and searche ziff eny untrewen and insufficyaunt Cardewyre or Cardemakynge be writable or made by eny man of the Same Craftis withynne this Towne dwellyng or procynct of the same and ziff they Fynde eny defectyff or unlawefull ware in eny place withynne the seid Craftis that than the seid Wardeyns For the Tyme beyng to bryng and present hit to the Maire For the tyme beyng And whoo was the maker there off And ziff eny persoone or persoones of the seid Crafte denygh the seid Wardeyns to make eany sucche dewe searche withynne this seid Towne and procynct there offe That thanne every Succh persoone and persoones so lettyng the Wardeyns of their oversyght and searche Forfayte and leesze to the maire of the Towne of Bristowe For the tyme beyng to the behoveth of the Chamber of the seid Towne lllIS and lllld And to the Contribucion of the Comynaltee of the seid Crafte othir lllIS and lllld withouthe eny Pardon.

Item ziff there be eny man of the seid Craftis dwellyng withynne this seid Towne of Bristowe and procynct of the same that wyll not be Correctid nor Refourmed by the Wardeyns of his seid Crafte For the tyme beyng off his defawtis and offencis doon withynne the seid Crafte But reverlyth Rebukyth and Settith atte Nought his seid Wardeyns or eany of thayme and wyll not take hym or thame in Reverence and Worschipp as hym or thayme ought to do in worde and deede For the tyme That thanne the seid Wardeyns schall present hym to the maire And Shereff of Bristowe For the tyme beyng to Rule and Governe hym after thaire discretion And ziff he be Fownde by Fore thayme Gilty of sucche defawtes inobediencys as is putt upon hym or thayme by the seid Wardeyns and ll honest persoones of the seid Craftis with thayme
That thenne he or they forfayte and leesze to the Maire of Bristowe for the tyme beyng to the behoveth of the seid Chamber IIIIS and IIIId and to the contribucion of the comynalte of the seid Crafte othir IIIIS and IIIId.

Item that every man off the seid Craftis Come when they ben lawfully warned and sompned to the halle of the seid Craftis by thaire seid wardeyns and that uppon payne of Forfaityng of Vld to the Maire of Bristowe for the tyme beyng to the behoveth of the seid Chambre and to the contribucion of the comynalte of the seid Crafte othir Vld withoute that he or they makyng deffaulte kan make schewe or preove a trewe and lawefull excuse.

Item that the seid Wardeyns of the seid Craftis of Cardew are drawyng and of Cardemakyng yerely for the tyme beyng yeld thaire accomptes ever yeare withynne the XIth day of Octobre aftir the Feast of Seynt Michell to the Newe Wardeyns that schall be chooszen for the yer folowing and to the Cominaltee of the seid Craftys of Almaner Resceytis of money and of all othir thynges which they or eny of thayme have Resceyved to the behoveth of the seid Craftis ynne thaire tyme and all such Resceytis of money and all other thynges than to delyver to the seid Newe Wardeyns and that uppon Payne of Forfaityng and leessing to the Maire of Bristowe for the tyme beyng to the behoveth of the seid Chambre of XXS and to the contribucion of the comynalte of the seid Crafte othir XXS.

Item atte all tymes provyded and reservyd to the seid Maire Shireff and Comyn Council above specyfied and to their successours Full auctorytee and power the above written ordenaunces and every of thayme to Revoke and adnulle augment newe make and dymynnewte when and as ofte as to the seid maire Shireff and Comyn Council afore specyfied and thaire successours sayen expedient and behooffull to be doon for the better Governaunce and Rule of the seid Craftis and the ayavle and profyte of the comynalte abovesaid in wittenesse whereof to this present writyng our commune Seal of the Town of Bristowe foreseid we have made to be putt to the XXVIth Day of the moneth of Septembre in the yer of the reigne of our sovereigne lord the Kyng Edward the Illlth after the conquest the IXth.

Oseney.
ORDINACIONES STABILITE TEMPORE PHILIPPI MEDE MAJORIS BRISTOLLIE ANNO REGNI REGIS EDWARDI IIIITH NONO.

In the honour of Our Lord Jesu Crist and his Blessid Moder Seynt Marie and All (1) the Seynts of Hevyn In the Vllith dai of the moneth of March In the yere of the Reigne of Kyng (2) Edward the IIIITH aftir the Conquest the IXth The Right Worthy and Reverent Philipp Mede (3) Maire of Bristowe and Robert Straunge Shireff of the same And all the Right Wisze and (4) discrete Counsell of the seid Towne whos Names particularly Folowith here aftir For Grete (5) urgent and Necessary Causes thayme meovyng and For the goode governaunce and grete (6) tranquyllitie prosperitee profyte and avayle of this seid Towne of Bristowe have ordeyned (7) sette enacted establisshid and to ben enrollyd For ever The Ordynaunces and Actis that (8) here­after Foloweth (9)

First that hit is ordeigned establysshid and assentid by Philipp Mede Maire of Bristowe (10) and Robert Straunge Shereff of the same aboveseid and all the hoole Counsell of the seid (11) Towne For dyversez Consyderacions of Reperacions and Byldyngs hadd and doon yerely (12) inne and uppon The landes and Tenementis langyng and apperteynyng to the Bailyffs of Bristow (13) For the tyme beyng And the Cominaltee of the same By the Chamber­leyn of Bristowe For the (14) tyme beyng uppon the Costis of the Chamber of the seid Towne whicch amounteth to many (15) and grete notable summes For the encrease Supportacion and welfare of the Bailyffs off (16) Bristowe that nowe bith and thaire successors Therefore hyt is Ordeigned and assentid (17) by the seid Maire Shereff and Counell That Fro this day Forthward John Nancothan (18) and John Godard nowe Bailiffs of Bristowe And thaire successors schall been dischargid of (19) almaner Reparacions and Bildyngis of eny of the landes Rentis and tenementis langyng and apperteynyng (20) to the Maire and Cominaltee of Bristowe Foresaid withynne Bristowe And the procinct of the (21) same For whicch Causes and dyscharges that the seid John Nancothan and John Godard (22) now Baylliffs and thaire Successours schall yerely yeld and pay to John Hoper nowe Chamberleyn (23) of Bristowe and his successors Chamber­leyns of the same XX li sterlingis to the usze (24) profyte and avayle of the seid Chamber payable atte II Feestis of the yere that is to say (25) atte the Feest of the Annunciacion of our lady
Xli and atte the ffest of Seint Michell (26) the Archangell thanne next ffolowyng Xli uppon payne of Forfaiture and leeszyng off (27) every Bailly Faylyng VIII days aftir eny day of payment aboveseid unto the seid (28) Chamberlayn and his Successours off XX S to the usze of the Chamber off Brystowe (29) Fore-seid (30)

**Folio 214 a.** ORDINACIONES STABILITE TEMPORE JOHANNIS SHIPWARD SENIORIS MAIORIS ANNO REGNI REGIS EDWARDI QUARTI POST CONQUESTUM DECIMO.

For as muche as mony diverse tymes and yerres here before the baillies of Bristowe for the tyme (I) beyng have made Fynes with diverse persones men and women to suffyr them sille Bred and ale (2) and eke have made portmen and portwomen for ther synguler avayell and avauntage which (3) hath caused grett harme hyndraunce and derogacion to the Maire and Comynalte of Bristowe (4) for the whiche hit ys Ordeyned by John Shipward the Eldor Maire of Bristowe and all the (5) Comyn Councell of the same that no Bailly of Bristowe Fro hens Forward shall make noo (6) Fynes with no maner of persone of what maner degre or condicion thei be off nor no portmen nor (7) portwomen to by or sille as a Burgeys in Bristow the liberte and the procincte of the same and (8) that a pon payne of lesyng att every tyme that thei be found in defawte off a C.S. hit to be (9) levyed and a Rered1 by the Maire of Bristowe for the tyme beyng to the use and behoff of (10) the Chambor of Bristowe (11)

togider assembled in the house accustomed for comon Counsaill therein to be (9) had in the same Towne Henry Dale of Bristowe merchaunte take upon him than and there the charge to be (9) Chamberlyn of the seid Towne and to receyve all rentis and other profitz perteynyng to the Chambre except bargeys (10) money Fissh money crane money and profitz of the commune hall and Castell mylles from the fest of Seint Michell (11) thArch-aungell last passed unto the fest of Seint Michell next comyng that is to say for an hole yere Also that (12) the said Henry shall truly accompt of all the said rentis and profitz except affore except affore (sic) auditours to (13) be assigned in that behalf and truly answere of the same, etc:—(14) Also that the said Henry Shall take suche a collectoure under him as he woll answere fore (15)

Item that the said Henry shall be allowed in his said accompt of V mares for the wages aswell of his (16) self as of the said Collec­toure (17)

Also the said Henry graunteth to put him in his uttermost devoure to levy all arrerages of John Fordes (18) accompt late made before John Jay and John Walsshe marchauntis and answere the same (19)

And also it is aggreed that the said Henry Dale shall not be charged with any rentis growne affore (20) Michaelmasse last etc (21)

Folio 215 a. Universis Christi Fidelibus ad quos presens Scriptum pervenerit Concessio officii Custodis Cast—a—

Thomas Kempson Maior (1) ville Bristollie Henricus Chestre vicecomes eiusdem et communitas ac Burgenses eiusdem ville Salutem (2) in domino sempitemam Noveritis Nos prefatos Maiorem Vicecomitem Communitatem ac Burgenses eiusdem (3) ville ex unanimi nostro assensu et concensu Concessisse et hoc presenti Scripto nostro Confirmasse (4) Thome Cokkes de Bristollia predicta yoman nuper Servienti nostro ad Clavam Officium Custodis (5) Gaole nostre de Newgate predicte ville Bristollie Habendum et exercendum Officium predictum quamdiu (6) Idem Thomas Cokkes se nobis heredibus et successoribus nostris bene habuerit et Gesserit ac nobis (7) placerit in Officio predicto Reddendo inde anuatim vicecomiti Bristollie qui pro tempore fuerit (8) Decem marcas legalis monete Necnon Custo­dierit ac Custodire (sic) fecerit Omnes et Singulos (9) Articulos
In quibusdam Indenturis inter ipsum Thomam Cokkes et nos prefatos Maiorem vicecomitem et communiter ac Burgen-ses eiusdem ville Factis Specificatos Capiend' idem Thomas Cokkes annuatim quaamdiu Officium Custodes Gaole predicte habuerit Feoda vadia et proficua ab antiquo tempore per Custodes Officii Gaole predicte debita habita et perpecta. In cuius rei testimonium presentibus sigillum nostrum Commune predicte ville Bristoliae Duximus apponendum Bristoliae Primo die mensis Octobris anno Domini millesimo quadringentesimo.

Oseney

These ben the Articles and Ordinaunces Ordeigned and Establishid By Thomas Kempson Maire of Bristowe Harry Chestre Shiriff of the same John Shipward the Elder William Codr Phillip Mede William Spenser Robert Jakys William Howell John Bagot Richard Alberton John Hawkes John Cogan John Clerk John Gaywod John Hoper Robert Strange William Brydd And all the Commune Council of Bristowe Foreseid For the Goode Kepyng Rule and Guydyng of the Gaole of Newgate of Bristowe That Thomas Cokkes keper of the seid Gaole and his successors kepers of the same schull Fro this dai forthewerd trewely kepe and observe and do to be kept And observed uppon peyne of Omyssyon Forfaityng and leeszyng off thaire seid office. Acta sunt et Facta premessa et subsequencia In domo Concilii infra Guyhaldam eiusdem ville Die et anno supradictis.

First that every Jayler For the tyme beyng The Morowe aftir that the Shiriff of Bristowe For the tyme beyng schall take his ooth that the seid Jayler schal Fynde to the seid Shiriff sufficiant persoones to be bownd For hym in C.C.C. marcs or more by the Discretion of the Seid Shirreff to save and kepe to the seid Shiriff harmes and lostless For the sauff keepynge of the seid Gaole And to pay yerely to the seid Shiriff VI li XIIIlS lllld of lawfull money and to Resceyve All the Prisoners there than beyng with all maner of Stuff and Oeptensilis unto the seid Gaole appertenant and perteyning By Indenturis thereoff by twixt the seid Shiriff and Jayler made And so thayme To the Successours of the seid Shiriff to

1 Indemnified.
2 Query ' utensils '.

Folio 215 b.
delyver azeyn (4) And that the seid Jayler schall not depart nother be over a day oute of the seid Towne (5) of Bristowe without lycence of the Shiriff for the tyme beyng (6)

Also the seid Jayler schall yerely every Pryncipall Festyvall day Midsomer is night (7) And Seynt Petir is nyght and Gaole delyverer and all other Seasons accustomed (8) attend and awayte upon the Shiriff For the tyme beyng Beryng affoore hym a broode (9) Axe as hit hath be of Olde tyme accustomed And that the seid Jayler schall yerely every (10) Sonday in processions and assemblees Goo by Foore the seid Shereff For the tyme beyng (11) As hit hath be Also of Olde tyme accustomed withoute that he have lycence of the (12) seid Shiriff Othirells a Resonable excuse (13)

Also the seid Jayler schall nott Receyve no maner of Prisoner into the seid Jayle (14) withoute that he be Comyttid or brought there unto by the Maire Shiriff Bailliffs (15) Sarjeaunts or Constables or by Warrant of Eyther of the two Courtis to hym (16) therefor schewid except thoo persoones that been taken by nght And also tho that (17) been Commyttid to the seid Jayle by eny of the Councell of Bristowe For eny affray (18) makyng (19)

Also that the seid Jayler schall every weeke in the yere Fro Court unto Court bryng (20) Al (th)e Prisoners to the Courtis Except onely thoo that ben condemnpn or enditid (21) of treson or Felony on lasse that he have a speciall Commandement of the Maire For (22) the tyme beyng to the Contrarye And that all such persoones soo Condemnyd or inditid (23) be not by hym or eny of his suffrid or lette goo oute of the yates of the seid Jayle withoute (24) a speciall Commandement of the Maire or Shereff For the tyme beyng (25)

Also that the seid Jayler kepe and saufely do to be kept all maner personys commyttd (26) unto hym to the same Jayle For treson or Felony accordaunt to the Kyngis lawe (27)

Also that the seid Jayler schall nott in eany wysze entreeete or compell his prisoners (28) no noone of thayme with noone Exces-sive Fynes Oppressions Chohercions (sic) (29) Extorcions or Sewettis Othirwise thanne Accordeth with Right Reason Lawe (x) and Goode Conscience (2)
Also that the seid Jayler and his Successours Jaylers yereli schall Fynde to the seid Prysoners Trussis of Strawe and Sufficiaunt Wod For to dight thaire meete and Candell as hit hath be of Olde tyme accustomed

Also the seid Jayler schall syll withynne the seid Jayle an halfpenny whyte loof for ob in ob a penny whyte loof for ob a penny Whyte loof For ld a penny Wheten loof for ld And not take over iid For a galon Ale that is to say a wyne quart of Ale Sealid For an Ob a potell for ld a Galon for iid and noo man to be weernyd Prisoner or other to have ale by the mesure Provided alway that hit shall not be leeffull to the said Jailours nor to their successours nor to noon of their servauntis and ministours Eny bred ale or othir vitailles that commeth to the said Jaile by wey of zifte of eny devote persoe or persones to putte it to eny prisoner being within the same Gaole but freely to delyver hit to the prisoners there accordant to the entente of the donor thereof upon the peyn thereon Ordeigned and provyded

For the Consideration of which premysses hit is ordeigned and also Establisshid by the seid Maire Shiriff and Comyn Counsell that the seid Jayler and his successours Jaylers schall take levey and Receyve of all maner of fruytis That is to say peerys applis For every horsse loode that Cometh to the market of Bristowe to be soold ld For a man ys Burthon thereoff ob. For a wayne or a Cart loode of Garlek llld An horsse loode of the same ld a man is Burthon of the same ob an horsse loode of Oynions ld a man is Burthon of the same ob. For every pp of fruyt that Cometh by watir and hit isoold a lond iid a hoggis hedd of the same ld A Barell of the same ob. An horsse loode of Candells ld an horsse loode of Cheesze of every Busshell of Nottis ob of every horsse loode of Plomys ob. Of every horsse loode of Greene Pottis and Godardis of Earthe ld and of whyte earthen pottis ob And of every horsse loode of Schoveltrees Spaddis Card (Boordis) and Trencher trees ld and of every horsse loode of Tournouris ware And of every wayne loode or Cartfull of Teasills llld And of every horsseloode ld

1 i.e. refused.
2 The words from "Provided ... and provided" are interlined in a different hand.
3 The amount payable is omitted.
4 i.e. 'gutters'.
Memorandum That atte the Counsell holden in the Counsell hows with the ynde the Hall of the seide Towne of Bristolle the VIIIth dai of the (2) moneth of Juini in the yere of the Reigne of Kyng Edward the IIIlith aftir the (3) Conquest the XIlth Bi the Foresaid John Hawkys Maire of Bristowe William Wodyngton Shiriff and all the hoole Counancell of the same For grete and dyvers urgent causis thaym movyng and amongs othir for the payment off XXXli For V tons wyne the wicch were yeven By Thomas Kempson late Maire of Bristowe and John Shipward the yonger than Schiriff off the same and all the hoole Counsell of the seide Towne than beyng Unto the Duke of Clarance For his good and gracious lordschipp to be schewyd un to the Kyng oure Soveraigne lordis highnesse For his goode Grace to be hadd To the seide maire Schiryff and Comynalte of Bristowe For dyversez causes uppon thayme (12) by oure seide Soveraigne lordis highnesse and his Counsell surmyttyd For the whicch wyne that William Spenser of his grete kyndness Gentylnesse Trewe and Faihtfull hert hadd and Schewid to the seide maire Schiriff and Comynalte in the premyssis payed For For the whicch hit is aggreed granted and assentyd By the seid John Hawkys maire William Wodyngton Shiriff and all the hoole Counsell nowe beyng of Bristowe For thayme and thaire successors That the seid William Spenser shall nowe have his Repayment of the seide XXXli Bi the handes off Robert Todd nowe beyng Clerk of the Chawmbre of Bristowe or by the handes of The persoones that schall succede hym in the seide Office of the First profitis and revenues that schall come or growe by eny maner of Recseyt or payment of the Revenues and profyttis of the seide Chawmbre of Bristowe And noo payment to be made or grauntid out of the same in eny wysze untill the saide William Spenser be paiid of the seide XXXli Eny act precept Commandement Constitution or ordynaunce unto the Contrary made notwithstanding (26)
The Great Red

(sic) in (3) the yere of the Reigne of Our Soveraigne Lord the Kyng Edward the lllth aftir the Conquest (4) the XIIith hit is agreed grauntid and consentid stablisshed and to be Enacted Forevermore (5) That Forasmoche as dyversez mairaes of Bristowe in tymes hereto Foore have holden (6) thaire Cristesmasse drynynges in and uppon Cristismasse day which was thought to (7) all the seid hoole Counsell Full inconvenyent and inordynate so to be doon for that Day (8) whan men schold be mooste holyest than were mairis servauntis mooste in labour and besynesse (9) Therefore to have that hooly day kept unto the lawde of God and dyvyne service the more (10) dyligently and devoutely to be hurd entendid and kept unto the lawde of God and hys (11) Blessid Moder Seynt Marye and all the hooly Compaigny of Heven Hit is Ordeigned and (12) assentid by the Auctoritee of the seid Maire Schiriff and hoole Counsell of Bristowe That (13) fro this day ffortheward al maner Maires of Bristowe For the tyme beynge schull hold (14) thaire Cristismasse drynynges withoute cripes in and upon the day and Feest of Seint (15) Stephyn And every Schiryff of Bristowe Fore the tyme beynge his Cristimas drynyng (16) withoute Cripes in and upon the day and Feest of Seynt John the Evangelist than next (17) folowyng And oone of the Baillyffis For the tyme beynge his Cristimas drynyng (18) withoute Cripes in and upon the day and Feest of the Innocents than next sewyng And (19) the Othir Baillyff for the tyme beynge his Cristimas drynyng without Cyripps in (20) and upon the day and Feest of the Circumcision of Our Lord God callid Newe Yeres day (21) than next Folowyng And the Twelfetheday to go to thair Cristimas drynyng To the Abbot of Seynt Austynes as hit hath ben of Olde Tyme Accustomed (22) Ziff hit be prayed (23) by the Abbot and his Covent (sic) for the tyme beynge (24)

A PROCLAMACION MADE IN THE SEID MAIRE IS DAYS (25) FOR THE GODE RULE GOVERNAUNCE AND GUYDYNG OF (26) THE SEID TOWNE OF BRISTOWE (27)

The Maire Schiriff and Commune Counsell of Bristowe Commaunden and Straitly chargen (28) in the Kyng our Soveraigne lord is behalve for the wele of his subgettis that no maner (29) of persone of whate dege or Condicion that he be of ffo ro hens foorth Bye fforstell nother (30) Regrate no maner of vitaills to syll azeyn withynne this Towne ne withoute in (31) comyng by land ne by
watir towarde the kyng is markett of this fore seid Towne that "is to sey Wheete Rye Barly Otis Beenys ne noone other maner of Cornys Fressh "Fyssh saltfyssh ne noone other maner of Fyssh keedys Connyngis paltrye ne noone "other maner of wyldefowlie Cheesze Butter Eggis Oynions Otemele apples Peeris "ne noone other maner of Fruyts to syll azeyn by Foore the "houre of XII atte the "Clock Smythen atte Seynt Nicholas "And that noone of the inhabitants of this "Towne take uppon "theym in noo maner of Wysze to Reseyve eny maner of Cornys "or "vitaillis eny part of theym in to theire howszes to kepe "hit to be soold in the next "markett or markettis uppon "payn of the first defaute so provyd and convyc tid bi dew examinacion "by Fore the maire for the tyme beyng atte the First defaute "that than he or they to "pay XXS Sterling And atte the "secund defaute so provid and convictid To have "imprisonament of XL daisis thanne next "Folowyng And atte the Thridd "defaute "so provyd and convictid To have imprisonment "aftir the maire and Schiriffis "discrecion And to be putt Fro "his or thaire libertees and Fraunciszes of this towne "of Bristolle for evermore "Also hit is enacted ordeyned and Stablisshid by the seid Auctoritee "that noo maner of "persone or persoones From hens forth of "whate degree or Condicion that he or they be of "Presume to "Occupie intromytte or take on hym to be eny Brokour of eny "maner merchandisze "or merchandiszes withynne this Towne "Regrate\(^1\) or\(^2\) fforstall eny maner merchandisze or merchandiszes "(9) without this Towne, that ben in comyng or mought "come to the seid Towne to be soold or "charged And in caas "that eny persoone or persoones in brekyng this act "Ordinance in "parle or or in all by dewe Examynacion be provyd and "convictid by Fore the Maire for the tyme "beyng that than "he or they to have For the First defaute the imprisonament of "XL daisis thanne next Folowyng And for the Thridd "defaute so provid and convictid thanne "he or they to have the imprisonament of VI monethes than next Folowyng And for the "Thridd defaute so provid convictid and atteynted to have "imprisonament aftir the "Maire and Schiriff is discreetions And "to be discomuned From his or theire libertees "And Fraunchiszes and abjure this towne for evermore "

\(^1\) Above the line.
\(^2\) The word 'or' should presumably precede 'regrate' as well.
Also hit is Ordeigned Stabilisshid and enactid by the seid Auctoritee that noo maner of persoone or persoones Goo nor walke withynne this Towne of Bristowe with noo Glaythes Speerys long Swerdis long Daggers Custils nother Baszelardes by Nyght nother by day whereby the kyng is peas in enny maner wysze may be troubled broken or Offended Butt tho persoones that bith Officers and Othir that Comen rydying into the Towne or goyng oute of the Towne And that uppon peyne of Forfaiture of thaire weepins And there Bodyes to Prison To the Accomplysshemnt of the which premyssis The Maire Schiriff and Commune Counsell of Bristowe foreseid chargen and Commanden almaner Burgeyses of this Towne of Bristowe

Noverint universi per presentes nos Thomam Vaughan militem Thomam Speke Capellanum et Johannem Clerke Administratores omnium et singulorum bonorum et debitorum que fuerunt Alicie Estmonde vidue Remisisse relaxasse et omnino pro nobis et executoribus nostris imperpetuum quietum clamasse Thome Sawyer nuper de Bristollia Towker omnes et omnimodas actiones personales quas nos (Coniunctim) seu divisim versus prefatum Thomam Sawyer habuimus habemus seu quovismodo habere poterint A principio mundi usque in diem confectionis presentium racione quacumque In cuius rei testimonium presentibus sigilla nostra apposuimus Data decimo septimo die mensis Marcii Anno regni Regis Edwardi quarti vicesimo Primo. Sigillatum per prefatos Thomam Vaughan Thomam Speke et Johannem Clerke cum subscriptione cujuslibet eorumdem et Registratum hie ad instanciam prefati Thome Sawyer per me Robertum Ricart XIII° die Aprilis Anno Regni regis Edwardi quarti XXI°

Vaghan Thomas Speke John Clerke

Folio 218 a. Lease

Lessor William Canynges Mayor, John Toky and John Harding bailiffs and the commonalty of Bristol

Lessee Henry London
Parcels

(a) A tower with its appurtenances situate in a lane called St. Jonies Lane as it leads towards the prison of Monkebriggge.
(b) A building lying in the same lane then called Tourestret lying between the tower mentioned in (a) and a certain gate in the lane as it leads towards 'Pithaii' containing in length 246 feet along the common wall.

Reservation Right of way six feet wide.

Term 69 years from date of Lease any period of war excepted.

Rent 4/4 payable quarterly on the usual quarter days.

Covenants by Lessee

(a) To rebuild the tower as such and the building within 5 years at his own cost.
(b) To keep the tower, building and common wall in repair.

Covenant by Lessor Warranty of Title.

Power of distress and reentry in case of non payment of rent or non performance of covenants.

Date Monday next before the feast of St. Michael the Archangel in the 14th year of the reign of Richard II.

Folio 219 a. Memorandum that the XIlth Daye of the Moneth of Junii in the yere of the Reigne (1) of our Soverayn Lorde the Kyngle Edward the fourth after the conquest the XVth (2) the Right Worthy Tylers and Reverent Sirs Robert Straunge Maire of Bristow and John Forster Schreef of the same and all the Right wise and discrete councell of (4) the seide Towne For the gode govemaunce grete tranquilite prosperite and avayle of (5) the seide towne and the Mister of the Tilers Crafte therin to be had and (6) kept att the supplicacion of the Maistirs and mister forseid that here after foloueth (7) have ordeyned sette inacted stabelisshid and to be enrouled the ordynaince and (8) actes that here after foloweth (9) Moost Pitously Compleynyng your humble comburseis the Maister and othir of Tilers Crafte within (10) the seid towne of Bristowe upon divers grete defectes daily exercisid in the seid crafte And no (11) power ne auctorite yevin by your writing unto the Maistir and feloushipp of the seid crafte for correction and reformacion of the same for lack whereof no good Rule can ne

1 In view of the tenant's covenants 'placca' must be so translated.
may be kept among them. He the 13th Maistir of the same craft in nowise ordinatly obeyed for the which but fewe of the seid Crafte bith 14th redy at your callyng for to bere the charge and costis of the Watches Wardes and Circuitis concerning thonoure 15th Good rule and garde of the seide worshipfull Towne. Which fewe personzn may no lenger endure with 16th hemportable Charges forseid without your gracious Remedyes in this behalf Biseechyng therfor your good 17th Maistirshipps these Articles folowing may be stabelisshed and enactid under your writing sealed according 18th as al othir Craftis have in the seide Worshippfull Towne Or els that it may plesse your honourable 19th good Maistershipps to discharge and exempt them fro such Wardes Watches and Circuitis for of vary trouth 20th the forseid fewe personnz may no longer susteyne the seid Charges in les than it may plesse your 21st Maistirshipps to graunte them Auctorite for to calle and assemble al personzn generall of the seid Craffe for 22st stabellshyng of good rule and bering of the seid Charge in fourme folowyng. 23st First it Plese you to graunte them under the seale of thoffice of your mairealte Auctorite onys a yere with 24st in fortenyght after Michaelmas to chese them a Maister and ii Wexmen. The seide maistir for to serche and 25st survey the defaultis don in the seid work and occupation of Tilerscrafte And all such defaultis to presente 26st unto the Maire for the tyme beyng to be correctid by such peynaltees as by your wisdoms can be thought 27st convenient after the quantite of the seid defaultis halfe to be leveyed to the Chambir of the Towne 28st And half to sustentacion of the seid Craffe. 29st

Item that what personn of the seide Craffe that of his obstinacie will not appere ne come att the callyng 30st of the seide Maistir for to assemble and comyn for the wele and good rule of the seide Craffe Pay att the 31st furst tyme and defaute Vld and at the seconde defaute Xlld or as can be thought by your wisdoms 32st in las than he have a Reasonable excuse etc 33st

Item that what personn of the Contray that Comyth to Towne and worchith in the seide Craffe after that 34st he hath wrought the space of a moneth and so wil intend to continew that he be contributory unto the 35st charge of the seide craffe as a Jorneyman ys within the seide Towne 36st

Item that what personn of the seide Craffe that Rebkith the
seide maistir or have unto hym any foule disordinat (37) langage othir wise than honeste requireth to pay at everytyme that he is detectid of the same iis (30) half to the Chambre and half to the seide Crafte Provye all weyes that no thyng that ys (39) made nor put in aver1 in the seide Crafte the Day of Grauntyng of this ordinaunce be colour of (41) the seide ordinaunce may be Damage hurte or prejudice to eny Burgeis libertee and fraunchies in (41) Bristowe in any maner wise Bisechyng your Maistirs at the Reverence of God to graunt us this (42) seide ordinaunce by writing so that we may ageynst this feste of Missomer provide by the seide auctorite (43) to come to the seide watchis our hole Crafte Kepyng good Rule in the same and your seid suppliauntis (44) shall ever graunt God for you etc (45)

Et postquann omnes et singuli (sic) ordinaciones prescripte perlecte fuerunt in Guyhalda ville Bristolie coram dictis maiore vicecomite et (46) probis hominibus ad supplicacionem dictorum supplanicationum visum fuerit eis quod eedem ordinaciones omnes et singule

Folio 219 b. utiles erant tam (47) pro Communitate dicte ville quam pro Arte predicta ex eorum Communi assensu eas ratiñcarunt approbarunt et confirmarunt (1) quantum in eis fuerant et insuper ordinarunt quod supplicantes predicti nomine omnium et singulorum artis predicte haberent easdem (2) ordinaciones per nos modo et forma predict factas et ordinatas inscriptas redactas et cum sigillo officii nostri Maioratus Bristolie sigillatas (3) et in Rubio Paupiro Guyhalde eiusdem ville inter ordinaciones aliarum Artium irrotulatas ut easdem ordinaciones alias (and1) (4) volentibus apparere poterit de Recordo Reservat' eisdem Maiori vicecomiti et probis hominibus commune (sic) Consiliis eiusdem ville et successoribus suis (5) qui pro tempore fuerint plenar' Auctoritatem et potestatem (sic) predictas ordinaciones aut aliquam vel aliquas eàrundem ordinacionum (6) revocare adnichilare augmentare diminuere et de novo facere quotienscumque et quandocumque predictis maiori vicecomiti et probis (7) hominibus et eorum successoribus expediri videbitur pro commune utilitate honore ac meliore gubernacione communitatis ville ac Artis (8) predicte In cuius rei testimonium Sigillum nostri Maioratus officii dicte ville Bristolie presentibus est appensum Dat' Bristolia (9) predicta in Guyhalda ibidem supradaicta Duodecimo Die mensis Junii Anno Regni Regis Edwardi Quarti post (10) conquestum quintodecimo (11)

1 i.e." possession " or perhaps " stock ".

BOOK OF BRISTOL 101
Mekly Bisechen your gode Maistirshipps your Comburges the Bakers of Bristowe that where the said Craft by longe tyme here byforne by divers indirecte meanys hath be putt in grete losse hynderaunce and desolacion by the mysgidyng of divers persons of the seide Crafte. And so is lykly to contynew the seide Crafte wherefor that it lyke you in way of Charite to graunt theime under your Common seale the Acts and ordynaunces that here after foloweth and thei will ever pray to God for your prosperite.

Fyrst that every Baker of Bristowe make horse brede of good Past and of gode wight being white loves. And that no baker of Bristowe delveryer by any fraude colour cantell\(^1\) colusions gyle or male enjoyn thei will ever pray to God for your prosperite.

Item that no Baker of Bristow by hym self nor non hother in his name by any maner colore cantell\(^2\) or colusion holde nor kepe no howse nor opyn shopp within the Towne of Bristow opynly or secretly to selle no maner of brede to be put to sale but that hit be delyvered withoute colour or colusion to the

\(^1\) i.e. cheating. \(^2\) i.e. by court.
(25) Hucksters of Bristow there to be solde as hit hath bene of olde tyme usede and customed his (26) owne howse and Inhabitacion that he dwellith in onely except And what baker that doth contrary (27) this ordynaunce and dewly proved a pon hym that then he lese and forfeitt att the firste (28) defeaute VI S VIIIld at the secund defeaute XIIIIS lllld. And at the lll defeaute to be discomynd (29) as hit ys a bove writyn and the seid Peynes and fynes to be arrered to the use of the (30) Bayliffis of Bristow and the Contribucion of the seid Crafte in maner and fourme as it is above (31) rehearsed (32)

Item: That no baker of Bristowe bake no maner bred to no howseholder of Bristow but only that that (33) shall serve to thire anne howsehold and not to be put to sale And what baker that baketh any more bred (34) to any howseholder to be putt to sale contrary to this ordynaunce And hit dewly proved upon hym (35) that then he lese and forfeitt for the firste defeaute lls For the secunde defeaute llls lllld (36) and for the lll defeaute to be discomynd as it is above Rehersed And the seid Peynes and (37) fynes to be levyed in maner and fourme above seid (38)

WILL OF WILLIAM POWNAM ALIAS BONHAM BURGESS
OF BRISTOL DATED ON THE SATURDAY IN THE FEAST OF ST. ANDREW THE APOSTLE 1454.

1. Direction for burial in Parish Church of St. Jacob near the Altar of St. Thomas the Martyr and on its northern side.

2. Legacies.

(a) To mother church of Worcester .... 20d
(b) To Church of St. Jacob for his burial .... 6/8
(c) To Church of St. Stephen .... 6/8
(d) To the Rector of St. Stephen .... 6/8
(e) To each of the four mendicant orders in Bristol taking part in the obsequies .... 2/6
(f) To Juliana sister of Cecilia hereafter mentioned 40/- to be paid by such instalments as the executors should direct.
(g) To the fabric of the tower of the church of St. Matthew Clifton the testator's best brass pot so that its parishioners might remember him in their prayers.
(h) To each of twelve poor men bearing torches on the day of the testator's burial a cloak of russet frieze.

1 Above the line.

2
(i) To his wife all his household goods and precious objects except a silver cup of about 18 ounces to be used as a chalice for the priest hereafter mentioned.

3. Devises.

(a) Firstly a tenement with its appurtenances in Marsshstret between a tenement belonging to John Shipward in which Richard Fulwode lived and the Lawdych on the north and a tenement belonging to John Cokkes on the south and extending from Mersshstret backwards to a tenement belonging to John Kyngton de Bristelton' secondly two tenements situate together in a street in the suburb called Horstrete between a tenement belonging to John Sharpe on the east and a tenement belonging to John Seymour Knight and Isabella his wife on the west and extending backwards from Horstrete to the water of the Frome Thirdly a tenement with garden adjoining then occupied by Thomas Dygon situate in the suburb at the southern end of Stypestrete and lying between Stypestrete on the west and the land belonging to master of the Hospital of St. Bartholomew on the east and extending from the highway backwards to the garden of the said master Fourthly a tenement with three shops annexed thereto situate in Lewenesmede on the south side thereof between a lane leading to the common latrines on the west and shops belonging to John Spycer and his wife Agnes held by the testator for a term of years on the north and extending from Lewenesmede backwards to the waters of the Frome Fifthly an annual rent of seventy six shillings and eightpence paid by William Noble and his wife Anne for a Lease for 30 years with the reversion thereto of a tenement with four shops adjoining situate in Lewensmede on its northern side between the cemetery of the Friars Minor on the east and shops belonging to the master of the Hospital of St. Bartholomew on the west and extending backwards from Lewenesmede to land belonging to the said master.

All the above were granted to his wife for life without impeachment of waste with remainder (a) as to the premises firstly and secondly described to Thomas Pownham (otherwise Bonham) the testator's brother in fee tail with remainder to his sister Alice in fee tail with remainder to Cecilia Pownham his daughter in fee tail with ultimate
remainder to the testator's right heirs (b) as to the property
fifthly described to the testator's sister Alice in fee tail
with remainder to the said Thomas Pownham in fee tail
with remainder to the said Cecilia Pownham in fee tail with
ultimate remainder to the testator's right heirs (c) as to the
property thirdly described to the said Thomas son of John
in fee tail with remainder to Thomas testator's brother in
fee tail with remainder to the said Alice in fee tail with
remainder to the said Cecilia in fee tail with ultimate
remainder to the right heirs of the testator and (d) as to the
premises fourthly described to the said Cecilia in fee tail
with remainder to the testator's brother Thomas in fee
tail with remainder to the said Alice in fee tail with
remainder to the said Thomas son of John in fee tail
with ultimate remainder to the right heirs of the
testator.

(b) Firstly a rent of 100/- a year paid by Thomas Watkin and
his wife Juliana as lessees for thirty years together with the
reversion of a tenement with houses and a garden adjoining
upon the back of St. Jacob Apostle between a street called
Kyngestrete on the north and a tenement belonging to
John Seymour Knight and Isabella his wife and another
tenement belonging to John Griffith on the south and
extending backwards to shops belonging to John Seymour
and his wife Secondly a rent of 13/4 payable by William
Selver wiredrawer as lessee for 30 years of a garden
in Kyngestrete opposite the cemetery of St. Jacob and
lying between a garden belonging to Thomas Wykes
on the west and a garden belonging to Richard Haddon
on the east and extending backwards from Kyngestrete to
land belonging to Thomas Wykes Thirdly a barn with two
pieces of pasture land adjoining in a certain close annexed
to the barn lying in Kyngestrete opposite the fountain
called Seynte Mary Well Fourthly a garden in Market
Street in the Parish of St. Phillip and Jacob on the South
side of the said street and lying between a tenement belong-
ing to Richard Ede on the south and a lane leading from
Market Street to the Church of St. Philip and Jacob on the
west and extending backwards from the said street
to a lane called Fifthly an annual rent of a rose
paid by John Lawrence and his wife Margaret for a tene-
ment and garden held by them for life and situate in
Marchalstret between a tenement belonging to Thomas Yonge on the south and a garden once belonging to John Moreton on the north and extending backwards from the said street to land belonging to Margaret Denham with the reversion to the said life interest. Sixthly a rent of assise of 6/- a year issuing out of a curtilage situate on Le Wer in the corner near the Castle Mill between a street called Marchalstret on the west and a tenement lately belonging to Thomas Wollyngton on the east and extending backwards from the highway to the waters of the Frome which curtilage was then occupied by John Bagpath tanner. Seventhly a curtilage and garden in Market Street between a street near ‘le Castell diche’ on the west and shops lately belonging to John Paryce on the east and extending backwards from Market Street to a garden belonging to William Burne armiger. Eighthly an acre of land in Kyngestret in a certain close of Thomas Bateman and Margaret his wife and lying between land belonging to Richard Arthur Armiger on the east and land belonging to Thomas Bateman and his wife on the west and extending backwards from Kyngestret to land belonging to Richard Arthur. Ninethly an annual rent of 3/- paid by Walter Mayow and his wife Johanna as lessees for forty years of a garden in Kyngestret lying between a garden belonging to William Hayleway on the east and a garden belonging to St. Nicholas Church on the west and extending backwards from Kyngestret to land belonging to John Seymour Knight and Isabella his wife together with the reversion to the lease. Tenthly a barn, dovecote, orchard and a piece of pasture land situate at St. Michael’s Hill between land belonging to William Moret on the south and a certain common footpath on the north and extending backwards from the highway to the land of the King’s barton. Eleventhly a rent of 13/4 payable by William Smyth and Margaret his wife as lessees for 7 years of two shops situate at St. Michael’s Hill between a tenement belonging to the Prioress of Saint Mary Magdalene Bristol on the north and south and extending backwards from the highway to land of the said Prioress together with the reversion to the Lease.

All these premises were devised to Thomas Mede John Griffith Walter Grymstede William Noble Thomas Asshe William Hynde Robert Davy William Yonge Thomas
Skydmore and William Cornysshe in fee simple upon the following conditions:

1. They to find a suitable secular priest to celebrate divine service daily in the parish church of St. Jacob at the Altar of the Blessed Mary for the souls of the testator, his wife Edith their parents and for the souls of John Stone John Seyet Agnes mother of John and of Johanna Hypeworthe and for the souls of all the faithful departed and that he when in health should be present at the usual matins, masses, vespers and other divine offices held in the said church.

2. They to see that placebo and dirige were said on the 9th February in each year being the vigil of the testator's anniversary and that a solemn mass was celebrated on the anniversary itself in each case in the said church.

3. They to pay fourpence to each of five secular priests called by the Parish priest of St. Jacob (or by the churchwardens in his absence) to take part in the dirige and solemn mass and to the clerk of the church for ringing the bells 2/- and to the bedesman proclaiming the anniversary in Bristol 4d and for two candles to be burned on the said anniversary 1/6d.

4. They to distribute to the poor annually on the testator's anniversary ten shillings worth of bread at the rate of one halfpenny worth of bread to each poor person. Proviso for re entry by the testator's heirs if the devisees failed to carry out their obligations and that the properties should revert to them.

(c) As to two tenements in Westowker Stret lately rebuilt and a tenement in Stypestret, these were to be sold by testator's executors and the proceeds laid out by the executors for the benefit of the testator's soul.

Residue after payment of debts and funeral expenses to be disposed of for the benefit of the testator's soul.

Executors—John Seynt brewer and Thomas Watkin

Proved

(a) at Lambeth on 2nd February 1455

(b) Before the Mayor of Bristol Richard Hatter and Philip Mede sheriff at the Guildhall in full hundred on the Wednesday next before the feast of St. David 33 Henry vi
108 THE GREAT RED

Folios 224 a. WILL OF WILLIAM MYRYFELD DATED 26th JUNE 1464. to 224 b,

1. Direction for burial in the cemetery of the parish church of St. Thomas Martyr.

2. Direction for payment of testator's debts and that subject thereto his goods should be divided into three equal parts one part of which should go to his wife Johanna another to children and the remaining part for payment of his funeral and testamentary expenses and legacies and subject thereto for providing a suitable priest to celebrate divine service for the soul of the testator and of all the faithful departed for two years if possible in church where testator buried.

3. Pecuniary legacies

(a) Cathedral Church of Wells .. .. .. 12d
(b) Said Church of St. Thomas .. .. .. 5/-
(c) Vicar of said Church of St. Thomas .. .. .. 5/-
(d) To each of the four orders of Friars taking part in the funeral services and in the services "in die Tricinal" 5/-
(e) To the Fraternity of the Mass of Jesus .. .. 3/4
(f) To the Fraternity ' de Crowde ' .. .. 3/4
(g) To the Fraternity of St. John Baptist .. .. 6/8
(h) To the Fraternity of St. Katherine .. .. 3/4
(i) To the Fraternity of St. George .. .. 3/4
(j) To Margaret his servant .. .. 10/-
(k) To Goderina his servant .. .. 6/8

4. Specific Legacies.

(a) To his wife all his domicilia
(b) To Agnes Whately a grey cloak lined with black frieze
(c) To John Whately all debts owing to the testator and his best cap with elongated point
(d) To John Whately's children two cloaks one green and the other lined with colour.

5. Direction that if any of his children died such child's share should pass to the survivors and ultimately to the last survivor and that if the latter should die before reaching the age when he could make a valid Will the part left to the children as above should be disposed of by the testator's executors for the repose of the souls of the testator and all the faithful departed.

1 The text has ' togam Elbidam ' The adjective suggests a colour between black and white.
6. **Direction** that all legacies should be paid by the executors out of the testator's part\(^1\)

7. **Executors** John Myrufeld and Walter Fosse to each of whom he left 8/4 for his trouble.

8. Proved at St. Augustines Bristol on the 27th July 1464

\(^{7olios 225 a, WILL OF THOMAS JONYS COFFERER DATED 8th SEPTEMBER 1464.}\)

1. **Direction** for burial in Crypt of the parish church of St. Nicholas Bristol.

2. **Pecuniary Legacies.**
   (a) Cathedral church of Worcester ... ... 3/4
   (b) Master John Arflos vicar of St. Nicholas ... 10/-
   (c) To the Chapel on the bridge over the Avon ... 6/8
   (d) To the Fraternity of St. John Baptist Bristol ... 6/8
   (e) To a certain secular priest celebrating for two years in St. Nicholas Church for the testator's soul ... £12
   (f) To his son Thomas Jonys ... ... £10
   (g) To his mother Isabella Yonge ... ... £10

3. **Specific legacies.**
   (a) To Richard Ewryn priest his best cloak and 6/8
   (b) To John Ewryn his brother a cloak
   (c) To Waryn Ewryn his brother a cloak

4. **Devises**
   (a) All that messuage in Baldewynestrete between a tenement belonging to Richard Erle on the one side and a tenement lately belonging to Lady Lysle on the other and extending backwards from the said street to Richard Erle's orchard To his wife Elena for life with remainder to the churchwardens of the said crypt and their successors forever upon the following conditions
   1. That all rent received after Elena's death should be expended on divine service in the said crypt as follows that is to say:—
      yearly on the vigil of St. Matthew divine service with placebo and dirige and on the next day divine service with Requiem mass at which the churchwardens

\(^1\) *i.e.* the share of the testator's goods after providing one-third for widow and one-third for children.
should offer a penny for the repose of the souls of the testator, his wife, Robert Thomas and Edith his wife the testator’s parents and his wife’s parents. Such service to be conducted by the vicar of St. Nicholas for the time being who for these and for the lights should receive 12d annually. Priests taking part in the services to receive 4d. The principal clerk to receive 4d, the second clerk 2d and the common headsman 4d. The churchwarden to receive 4d a year each provided they performed their obligations.

2. If Churchwardens failed in their duty the vicar of St. Nicholas might enter the messuage and distrain and retain the distresses and receive the rent until the churchwardens performed the above conditions.

3. For commending the souls of the testator and his wife from the pulpit on Sundays each vicar of St. Nicholas should receive from the Churchwardens yearly on St. Matthew’s day out of the rents of the messuage (amount omitted)

4. The Churchwardens to pay to the ‘custos’ of The Fraternity of St. John Baptist 12d a year on St. Matthew’s day on condition that at the requiem mass then held the custos should offer ‘unum denarium missalem’ The money to be forfeited by the custos if the obligation not performed.

5. The surplus rent after making the above payments to be applied towards the salary of the Chaplain of the Fraternity of the Crypt.

5. Residue. To his wife to use as she should think fit after payment of legacies and debts.

6. Executors. Elena his wife and John Skryvayn the latter to receive 10/- and a cloak for his trouble.

7. Sealed by the testator.


Probate—24th September 1464 in St. Augustines Bristol and before John Shypward the elder Mayor of Bristol and John Hawkys Sheriff in the Guildhall in full hundred on the 26th September 1464
1. Direction for burial in the porch of the church of St. Mary Redcliffe Bristol before the image of the Blessed Mary and for his burial there a quarter of woad.

2. Legacies.
   (a) To the mother church of Worcester ... ... 20d
   (b) To the vicar of St. Leonards for tithes and obligations overlooked ... ... ... ... 6/8
   (c) For the repair of St. Leonards ... a quarter of woad
   (d) To Brother John Everard for praying for testator's soul ... ... ... ... 20/-
   (e) To brother John Leyson ... ... ... ... 40d

3. Devises
   (a) Testator's tenement in Oldcornstret to his widow Johanna for her life or so long as she should wish to live there with remainder if she should cease to live there to his son Thomas on attaining 22 years of age the rents and profits in the meantime going to Johanna. If Thomas died under 22 years of age and without heirs of his body then after Johanna's death to his son John in tail on attaining 22 years of age with remainder to his son Walter in tail when he should attain the like age with remainder to Lodowicus John of Bristol merchant in fee simple
   (b) A shop upon the Quay Bristol occupied by Robyn Hoper to his son John in tail if he should attain 22 years of age with remainder to Walter in tail if he should attain the like age with remainder to his son Thomas on like terms with remainder to Lodowicus John in fee simple.

4. Specific legacies.
   (a) To his son Thomas 7 pipes of woad and the like to his son Walter
   (b) To his son John 6 pipes of woad.

   (of the woad so bequeathed he said that 6 pipes were in his house and the remainder in certain ships returning from overseas and he directed that if the latter were lost the

   1 This is, of course, really a specific legacy.
   2 There is a curious provision that Lodowicus John should pay Johanna 40/- a year if he wished to live in the house himself. This would presumably apply if Johanna ceased to live in it and until Thomas attained 22 or if Thomas died in her lifetime under 22 without issue. The limitations are, having regard to their date, of considerable interest.
loss should be apportioned between his sons at the discretion of his wife and that if one of the sons died before reaching years of discretion his interest should pass to the others and that if all the sons died before reaching years of discretion and all the pipes safely came to hand 8 should go to Lodowicus John 3 to the Friars minor for the repair of their house, 2 for repairs to St. Mary Redcliffe 1 for the repair of St. Leonards, 2 to John Lewis brother of Lodowicus John, 2 to Johanna and Agnes daughters of the testator’s sister, 1 to William Rede and the remaining pipe to the testator’s sister in law Alice.

5. Residues after paying legacies debts and funeral expenses to his said wife

6. Executor his said wife

7 Sealed in the presence of John Streynsham and Robert Core

8. Proved 21st February 1464 in Parish Church of St. Stephens Bristol and before William Spenser mayor and John Clarke sheriff in full hundred at the Guildhall on January 8th 1466.

Folio 228 a. In the name of God Amen the sexte daye of the moneth of Juyn Testament in the yere off (1) oure lorde God m 1 CCCCLXVI and in the VI yere of the regne of Kyng Edward the Fourthe (2) I Walter Norton of Bristow Gentilman beyng in hooele mynde thanked be almyghti God (3) do make and ordeyne this my present Testament in this manere as sueth First I bequethe (4) and reccomende my sowle to almyghty God maker of Creators and to his blessid Modyr Seynt Mary (5) the Virgyne and to all his seyntes And my body to be buryed in the Chirche of Seynte Petres of (6) Bristowe Item I bequethe to my Modyr Chirche of Worcestre XXd Item I bequethe to (7) the same Chirche of Seynte Petres VI Vllld Item I bequethe to the Parson of the seide (8) Chirche of Seint Petres VI Vllld Item I bequethe to the Churche of (9) oure lady Belhows IIIIS IIIld Item I bequethe to Thomas my eldyst son a stondyng (10) Peace of Sylver Coveryd and all the Stayned Clothes that hangen in the hall With (11) Bankers and Cusshyns there to belonging with the standyng Bedde that hangyth in the (12) grete Chambyr with Cyler1 Tester and Courteyns belonging there to Item I bequethe (13) to Thomas my Yongest son two salt salers sylver and gylt with a Cover to the oon I (14) standyng

1 ‘top’ or ‘ceiling’.
Cupp Coveryd sylver and gilde II standyng sylver Cuppyys Coveryd I standyng (15) Cupp Coveryd Callyd a Gryples Eye a flatte piece of sylver and a sylver basyn Item I (16) bequeythe to the same Thomas my yongest Son I borde clothe of Dyapre werke I Towell (17) of the same Illl othir Towell of small cloth I peir Schetys of Raynes Ill peires Schetys (18) of small cloth I peire Blankettis of Fustyan I fethirbedde I matras with paire bolsteres (19) and a Coverlyte of Aras werke Item I bequeythe to the same Thomas my yongest son (20) I stayned bedde with Celer Tester and Courteyns there to belonging and all the stayned (21) Clothis of the lyfe of Kyng Robert of Cesyle whicch hangyth in my Parler with bankers¹ (22) and quysshyns to the seid Parler perteynyng Item I bequeythe to the same Thomas my (23) yongest son I dosyn Sawcers I dosyn Potyngers I dosyn platers and Illl Changers (24) of Peautre with a grete brasse potte and Illl othir pottis of brasse Item I bequeythe (25) and yeve to the same Thomas my yongest son all my Tenement and place in whycche (26) Robert Straunge merchaunte nowe dwellith And all my ffe symple londe with in the (27) Towne of Bristowe and in any other place (28) The Resydue of all my goodes and Catellx Jewelx and all othir thynges by me above said not (29) bequethen aftir my dettys payed my buryeng doon and this my present Testament fulfilled (30) I yeve and bequeythe hooly unto the same Thomas my yongest son there with to doo hys (31) owne ffree wille as of his owne propre goodes and Catalx and that he thereof dispose for my soule (32) as hym semyth best to the plesaunce of Almyghty God and Salvation of my Sowle And of (33) this my seid Testament Do make and ordeyne myne Executoure the same Thomas my (34) yongest Son In witnesse whereof to this my present Testament I have sette my seale (1) yeven at Bristowe the day and yere above seide (2)
within the Towne of Bristow to (3) make any ship or shippes balengers carvellewe Bote nor none othire vessayle without licens (4) of the Maire of Bristowe for the tyme beyng And that uppon the peyne of forffettyng And (5) lesyng of X Li apon every person funde defectyfe doyng contrarye to this premisse un to the behofe and (6) avayle of the Chambre of Bristow without eny myty­gacion or forgevenesse

Also it is ordeigned by the said Maire and the Comyn Councell of Bristowe forsaid that every person fro (8) this day forward of what degre or condicon they be of beyng burges or inhabitaunte within Bristow (9) of the liberte of the same that will have suerte of the peace of eny person that he or they so askyng suerte of (10) the peace shall pay Vld that is to say lld to the Commyn Clerke And to the serjeunt lllld and that the person (11) of whom suerte of peace ys askid of aftor that he or they be arreste and putt to baile or under suerte that (12) every person shall pay Vld that is to sey lllld to the Commyn Clerke and lld to the serjeaunt as hit hath be of (13) olde tyme used and accustomed And that every straunge person askyng suerte of peace of a nother person shall (14) pay Xllld that is to be understond Vld to the Chambre and Vld to the Commyn Clerke and Sergaunte to (15) be paid and devided among theyme in maner and fourme as it is above seid and of every person straunger (16) of home1 suerte of pece ys askid of to pay to the Commyn Clerke and sergeaunte as hit is above said used (17) and accustomed (18)

Also it is ordeyned by the said Maire and the Commyn Councell of Bristow forsaid that every person that have (19) eny dors uppon the key in the Commine Wall there that thei shall pay yerly to the Chambre of Bristow lllld (20) for a Cheff Rent and that it shall be laufull to the Chambyrleyn of Bristow for the tyme beyng and (21) to the Clerke of the Chambre of the same to distreyn for the seid rent (22)

Please hit your Maistershyps All that there may be an acte made and Stablysshed that all the (23) burges of this Towne of Bristowe that woll come of there owne Free will unto the Crane wyth there (24) goods and marchaundises that is to sei wyne oyle or eny other maner of caske there to be charged or discharged (25) that thei shall paye for every ton Maskelyn lllld and for every pp lld and so aftour the Rate (26)

1 i.e. 'whom'.
Item that all maner of Straungers that Comyth unto this Towne
by water and doth discharge (27) at hungrode shall paye for every
ton there discharged Vld that is to wite unto the lyghter llld (28)
and unto the Crane llld (29)

Item if ther be eny ship bote or lighter Charchyng or dischargyng
at the Key or at the bake Hungerode (30) or Kynrode with
Straunger goodis not comyng to the Crane that they shall paye as
often tymes as (31) thei so charge or discharge for every ton unto
the Crane llld etc (32)

Also hit is ordeyned by the said Maire and the Comyn Councell
of Bristow that every wax (33) maker shall make there torches
of good wax and wike and of no nother thyng and that (34) uppon
peyn of forfetyng the Torch or Torches other wise mad un to the
Baillefs of Bristow (35) for the tyme beyng and appon the
payn of leisyng of XLs the oon parte there of to be distrui (36) to the
Chambre of Bristowe and the other halfe part to the person or
persons that presentid (37) sucche Torches other wise made than
hit is above specified (38)

Also hit is ordeyned by the said maire and Councell that no
person nor persons of this Towne (39) of Bristowe putt no
fys~he
1 waterid
1 to eny person or persons to sale but hit be good and
able (40) fysshe And that thei seill no waterid fysshe nor put
hit to sale with in the Towne of Bristowe (41) or the sowbarbes
of the same but in places of old tym accustomed and that appon
payn (42) of forfetyng of the fisshe to the Baillefs for the tyme
beyng

Folio 229 b. Also it is wordened² be the said Maire and Comyne Councell that
for as mucche as John (r) Sharpe late Maire of Bristowe the XII
yere of Kyng Henry the Sixte bi the wice of all (2) the Comyne
Councell than of Bristowe mad a state to Nicolas Exceter to make
a dore in (3) the Comyne Wall Fast by Monkbrugge in Gropelane
in a tenement of the seid Nicolas Exceter (4) than dwellyling in
the said tenement one John ffrenche Brewer the wich dore con­
teynith (5) in brede VI Fote and in heghe VIII ftole to the terme
of XXX yere paying yerely XVld which (6) yeres bene expired
nowe XIII yere And Richard Golyton nowe owener of the said
tenement (7) Denyet³ to pay the said XVI pens, That there fore
the seid dore be stoped up (8)

¹ i.e. ‘wet fish’.
² i.e. ordained.
³ i.e. ‘refuses’.
II6 THE GREAT RED

Folio 230 a. ORDINACIONES FACTE ET STABELITE [sic] TEMPORE JOHANNIS BAGOD MAIORIS ANNO REGNI REGIS EDWARD IIIrd POST CONQUESTUM DECIMO SEPTIMO.

Mekely bysechyng your humble Comburgeises of the Crafte and Ocupacion of Whittawers Purgers Whight Parchementmakers and Cosshyn Makers with in the Towne of Bristowe for as muche as divers greate fautes hurtes and inconveniences dayly enseenen and encreesen in the saide Crafte as well contrary to the Kynges Statutes as ayenst the ausciens usages and Custumes of this worshipfull Towne in greate derogacion of the said Towne wele of the same and Can nott be refourmed Rewelid ne amendid with owte some wise Ordinaunce and polotique Rewle may be hadde kept and Stablisshid in the said Occupacion where fore that hit may please youre maistershipps for the bettour Rule and govemaunce to be hadde and kepte in the said Crafte and Occupacion for to graunte and Comaunde them in Writyng undir your Commune Seale the Articles and Ordenaunces here aftour folowyng and they shall pray to almyghty god for the conservacion of youre prosperitees long to continue First that every yere ther be chosin of the said Craft a maister and two Wardeyns in the day and fest of Seint Jerome whiche ys the last day of Septembre and the saide maister and wardeyns so choisin to be presentid by fore the Maire and Shryff of Bristowe for the tyme beyng within llll dayes next aftour the feste of Seint Myghell the Archangell thei ther and then to be sworon for to observe kepe and perfourme all the actis and articles undir wretyn with all othir gode Rewlys actis and Ordinauncez necessariez Requisate and be hoofull unto the said Occupacion by the said Maister Wardens and Craft With in them selfis to be enactid and Ordeigned and the same truly to execute and perfourme on all thinges be longing the gode Rewle and honour of the seid Craft and Occupacion and to be egall and Rightwous to every partie as well to the poore as to the Riche with owte parcialite All weyes undir the coreccion of the Maire and Shryff of Bristowe for the tyme beyng And in especiall besechyng your Maistershipp to have in Remembrance the grett Inconveniences hurtes and discetics that daily enseweth as well to the saide Occupacion as to all the Commen wele of this worshipfull Towne and Contreyes
adjoynant by the Tanners of Bristowe which dayly tanneth shepis vellys and all othour Bassyn\(^1\) ayenst the Kynges Statutz For as muche as in the XIII yere of Kyng Richard the secunde and in the secunde yere of Kyng Harry the VI te was enactid by parlement that no maner of Tanner with in the Realme aught nott ne shuld not tanne no maner of Shepis vellys no none othour Basyn upon grett penalte comprised in the said actis and as none Cordewaner to make his werke of no suche Baseyn ne evill tanned lethir on the said payne and the saide actis at divers othour Parlementz confermed for the Commune wele of the londe Contrarie where unto the Tanners nowe dayly and in especiall of this Towne do nott lett ne spare to Tanne all maner of Basyn in Contempt of the Kyng our Soveraigne lord and his seide actis in so muche that every Cordewaner maketh and silleth shoes Botys and othour ware of Basyn in grett fraude and disceite of all the Kyngis people and ayenst the said Statutes Besechyng ther fore your Maistershypp for Reformacion off the same to Commande all the Tanners of Bristowe for to doo Ceasse and no more to tanne no maner of Basyn forsaide ne none othir lethir that ys defectif a pon certein payne sett and limitte by your wise discrecions accordaunt to the Kyngis Statutes forseide soo that your suppliaunts may frely bye and sille all maner of Shepis velles and othour Basyn for the worke labour and ocupacion of Whittawyng and parchement makyng lyke as of olde tyme they were wont for to doo and that whate persone of Cordewaner Sutor Corviser or Tanner aftour youre Comaundement to them and every of them in this be half made doth the contrary to the premisses that he or they so founde in defaute lese and forfaite to the Chambre of Bristowe VIS Vllld and to the contribucion of the said Craft and Occupation with outhe mitigacion or for yvenes and soo as ofte as they be founde defectife etc

\(^1\) 'inferior leather'.
half therof to be levied and payed to the Chambour of Bristowe and that othir half to 〈5〉 the Contribucion of the said Craft etc: 〈6〉

Also that no maner of persone of the Occupacion and Craft perloigne entice with drawe excite Receyve ne 〈7〉 Occupie no man ys servaunt apprentice nor journeyman fro the service of the persone or persones that ys in Covenaunt 〈8〉 withe1 of the said Craft uppon peyne of XX S sterlyng that one half therof to be leveyed and paiied 〈9〉 to the Chambour of Bristowe and that othir half to the Contribucion of the said Craft etc: 〈10〉

Also that every Maister howsholder of the said Craft and Occupacion come and apere when they ben lawfully 〈11〉 warned or sumned by the Maister and Wardens for the yerre beyng to suche places or place as the said Maister 〈12〉 and wardens wil lymyte and assigne them to come to for to Comyne of suche matiers as shall be 〈13〉 nedefull profitable necessarie and be hoofull to the said Craft and Occupacion and they that maken 〈14〉 defawte and wil nott come atte the saide lawfull warmyng and callyng forfaite and lesse att every 〈15〉 tyme XLd that one half to the Chambour of Bristowe and that othir half to the contribucion of the 〈16〉 said Craft with owte he or they soo makyng defawte can make shewe or prove a lawfull excuse ets 〈17〉

Also that every Maister and Wardens for the saide Craft and Occupacion for the yerre beyng yelde 〈18〉 yerly ther accomptes and full Reckenyng to the Newe Maister and Wardens that shall be for the 〈19〉 yere folowyng with othour hows holders in the said Craft in the above specified feste and day of 〈20〉 Seint Jeram of all maner Receytes of Money and of all othour thinges that they or eny of them 〈21〉 have Receyved to the availe and be hoffe of the said Craft and Occupacion on theire yerre and 〈22〉 tyme and theroff ther and than to make trewe payment to the said Newe Maister and Wardens 〈23〉 upon peyne of XL S that one half to be levyyed therof and paiied to the Chambre of Bristowe 〈24〉 and that othour half to the Contribucion of the saide Crafte etc. 〈25〉

Also yff eny servaunt of the said Craft be grevid or fynde hym self a grevid with his Maister or the 〈26〉 Maister with his servaunt or eny of the said Craft with othour that then he or they soo greved shewe and 〈27〉 Complayne theire said greves to fore the maire for the tyme being and by hym the said greves 〈28〉 and Complaynts to be Reeddressed Reformed and discussed Rather

1 Blank space.
and afore that they ferthir (29) Compleyne in the lawe othour wise upon payne of X S that one halff ther off to the Chambur (30) of Bristowe and that othour half to the contribucion of the said Craft etc; Provided all weyes that (31) suche grogis1 grevys and vagrauntz so sewed and Compleyned unto the said Maire be by hym (32) Redressed and formed and discussed with in XV dayes next folowyng aftour the said Greves and Compleynetes (33) so to hym shewid etc: (34) Provided att all tymes and Reserved to the Maire Shryff and Comyne Counsaille off Bristowe and to ther (35) Successours full auctorite and power the above wrytyn Ordinaunce and graunttes and every article of (36) them to Revoke adnull augment newe make adde and dimenewte when and as ofte as the said (37) Maire Shreff and Comyne Counsaille shall be thought expedient and be hooffull to be bo by the said (38) better Rewle and Governaunce of the said Craft and for the weell of this worshipfull Towne etc (39)

Folio 23I a. MEMORANDUM that the Xth day of the moneth of February in the IXth yere of the reigne of Kyng Henry the Vllth (1) before Henry Vaughan than maire and Philip Ryngstone shire£ John Hawkes John Esterfeld John Penke (2) Henry Dale and other their brethren come Robert Yong Maister John Devette and Thomas Taillour Wardeyns (3) of the Crafte of Whitawers and the more parte of the gode men of the same Crafte and Hugh Grig of (4) Bristowe Whitawer at which tyme it was accorded and aggreed bitwene the said Hugh on that oon (5) parte and the said Maister Wardeyns and feliship of Whitawers on that other parte by thassent and licence (6) of the said Maire and Shir£ and their said brethren that the said Hugh shall at all tymes herafter enjoy (7) within the said Crafte as largely in beyng and sellyng of all maner wares and in setting his (8) apprentices and journey men to work in the said Crafte as any other persone of the said occupacion shall have (9) or enjoye without interrupcion of the said maister wardeyns and Feliship or of their successours or of eny of theyme (10) and also that fro hensforth the said Hugh shall be contributory and pay his parte of almaner dyvers drynkyns (11) watches and other contribucions and charges concerning the said occupacion with the said maister Wardeyns (12) and feliship and their successours after his power Except that he shall not at any time be compelled to be (13) personally at the said Dyvers
drynkyns ne Watches nor come at their commandment unto theym ne any of (14) theym Provided alway that it be lefull to the said Maister and Wardeyns and their successours maister and (15) wardeyns of the said Crafte for the tyme beyng to make serche in the shoppes werke houses and all other (16) places of the said Hugh at all tymes convenyent for almaner wares perteyning to the said Crafte wrought (17) by the said Hugh or by his apprentices or servauntes and all Wares therof mys-wrought to sease and dispose (18) after the ordenaunce of the said Crafte the said agrement notwithstanding (19)

Folio 231 b. ORDINACIONES FACTE ET STABILITE TEMPORE JOHANNIS BAGOD MAIORIS ANNO REGNI REGIS EDWARDI QUARTI POST CONQUESTUM DECIMO SEPTIMO

Moost pituously Shewen and Complyenen youre moost pore Merchants Comburgensis the merchants adventures with (1) others Byers and sillers of the Towne of Bristowe that where as dyvers tymes dayes past thei have (2) sewed and Shewid unto youre maistirshipps the moost pituouse fallinge and decayeng of merchaundyse (3) thurgh the unnumerable grete hurtes fawtis and inconvenyences daily ensuyng the same by entercomenyng (4) of Straungers and senestre colouryng of theire goodis as wel prejudiciall unto youre Fraunchisz and auncient (5) libertees as against all the wise ordre and course of merchaundise lack of Poletyk Provision for the (6) Reformacionn of it yn especcyall your moost chieff noblest and ponderoust merchaundys of good and able (7) wode thencrece wherof in old tyme causyd man-tenyd and susteynd the noble and prosperous felicitee (8) of this worshipfull Town that tofore the yeldinge Frensshe of the Cytte of Bordeaux All the tholouse (9) wode occupyped in England came from the porte and Cytee of Bayon where was the Staple of the (10) same And the utteraunce of all gode drapery of Bristowe in substaunce So that the gode and sadde (11) Rule at that tyme there kepte cawsid Bristowe to stonde wel and prosperous and many yong men (12) of the same encrece to grete worship and to be vertuouse Til affer the Redicionn and loste of the (13) said Cytee of Bordeaux All Tholouce wood in substaunce is broght thider and fro thens into Englond (14) by alteration wherof the olde sadde Rule of byeng of the said wode is brokin and utterly (15) Rasyd out of the good Ordre for these Cawsis folouing (16)
Furst by the undiscrete and inordynat byeng of the same with every forener and Straunger comyng to Burdeux whiche Repairith to Bristowe there to make theire preves and essayes of the said woode for diverse Considerationns. It is grete prejudice and hurtes of all the Burgeysis and Inhabitaunts of the said Towne.

The secund that the olde good Rule of mesuryng of the saide wode like wise brokyn by byeng of Straungers and yong lewd attourneys not entendyng to have theire crosse made upon every mesure as they had of olde tyme where as dayes past by the mesuryng at Bayon was a mesur wood in every pipe using that tyme in Bristowe fretingel of wode but more harme now it is bothe frotid sortyd and untrewly mixtid beyonde the see or that it come home.

The third that the Cartys of Warauntise and the makinge of the same been alterid otherwise then they were of olde tyme made as well by the negligent and unkunning making of the Notaryes off Burdeux as of the Senestre divisyng and colouryng of diverse attourneys shewing in their said Cartis XXX XL or L pypes of wode to be bought for burgeyes of Bristowe half or the moost parte of the same shalbe straungers goodes in grete disceite and derogacion of all the Burgeises of Bristowe.

For the which and for othirs grete and urgent causes conseryng youre pore Compleynauntis Beseken your maister ships the articles undrewritin to be enactid stablishid and executid for Reformacionn in this behalf Trustinge in God it shal be to the commune wele of al this wor-shipfull Town and with in short tyme grete increce of the same and your pore suppliauntis ever bounde to pray God for yow.

Furst that every yere anon aftir the fest of Seint Mighell the Archangell in presentyng of the Maisters of Dyers Craffte to fore the maire of Bristow for the tyme beyng the said Maistirs there to be sworne forthwith to fore the saide maire truely to serche on every maistir Dyer that none of theym set no Straungiers wood with in Bristow but to such as bene Burgeises of the same upon payne of V marc for every settinge set to eny stranger to be levided of the said setter to the Chambre of Bristow and that every maister dyer of Bristow to be swore unto the maisters of Crafft for the yere being truly to keep and observe

\(^1\) i.e. 'rubbing'.
Also that no maistir Dier of Bristow sette no Straungier a warke in dyeng nothir in wode settyng in las (43) than he have be prentice in Bristowe to the seide Crafte upon payne of V marks DYERS to be levyed to the Chambre (44) of the towne of him that eny suche Straungier so settith a warke or Occupieth

Folio 232 a. Also that every Burgeys of Bristowe desiring to have a Reporte made of his wode comyng to fore the maire (1) of Bristowe for the tyme beyng with his two maister Dyers that have set his wode be sworne forthwith (2) afore the Seyd maire to make trewe and feithfull Relacioun of all the wood comprisyd in his Carte (3) of Warrantise whose wode it is and at whose aventure it came ovir the see and unto whome (4) the propretie of every pype of the same apperteignith to the uttirmust of his knowleche or of his Attourney (5) withoute eny maner of Fraude gile or malengyn Shewing if nede be his lettres of byeng and (6) ladinge of the saide woode by1 yond the see (7)

And that every Maire of Bristow for the tyme beyng at the makynge and grauntinge of enny Reporte and (8) shewing of eany such Carte of Warantise have with him in his Company at the tyme of shewing (9) enny such Carte I11 of his brethern to be at thexaminacioun of all suche Cartis for the more perfait (10) knowleche to be hadde of colouryng of enny straungers goods in the same And that no maire of Bristowe (11) graunte ne seale no maner of Reporte to no maner of Straunger but onely to Burgeisis of Bristow (12) upon payne of XL Li sterlinge to be leveyd of the seide maire and of his goodis by his successour the next (13) yere after he is oute of his mairaltee Unto the Chambre of Bristow as oftyn tymes as he shall (14) offende in that behalff withoute eny metigacioun or pardon of onne peny of the same (15)

Also that no burgeis of Bristowe ne none Attornay of Burgeisis ne his servaunt nor his apprentice coloure ne consent (16) to coloure as in byeng sillyng charging ne dischargyng bi wey of colouryng of no straungers goodis (17) with in the porte and Towne of Bristowe ne in none othir porte ne place by South Upon peyne to be (18) discomyned of his fredome be he of the Counceill of Bristowe or enny Burgeis at large and never to be (19) (Remitted) unto his saide fredome for no maner prayer suyte ne singuler vie2 to be made or had for his (20) Redempcioun in that behalff And that it shal be leefull to every burgeis of Bristowe as well pore (21)

1 Blank space.
2 i.e. correction.
as Riche to make due and streyte serche upon all suche colouryng the same to present affore the (22) Maire for the tyme beyng and for his saide serche and presentacioun to have a Competent Reward (23) of the saide goodis so colourid aftir the qualitee of the same by your wise discretionys (24)

Also that no Sowdyour Sailling in enny Shippe of Bristowe shall not Cary with hym passinge II hole (25) clothis or the value of the same for the whiche he shalbe sworne before the chief merchant and (26) owner that it shalbe his oune propre goodes and at his oune aventure or ells the goodis of a Burgeis (27) of Bristowe and that no suche Sowdyor coloure no Straungiers goodes during the said Viage (28) upon payne of lesinge of his wajis and his findinge for the said viage. And also to pay for every (29) clothe that he so colourithe of enny Straungers VIS VIIIId sterling to the averies of the merchautis (30) of the said ship withoute eny pardon or forvevenes (31)

Also where as diverse suche Sowdyours resorting oute of the Contray into Bristowe and there saillith for (32) Sowdyours III or IIII viages anon upon he makith him self Burges havyng nother parfait lernyng ne (33) konning to the same but hurtith gretely the course and practise of merchaundise in derogacioun of the (34) commune wele of this worshipfull Towne For Reformacioun of the whiche that no suche Sowdyour newe (35) resorting in to Bristowe be not in no wise admittid to be Burges of Bristowe until he usid and (36) excercisid his saillyng and passing oute of the seide porte for the terme off VII yere afore and ar that (37) he be admittid as for a Burgeis and that no burgeis of Bris­towe set no such Sowdyour to be his (38) Attourney other wise thanne is comprisid in the said articles upon peyn of X Li sterlinge to be levied of (39) every merchaut tha (sic) offendith in this behalff as oftin tymes as he is defectyf in the same (40)

Item where as dyvers merchantys of Berne and of countrayes of Gyenne that have boght clothe at Bur-(41)-deux for to send and Convey unto Fountrabie and other places of Spayne there to be sold to the (42) Castillans and dar not theire persouns come there for fere of markkis and other Reprisaries But callith (1) unto them Certein Englisshe men which shall in Spayne receive and syll the clothes of all such (2) Bernes unto the Castillans and othirs and to the same for theire singuler availe they bene bothe cori­toures (3) and Colourors in grete prejudice and amenishsing of
the Utterance of al draperie to be there sold and \(4\) alterid by
the Burgeis of Bristow or theirre Attoruneys and in derogacioun
of the commune wele \(5\) of the same For the whiche it be com-
maundid that no Burgeis of Bristow his attourney \(6\) servaunt
ne apprentice entermete ne take upon him to be enny suche
Coritour or colourer bitwene the \(7\) frensshe men and the Casti-
lans in Derogacion Foresaid aftir the premises be there shewid
and put \(8\) in notice upon payne of X Li sterlingle to be leved
of every suche persoun or personees offending in this \(9\) behalf as
oft tymes as he or they shalbe founde fawty in the same without
pardon or metigacion \(10\) of the same And that it shal bee leefull
to every Burgeis of Bristowe his attorney servaunt or \(11\) appren-
tyce beeing in that parties of Spayne to make dew and streyte
serche upon all such coretinge \(12\) brocage and coloringe the same
to present at their comyng home tofore the maire of Bristowe
for the \(13\) tyme beyng and for his said serche and presentacioun
to have a competent Reward of the fynex \(14\) and forfeitures
foresaid by your discreciouns Provided alwey that it shalbe
leefull to every \(15\) Burgeis of Bristow and to his attoruney
whate so ever he be being at Burdeux or at Bayon \(16\) or there
ssillinge his clothe to enny Bernes Tholosan or eny other of the
Frenssh partie The \(17\) said clothis to helpe cary convey into
Spayne and the same therefor to helpe sille and uttir to \(18\) the
moost availl and profite of his saide merchaunt at al tymes with-
out eny prejudice or derogacioun \(19\) of this present Article \(20\)

\textit{Folio 233 a. IN THE NAME OF GOD AMEN The XVII day of Maye the yere
of our lord M\(^{1}\)VC XXXII l \(1\) Robert Thorne being seekely
but in my perfyt mynde and reason such as it hath pleased God
to gave me fearing death which \(2\) is mortall for every lyvyng
creatur willyng to dispose me the beest for the helthe of my
soule that God will gave me grace \(3\) to ordre this my testament
and last will after the maner and fourme following ffurst I be-
quethe my soule to all \(4\) Myghty God that creatid it and re-
deemed it desiring of his infinite mercy to have mercy on it and
put it in \(5\) his glory that it was creatid for to the laude and
praise of his name Allso I beleve in the blysside trinite father \(6\)
and sonne and holly goost and all holy churche holdithe and
bylevythe as a faithfull Christian man shuld doo in \(7\) the whiche
fayth I protest to lyve and dye humbly beseching all myghty god
and our lady Seynt Marye and \(8\) all the Seynts of Hevyn to be
intercessours for me for all temptations payne sekenes or agony
of deathe I may have (g) grace so to persever in this holy beleff so
that I may dye in perfect faithe hope an Charite so that my
soule may be (10) saved allso I woll my body be buryed in Cristyn
buriall in churche convenient and that at my burying (11) to be
said masse and dirige as a Cristen man ought to have Allso afore
all things I will my debts to be paid if any (12) can be provid
that I owe by writyng or recordes and allso such wares as to
houshold stuff that is in my pour (13) of others be ever to their
honoirs of which wares I declare ll chestis of geant velvetes in
the whiche are (33) (14) peces blacke perteyning to Gregorio
Catonio more ll helles1 of perles marked with a spectacles
in the which is (15) ll6 perles that ar allso the said gregorio
Allso I bequethe to the Childerne of my suster Katharyne (16)
Westlay IIIc Li sterling that is to say to every of thaym one
hundrith pounds, and every one to inheryte of the other (17)
if any dye afore lauful age Allso I bequethe to my suster Alice
Jackman and to her children all that the said (18) Thomas
Jackman her husband dothe rest owing me at this present day
whiche is fanye hundrith pounds and (19) not certeyne debitis
that hath procedid of oyle and sheep whiche debitis do perteign
to me and not hym but oonly (20) I bequethe the redy money
that he ought me for rest of accompt to hys wife and childerne
to the somme of the (21) said fanye hundrith pounds little more or
lesse Allso I bequethe to Edmund Withipoule fyfty pounds
sterling and to Elizabeth (22) Withipolle his suster other fyfty
poundes and to the childerne of John Withipolle of Mamisbury I
bequethe fyfty (23) poundes to be reparted among them all
the discretion of my maister Poule Withipolle to be reparted2
more (24) or elles lesse to every of them Allso I bequethe to
the childerne of my unkyll Willyam Thorne diseased named
(25) James Thorne and Thomas Thorne fyfty pounds a pece
and as moche more to the ii daughters of the said Willyam (26)
Thorne the on maryed in the Citie the other in Mayde Stone
Allso I bequethe towarde the makyng up of the free (27) Scole of
Saint Bartilmews in Bristowe thre hundrith pounds sterling and
more that my lord dela Warde ought (28) as by hys obligacyon
apperithe allso I bequethe IIIc Li to the releif of the pour comons
of Bristowe to be reparted (29) after the discresion of ii of the
beest men of consiens that may be found in every paroche of the
said Towne (30) of Bristowe. Allso I bequethe towarde the
redempsion of the feffarme and prysage of the said Towne

1 i.e. ? boxes. 2 i.e. divided.
of Bristowe (31) So that it be redeemed within this iii yere ii Li Allso I bequethe to Agnes Amanyne and to her suster there maried (32) in Bristowe XXX Li to ech of theym Allso I bequethe to my godesonne Robert Thorne the sonne of my brother (33) Nicholas Thorne ii Li Allso I bequethe to Vincent Thorne my sonne beyng in Spayne Ill ML Li sterling which I (34) wold that Carlo Catonio that hath the kepyng of hym at present of the said my sonne in Spayne shall retaighe (35) of the goodis of myne that the said Carlo Catonio and his Brother hath to the use and benefytt of the said child (36) till he be of lawfull age and setting it at Seint George in Jeane and if the said Vincent my sonne dye (37) afore he come to lawful age the said Illml Li to retoume to my heires—Item I bequethe to Anagaria Mother of the (38) said Vincent fifty poundes with condicion that she renownce all that pretence of inheritaunce of the bequeste of (39) her said sonne Allso I bequethe to the V allmons houses in 

Folio 233 b.

Bristowe a hundrith poundes to the reliefe of the (40) pour people of the said almons house to be reparted after the discrecyon of my executours Allso I bequethe (1) to Thomas Lucar and Willyam Ballard, Frauncis Soller and Thomas Cornell, John Shipman John Messain Thomas Tyson (2) Humfrys Coston, William Pikering William Harper John Woslay to every of theym X Li and to Manuel Lucar L Li Allso (3) I bequethe to Thomas Moffet Maister of Gramer Scole in Bristowe XXV Li and to Robert Moffet his sonne X Li (4) Allso I bequethe fyve hundrithe poundes to be reparted in the Citie of London in the XXVti Wardes XX Li in every (5) warde among the pour housholders after the discreson of ii honest men chosen by my executours in every warde of which (6) is parte a redy1 dd by Manuel Lucar to my maister Poule Withipoule Allso of certeyne debts that arr owinge me by my (7) boke that is Xllll Li VtS Vllld that my Maister Poule Withipoule owethe me and XXV Li that Willyam Cyot of (8) Bristowe owythe me X Li that Raufe only oweth me IllI Li XV S that Willyam Pepwell owethe me and XLI IIIIS (9) lld that Benet Jaye owethe me and XX Li that Poule Withipoule my maister owythe me All thes for said debtis I foryeve (10) and bequethe it to every of theym and wold not it be axed Allso I bequethe to my suster Alicie late wyf of (11) Thomas Jackman for her ii childerne a hundrith pounds a peace besides that bequeste before writyn Allso I (12) woll there be dd2 to Manuell Lucar a hundrith poundes sterling in monye for to occupye for his owne behaff for

1 i.e. already delivered.  
2 i.e. delivered.
the space (13) of V yere uppon his owne obligacion without any suretyez Also I bequethe toward the releif of the prysoners L Li at (14) the discrecyon of my executours within this Citie of London Allso I bequethe C Li to wardes the mariage of pour maydens (15) in London to be reparted after the discretion (sic) of my executours Allso I bequethe to the releif of the pour prysoners in (16) Bristowe C Li to be reparted after the discrecyon of my executours Allso I bequethe towards the mariage of pour (17) maydens in Bristowe C Li to be reparted after the discrecyon of myn executours Allso I bequethe to the 'Makyng of (18) a place for marchauntes for the Strete whereit shalbe thought by my executours a hundrithe pounds with condicion (19) that it be made with in the space of iii yeres after my deceas or elles the said money to be disposed after the will of (20) my executours Allso I bequethe to the reparacyon of hight ways fro comer marche to Bristowe a hundrithe pounds at such places as it shall seme best at the discrecyon of my executours Allso I bequethe towards the reparacyons about (22) Bristowe of the highe wayses a hundrithe pounds Allso I bequethe to aldermary Churche in Watlyng Strete X Li Allso I (23) bequethe to Saint Nicholas churche of Bristowe XX Li Allso I bequethe to the Iiii orders of Freers in Bristowe to every (24) order XX Li the on half to the reparacyon of their Churche and house and the other half for their sustentacyon Allso I (25) bequethe to the iiiii prisones about London that is to saye Newgate Ludgate Kynges benche and Marshallsee a C Li (26) to be dd by myne executours a noble every quarter of the yere to every hous in breade by myn executours till (27) the said C Li be confirmed and paid Allso I bequethe to the prysones of Bristowe a hundrithe pounds to be (28) bestowed in like maner as to this of London Allso I bequethe three hundrithe pounds in redy money which I (29) wold have discoitied in the Chamber of Bristowe to thentent that yerely may be made provision of Corne (30) and wood for the socour of the pour Comyns as to be bought as myche corne and wood as that amounthe to (31) in tymes of best cheepe and to be dd unto them at that price in time of best cheepe when it is worthe (32) more so that allwayes the said three hundrithe pounds do continue in the said Chamber Allso I bequeth that (33) I wold have deposed in the said Chamber of Bristowe fyvehundrithe pounds to thentent to socour yong men (34) that arr myndyd to clothe makyng in that Towne so that he that wold bynd hym self and geve best
suertye (35) and make indede most clothe shall enjoy most money without payng any intresses but that he shall retorne (36) the money that he rescivethe in to the Chamber at thend of XII monethis after suche forme as my (37) executours shall devise Allso I woll that there be none other accomptes nor no other thing be demaunded (38) of Manuell Lucar my servaunt but that to be my executour and that they and all others to be content (39) of all that hathe passed betwene us and to reseyve the accompt as by our boke apperethe without any further serche (1) mayde agaynst hym Allso I bequethe unto Collynges wyff of this Cittie whiche is daughter to Willyam Thome my Cosyn (2) XX Li Allso I name for myn executours whom I geve charge to fullfil and Complytt all that in this my said Testament (3) Poule Withipoule my maister for one executour Emanuel Lucar as another executor and Harry Hubberthorne overseer (4) This my Testament fullfilled my brother Nicholas Thorne to inherit all the rest of my goodis Whome I make full (5) inheritour of all the rest of my goodis desyryng hym afore all thinges to see my testament fullfilled in good dedys of mercy (6) that he will specyally reparte hit in good dedys of mercy to the releiff of the Comens of Bristowe to the pour people V Li (7) love my bequest afsaid Allso I will that there be in the poure of the said my executours one thousand poundes to be (8) distributed and orderid as myn executours shall seeme best for my soule Allso that my brother Nicholas Thorne gyve (9) a juste accounte to myn executours of all that he shall rest owing to me with payment Allso I bequethe to my suster (10) Alicie Jackman for her self ye marks Allso I bequethe to my executours and overseer for theer labour in complying (11) this my testament for the confidence and trust that I have in theym XX Li a peace—The residue of all my goodes (12) as well on this side the see as byyonde the see thys my present will fullfilid I gyve and bequethe to Nicholas (13) Thorne my brother Allso I bequethe to Willyam Withipoule beside that is before bequethed XX Li and in (14) witnes of trouthe I the said Robert Thorne have substibyd (sic) my name the day and tyme above wrytton and the for (15) said legacyes to be payed accordyng as money shall growe of my debtis and wares to be sold (16)

Robert Thorne

Record' present' at the subscribing and sealyng of this last wyll

1 i.e. carrying out
of the said Robert Thorne the XVII day of May (17) anno Domini M^L^ XV^c^ XXXII I Richard Reignold mercer Thomas Howson Clothewerker Willyam Macham Clothewerker and (18) Edward bawn Clothewerker

Proved 10th October 1532

This byll made the thurde day of November in the XXVth yere of the Reigne of our Sovereigne lorde Kyng Henry the VIIIth (26) wyttnessith that Willyam Shipman Mayer of the Towne of Bristol and the Cominaltie of the same Towne have receivyd (27) of Emanuell Lucar executour of the Testament and last wyll of Robert Thorn late of London Merchant Tailour deceysyd ffyve hundred poundes of good and lawfull money of Inglond too and for to be depositte in to the Chamber of the seid Towne of Bristowe (29) too and for the excersise use and Intent to socour yong men that ar myndyd to make clothe in the same towne accordyng (30) to the last wyll and Testament of the seyd Robert Thorn of the which ffyve hundred poundes and of every parcell thereof (31) We the seid Maire and the Cominaltie of the seid Towne of Bristol clerely discharge and aquite the seid Emanuell Lucar (32) and the executours of the said Robert Thorn theyr herys and executours forever and more bynd us to use (33) the said money accordyng to the last wyll of the seid Robert Thorne In wyttness whereof the seid Maire and (34) Cominaltie hath putte theyr Comon Seale the day and yere above seid (35)
fornamed Emanuel his heires and Executors and every of theym (10) by this presentz sealed with the Comon Seale of the said Towne of Bristowe yeven in the yelde (11) Hall of the same Towne the XVillth day of Februar in the XXVth yere. of the reign of Kyng (12) Henry the VIIIth (13)

Folio 235 a. CHARTER OF FEOFFMENT DATED 24TH NOVEMBER 1539

PARTIES
   1. Nicholas Thorne of Bristol merchant
   2. William Birwyn of Bristol

PRICE  Forty six pounds thirteen shillings and four pence.

PARCELS  Messuage or tenement with shop soler and cellar situate in Knyfesmythstrete otherwise Cristmas Strete in the parish of St. Laurence between a tenement belonging to the Prior and Fraternity of Kalendar's Bristol on the south and a tenement belonging to John Sharp on the north and extending backwards from the said street on the east to the waters of the Frome on the west which tenement formerly belonged to John Collis son and heirs of the late John Collis of Bristol merchant and was acquired by the Vendor from Henry Jonys merchant of Bristol on the 6th June 1537

HABENDUM  William Birwyn and his heirs.

WARRANTY OF TITLE  usual

APPOINTMENT of John Collis the elder and Griffinn Jonys Attornies to deliver seisin

SEALED by the Vendor and by the Mayor John Spryng with his official seal

Folio 235 b. In the name of God amen: The Xth day of Septembre in the Testament yere of our Lord God after the Coarse and Compyng of the Church of Englond a thousand five hundred floury and twoo yeres in the XXXIIIith yere of the Reign of our Soveraign Kyng Henry the VIIIth our Supreme head of the churche of Englond and Irlond I Thomas White of the Citie of Bristowe merchaut beyng (3) hole of mynde and thanks be to God of good memory but sike of Body do ordeign this my present Testament conteyning my last Will (4) theryn in maner and fourme as herafter doth folowe første I geve and bequethe my sowle unto Almighty God my maker and Redemer desyryng our blessed lady for to pray
for me and all the holy company in Heven and that by the meritte
of Christis Passion I may be oon of the nombre of the sowles
That may be saved and I bequethe my body to be buryed in the
Crowdys1 of Saynt John Baptist Churche with in (7) the Citie of
Bristowe Also I geve and bequethe unto my Cathedrall Churche
called the Trynytie of Bristowe the Quere which (8) was somtyme
in the white Friers the which Phillipp Griffyn bought of John
Nelare and the said Quere for to be sett upp (9) in the said Churche
at my coste and Charge Also I geve and bequethe unto Sir
Thomas Tasker parson of Saynt Jones Churche (10) for tithes
forgoten V Li sterlyng Also I do do (sic) geve and bequethe unto
the Reperacion and mendiung of the Rofe of the said (11) Churche
of Saynt John Baptiste VI Li XXXII S lllld Also I do geve and be-
quethe unto XXIV pore maydens marriane XXv apace (12) Also
I do geve and bequethe unto Robert Leighton and Alice my
Doughter all the Dettes that he oweth me Also I geve them (13)
bothe the oon half of the Mary James with all my parte of vyttelle
and Takelyng belonging to my half of the said good shipp (14)
Also I geve and bequethe unto Robert Leighton and Alice my
doughter a Neste of Goblettis which my wyfe shall delyver (15)
unto theym Also I geve and bequethe unto Robert Leighton and
Alice my daughter oon hundred poundes sterlyng for to be paid
(16) theym as my Dettis may be receved Also I frely geve unto
Robert Leighton and Alice my Doughter and to her heirs of hir
(17) Body lawfully begoten all my landis tenementes with takys8
in the Citie of Coventre and the Suburbes of the same and for
lack (18) of Issue of the said Alice my Doughter my will is that
my said landis shall remayn unto me myne heirs forevermore
(19) notwithstanding And where I the said Thomas White have
Geven frely as doth appere by my Dede of Gifte unto (20) the
Chambre of Bristowe Five tenementis lying in Brode Strete in
the Parishe of Saynt John Baptist rented by the yere (21) XLIII Li
Vl S Vllld Also a lease without Lafforde Yate in the tenure of
Wyllyam Catur rented yerely XL S And also (22) a Lease called
Colle Harborough lying in the parisshe of Laurence Weston
rented XXVI by the yere So amount all (23) the Rentis as may
appere XVII Li [XII] S Vllld my full mynd and last wyll is that
the Chambrelyn of the Citie of (24) Bristowe shall forever the laste
Day of every monethe after my departying shall geve and pay unto
m33 Strangis almys Housen (25) iiiiiS sterlyng And in lyke maner

1 'crypt'
2 'i.e. rents'
3 'master'
and fourme the said Chambrelayn shall pay and geve unto the three Kyngis of Collen (26) Almys Housen 111S Sterlyng every last Day of every monethe and also in maner and fourme the said Chamberleyn shall geve (27) and pay the last Day of every moneth unto ma Spencer Almys housen in Levans mede 111S sterlyng and also unto (28) the Almes housen of Long' Rewe 111S sterlyng in maner and fourme above written Also the said Chambrelayn shall geve (29) and pay unto Saynt Jones Pype in Brode Strete XXS Sterlyng yerely And also the said Chambrelayn shall geve (30) and pay unto Alhaloys pype XX S sterlyng yerely in lyke maner and fourme and the said Chambrelayn shall pay to the (31) pore Prisoners in Newgate every weke Vd Sterlyng Also my mynd and wyll is that the Chambrelayn of the (32) Citie of Bristowe shall fynd every yere in the Churche of Saynt John Baptiste an Obitt yerely in value XIII S lllld (33) That is to say six pristes with the parson and the sayd parson shall have for his dirige and wax Xllld and every priste iiiid (34) and ma Mayour there beyng present at dirige and masse lllld for his paynes and labour taken and every oon of ma of the (35) Shrefs Xllld beyng there present and the Chambrelayn VIIld and for Ryngyng of the Bells XII and for the Bellman lllld (36) and (the ?) rest of the money for to be geven in Breed at the discrecion of the Chambrelayn So amount the whole Charge (37) for to be takyn owte of the londis and tenementis as is afore written XII Li XIII S lllld So rest clerely unto the Chambre of (38) Bristowe yerely my will perfourmed lll Li XIX lllld Also I will that myne Executors shall fynd an honest priste iii yeres after my (39) departyng for to syng in Saynt John Baptist Churche for my soule and my Fathers Soule and Mothers Sowe (sic) and for the soule (40) of Willyam Cooke and John Hardwyn and Thomas Patland and for all true Christian sowles and the said priste shall have by (41) the yere for his stipend VI Li XIII lllld sterlyng And I wull that all my Godes that resteth unbequethed (42) my Dettis paid and my Will perfourmed shall rest and remayn in the power of Christyan my wife whom I do make (1) myne Executrice and Willyam Rowley and John Wyllys and the said Wyllyam Rowley and John Wyllys shall have (2) for their labours and paynes takyn in sayng my wyll perfourmed XX ti marks sterling a pece of theyme Also it is my mynd (3) that my Executors shall geve unto poure people at my buryall XXti Li sterlyng, and also at my monethis mynd XXti Li (4) Sterling at my eres mynd XXti pounds sterlyng And furthermore I wull that Cristyen my wyfe
shall cause (5) for to be dealed yerely during the terme of hir lyfe XXti poundes sterlyng at the Day of myne obytt in said (sic) Jones (6) in the Citie of Bristowe (7)

per me Thomas Whyte. per me Johannem Kerell Clericum.
per me Thomas Tasker
per me Thomas Sall. per me Robertum Gyttyn per me Johannem Sprynt

Proved the 12th October 1542.

1 By the Statute of Enrollments (27 Henry VIII c.16) an Indenture recording a bargain and sale of tenements in a Borough could be enrolled there if "the maiers . . . or other officer or Officers here . . . lawfully used to enroll any evidences dedes or other writings within their precincte or lymites ".

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\[ \text{BOOK OF BRISTOL} \]

\[ \text{133} \]

\[ \text{folios 236 b, THIS INDENTURE} \]

\[ \text{to 237 a.} \]

\[ \text{XORROTULATUR XI} \]

\[ \text{regis Henrici VIII} \]

\[ \text{XXIXo Tempore} \]

\[ \text{Wilhelmii Chester}{\text{majoris ville Bristollie}} \]
John Gaywood Covenauntith and grauntith to and with the said Hugh Molok that the said John Gaywood within oon halfe yere next after the date of this present Indentures shall make or cause to be made to the same Hugh Molock his heirs or assignes or to any other person or persons as the same Hugh Molock and his heirs shall name or assigne a good sure and a suffycient estate in Fee symple with warrantie of the said John Gaywood and his heirs ayenst all People of and in the said Tenement with all and Singler his appurtenaunces to thuse of the said Hugh Molock and his heirs clerely discharged of all Form bargayns sales lawfull titels statute merchaunte and statute of the Staple Joyntours dowers execucions arrerages of Rent and all other charges titles and incumberance had made or Groywng by the said John Gaywood otherwise then he have made or gaunted by this present Indentures Furthermore the said John Gaywood covenauntith and grauntith to and with the said Hugh Molock by this presents that the said John Gaywood and his heirs and all and every other person or persons and their heirs havynge any estate title interest or possession in the said Tenement with all and Singler his appertenaunces to thuse of the said John Gaywood or his heirs at all and every tyme or tymes thereafter within the space of oon hole yere next insuyng the date hero£ when and as often as they or any of them shalbe therunto resonably required by the said Hugh Molock his heirs or assignes shall don cause knowlege and suffer to be doon all and every such thyng and thynges by Recovery without Feffement Fyne confirmacion and Relesse with warrantie or thirwise as by the lerned Councell of the said Hugh Molock his heirs or assignes shalbe devysed or advysed to be doon of and for the better more and perfect assurans to be had or made in the lawe in ffee symple unto the said Hugh Molocke (his) heirs or assignes or to suche other person or persons as the same Hugh Molock and his heirs (sic) shall name and appoynt of and in the said Tenement with all and Singler thappertenances at the coste and charge of the said Hugh Molock his heirs and assignes Moroever the same John Gaywood by this presents bargayneth and sellith to the said Hugh Molock his heirs and assignes all Evidences Charters wryttynges and mynumentis conserynyng oonly the premyssys with thappertenances or any parcell therof all whiche Evydences Dedez Wryttynges and mynumentis whiche the said John Gaywood or
any (8) other person or persons to his use hath that he may con-
venently cum by the same John Gaywood (9) covenautith and
grauntith by this presentes to delvery or cause to be delivered to
the said Hugh Molock (10) his heirs or assignes before the ffeest
of Ester next commyng after the date herof IN WITNESSE (11)
wherof the partie:z abovesaid to this present Indenture:z inter-
chaungeably have putto their Seallis (12) the day and yere above
written.

Folio 237 b. CHARTER OF FEOFFMENT TO USES

Parties
1. Nicholas Chockke of Longayston Somerset generous
2. Thomas Draper Clerk, Henry Shockk, Alexander Shockk
   Edward Shockk Marmaduke Maunsell Nicholas Franklin,
   Richard Webbe, John Hawkyns, John Erber, Richard
   Witton, Thomas Evorard, John Dagge, Thomas son of
   John Cottrell, Edward Mayes, John Smyth, Henry New-
   lond, Thomas Genyns, Thomas Genyns, William Phillips,
   Thomas Cokkes, John Smyth, William Large, William
   Cokkes, Thomas Martyn John Martyn and Thomas Pyers.

Parcels All the feoffors messuages at Hunspill and Stone Eston
Somerset with lands meadows etc recently purchased by
him from John Chockk knight for an estate in fee simple.
Habendum to the feoffees in fee simple to the use of the feoffor
and his heirs for implementing the feoffor's last Will.
Warranty of title in usual form
Appointment of John Cloude and Richard Hobber attornies to
deliver seisin
Sealed in the presence of James Perceval, Alexander Hamlyn
William Wykes, Robert Martand clerk and many others
Date 6th May 1510

Folios 238 a. DECLARATION OF USES BY NICHOLAS CHOKKE.
to 238 b.
1. Recital of Feoffment on last folio.
2. Declaration that feoffees should stand seised of the property
to the following uses
   (a) Feoffor's son George in fee tail and in default of issue to
   (b) Feoffor's wife Maude for life and on her death to
   (c) Feoffor's brother Harry Choccke in fee tail and in default
      of issue to
(d) Feoffor's brother Alexander Chockke in fee tail and in default of issue to
(e) Feoffor's brother Edward Chockke in fee tail and in default of issue to
(f) Feoffor's brother in law Marmaduke Mauncell in fee tail and if he or his issue in tail failed or omitted to perform the conditions

Condition that if there should be a failure of George's issue the successive tenants in tail after the death of Maude should take four marks a year to the 'Chappell of our lady in Longayston' to an honest priest of good conversation to sing mass three times a week for the souls of the feoffor his wife and his son George and for all christian souls and so that if any tenant in tail should default in the performance of this duty for a whole year the property should pass to the next tenant in tail and so on

(g) The Feoffees to enter and to pay:—
1. 7 marcs to such a priest as aforesaid
2. half a marc to themselves for their trouble
3. 5/- for a trental in the parish of Longayston
4. All fines and heriotts arising out of the property to be given to poor people at their discretion.

(i) General condition that if Maude or any of the feoffor's brothers should alter or change any of the provisions of the Feoffor's Will, the Feoffees should hold beneficially in fee simple.

Sealed in the presence of Edward Gorges, Thomas Newton, John Arthur, James Persevale, Robert Garlod and many others.

Folio 239 a.

CHARTER OF FEOFFMENT

Parties

1. Thomas Butler corvisour of Bristol.

Parcels Tenement situate in Redclyff Strete in the parish of St. Thomas Apostle between a tenement belonging to the
parish church of St. Philips Bristol and lately belonging to Robert Forthey on the south and a tenement lately belonging to John Newton Knight on the north and extending backwards from the said street to the waters of the Avon.

*Habendum* To the parties of the second part in fee simple to their use according to the terms of an Indenture made by Thomas Butler dated 26th September 1545.

*Warranty* of title in the usual form

*Appointment* of Thomas Oliver baker and Michael Sowdley attorneys to deliver seisin

*Dated* 26th September 1545

*Witnesses*

1. To deed—Thomas Toplay and William Pynkley Wexmaker.

*Folio* 239 b.

**TEMPORE NICHOLAI THORNE MAIORIS BRISTOLLIE VIDELLICET (SIC) XX° DIE OCTOBRIS ANNO R.R. HENRICI OCTAVI TRICESIMO SEXTO**

This Indenture made the XXVlth day of Septembre in the XXXVlth yere of the reign of our Soveraign Lorde (1) Kyng Henry the Vllth by the grace of God King of England Fraunce and Irlonde defendour of the Faith and in (2) Erthe of the Churche of England Supreme head Betwyne Thomas Butler of the Cittie of Bristowe (3) Corvisour of the oone partie And David Cradock and John Catwell Masters of the Crafte or Occupacion of (4) Corvisours in the said Citty of Bristowe John Morcock Thomas Whytrock Robert Wyllams Wyllyam Gibbs (5) Jenkyn Dee Roger Tether Thomas Neston Richard Overton John Adenton Phillipp Frier Wyllyam (6) Hawkyns and Thomas Morsey of the said Citty Corvisours of thother partie Witnesseth Where as the (7) said Thomas Butler of his owne fre wyll and upon good consideracion by hym movyng by his (8) Dede bering Date the XXVlth day of September in the forsaid XXXVlth yere of the reign of our said (9) Soveraign lorde King Henry the Vllth have infeoffed the seid David John John Thomas Robert Wyllyam (10) Jenkyn Roger Thomas Richard John Phillipp Wyllyam and Thomas Morsey of and in all his (11) Tenement with thappertenances seytuatt in the Suburbies of the said Citty of Bristowe
THE GREAT RED

(12) in a certeyn Strete there called Redclyff Strete with in the parisshe of Saynt Thomas thappostell betwyne (13) the Tenement perteynyng to the parisshe Churche of Saynt Philipp of the said Cittie late Robert (14) Forthey of the Southe party and the Tenement late John Newton Knyght of the northe party and (15) strecheth from the Strete forsaid of the for part unto the water called Avon of the bacsidse To (16) have and to hold the said Tenement with thappertenaunces to the said David John John (17) etc and to their heirs (18) and assignes forever upon Condition folowyng That is to say if the said David Cradock and John (19) Catwell and their Cofeffez at all tyme and tymes herafter do peacably permytt and suffer the maisters or (20) Wardens of the said Crafte or occupacion of Corvisours of the said Cyty for the tyme beyng to occupy and (21) enjoy the premyses for their hall concernyng the said Crafte or occupacion of Corvisors and to take and receive (22) all and singler rentis issues and profettis of the said Tenement with thappertenaunces and the same to ymploye and (23) bestowe by the said Maister or Wardens of the seid Crafte or occupacion as well for the meynenence and (24) reparacion of the said Tenement as also for the mayntenaunce of the said Crafte or occupacion of Corvisours (25) aforesaid and also to permytt and suffre the seid Thomas Butler and his assignes to have occupie and (26) enjoye any parte of the premyses to his owne use commodities and profettis during his naturall lyffe without (27) any lett or interupcion of the said Davy and his Cofeffez and also to yeld and pay yerely to Elyanour (28) nowe wife to the seid Thomas Butler after the dethe of the seid Thomas XX S good and lauffull (29) money during the naturall life of the said Elianor and also at all tymes when the said Feffes happen (30) to dye to the nombre of Foure of them or lesse then the said David Cradock and his Cofeffez to (31) inefl XII other persons of that occupacyon of Corvisors or suche other persons as shalbe thought convery- (32)-ently by the discrecyon of the maisters of the seid Crafte or occupacyon of Corvisors for the tyme beyng of (33) and in the said Tenement with thappertenaunces to thintent and upon Condicion aforesaid and if it happen (34) the seid David Cradock and his Cofeffes or any other person or persons claymyng any interest or estate by (35) them or by their heers of and in the premyses do alyen Bargayn or Sell the same to any person or persons (36) contrari to theffect and Condicion aforesaid That then it shalbe lauffull to the seyd Thomas Butler and (37) to his heirs into the premyses to reenter and the same to have occupie and
enjoye forever as in their first (38) estate the said Feoffament in any thing notwithstanding. In witness wherof the parties forsaide to thise present (39) Indentures entrechangeably have putt their Seales yoven the day and yere aboveaaid (40)
This be the names that were present at the Sealyng of this Dede Thomas Toplay Cutler and (41) Wyllyam Pynkeley Wexmaker.

Folio 231. To alle trewe Cristen People to whome this present wrytyng schall come William (1) Canynges maire of Bristowe and John Gaywode Schiriff of the same with all dieu (2) Reverence Sendyth NORTON gretynig in our lorde everlastyng Be hit knowne unto your discrete (3) Consideracions that Thomas Norton the Yonger Gentilman came by forre us The (4) Seid maire and Schiryff John Schipward theldre Philipp Mede William Spenser Richard (5) (Alberton) John Hawkyes John Clerk Walter Coston Robert Bolton and other Worschipfull (6) Bretheren of the Towne of Bristowe foreseaid there lamentably declaryng that where Walter (7) Norton Fadyer to the seid Thomas had by forre that tyme by his Deed enfeffid Robert Strange (8) John Schopp and Rychard Bartfyld off all his londes and tenementis Rentis Reversiones and (9) servyces with thappertenaunces that he had In the Citee of Worscestre and subbarbes of the same and in the Townes (10) of Benhall Astwode Churchehill Evesham Hyndelepe Claynes Norwyke Fekenham and (11) Kingsnorton In the Countie of Worscestre and yn all other Townes and places in the Countie (12) aforeseaid and of all his landis and tenementis Rentis reversions and servyces in Bristow aforeseaid (13) To have to thayme and to thaire heires for ever By Force of which Feoffement they were thereof (14) so seased the whicch Robert Strange aftirward relessed all his Ryght to his seid Cofeffees that he (15) had there yn Rehersyng also how that the seid Walter Norton his Fadir entendyng to preferre And (16) make sieure the seid Thomas his son of all the seid landes and tenementis And that he schold not be vexid (17) ne troublyd by Thomas his Eldyr Brothir ne otherwise Willed and made his seid Feoffees by (18) their deede endentyd beryng Date the First yere of the Reigne of Kyng Edward the Fourthe to make (19) estate to the seid Walter and Isabell thenne his wyfe of all the seyd landes and tenementis the Remayndre thereof (20) aftir their decesse to the seid Thomas Norton the yonger and to his heires of his body comyng And for (21) defaute of sucche issue the Remayndre thereof to Thomas

1 The numbering of this folio is as in the manuscript. It is an obvious mistake.
Norton theldre And for defaute of sucche issue (22) the Remayn-
dre over in the Tayll to the other of the chylderyn of the same
Walter and Isabell as in the (23) same Indenture more playnely
hit apperith By vertu of whicch gift and graunt the seid Walter
(24) Norton and Isabell were thereof so seisid ffor terme of their
lyves The seid Thomas Norton the (25) Yonger declaryng more-
over unto us how that the seid Walter his ffadir Aftyr the deathe
of the seid (26) Isabell his wyfe by his Dede undir his seal of armes
beryng Date the Vlth yere of the said Kyng (27) hadd surren-
did his title and enteresse that he hadd ffor terme of his lyfe in all
the said meeszes (38) londis and Tenementis to the said Thomas
Norton the Yonger And thereupon also made a Relesse to hym
(29) of all his Right and enteresse that he had yn the same As in
the seid writyng of the Surrendre and (30) Relees more playnely
is conteigned And that the seid Thomas Norton the Yonger his
ffadir by the Synystre labour and informacion of yll disposit
persoones hathe publishshed and noyed Date (33) in dyversez Countrays
that he hath enfeoffid the seyd Thomas Norton the Younger his
son but of trust (34) onely to his owne usze And not to the
usze of the seid Thomas To thentent that the seid Walter (35)
wold have a Releofement of all the said landes And voyde
all the Estatis and Writyngis that he had (36) made as hit is
aboveseid to the perpetuall disheritance and hurte of the seid
Thomas Norton The (37) younger his son Agenst all right and
conscience Wherefore the same Thomas Norton the Yonger (38)
hath prayed and requyred us att the Reverence of Almighty God
and in the wey of Charytee in (39) (avoydyng) the inconvenience
that myght grewe and ffall thereof hereaftir To Testify and
declare (40) Trowthe that we have hurd sey and knowen ·in
these premyssis the same to Remaigne (41) In writyng undir
our sealis. And fforasmoche as hit is grete meryte And oone of
the highist (42) dedis off Charytee to bere witnesse and Testifye
the trouthe in matiers doutefull And to (43) (apees) and
avoide occasions of perjury and Contraversiis amongs Cristyn
people Consideryng (44) also the speciall Request of the seid
Thomas Yutt (sic) beyng with inne age And the trouble that (45)
myght ffall ffor lack of knowlycch of trouthe inne these premyssis
We therefore the seid William (46) Canynges Maire John Gaywod
Schipff John Schipward Philipp Mede William Spenser (47) and
other above named Seyen and depose ffor Trowthe that abowte the
Xlth dai of Junii (48) last passid the Sayd Walter Norton the fadir came by ffore the seid William Spenser thanne beyng Maire of the seid Towne of Bristowe John Clerk Schiryff and diversyz (1) othir worshipfull persoones of the seid Towne thanne there beyng present And brought with (2) hym dyverse Chartres deadys and munymentis concerning the seid landes and tenements (3) whereof oone was a deede of feoffement made by the seid Walter to Robert Straunge (4) John Schopp and Richard Bartfeld of all the landes and tenementis abovezeid And (5) a Relesse of Robert Straunge and a deede Endentid bi the which the said John Schopp and (6) Richard Bartfeld yave the seid lends to the seid Walter and Isabell his wyve for terme (7) of thair lyves the Remayndre thereof to the seid Thomas Norton the Yonger in the Tayle (8) In lyke ffourme as the same Thomas to us above hathe declared with lettres of attourney to (9) delyver and take possession thereof accordyng to the same The whicch deedis atte the (10) Sieut and prayer of the seid Walter were aftirward by ffore the same maire and Schreef (11) enrolled Allso the seid Walter schewid thanne to us a deede by which he had surrendid (12) to seyd Thomas all his estate and entrees that he hadd in the seid landes and tenementis (13) and ffor the more sieurtee of his seid son in that behalf The seid Walter besought us that we (14) wold flowchesave to take the labour to go to a place percell of the same landes by sydes' (15) Seynt Petir is Churche in the Seid Towne of Bristowe ffor there he wold delyver to the seid Thomas his Yonger Son possession thereof in name of all the landes and tenements (17) with thappurtenaunces Abovezeid Desiryng thayme to Bere witness of the Same (18) whereuppon the seid William Spenser thanne Maire and John Clerk Schireff and hys (19) Britheren above namyd undirstandyng his fadirly disposicion toward his seid son went (20) with hym to the seid place And there inoure psraence and many Othir the seid Walter (21) surrendid all his Estate and delyverid to the seid Thomas Norton the Yonger Seasyn of (22) the same place in name of all the landes and Tenementis foresaid Atte the which Tyme (hit) (23) was there openly asked of the seid Walter weathir that hit was his wylle and entent that (24) the seid surrendre and lyveree schold be to his owne use or to the use of the seid Thomas (25) Norton his Yongir Son And he answeryd saiyng that the same Thomas schold have the (Seid) (26) and all the seid landes and tene­mentis with all the profites of the same to his owne use fro thens (27) forward and God is Blessyng and his Seiyng also that he k
had ordeyned geven and delivered (28) to his said Son Thomas Norton the Yonger Bothe juells and othir Stuff of howsehold (and) (29) made him Sieur thereoff in hys lyfe. And there upon the seid Walter made a Relesse to the same (30) Thomas his Yonger Son off all the Right Tytle and Interesse that he had in the same landes and (31) Tenementis ffovermore The whicch deedis of Surrendre and Relesse atte the Sieute and prayer (32) of the seid Walter were thanne Sealid under the Seale of the Mairalte In wittenesse of whicch (33) Exposicion and declaracion made by us of the premyssez as we sawe knewe and hurd In (34) maner and ffourme above specified As well we the said William Canynges maire the Seal (35) of Office of the Mairaltee of the seid Towne of Bristowe as we John Gaywode Schireff John (36) Schipward the Eldir Philipp Mede William Spenser Richard Alberton John Hawkys John (37) Clerk Walter Coston Robert Bolton to these presents have putt to oure Sealis Yeven atte (38) Bristowe the Seconde Day of Aprill in the yere of the Reigne of Kyng Edward the Fourthe (39) aftir the Conquest the Vilth

TEMPORE WILLELMI CARYE MAIORIS CIVITATIS BRISTOLLIE ANNO REGNI REGIS HENRICI OCTAVI XXXVIII°.

Folio 240 a. MEMORANDUM quod XLIInd° die Novembris Anno Regni Regis Henrici octavi tricesimo octavo Henricus Howege (1) de Civitate Bristollie dyer et Margeria uxor ejus personaliter comparuerunt coram Willelmo Carye Maiore (2) Civitatis Bristollie ac Rogero Coke Thoma Pacy Willelmo Shipman et Johanne Smythe Aldermannis (3) Eiusdem Civitatise necon Aldredo FitzJames Communi Clerico Ipsius civitatis in plena Curia in Guyhalda ibidem (4) tenta et exhibuerunt ad tunc et ibidem prefatis maiore et Justiciariis quandam Indenturam affirmand' (5) illam partem esse Factum suum proprium et predicta Margeria per se examiniata (sic) per predictos maiorem et Justiciarios (6) ill' etiam affirmabat abaque aliqua fraude Et petierunt ut cadae Indentura irrotulatur quorum peticio (7) concessa fuit prout sequitur de verbo in verbum This Indenture made the XXIIIith day of June in (8) the XXXVIIIth yere of the reign of our Sovereign lorde Henrye the eight by the grace of God King (9) of Englonde France and Irlonde defender of the faihde and of the Churche of Englonde and also of (10) Irlonde in earthe supreme hedde Betwyne Harry Howege
of the Cytie of Bristowe dyer (11) and Margerye his wife of th one partie and Harry Davys of the same Citie (12) Tucker of thother partie witnesseth that the said Harry Howege for the somme of nynetene (13) poundes of good lawfull money of Englonde to them paid by the said Harry Davys before (14) thenscaling of thise presentes whereof the said Harry Howlege (sic) and Margerye Knowledge themselfe to be (15) contented satisfied and paid and the said Harry Davys his heirs executores and admynystsators (16) and every of them to be therof acquyted and discharged by these presente forever have bargayned (17) and solde and by thise presentes cleryly and utterlie bargaynethe and selleth to the said Harry Davis (18) all that their tenement with all and singler his appurtenances sett lyng and beyng in the Cytie of Bristowe (19) aforesaid in a Strete there called Temple Strete that is to saye betwyne the tenement of David Harris of (20) Bristowe Grocer of the sowthe partie and a tenement belonging to the mayor and Comynaltie of the (21) said Cytie of Bristowe of the northe partie And strechethe hymself from the said strete before of (22) the weste partie unto the water of Avon behinde of the east partie And also the said Harry Howege (23) and Margerye have bargayned and solde and by this presentes do bargayne and sell to the (24) said Harry Davys all that their Evidence dedes Charters Escriptes wrytinges and (25) munymnts concernyng oonly the said tenement with his appurtenances To have and to holde (26) the said tenement with all and singler his appurtenaunces therunto belonging or in any maner (27) of wise appurteynyng And also all the said Evidences dedes Charters Escriptes writings (28) and munymentes to the said Harry Davys his heirs and assignes forever to thuse (29) of the same Harry Davys and of his heirs and assignes forever And the said (30) Harry Howege and Margerie Covenaunteh and graunteth and by thise presentes promittethe (31) for them their heirs executors and admynstrators to and with the said Harry Davis his heirs (32) executors and admynstrators that they the said Harry Howege and Margerie athisside the Feest (33) of Saint James thappostell neste comyng after the date herof shall make or cause to be made (34) to the said Harry Davis his heirs and assignes forever a good suer sufficient lawfull and indefecible (35) estate in the lawe in ffee simple of and in the premisses with thappurtenaunces whether it be by fynye (36) ffeoffament with warantie enrolled Release with warantie enrolled Recovery or otherwise (37) as shalbe devised or advised by the lerned Councell
of the said Harry Davis his heirs or assigns at the oonlie Costis and charges in the lawe of the said Harry Davis his heirs or assigns discharged clerely of all former bargaynes sales women joynters and Dowers Statutes Marchaunt and of the Staple Recognysances ffynes amercyamentes executions Rentes sek rent charge and all other charges and incombrances what so ever they be the Chief rent due to the Chief lorde or lorde of the fee thereof oonlye excepted and also the said Harry Howege and Margerye do covenaunt and graunt and by thise presentes promyttethe for them their heirs executors and admynistratoro to and with the said Harry Davys his heirs executors and admynistratoro that they the same Harry Howege and Margerye their heirs shall warant the said tenement with all his appurtenaunces to the said Harry Davis and to his heirs and assigns against all maner of persons forever in maner and forme above said and that the same Harry Howege and Margerye the day of the makynge hereof ar verye true Owners of the said tenement with his appurtenaunces and be thereof sole seased in fee symple and have full power and lawfull auctorite the day of the makynge hero£ to bargayne and sell the same and every parte and parcel thereof to the said Harry Davys his heirs and assigns in fee And the said Harry Howege and Margerye Covenauntethe and grauntethe and by thise presentes promyttethe for them their heirs executors and admynistratoro to and with the said Harry Davis his heirs executors and admynistratoro that they the said Harry Howege and Margerye and their heirs shall from tyme to tyme at the cost and charges in the lawe of the said Harry Davis his heirs and assigns do and suffer to be done and cause to be don all and every acte and actes thing and thinges for the farther and better assurance to be hadd and made of and in the said tenement with his appurtenaunces to the said Harry Davis his heirs and assigns as shalbe devised or advised by the lerned Councell of the same Harry Davis his heirs or assigns and that the said Harry Howege and Margerye and every of them athisside the ffeest of Saint Mighell tharchangel nexte ensuing the date herof shall deliver or cause to be delivered to the said Harry Davis all the said Evidences dedes Charters escriptes writinges and munymentes concerning oonly the premysses In witness wherof the partis aforesaid to thise Indenture enterchaungeablye have putt their Seales yoven the daye and yere above written
(A) **Charter of Feoffment**

**Parties**
1. Walter Norton
2. Robert Straunge John Shopp and Richard Bartfield of Bristol

**Parcels** All lands tenements rents reversions services meadows pastures woods and underwoods belonging to Walter Norton in the City of Worcester and its suburbs Benhale Astwood Churchehil Evesham Hyndelepe Claynes Norwike Fekenham and Kynges Norton in the County of Worcester and in all other vills and places in Worcester and all tenements rents reversions and services in Bristol and its suburbs.

**Habendum** Parties of second part in fee simple.

**Warranty of Title**
Sealed by (i) and with the mayoral seal

**Witnesses** Philip Mede mayor John Bagod sheriff John Jay the younger and John Hawkes bailifs John Shipward Thomas Osney and others.

**Dated 12th October 1458**

(B) Document of same date appointing John Brown attorney to deliver seisin

(C) **Release and Quitclaim**

**Parties**
1. Robert Straunge
2. John Shopp' and Richard Bartfield

**Parcels** interest of (i) in the property mentioned above.

**Sealed by (i)**

**Witnesses** William Canynges mayor Thomas Kempson Sheriff William Wodyngton' and Lewis More bailiffs Philip Mede John Bagot Thomas Osney and others.

**Dated 10th May 1461**

(D) **Deed of Grant**

**Parties**
1. John Shopp' and Richard Bartfield
2. Walter Norton and Isabella his wife.
PARCES A messuage and garden in the Parish of St. Peter Bristol situate between tenements of which (1) were lately enfeoffed on the west and a tenement belonging to the Church of St. Peter on the east and stretching from the cemetery of the Church backwards to the Avon.

HABENDUM
(a) To (2) for their joint lives and for the life of the survivor without impeachment of waste with remainder
(b) To Thomas Norton the elder in fee tail with remainder
(c) To Thomas Norton the younger in fee tail with remainder.
(d) To Elizabeth wife of Robert Straunge and daughter of (2) in fee tail with remainder
(e) To Agnes daughter of John Shipward the younger and Agnes his wife late daughter of (2) in fee tail with remainder
(f) To Richard Forster in fee tail with remainder
(g) To Walter Norton in fee simple

SEALED by (1)

WITNESSES William Canynges mayor Thomas Kempson Sheriff
William Wodyngton and Lewis More bailiffs Philip Mede
John Bagot Thomas Osseney and others

DATED 20th May 1461

(E) CHARTER OF FEOFFMENT

PARTIES
1. John Shopp' and Richard Bartfield
2. Walter Norton and Isabella his wife

PARCES
1. Property in the City and County of Worcester as in (A)
2. FIRSTLY a messuage with garden in the Parish of St. Peter Bristol situate between a tenement of which (1) was lately enfeoffed by Walter Norton on the east and a tenement belonging to the mayor bailiffs and commonalty of Bristol on the west and extending from the cemetery of the Church to the Avon SECONDLY two tenements with a shop in Templestrete in the suburb of Bristol situate between a tenement belonging to Thomas Yonge on the south and a tenement belonging to Lady Lysle on the north and extending from Templestrete backwards to the Lawdyche THIRDLY a tenement in Toukerstrete in the suburb of Bristol with a small piece of vacant land at the end of a bridge between the tenement of Sir Walter Rodeney
and the highway leading beyond the bridge and extending backwards to vacant land of (1) and of Sir Walter Rodeney FOURTHLY two tenements and cellars in Baldewyn-strete Bristol one of which was lately in the occupation of Robert Goteham and the other of John Coferer situate between a tenement belonging to John Burton on the south and land belonging to St. Leonard's Church on the north FIFTHLY the houses with solars in St. Nicholas street called 'la Dorter' SIXTHLY a shop and 'halle-house' in St. Nicholas Street occupied by Thomas Vicarie situate between land belonging to the Church of St. Leonard and land lately belonging to John Burton SEVENTHLY two shops in High Street with the grantors share of an inn there called Le Cocks situate between a tenement belonging to John Vyell on the south and land belonging to Sir Walter Rodeney on the north EIGHTHLY a tenement with garden adjoining in Groapelane Bristol lately held by Ismay the widow NINTHLY a tenement in Lewenesmede lately occupied by John Bole brewer TENTHLY the reversion to a tenement in Smalstrete Bristol with a cellar in Cowelane then held by John Shipward Junior and Agnes his daughter and the heirs of her body ELEVENTHLY Reversion to three shops in St. Nicholas Street held by Richard Bartfield servant of (2) for his life TWELFTHLY Reversion to a tenement with garden in Groapelane subject to the same life interest THIRTEENTHLY a rent of assize of 10/- issuing out of a tenement belonging to Richard Erle and occupied by Richard Crenode in Baldewynestrete FOURTEENTHLY a rent of assize of like amount issuing out of premises in Cornestrete lately occupied by Richard Blake FIFTEENTHLY a rent of assize of 16/8d issuing out of a tenement belonging to Richard Haddon and occupied by Thomas Jones tailor in High Street.

HABENDUM As in (D) except that the estates tail of Thomas Norton the elder and Thomas Norton the younger are transposed and the estate limited to Richard Forster is omitted.

SEALED by (1)

WITNESSES as in (D)

DATED as in (D)

(F) DOCUMENT appointing John Broun attorney to deliver seisin dated as in (E)
DOCUMENT appointing Thomas Colyns to receive seisin dated 10th October 1463

FINE Levied at Westminster in the first year of the reign of King Henry son of King Henry between Richard Power and Thomas Holme plaintiffs and Thomas Norton the elder and his wife Christina defendants concerning FIRSTLY a mill, a rent of 13/4 issuing out of premises in Kyngeston Seymour, a third part of the manor of Kyngeston Seymour and the advowson of the church of the said manor and SECONDLY a messuage in the parish of St. Nicholas Bristol called 'le Newe In.' Thomas Norton acknowledged the premises to be the right of the plaintiffs as that etc in consideration of which the latter granted the following interests:

as to the whole of the above mentioned property

(a) To Thomas Norton and Christina for their lives with remainder

as to the premises firstly described

(b) Thomas Norton the younger in fee tail with remainder
(c) To Walter brother of Thomas Norton the younger in fee tail with remainder
(d) To Alice sister of Walter in fee tail with remainder
(e) To right heirs of Thomas Norton the elder

as to the premises secondly described

(a) To Walter in fee tail with remainder
(b) To Thomas Norton the younger in fee tail with remainder
(c) To Alice in fee tail with remainder
(d) To right heirs of Thomas Norton the elder

SURRENDER by Walter Norton of his life interests granted by the foregoing documents to Thomas Norton the younger—Sealed by the releasor and the mayor William Spenser in the presence of John Shipward the elder Philip Mede John Shipward the younger Thomas Oseney John Thomas Baker and others

DATED 1st September 1466
(J) **Release** by same party to the same party of the life interests mentioned in (I), the surrender being recited.

**Dated** 5th September 1466

(K) **Indenture of Mortgage**

**Parties**

1. William Joce of Bristol merchant son and heir of Gilbert Joce and Agnes his wife son and heir\(^1\) of William Somerwell and heir presumptive of John Somerwell brother of William

2. John Shipward the elder of Bristol Merchant

**Parcels** A tenement situate in the street of the Blessed Mary in Foro between the Inn called "le Swan" and a tenement belonging to William Rokkell occupied by William Davy baker and extending backwards from the street to a tenement belonging to John Burton.

**Habendum** John Shipward in fee simple on condition that if William Joce his heirs or assigns should pay to John Shipward at Bristol in the Church of Saint Stephen before Easter in the year 1472 the sum of £53. 13. 4, William Joce his heirs or assigns should receive a sufficient acquittance under the seal of John Shipward his heirs or assigns whereupon it should be lawful for William Joce his heirs or assigns to re-enter the premises and hold them as for his former estate. In default of payment John Shipward his heirs and assigns to hold free from the condition

**Warranty of Title**

Sealed by both parties and with the mayoral seal

**Witnesses** John Wykeham mayor Richard Alberton sheriff John Forster and Geoffrey Griffith bailiffs Walter Lyncoll' Thomas Oseney and others

**Dated** 30th April 1463

(L) **Lease**

**Parties**

1. John Shipward

2. William Joce

**Parcels** as in last deed

**Term** from date of Lease for ten years

**Rent** £3 a year payable at Easter

\(^1\) This, of course, refers to Gilbert.
Covenants
(a) To repair and maintain
(b) Pay all outgoings

Powers granted to Lessor
(a) To distrain
(b) To re-enter if rent a quarter in arrear

Sealed by both parties.

Witnesses: John Rogers, Walter Lyncoln, Thomas Newton, Thomas Oseney and others.

Dated 28th April 1463

(M) Enrollment of a Charter of Sale of messuages and cellars in Bristol of which the following is a summary.

Parties
1. Robert Straunce mayor of Bristol and the commonalty and burgesses of the same
2. Nicholas Pyttes perpetual vicar of St. Mary Redcliffe
3. Peter Lawelas and Thomas Hawkesocke chaplains of the Chantries of St. George martyr and St. Katherine Virgin in the said church founded by William Canynges
4. John Dane, John Broghton and John Raulyns churchwardens of the said church.
5. John Twynyho, William Birde and William Spencer

Recitals
(a) That William Canynges by his Will devised to Elizabeth Canynges late wife of John Canynges son of William firstly a messuage in St. Nicholas Street with a great 'vawte' belonging to the same which John Pynke merchant then held secondly another messuage in St. Nicholas Street held by the same person Thirdly a messuage in 'le Thoroughouse' between St. Nicholas Street and Baldwin Street which Edward Bery baker then held Fourthly a messuage situate in Baldwin Street on the westward side of 'le Thoroughouse' with a large cellar lying near the premises thirdly described and then held by John Janyns Fifthly a messuage in the same street with two cellars in the 'Thoroughouse' then held by Robert Meggis Sixthly a large cellar in the eastern part of 'le Thoroughouse' To Be held by Elizabeth for her life with remainder to another Elizabeth Canynges (niece of William Canynges and daughter of
Thomas Canynges (William’s brother late grocer and Alderman of London) and the heirs of her body but so that if Elizabeth should have no such heirs the premises above mentioned should be sold by the mayor and common council of Bristol and by the churchwardens of St. Mary Redcliffe and half the purchase money should be handed to the churchwardens to maintain the said chantries and the remainder should be delivered to the Chamberlain of Bristol for the use of the City according to the Will of William Canynges exhibited and proved in full hundred at the Guildhall on the 12th January 1475.

(b) That after the death of William Canynges Elizabeth his wife entered upon the above mentioned premises and was seised thereof and died so seised.

(c) That after the death of Elizabeth, the niece Elizabeth entered and was seised of an estate in fee tail.

(d) That the latter Elizabeth married John Holden citizen and cloth merchant of London.

(e) That Elizabeth and her husband had issue Richard and none other.

(f) That Elizabeth and Richard died leaving the husband surviving who claimed the above premises by the curtesy and was seised as such.

(g) That by a deed dated 10th October 1482 and enrolled in the Close Roll in the said month and year the husband granted the above premises to Robert Strange mayor of Bristol, John Twynyho recorder of Bristol and William Birde and William Spencer merchants of Bristol to be held by them during the life of the husband by virtue of which deed the last mentioned parties were seised.

(h) That by a deed dated 24th May 1483 Robert Strange released his interest to John Twynyho William Bird and William Spencer.

(i) That Richard died an infant without heirs of his body so that the direction for sale as contained in the Will of William Canynges had arisen.

Operative Part of Deed

The parties of the first, second, third and fourth parts with the consent of the more discreet of the parishioners of St. Mary Redcliffe and in consideration of a certain sum of money paid in equal shares to the said Chamberlain and the said churchwardens...
granted to the parties of the fifth part the above premises in fee simple.

SEALED by the parties of the first, second, third and fourth parts.

WITNESSES John Estirfield sheriff of Bristol John Hawkys John Bagod John Shipwarde Edmond Westcotte William Wodington John Forster and many others

DATED 16th June 1483

(N) RELEASE referred to in the last mentioned deed and made between Robert Strange of the one part and John Twynyho William Bird and William Spencer of the other part.

Folio 24\(^{\circ}\), IN THE NAME OF GOD AMEN The yere of youre lord M\(^{\text{1}}\) C.C.C.C. LXXX lill the XX day of Aprile I \(^{(23)}\) William Bird hole in mynde makes my will and testament in this wise First I bequeth my soule unto almighty \(^{(24)}\) god my body to be buryed in Seint Nicholas Gronde of Bristow byseide Maister Spenceris wife Item to the moder chirch \(^{(25)}\) of Worceter Xllld and to John Burton vicar for tythynges forgettyid VIS Vllld. Item to the high auter lllS lllld \(^{(26)}\) Item to the profett and ful use of the said Chirch of Seint Nicholas a rede Bank\(^{1}\) of cloth of gold which hath hous \(^{(27)}\) the said Chirch before tyme with this Condicion that it shall nott be lent forthe of the Chirch without a con-\(^{(28)}\)-venient profette to the said Chirch by the lenyg \(^{(sic)}\) after the discrecion of the proctours Item I bequeth \(^{(29)}\) XXXVI marcs of lawfull money of England ffor a verteuse prist to be fonde there within the said \(^{(30)}\) Churche of Seint Nicholas iii yeres continually Item for my Curate or his debitee and \(^{(31)}\) XX pristes at my buryeng. And as many at the\(^{a}\) monethes mynd with XXlllll torches and XXllld \(^{(32)}\) poure men to bere hem and for eche of the said pour men a gowne of ffryse Item to the \(^{(33)}\) curat of the Chirch Xllld to every other curate at eche dirige Vllld and to every prist \(^{(34)}\) not curat at eche of the said diriges and masses lllld Item to the llll orders of ffryres at my \(^{(35)}\) said burying lllS lllld Aligwise at my moneth mynde in the hole so VIS Vllld Item I bequethe \(^{(36)}\) to my wife my house upon the Bakke of Bristow with all apertinauntes terme of hir life under this \(^{(37)}\) condicion that she life soole wydow to hir lyves ende and ellis not And after the disessease of \(^{(38)}\) hir or of the brekyng of the said Condicion I bequethe hit to my son Henry and to his

\(^{1}\) Presumably 'Banker' meaning a covering for a bench or chair.

\(^{a}\) Above the line: 'my' crossed out.
heires (39) of his body laufully begoten and if he or they discease without issue than I bequethe the said (40) house to the eldist of my daughters and to her heires in the defaute of hem to the next of (41) the kyn Item I bequethe to my said wife X pipes of wode Item ll of my best salt selares gylt (42) ii dosen spones Item ii of the best stondying cuppes kevered Item the flat cuppe kevered Item I spice (43) dishe kevered and ii flat cuppes unkevered Item the third parte of all maner of my houshold (44) except plate I bequethe here Item I bequeth to my sone henry beside the revenews of my (45) place above rehersed ll closes liying in redland Item to the said henry my sone I bequeth (46) ll houses settyn upon Seint Austeyns bakke Item I yeve and bequeth to the said henry my (47) iii store houses upon the Key during my terme of Item to the said Henry I bequethe (48) V pipes of wode also I bequeth hym ll gilt bell cuppes Also ll whit standyng cuppes with (49) a cover Item I bequeth to my daughter Elizabeth v pipes of wode and ll gilt cuppes (50) standyng Item half a dosen of spones with a salt seler covered of silver Item two Tonnes of yron (51) Item I bequeth her iiiij payer of shetes Item I bequeth to my daughter Johanna iiiij pipes of (52) wode Item I bequethe to my daughter Kateryne i pipe of wode and to her husband my best (53) Skarlot gown furde Item I bequethe to John Withyngton my lynyng gowne skarlet and i spice (54) dishe Item I bequeth to my sone Richard jj pipes wode to holp hym to be a preste and my (55) best blewe gowne lyned Item I bequethe my gardyn at the barthilmewys to my wife and after (56) the discease of hir to my said doughter Elizabeth Duryng my yere~l Item I bequethe to (57) Robert my brother i pipe wode and a sadde grene gowne Item to the parson of Barthilmewys I bequethe (58) a lyned skarlet gowne Item I bequethe to the chirche of saint laurence my bason of Sylver (59) with l ewer to the same Item I bequethe VlS. Vllld for a banner to the said chirch of seint Nicholas (60) all other godes of myne unbequeth I put ffully in the disposicion of Master Edmunde (61) Westcot and my said wif whome I make myn executours trustyng that they shall duly (62) se this my will performed my dettes all to be content and payed And my body to the (63) worshipe of god and of the towne of Bristowe to be buryed bequethynge to the said (64) Master Edmunds Westcot for his dylygent labore v marcs IN witnesse of the which and (65) of all here conteyned I have made this to be wryten and

\[1\] i.e. for the remainder of the tenant's term therein.

\[2\] Interlined.
redde in the presence of Master (18) William Spencer whome I besech to be oversear and in the presence of Master John Burton (19) my curate the day and yere above rehersed (20)
Proved on 25th June 1484
Proclaimed in full hundred at the Guildhall Bristol on 27th September 1485

Folio 249 a. In dei Nomine Amen I Thomas Cogan of Bristowe write this my Will the XXIX day of Septembr in the day of (1) the holy Archangle Seint Michael bequething my soule in to the handes of the holy Trinitee my body to the erth to myn (2) Eldest Son John a salt saler gilt thurghout with a cover weiyng XXXII unces and X li in money to William a standing (3) cup covered parcell gilt and X li in money to Jamys a flatte cup covered and V li in money to Guybon a salte saler (4) parcell gilt covered and X li in money and to Thomas the yongest a grubbe gilt covered and a spiced dish and X li (5) in money and their parcells [to] remayne and to be equally divided to the overlyver or to oone so that oone overlyve all (6) and if that god take them all to his mercy affor thage of XXII yeres than I woll that Agneis my wyfe have all (7) to doo for our soules and our frendes in God and in hir conscience Also I biquethe to William Cobald my Sust' son and prentice a butte of greke and to his brothir Robert half a butte to George Cromale my long grene (9) gowne THE RESIDUE of all my godes not bequeth my dettes and funerals expenses deducted I gif and bequeth (10) to Agneis my wyf who I ordeyne and make my executrice. And morover I woll that the biquestes affor written (11) remayne in the handes of my wif that is for my children tille the tyme that she marie and whan she marieth to (12) be putte in sur handes for their suertee and goddes blessing and myn I gif them alle Write the day befor expressed (13) Anno domini millesimo CCCCLXXXVt (14)
Proved 29th August 1486
Proclaimed in full hundred at the Guildhall Bristol 12th Septem-ber 1486

Die veneris decimo octavo die Decembris anno regni regis henrici septimi post conquestum Anglie quinto in Guyhalda ville (34) Bristollie in pleno hundredo tunc ibidem tento coram Roberto Straunge tunc maiore ville predicte et Thoma Spycer (35) tunc vicecomite eiusdem ville venit Nicholaus Broun de Bristollia predicta mercator qui despensavit Agnetem nuper uxorem (36)
Thome Cogan mercatoris defuncti nuper Burgensis dicte ville ac executricem testamenti eiusdem Thome et recognovit (37) se recepisse custodiam corporum Johannis Cogan filii dictorum Thome et Agnetis etatis sextdecim annorum et tresdecim (38) dierum Willelmi Cogan filii ipsorum Thome et Agnetis etatis quindecim annorum et duarum septimanarum Guybonis (39) Cogan filii predictorum Thome et Agnetis etatis octo annorum et novem dierum Ac Thome Cogan filii ipsorum Thome (40) et Agnetis etatis quinque annorum et duorum dierum una cum quinquaginta libris sterlingorum ac uno salario cum (41) cooperculo argenti deaurati ponderanti triginta duas uncias et dim' unc' ponderis troie uno sipho stanti (42) cum cooperculo in parcell' deaurato uno sipo argenti cum cooperculo vocato a flatte cup uno alio salario cum cooperculo (43) argenti in parcell' deaurato uno sipo cum cooperculo argenti deaurato vocato a olio 249 d. Grubbe et uno alio sipo vocato (44) a spycse dishe ad valenciam viginti et quinque librarum et decem solidorum de bonis prefati Thome Cogan patris per eundem (1) Thomam in testamento suo cujus dat est vicesimo nono die Septembris nono die Sancti Michaelis Archangelis Anno domini millesimo (2) quadringentesimo octuagesimo quinto predictis liberis suis legatis et assignatis ad opus ipsum liberorum salve custodiendis (3) quousque ad etatem viginti et duarum annorum pervenerint. Ita quod si aliquis ipsum obiverit ante quem ad dictam etatem (4) pervenerit quod tunc illius sic decedentis distribuat inter reliquos ipsum liberorum super viventium (sic) equaliter devindam (sic) (5) Et prefatus Nicholaus dictos Johannem Willelum Guybonem et Thomam liberos predicti Thome Cogan mercatoris in custodia (6) sua existentem interim in omnibus necessariis suis bene et decenter sustentabat ac competenter informari et instru faciet (7) Ad que omnia premessa bene et fideliter facienda et in omnibus perimplenda predictus Nicholaus Broun obligat se heredes et executores (8) suos ac omnia bona Cathalla terras et tenementa sua ad quorumcunque manus devenierunt distributioni et cohercioni predicti majoris (9) et successorum suorum maiorum dicte ville Bristoli qui pro tempore fuerint Ita quod idem major et succes sores sui fieri faciet (10) vel fieri facient summam septuaginta quinque librarum et decem solidorum de bonis et catallis terris et tenementis predictis si prefatus (11) Nicholaus Broun in alio quo premessorum defecerit juxta tenorem Carte domini Regis in auxilium et favorem orphanorum dicte ville (12) predicte Burgensi bus eiusdem ville concesse (13)
Folio 249 b. WILL OF MAURICE HALLE LIMEBURNER

**Dated** 6th July 1488

Direction for burial before the image of Virgin Mary in the north aisle of St. Augustines Bristol if the testator should die in Bristol.

**Legacies**

1. To the altar of the said Church for tithes forgotten  6/8
2. To the mother Church of Worcester  12d
3. To the brothers and sisters of the Fraternity of the Holy Cross in the Church of St. Nicholas Bristol  3/4
4. To his son John when he should attain 21 or earlier at the discretion of the executrix  £10
5. To his son David on similar terms  £5
6. To his daughter Edith for a marriage portion, £10.13.4, household goods to the value of 73/4, a vessel and six spoons and a silver gilt mazer

General provision that if any child should die before legacy was delivered in whole or in part the survivors should take the undelivered portion and that if all the children so died the undelivered portion should be devoted by the executrix to pious uses

7. Residue after payment of debts and funeral expenses to wife Isabella to be disposed of as she should think fit.

**Executrix** Wife Isabella

**Sealed** by testator

**Proved** 25th December 1489

**Proclaimed** in full hundred in the Guildhall Bristol 10th February 1490

Folio 250 a.

WILL OF JOHN FLANYNGHAM REREMAKER

**Dated** 12th June 1490

**Direction** for burial in the cemetery of St. Jacob Bristol.

**Legacies**

1. Church of St. Jacob  3/4 and a psalter
2. Mother Church of Worcester  20d.
3. To the High Altar of St. Jacob  8d
4. To the Curate of St. Jacob  20d
5. To brother William testator's best cloak
6. To Thomas Patee a russet Cloak with hood
7. To Thomas Howell a cloak with a black hood
8. To daughter Johanna a complete woollen cloth of a value of 5 marcs
9. To daughter Elena a similar legacy
10. To son William a similar legacy

Residue after payment of debts and funeral expenses to wife Anastasia to be employed as she should think fit.

Executrix Anastasia.

Witnesses Robert Stephyns Testator's Curate Jacob Whyte and Thomas Howell by special request

Proved 16th August 1490

Proclaimed in full hundred in the Guildhall Bristol 20th September 1490

IN THE NAME OF GOD AMEN the seconde day of the moneth of Septembre In the yere of our lorde M'C.C.C.C. I William Rowley merchaunte and Burgeis of the Town of Bristowe beying in hole and Stedefaste mynde thankes be to almyghti god make and ordeyne my testament in this wise Firste I bequeth my sowle to almyghti god to his blessed moder oure lady seint mary and to all the hole Company of heven, and my body to be buried in the Chapell of oure lady ycalled oure lady of the Bellehouse within the parish Chirch of Seint Petir in Bristowe Item I bequeth to the cathedrall Chirch of our lady of Wircestre Xlld Item I bequeth to Margarete Rowly my wif all my stuff of silver plate with all my stuff in howshold full and hoole Item I will and ordeyn that all my cabowe or stuffe in merchandise that it be devided and departed in ill parties. Firsste oon part to Margarete my wife the second part to my Childryn and encas that any of my childeryn decease that I will then that the parte of that childe or childeryn so deceased remayn unto that childe or childeryn of myne then levyng And if all my childeryn decease then I will and ordeign that suche tridde parte to my childeryn by me bequethed remayn unto Margarete my wife in augmentacion of hir thrid parte The thridde parte of my said stuff in merchaundise I will and ordeyn that the said parte be doon for my sowle of the which my said third parte I will and ordeyn that the thrid parte of my said parte be devided and departed betwixt John Rowley and Thomas Rowley my bretheryn and that the said John and Thomas my bretheryn of their said parte delyver or do to be delyvered to my moder
l. pipe of wode complete the (16) warantise of V marcs sterling
Also I will and ordeyn that the dettes the which I owe be paid
and deducted (17) of my godes being in substance hole togider
Item I bequeth to the vycary William Newman to pray (18) for
me VIS Vllld. The residue of all my godes not bequeth dettes
and funerall expens deducted I (19) geve and bequeth unto
Margarete my wif whom I ordeyn and make myne executrix and
John Drewes (20) merchaunt as overseer of this present testament
and my laste will In Witnesse of Sir John Pottourn (21) Chapeleyyn
John Rowndell John Rowley and others. Yeven the day and yere
before writen (22)

Proved 12th November 1490
Proclaimed in full hundred at the Guildhall Bristol 14th November
1490

Universis et singulis Christi Fidelibus seriem litterarum presencium
visuris vel audituris Willelmus (1) Spenser maior ville Bristollie
salutem in domino sempitemam monstravit nobis (2) Thomas
Oseney comparens coram nobis die confectionis presencium in
(3) propria persona sua cert’ Cartas (et) munimenta san’ et integr’
oni suspicione sinistra carent’ (4) nobis supplicans quatinus
predict’ Cartas munimenta propter casus fortuitos que eisdem (5)
imposterim (sic) evenire poterint in Formam Publicam transcribi
facere dignaremus Nos (6) supplicacioni sue annuentes volentes
in hac parte facere quod iustum fuerit et racioni consonum (7)
ut tenemur cartas et munimenta predict’ in hanc publicam for­
mam transcribi mandavimus (8) Tenores quorum sequuntur et
sunt tales.

Folios 251 A summary of the documents is as follows:—
to 253 b.

1. Deed of Grant

Parties

1. Walter Rodeney Knight
2. Thomas Oseney Townclerk of Bristol and his wife Agnes

Parcels A tenement in the suburb of Bristol in Smythstrete near
‘le Were’ situate between a tenement belonging to Roger
Strete tanner and common ground belonging to the mayor
and commonalty of Bristol called ‘le Wateryngplaace’ and
extending backwards from the street to the Frome of old
called ‘Stourdon Watir’ which tenement the parties of
the second part held of the Grantor
Habendum To Thomas Oseney and his wife and the heirs and assigns of Thomas

Warranty of Title

Sealed by the Grantor

Witnesses William Spenser mayor John Clerk sheriff John Shypward the younger and Edmund Westcoote bailiffs John Shipward the Elder John Broun baker and others

Dated 20th January 1466

(ii) Release of the same property by Walter Rodeney to Thomas Oseney and his wife dated 28th January 1466

(iii) Appointment of James Venables and Thomas Nuton attorneys to deliver seisin of the above property

Dated 20th January 1466

(iv) Letter under seal from attorneys stating that they had delivered seisin accordingly

Dated 22nd January 1466

(v) Release by Thomas Rodeney eldest son of Walter Rodeney of the same tenement to the same persons

Dated 10th April 1466

(vi) Ditto by John Rodeney brother of Walter

Dated 28th February 1466

modo inhabitat Et unum mesuagium ibidem cum pertinenciis in quo (13) Robertus Grymestede modo inhabitat Et unum mesuagium in Seynt Nicholas Streete in quo (14) Johannes Corke modo inhabitat Et unum mesuagium ibidem in quo Leonardus Peauterer modo (15) ibidem inhabitat Et unum mesuagium ibidem in quo Johannes monemouth modo inhabitat Et unum mesuagium (16) ibidem in quo Johannes Ricardes modo inhabitat Et unum mesuagium super Myghelhyll in quo Willelmus (17) Smyth modo inhabitat Et unum mesuagium ibidem in quo Ricardus Williams modo inhabitat Et (18) unum mesuagium ibidem in quo Rogerus Smyth modo inhabitat Et unum mesuagium ibidem in quo (19) Robertus Burthon modo inhabitat Et unum Gardinium ibidem quod Ricardus Arssos Armiger modo tenet (20) Et duo Gardinia ibidem que Ricardus Nongle modo tenet Et unum Gardinium quod Johanna (21) Pavy vidua modo tenet Et unum mesuagium cum pertinenciis supra Pontem Abone Bristolie in (22) quo Ricardus Sent modo ibidem inhabitat Et unum mesuagium ibidem in quo Johannes Bowyer modo inhabitat (23) Et unum mesuagium ibidem in quo Johannes Adams modo inhabitat Et unum mesuagium cum tribus shopis (24) et eorum pertinenciis in Towkerstrete que Jacobus Venables Generosus modo ibidem tenet Et unum mesuagium (25) cum pertinenciis in Templestrete in quo Nicholaus Yonge Towker modo ibidem inhabitat Et unum mesuagium (26) cum pertinenciis ibidem in quo Margareta Marche modo inhabitat Et unum mesuagium ibidem in quo Henricus (27) Rodman modo inhabitat Et divers' pascua et pasturas cum eorum pertinenciis extra Templeyate que Johannes (28) Berd Wever modo ibidem tenet Et unum mesuagium cum pertinenciis in le Langrewe in quo Ricardus (29) Thingwale modo inhabitat Et unum mesuagium ibidem cum pertinenciis in quo Juliana Pascowe modo (30) inhabitat Et unum mesuagium in Seynt Thomas Laane in quo Johannes Goldyng modo ibidem (31) inhabitat Et unum mesuagium ibidem in quo Johanna James modo inhabitat Et unum mesuagium (32) ibidem in quo Johanna Roode modo inhabitat Et duo mesuagia cum eorum pertinenciis in Redeclyff Streete (33) que Ricardus Forster modo ibidem tenet Et unum mesuagium ibidem cum pertinenciis in quo Edwardus Baron (34) modo inhabitat Et unum mesuagium ibidem cum pertinenciis in quo Willelmus Bray modo inhabitat Et (35) duo mesuagia ibidem cum eorum pertinenciis in quibus Willelmus Gylbert modo inhabitat Qua quidem (31) mesuagia et cetera premissa valent per annum in omnibus exitibus ultra reprisas
XIII li VI S VIII di (2) Et quod predict’ mesuagia et cetera premissa tenentur de domino Rege in liberum Burgagium per (3) Reddittum unius denariorum annuatim solvendum ad Festum Sancti Michaelis Archangeli sicut tota villa (4) Bristoliae tenetur Et ulterius dicunt super Sacramentum suum quod Idem Walterus nulla alia (sic) (5) neque plura terras seu tenementa tenuit die quo obiit in Dominico neque in servicio in dicta villa (6) Bristoliae et suburbii ejusdem nec in Comitatu Bristoliae de Domino Rege nec de aliquo alio Se(7) Dicunt super sacramentum suum quod dictus Walterus Rodeney miles seisitus fuit in Dominico suo ut (8) de Feodo de uno mesuagio cum suis pertinenciis vocato Gylowes Inne cum tribus shopis in anteriore (9) parte eiusdem Domus situat’ in vico vocato High Streete inter Ostium mesuagii predicti (10) ex una parte et Tenementum Walteri Norton ex altera parte Et de quodam Tenemento cum suis (11) pertinenciis situato in boriali parte ejusdem mesuagii inter dictum mesuagium vocatum Gylowes Inne ex una (12) parte et terram Abbatis et Conventus de Tewkesbury ex altera parte cum Celariis et Solarii (13) ac aliis edificiis eodem mesuagio Shopis et Tenemento pertinenciibus Et de uno Tenemento cum Celariis (14) Solarii ac aliis edificiis insimul situato aretro dictum mesuagium vocatum Gylowes Inne in vico (15) vocato Seint Nicholas strete ex ambabus partibus magne Porte dicti mesuagii vocati Gylowes Inne (16) inter Tenementum nuper Edwardi Broke militis ex parte Occidentali et Tenementum pertinens Ecclesie (17) Sancti Nicholai Bristoliae ex parte Orientali Et de quodam Tenemento cum Celariis Solarii et (18) aliis suis pertinenciis situato aretro predictum Tenementum dicti Walteri Norton quod extendit se in (19) longitudine ab eodem tenemento usque dictum mesuagium vocatum Gylowes Inne Et in latitudine a (20) Tenemento nuper Johannis Vyell ex una parte et dicto mesuagio vocato Gylowes Inne ex altera parte (21) Et de duabus shopis pariter situatis in suburbio ville Bristoliae in vico vocato Mersshestreete (22) Et [de] quodam mesuagio aretro easdem Duas shopas vocato a Masthows inter Tenementum (23) Johannis Bagot ex una parte et tenementum Elizabeth Russell ex altera parte Que quidem Shope et (24) mesuagium vocatum a mast hous extendunt se dicto vico vocato Mersshestreete usque Communem (25) murum dicte ville aretro Et de quodam alio tenemento cum suis pertinenciis situato in Mersshestreete (26) predicto inter Tenementum nuper Johannis Warmystre ex una parte et tenementum Ricardi Chock militis ex (27) altera parte et se extendit ab eodem vico anterius usque ad quoddam
Tenementum nuper Johannis (28) Sherp vocatum Le Towre Super le Key posterius Et de quodam alio Tenemento in Mersshestrete (29) predicto situato inter Tenementum Cantarie Rogeri Whyte ex parte boriali et Tenementum Johannis (30) de Kairdyff in Wallia ex parte australi Et idem Tenementum extendit se ab eodem (31) vico anterius usque Cimiterium Ecclesie Sancti Stephani posterius Et de quodam (32) Gardino jacenti in suburbio Bristolle extra Temple Yaate juxta altam viam (33) Regiam ibidem inter Clausum predicti Walteri Rodeney ex una parte et Gardinum nuper (34) Galfridi Rokell Armigeri quod Ricardus Welt­ofare nuper tenuit ex parte altera Et de (35) Quinque acris prati insimul jacentibus in prato vocato Redeclyffeld et extendunt se (36) in longitudine a Gardino Magistri Sancti Johannis Bristollo et Finem venelle vocate (1) Pedelaane in boriali parte usque pratum vocatum Waremede in Australi parte Et de (2) duabus acris prati pariter jacentibus in dicto Prato vocato Redeclyffeld que se extendunt (3) a dicto Prato vocato Waremede versus oc­cidentalem prout apparat per certas Metas et (4) bundas ibidem Et de quodam mesuagio cum suis pertinentiis situato in Smythstrete prope (5) le Were inter Tenementum ibidem Rogeri Strete Tanner ex parte una et Communam (sic) terram (6) Maioris et Communi­tatis predicte ville Bristolle vocatam le Wateryng Plaace ex parte altera (7) Et extendit se a vico predicto anterius usque ad Aquam de Froome posterius In quo quidem (8) Tenemento Thomas Oseney nunc inhabitat Et idem Walterus sic inde seisitus per tres (9) seperales Cartas suas tam sigillo eiusdem Walteri quam sigillo Officii maioratus ville (10) Bristolle sigillatas et Juratoribus predictis in evidencia Ostensas predict' mesuagia Tenementa Gardina (11) et Prata de quibus ipse sic seisitus fuit Dedit Concessit et Cartis illis confirmavit (12) Johanni Shypward Seniori mercatori ville Bristolle Necon et predicto Thome Oseney (13) Habend' eis et eorum hereditus imperperuem virtute quorum Doni et concessionis iiddem Johannes (14) Shyp­ward et Thomas Oseney inde seisiti fuerunt in Dominico suo ut de Feodo Et de tali (15) Statu adhuc inde seisiti existunt Et insuper dicunt Juratores predicti quod dictus Walterus (16) obiit Decimo septimo die mensis Januarii anno Regno domini Regis nunc Sexto Et quod (17) Thomas Rodeney Armiger est Filius et heres eius propinquior Et est etatis Triginta (18) annorum et amplius. In cuius rei testimonium Juratores predicti huic Inquisitioni Sigilla sua (19) apposuerunt Die loco et anno Supra­dictis (20)
ASSIGNMENT OF LEASE

**Parties**

1. Thomas Sawyer of Bristol Towker.
2. Thomas Elyot and his wife Alice Daughter of Thomas Sawyer.

**Recital**

1. Of a Lease dated 10th February 1463 whereby John Vyell granted to Thomas Sawyer a term of 80 years in a vacant place in Redeclyff Strete between a tenement belonging to John Vyell in which his mother Alice lived and a tenement belonging to John Seymour Knight in which Richard Pury lived and extending backwards from the Street to the river Avon at an annual rent of 6/8 payable quarterly.

2. Of the building of a house upon the plot by Thomas Sawyer.

**Operative Part** Assignment of residue of term to Thomas Elyot and his wife subject to the above mentioned rent payable to John Vyell.

**Sealed by** Thomas Sawyer and with the mayoral seal.

**Witnesses** Thomas Tremayle, John Hawkys, John Bagod, Richard Mede Thomas Flexhale and others

**Dated** 1st August 1487

Omnibus Christi fidelibus ad quos presens scriptum pervenerit Thomas Sawyer de villa Bristollie (29) Towker Salutem in domino sempiternam Noveritis me prefatum Thomam dedisse concessisse et hoc presenti (30) Scripto meo confirmasse Thome Elyot Brasyer et Gregorio Huchons Towker Burgensibus (31) ville predicte omnia et singula bona mea et catalla mobilia et immobilia tam viva quam mortua cujuscunque (32) generis nature seu condicionis sint tam in possessione et postestate mea propria quam in manibus et possessione (33) aliarum personarum quarumcunque die confrontationis presencium existencia et michi de jure debita seu spectantia (34) Habenda tenenda et percipienda omnia et singula bona et catalla supradict prefatis Thome Elyot et (35) Gregorio Huchons executoribus et assignatis suis imperpetuum ad Inde faciend’ ordinand’ et disponend’ suas (36) liberas voluntates tanquam de bonis et catalallis suis propriis absque aliqua contradictione calumpnia (37) sive impedimento mei prenominati Thome Sawyer aut alicujus alterius sive aliquorum aliorum nomine (38) meo vel pro me quovis modo infuturo In cuius rei testimonium huic presenti scripto meo sigillum meum (39) apposui Et
quia idem sigillum meum etc . . . Ideo sigillum maioratus officii (40) etc . . . Et ego Willelmus Wykeham maior dicte ville Bristolie ad instantiam etc . . . Dat' (41) in festo Sancti Bartholomei Apostoli anno regni regis Henrici Septimi post conquestum Anglie Tertio (44) M\textsuperscript{d} quod scriptum predictum sigillatum fuit dicto sigillo officii maioratus predicte ville die et anno predictis (45)


Irrotulatur ista presentacio Tempore dicti Matthiei Maioris

1 This and the two following words interlined.
THE FOLLOWING IS A SUMMARY OF THE DOCUMENT

LEASE

PARTIES

1. Richard Erie
2. Thomas Hardyng gentleman and common clerk of Bristol.

PARCELS A messuage once held by Walter Lyncoln late merchant of Bristol and a small ruinous tenement and a shop and two gardens adjoining with a well situate on the eastern side of the messuage all of which were situate in Marsh street in the parish of St. Stephen’ Bristol between four tenements belonging to the lessor and a tenement and garden belonging to the Master Guardians and Society of the Fraternity of St. John Baptist of Bristol on the east and two other small tenements belonging to the lessor and a garden formerly belonging to John Twynyho late Recorder of Bristol and then in the occupation of John Penke merchant on the west and extending backwards from Marsh Street to the common ditch called “le Lawdiche”.

TENENDUM To Thomas Harding for a term of 90 years from the Feast of St. Michael then last past.

REDDENDUM 40/- a year during the life of the Lessor and there-after 13/4 by equal quarterly payments on the usual quarter days
POWER OF DISTRESS if rent a month in arrear

COVENANTS BY LESSOR

1. To repair
2. To pay outgoings to which premises subject.
3. Warranty of title.

SEALED by Lessor and with the mayoral seal
DATED 25th October 1489.

Tho. Mory husbandman de Esteeearant in Comitatu Sussex  
Helenus de Lydia

1 The words 'et per omnes terras in quibus libertates eis dare possent' crossed out.
lasta hundedorum prefatis nuper Regibus et heredibus suis spectant' prout in cartis et confirmacione predictis plenius continetur (28) vobis et cuilibet vestrum mandamus firmiter injungentes quod tam reverendissimum in Christo Patrem Johannem nunc Archiepiscopum (29) Cantuarie quam omnes homines et tenentes suos predictos et eorum quemlibet omnia et singula libertates privilegia et (30) quietanias predict' et eorum quolibet (sic) habere et exercere et eis et eorum quolibet uti et gaudere permittatis et quilibet vestrum (31) permissat juxta tenorem cartarum et confirmacionis predict' et prout eis uti debent et ipsique et predecessores sui libertatibus (32) privilegiis et quietan­ciis predictis a tempore constructionis eorumdem semper hactenus uti et gaudere consueverunt (33) Et vos prefatos vicecomites (sic) et cuilibet vestrum precipimus firmiter injungentes quod omnia et singula libertates (34) privilegia et quietanias predict' in singulis locis infra ballivas vestras et cujuslibet vestrum ubi melius expendiere (35) videritis seu aliquis vestrum viderit totiens quotiens cum ad hoc per prefatum nunc Archiepiscipum aut homines seu (36) tenentes suos predictos et eorum aliquid requisiti fueritis vel aliquis vestrum fuerit publice proclamari fac' ipsos (37) nunc Archiepiscopum aut homines seu tenentes suos predictos et eorum aliquid contra tenorem eorumdem non (38) molestantes in aliquo seu gravantes Teste me ipso apud Westmonasterium XXVI die Novembris Anno regni regis quarto (38)

Folio 258 b. To all' true Cristen people to Whome this present Writtyng of Thawarde indentid shall come see (I) heer or understonde Sir Willyam Kyngston Knyght oon of the kyngis most honorable Coun-(2) saill Thomas Matstone David Broke Gentilmen and Thomas White of the Towe of Bristowe (3) merchaunt send gretynyg in our [la] lord everlastyng Werbefor this tyme divers discordes variaunces (4) stryves and debates have byn had moved and nowe depend bitwen the Mayer Burgesses (5) and Comynaltie of the Towe of Bristoll' of the oon partie and the Baillyffes and Burgesses (6) of the Towe of Te² and Burgh of Tewkysbury within the Countie of Gloucestre of (7) the other partie of for and uppon dyverse Custumes toles and other imposissions demaundid (8) had and taken by the said maire and Cominaltie of the said Towe of Bristowe of the said (9) Bailliffes and Burgesses of Tewkysbury

1 These two letters should obviously have been crossed.
2 "'Of Te" underlined.
and dyverse of them For the appeysing Wherof as well (10) the
said mayer Burgesses and Comynaltie of Bristol' as the said
Bailiffes and Burgesses (11) of Tewekesbury have submytted
them selfes to abyde and stand to the award (12) order rule and
Jugement of us the said Sir William Kyngston Thomas Matstone
David (13) Broke and Thomas Whyte Wee the said arbitratours
callyng before us the Counsailles (14) of bothe the said parties
ereryng the demaundes aunswers Replicacions and Articles (15)
concernyng the premisses Takyn uppon us the charge of the
ordynaunce and jugement thereof (16) by the assent consent and
agreement of both the said parties and of both their Counsailles
(17) upon good consideracions opteignid and Shewid before us the
said arbitrors by the said (18) Bailiffes and Burgesses of Tewekys-
bury aforesaid Wee the said arbitrators do ordeign (19) juge and
awarde that frome hens forthe all and every Burgesse of the Burgh
and Towne (20) of Tewkysbury onely shall be Free within the
said Towne of Bristol and the lybereties (21) of the same of all and
all maner customes Tolles Bakkage Strondage Pykage and other
(22) impossissions ther used to be taked for wyne wax iron Oyle
and other goodis and (23) marchaundise by them caried fro the
Towne of Bristol or otherwise by them brought (24) to the said
Towne of Bristol' the Keyage only excepted Which Kyage the
said Baillyfes (25) and Burgesses of Tewkysbury and their succes-
sours shall frome hensforth content and (29) pay unto the said
maier and Comminalte of the said Towne of Bristol towards the
reperacion (27) and amendment of the said kay at Bristol' aforsaid for all suche Wynes Iron Oyle and (28) other goodis and
merchaundis Which they and every of them shall carie or recarie
to or fro the (29) said Towne of Bristol' ther to be charged or
dischargid at the said key or elswher Within the the (30) liberties of the
said Towne of Bristol beyng of their owne propre goodis for every
ton iiijd (31) and for every half ton ijd and for the quarter of the
ton ld for evermore all and allmaner (32) Come greyne and Collys
by the said Bailiffes and Burgesses of Tewkysbury or their succes-
sours (33) or any of them brought or ladyn or herafter to be1
by any of them brought or there ladyn onely exceptid (34) And
Further We the said Arbitratours do award that dyverse gages
takyn by Nicholas Thorne (35) and other late Sherifffis of the said
Towne of Bristol of diverse Burgesses of the said Towne (36) of
Tewkisbury to the use of the Mayer and Cominaltie [of the] Towne
of Bristowe that the said (37) maier and Comynaltie or their

1 Above the line.
assignes shall delyver or cause to be delyvered unto every of the
said Burgesses of the said Towne of Tewkisbury his or their
gage upon condicion that every of the said Burgesses of
Tewkisbury which hath his gage so delyverid do truely
content and pay unto the mayer Burgesses and Comynaltie of the
said Towne of Bristol' for the keyage of every of them due
towards the reparaciones of the said key in maner

Folio 259 a. and fourme as is before said Also we the said arbitrors do further
awarde that as well the said maier and Comynaltie of the said
Town of Bristol' and their Successors as the said Baillyfs
Burgesses of the said Burgh' and Town' of Tewkisbury and their
successours shall be by ther sufficient dede indentid under
either of ther Commen Seals covenaunt to and with the order
(sic) to performe fulfill and stand to the said awarde and every
article comprised in the same by the said arbitrors before
awardid The article concernyng the redelyvere of the said
Gages oonly excepted in Witnesse Wherof Wee the said Arbitrors
to both parties of this our present awarde indented have put
to our seales the XIIth day of May in the XXVlth yere of the
reign of Kyng Henry the VIIth The Indenture specified with in
the said awarde is inrolled within this Boke posterius Fol.
C.C.LXXII

Omnibus Christi fidelibus Presencium continenciam visuris lecturis
seu auditoris Robertus Thorne Maior ville Bristollie ac Johannes
Ware et Ricardus Touell Vicecomites ejusdem ville Salutem et
sinceram in domino caritatem Scire dignetur universitas vestra
quod die confectionis presencium accessit ad presentiam nostram in
Computatorio sive loco communis audiencie nostro situato juxta
altam Crucem ville predicte venerabilis vir Arthurus Kemys de
eadem villa armiger tulitque (sic) ac realiter exhibunt (sic) et coram
nobis ad tunc et ibidem presentavit tria seperalia scripta quorum
quodlibet tam sigillo cujusdam Johannis Sharpe olim mercatoris
ville antedicte quam sigillo officii maioratus (sic) ac coram
rubra sigillatur affectans et intime desiderans quatinus eadem
dicta inspice remus palparemus et examinaremus ac inde
presens scriptum transsumi et sigillo officii maioratus (sic) dicte
ville Bristolie sigillari mandaremus ad intencionem et effectum
quod tanta fides huic transsumpto adhibeat sicuti dictis
scriptis ubilibet in agendis adehbetur Quorum quidem trium
scriptorum tenores de verbo in verbo hic seriatim sequuntur
et sunt tales.
Here follows a summary of the documents

I. Charter of Feoffment.

PARTIES

1. John Sharpe of Bristol Merchant.
2. Richard Mede son of Philip Mede merchant of Bristol and Elizabeth his wife daughter of John Sharpe late son of the grantor.

PARCELS All lands tenements rents and services in Bristol four of which lay in Old Corn Street with four shops in front and cellars beneath bounded on the east by a tenement belonging to the Prior and Convent of Witham and on the west by a tenement lately belonging to Thomas Broke Knight and extended backwards from the street to a tenement also lately belonging to Thomas Broke another of which lay in Broadstreet between a tenement belonging to Matilda Benet widow on the north and a tenement belonging to Edward Hungerford knight on the south and extended backwards from the street to a tenement also belonging to Edward Hungerford another of which lay in St. Mary Porte Street called "le Cardinallis Hatte" between a tenement belonging to John Gaywod on the east and a tenement belonging to Richard Baderam on the west and extended backwards from the street to a tenement belonging to the Abbot and Convent of St. Augustine Bristol another of which with a shop in front and a cellar beneath lay in Marsh street between a tenement lately belonging to John Seymour Knight on the north and a lane called Tower Lane on the south and extended backwards from the street to a tenement belonging to Roger Pyjeon

HABENDUM To the Grantees in fee simple.

WARRANTY OF TITLE

SEALED by the Grantor and with the mayoral seal.

WITNESSES John Stanley, John Clark mercer William Hoton Henry Chestur John Rohawte and many others.

DATED 8th March 1460

II. APPOINTMENT of John Rogers and Robert Baron as attorneys to deliver seisin. Dated 8th March 1460

III. RELEASE between the same parties of the same property dated 12th March 1460
Folio 260 b. Et nos (10) maior et vicecomites prænominati ad instanciam et personæm requisionem prædicti Arthuri Kemys (11) scripta supradicta et eorum quodlibet cum matura deliberacione inspeximus palpavimus et (12) examinavimus Indeque præsens transsumptum scribi ac sigillo dicti maiorem officii sigillari (13) fecimus ad intensionem superius declaratam Dat' apud Bristoliam prædictam sextodecimo die (14) Februarii anno regni Regis Henrici octavi Sexto (15)

Folio 260 b. OMNIBUS Christi fidelibus ad quos præsens Scriptum indentatum pervenerit domina (16) Johanna Pernaunt de villa Bristoliae vidua Salutem in domino sempiternam (17) Noveritis nec prefatam dominam Johannam dedisse concessisse et hoc præsent Scripto (18) meo indentato confirmasse Henrico Kemys Gentilman Thome Paty grocer Johanni Snyg (19) mercer Clementi Pernaunt mercer Ricardo Wale vyntener Thome Davy barbour Johanni (20) Mauncell grocer et Georgio Baderam mercer totum illud Tenementum meum cum pertinenciis situatum in (21) quodam vico ville Bristoliae prædicate vocato Bradstrete in parochia Sancti Andoeni Episcopi et Confessoris (22) ibidem inter tenementum quondam Matilde Benet vidue et modo humfridi Harvy in quo Walterus (23) Philips modo manet prox' ex parte boriali et Tenementum quondam Ed' Hungerford militis in quo (24) Thomas Barnesley modo inhabitat prox' ex parte australi Et extendit se a vico prædicto anterius usque (25) alius tenementum prædicit Ed' Hungerford posterius Quodquidem tenementum cum pertinenciis superius concessum ego (26) prædicta Johanna Pernaunt nuper perquisivi michi heredibus et assignatis meis de Arthuro Kemys de (27) villa Bristoliae prædicate Armigero HABENDUM et tenendum Tenementum prædicum cum pertinenciis præfatis Henrico Kemys Thome (28) Paty Johanni Snyg Clementi Pernaunt Ricardo Wale Thome Davy Johanni Mauncell et Georgio Baderam (29) heredibus et assignatis eorum De Capitalibus dominis etc . . . de jure consuetu imperpætuum (30) ea intensione ad ultimam voluntatem meæ prædictæ Johanne Pernaunt exinde perimplendam Que (31) quidem ultima voluntas mea hic sequitur in Anglicis verbis et est talis FIRST the very entente (32) et last will of me the saide Dame Johanna Pernaunt in making of this saide feoffement (33) is that my feoffees before-named thire heires and assignes shall suffre me and myn' assignes (34) to manure and occupy the saide tenement with thappurtenances and All the issues Rentis (35) Revenues and profites
therof comyng and growyng to take gader receive and have to 
my propre use {36} duryng my naturall lyf withoute eny interu­
pcion lette or distourbance of them or of eny {37} of them And that 
immediately after my decesse the saide feoffees theire heires and 
assignes {38} shall suffre the proctours or Wardeyns of the 
parissh chyrch of all Sayntis of the saide town {39} of Bristowe for 
the tyme beeng yerely from yere to yere to take levey gader 
perceive and have {40} all issues Rentis Revenues and profftes 
coming and growing of the saide tenement with {41} thappurten-
ances Which proctours or wardeyns for the tyme beeng shall 
yerely for evir after {42} my decesse with parte of the same issues 
rentis revenues and profftes fynde and kepe in the saide {3} 
parissh church of all seyntes in the day of my decesse if there shall 
be no laufull impe-{4} dyment the same day by reason of eny 
devine service to be doon Within the same {5} Churche And if 
eny such impedyment shall be then the next convenyent 
day {6} ensuyng an aniversary or obite for the soule of me 
the saide Dame Johanna Pernaunt {7} and for the soules of 
Thomas Pernaunt Thomas Codryngton and Morice Ludlowe {8} 
my late husbondes and for all Christen sowlys Expending yerely 
at every such obite Nyne {9} shillinges Wherof the saide proctours 
or Wardeyns shall pay yerely to the vicory of the {10} saide church 
beeng at dirige and masse of the said obite viijd and to the same 
vicory for {11} iiiijd standard tapers to be bi hym provyded to 
brenne at the same dirige and masse and to {12} prey for the 
saide sowles in the bederoll' every Sunday XVId To fyve prestis 
beeng present {13} at the saide dirige and mass XXd that is to say. 
to everich of them iiiijd to the parish Clerk {14} of the said 
Church beeng present atte saide dirige and masse and for ryngyng 
of the belles Xlllid {15} To the bell man for his labours proclaym­
yng the saide obite after the custome of the saide {16} towne 
iijjd To the Sexteyn of the saide church for his labour setting forth 
the herce {17} ld In brede to be distributed to the prysoners of 
Newgate and to other pore folke of dyvers {18} almeshowsis 
within the saide town llS Vllld in offryng at the masse to be made 
bi one {19} of the saide proctours ld and that the said proctours or 
Wardeyns for the tyme beeng shall {20} reteign and have to 
theire owne uses for theire labours in gaderyng of the saide rentis 
and execu-{21}-ting the premisses XllId And that all the rest 
and residue of the hole money yerely comyng {22} and growing 
of the said issues rentis revenues and profftes over and above the 
said yerely charges {23} of nyne shillinges shall be put into a
coffer to be bi me provyded for the same entente to remayn (24) in the Tresaury of the saide church and to be loked with two keyes whereof one keye shall all (25) weys be in the keping of the vicory of the seide church for tyme beeng and the other keye (26) shall always be in the keping of one of the said proctours or wardeyns for the tyme beeng (27) the same money to be convertid and disposid to the use of the necessary reperacions and byldynges (28) of the foresaide tenement at all tymes whene ned shall require for the bettre perfourmance (29) of this myn intente and last wille by the oversight of the saide proctours or wardeyns for the tyme (30) beeng.

AND FURTHERMORE my very wille and intente of this foefe­ment is that as (31) sone and as often as the saide fooffees or their assignes shall happen to decease unto the (32) nombre of six of them so that there be lefte no moo but two of them livyng That then (33) and so oftyn the same two fooffees surviving shall allweys from tyme to tyme make or (34) cause to be made a laufull state of and in the foresaide tenement with thappurten­aunces to (35) eight other honest and weldisposid persones parisshons (sic) of the saide churche of all seyntes (36) To have and to holde to them and to their heires and assignes to thuse and intente above (37) specified for evermore the costes and the charges of the making of the same state to be (38) alweys made with parte of such money as shall remayn in the said coffer of the (39) issues rentis revenues and profites foresaide bi the oversight of the saide proctours or wardeyns (40) for the tyme beeng and that the same proctours or wardeyns for the tyme beeng wel (41) and truely observe and performe this my saide wille and intente as they will aunswere for there (42) defautes in that be halfe unto almighty god at the dredefall day of the last jugement (43)

**Folio 261 b.** Et Ego vero predicta domina Johanna Pervaunt vidua et heredes mei totum predictum tenementum cum pertinenciis prefatis Henrico Kemys Thome Pacy Johann Snyg Clementi Pernaunt Ricardo Wale (2) Thome Davy Johanni Mauncell Georgio Baderam hereditibus et assignatis eorum ad ultimam voluntatem meam predictam ex inde perimplendam Warantizabimus acquietabimus et imperpetuum defendemus per presentes (then follows appointment of Robert Hanworth Attorney to deliver seisin. The deed is sealed by the Grantor and with the mayoral seal and the witnesses are Nicholas Brown Roger Dawes John Vaghan Richard Hoby John Cabull Alderman of Bristoll and John Popley and John Rowlond late mayors and many others. The deed is dated 26th March 1515)**
TO ALL MEN to whome this present writingt Indentid shall come John Esterfeld (1) merchaunt one of the Aldermen of the town of Bristowe and two tymes maire of the (2) same town Sende grettyng in oure Lorde Where as John Forster late merchaunt of the seide (3) town and sometyme meire of the same of his good and vertuous mynde bylidd a Chapell (4) in the honour of God and the Three Kinges of Coleyn and an Almassehouse therto annexid (5) conteynyng Xlll Chambris with Xlll gardeyns for a prest Vlllth (1) poore men and fyve poore (6) women therin to dwell named and called Forsters Almeshouse sette in the North-westende (7) of Stipestrete in the parisshe of Saincte Michaell on the hill of Bristowe forsaide AND (8) AFTERWARDE the same John Forster among othur thinges by his last wille and testament (9) willed and ordeyned That where dyverse persons were infeoffed to thuse of him and of his (10) heires of and in certeyn londes and tenementis in Cam Slymbryge Coslyngton and Arlyngham in the (11) Countie of Gloucester That the same londes and tenementis shuld be sold by his executors and the money (12) comyng by reason of the same sale to be disposed by them to the maynten­aunce of the said Chapell (13) Almeshouse prest poore men and women And the saide John Forster made the saide John Esterfeld (14) and John Walshe late of Olston' in the saide Countie of Gloucester now dyssessid his executors (15) and dyed And the saide John Walsshe in hys lyf without the assent or aggrement (16) of the saide John Esterfeld contrary to the saide last wille solde all the saide londis and tenementis (17) in the said countie of Gloucester and the money comyng by reason of the saide sale convertid (18) to his owne use NEVERTHELES in recompence for the same the saide John Walsh devyssed (19) by hys last Wille and testament unto the forsaide (20) John Esterfeld XV mesu­agys and a Gardeyn (20) late (of?) Richard Forster sett and lyeng in the saide town of Bristowe and also the Reversion (21) of Vlllth mesuagys and too parcells of londe whereupon Fullyng Rakkys stondyn of the which (22) Vll of them and the saide too parcellis of londe lyen in the parische of the holy Crosse beyounde (23) Aven in the saide towne of Bristowe and the Viiith mesuag' lyeth in Merschestrete in Bristowe (24) foressaiede whiche Vllth mesuages and parcells of londe oone Alice Wykham wydowe nowe holdith (25) for terme of hyr lyf which saide mesuagys in demeane and Reversion with their appurtenaunces (26) be not of soo good

1 ' th ' above the line.
2 Letters ' for ' above the line.
yerly valor as be the saide londes and tenementis in the saide countie of Gloucester \(^{(27)}\) To have holde and perteyne all the said mesuages in demeane and Reversion to the saide \(^{(28)}\) John Esterfeld and to his heires to thuse and perfourmann \((sic)\) of the saide last wille of the \(^{(29)}\) said John Forster WHERUPON the saide John Esterfeld of his vertuous and good disposicon \(^{(30)}\) willyng and intendyng that the saide prest poore men and women shall for ever be founde in \(^{(31)}\) the saide Chapell and almeshouse by cause thisses revenues and profitis of the saide \(^{(32)}\) mesuages londes and tenementis and reversions by the saide John Walshe in fourme aforesaide devised \(^{(33)}\) woll not soo doo hath not only yeven thre mesuagys and a folde of londe that late were \(^{(34)}\) John Swancotein Bristowe foresaide and foure tenementis or cotagys and a gardeyn leyng \(^{(35)}\) upon Michaell hille in the said towne of Bristowe and a gardeyn iyeng in Saincte \(^{(36)}\) Thomas strete in Bristowe foresaide of thyerly valoure of VII li over all charges and the \(^{(37)}\)

_Folio 262 b._ Reversions of ij partys of a mesuage in olde Cornestrete in the saide Town of Bristowe of thyerly \(^{(1)}\) valour of XLII\$ over all charges which Agnes Weston widowe nowe holdith for terme of hyr \(^{(2)}\) lyef BUT ALSO where thebbot of the Monastery of Tewkysbury in the saide countie of \(^{(3)}\) Gloucester was seassid in his demeane as of fee in the right of the saide monastery of parcell \(^{(4)}\) ofthe saide grounde and soyle Wherupon the said chapell and almeshouse be byldid and \(^{(5)}\) wherein the saide John Forster at the tyme of his deceas hade but estate for certeyn yeres \(^{(6)}\) THE SAME JOHN Esterfeld at his propur costys and charges hath bought the fee and \(^{(7)}\) Inheritaunce of the same and besides that he of his own charite hath don grete cost \(^{(8)}\) in Reperacions aswell upon the saide Chapell and almeshouse as upon the foresaide XV \(^{(9)}\) mesuagys and othyr the premissis by hym yeven in the fourme aforesaide Amountyng to the \(^{(10)}\) summe of C. li and above AND FOR the ferther profytyng and perpetuall contynuaunce of \(^{(11)}\) the saide prest poore men and women The same John Esterfeld hath by his dede indentid \(^{(12)}\) wherof the Date is the XXti day of the monyth of Decembyr the XXti yere of the Reign \(^{(13)}\) of King Henry the Vllth made a sufficant and lawfull estate of and in all the saide mesuages \(^{(14)}\) in demeane and Reversion with theire appurtenaunces to William Grevell seraunt at the lawe \(^{(15)}\) Recorder of the saide towne of

\(^1\) In a later hand.
Bristowe John Esterfeld Clerk Henry Esterfeld (16) John Esterfeld the younger sonnes of the foresaide John Esterfeld merchaunt Arthur Kemys (17) esquier John Rowland Richard Hoby Thomas hardyng towneclerk of Bristowe foresaide and (18) John Knottyng To have holde and perteyne all the saide mesuages in demeane and Reversion (19) with there appurtenaunces to the said William Grevell John Henry John Arthur John Richard (20) Thomas and John Knottyng and to there heires to thuse and entente hereafter folowing (21) THAT IS TO say that with thyssues and profytyss yerly growyng of the saide mesuages in (22) demeane and (23) The use Reversion and (sic) honest and dyscrete prest be founde for ever dayly to say masse (24) bytwyn the hourys of VIIIth and IX of the clok before noone in the saide chapell and also there (25) to say matyns and evynsong every Sunday and holyday and in the saide mesuages before the first (26) lavatory to say de profundis and devoutly to pray for the soules of the saide John Forster and of (27) Elizabeth his wyf there faders and moder soules and for the soule of James Venables and Also for the good estates of the saide John Esterfeld henry Esterfeld and John Esterfeld the (28) younger and for the forsainde William Grevell and Thomas hardyng while they lyve and for (29) there soules after there deceasses and for the soules of alice and maude late wyfes of the saide (30) John Esterfeld merchaunt and for all Cristen Soules AND the same prest to have for hys (31) wagys the priestes yerly forever fyve li VIS VIIIld and a chambyr with a gardeyn in stipend the saide Almashouse (32) AND ALSO of thyssues and profytyss yerly comyng and growyng of the premisses every of (33) the saide VIIIth poore men and fyve poore women to have wekele forever ijd to pray in fourme (34) abovesaide and every of the said pooro men and women to have a Chambyr and a gardeyn (35) within the foresaide Almasehouse PROVIDYD alwey that no persone ne persons maried (36) be admitted to the saide Almashouse and also that no persone ne persons be admitted theire but such (37) as be Englishhe and also that they and every of them be of thage of L yere at the lest at the tyme (2) of the admission of them or eny of them The saide prest poore men and women (38) Persons to be to be named (3) lymitted and appoyntid by the saide John Esterfeld merchaunt during his naturall lyef and after his (4) deceas the saide poore men and women whan soever it fortune eny of them of the poore to dye then from thensforthe (5) forever othur poore men to People the numbyr of VII to be named lymitted and appoyntid to the

1 In a later hand.
said Almashouse by the maire and aldermen of the saide town of Brystowe for the tyme beyng and there successours or by the more parte of them and foure of the saide poore women to be named and appoyntid by the maire for the tyme beyng and the VIIIth poore man and Vth poore woman forever to be named lymittid and appoynted by the maister of the house of Saincte Marke of Billeswyk in the countie of the saide towne of Bristowe and by hys successours after the deceas of the saide John merchant and the saide poore men and women to contynue there after they or any of them in the fourme aforesaide be admitted durynge their lyves and not to be removid from thens without a grett cause such as shall be thought resonable by the saide maire for the tyme beyng also the saide John Esterfeld merchant and thys presents ordyneth that forever after hys deceas and after the decease of such a prest as the saide John Esterfeld merchant shall lymitt and appoynte in the saide almashouse or after any such prest by the saide John Esterfeld lymittid theire in the fourme aforesaide doo not theire dayly syng That than the saide maister and hys successors to name lymitte and appoynte an honest and discrete prest in to the saide almashouse at his or theire pleasure forever there to syng and pray in the maner and of the priest fourme abovesaide AND also when soever it fortune the saide feoffes to deceas to the numbyr of iiiij of them Than and sooften the same foure persons so overlyvyng within VI dayes than next insuyng shall make or cause to be made at the coste and charges of the saide maister and his successours a sufficient estate of and in all the saide mesuagys and othur the premisses in demeane and Reversion with hys appertainences to the parson of Saincte Michaell foresaide for the tyme beyng or to hys deputie in his absence To have to him and to hys heyres upon condicion That incontinent therupon he to make estate therof ayen in fee simple of and in the same to the saide foure persons and to foure other honest persons to be named by the saide maister or his successours to have and to hold to them and to theire heires to thuse and entente above saide And so forever as often and whan as it shall fortune feoffes in the premises to decease to the saide number of foure persons AND also that the saide maister and hys

1 In a later hand.
successours shall cause with thisthes revenues and profyttis 
comyng of the saide (33) mesuages and othur the premisses with 
theire appurtenaunces in demeane and in Reversion the (34) 
Reperacions as well of the saide Chapell and Almashouse as of 
all the saide mesuages and (35) 
other the premisses in demeane and reversion with thappurten-
auces to be wele and sufficiantly (1) mayntened and kepte from 
tyme to tyme as often and when as nede shall require and that 
there (2) be a discrete person named and appoynted by the saide 
John Esterfeld during his lyef and (3) after his deth by the fore-
saide maister and his successours forever aswell to gader levy and 
perceyve (4) all Rentis revenues yssues and profittis comyng and 
for to come of the saide londes and tenementis and (5) othur the 
premisses with their appurtenaunces in demeane and Reversion 
as to overse that the said (6) chapell almashouse and mesuages 
be well and sufficiently repaired and therof yerly to make a (7) 
true accompte in wrytyng in the saide Chapell the Monday next 
after the fest of Saincte (8) Martyn bysshop in wynter and truly 
pay all thareragis unto the saide John Esterfeld merchaunt (9) 
duryng his lyef and after his deceas to the saide maister and his 
successours And that the (10) same accompte be allowid yerly in 
his saide accompte XXS for his wagis and for (11) thingrossing 
of his saide accompt and that after the same accompt soe made 
in (12) wryting the same to reste in a coffer lockyd with two keyes 
within the saide chapell and (13) in lyke wyse all dedes chartors 
and munimentis concernyng all the saide mesuagis with their 
appurtenaunces to be put in the saide coffer there contynualy 
to be kepte of the which too keyes (15) oon to remayne with the 
saide maister and his successours and thothur keye to remayne 
in the (16) custodie of the saide maire and his successours and also 
that all issues revenues and profittis (17) grouuyng and comyng 
of the saide mesuages londis and tenementis with theire appurten-
aunces yerly above (18) the saide charges be put into theseaide 
coffer and be disposed be (sic) thoversite of the saide (19) maister 
and his successours and of too of the said feoffes at the lest And 
also that the forsaide (20) prist of the saide chapell yerly forever 
the saide Monday after Saincte Martyn day and the first (21) 
monday in enlene lente shall say placebo and dirige and on the 
morow then next insuyng (22) masse of Requiem for the soules 
afore rehersid in the saide chapell he to have for hys (23) labour 

1 In a later hand.
at every tyne of the saide tymes IIlld and if the parson of Saincte Michaell foresaid {24} or in his absente his parisshe prist say dirighe with the saide prest and on the morowe {25} masse in the saide chapell for the soules aforesaide than the saide parson or parisshe prest {26} to have at every of the saide tymes for his labour Xllld and also at every of the {27} saide dirighe Vlld to be distributed to the saide poore men and women in money or in {28} brede by the saide maister and his successours and also that of thyssues revenues and profittis {29} yerly grouyng and comyng of the premisses the saide maister and his successours cause a {30} diryge yerly to be songyn by note in the chapell of our lady of Belhous within the {31} churche of Saincte Petry thappostell of Bristowe foresaid by the parson of the same {32} churche and his successours or by his or theire deputie in his or theire absence and by {33} the clerk of the same churche for the tyme beyng and by foure prestes to be named by the {34} saide maister and his successours the day of the deth of the saide John Esterfeld and on the {35} morowe then next folowing masse of Requiem to be songyn by the saide parsons fore all the soules {1} aforesseid and that day twelmonith' like dirighe and masse and so from thenforth yerly than and {2} there forever The saide parson and his successours or theire deputie or deputys to fynde lightes convenient {3} at every suche dirighe and masse and to have yerly of the saide issues and profites therefore and for his or theire {4} labour and attendaunce in that behalf Vllld every of the saide othour prestes lllld And the saide parisshe {5} Clerk ijd And that X S yerely forever frome hensforth of thissues and profites aforesaide be implodid {6} by the saide maister and his successours for the fyndyng of a lampe to bren' continually afore the {7} ymage of oure lady in the saide Chapell AND that ther be yerly distributed in almasse at every {8} such dirighe and masse by the saide maister and his saide successours XI S ijd ALSO the saide maister and {9} his successours shall yerly forever after the deth of the saide John Esterfeld have of thissues and {10} profites aforesaide fou[r] shillynges sterlinge to be disposed at the discrecion of the saide maister {11} and his successours for the soule of the saide John Esterfeld And also that ther be a lampe yerly {12} forever continually brennyng in the saide chapell of the foresaide almashouse That is to say {13} from the hourer of VI of St. Mar after noon in the vigill of alhalowes unto the hourer of Vllth than next {14} insuyng and so from thensforth nyghtly unto Saincte Valentynes day than next folowyng {15} The saide maister and
his successours to fynde the saide lamps brennyng in the fourme aforesaide and to have (16) therfore yerly of the saide yssues and profites illS lllld ALSO the saide John Esterfeld wollith and (17) by thies presentes ordeyneth that forever fromhensforth whan and as oftyn as the maire and the (18) towne clerk' of Bristowe foresaside for the tyme beyng be at the said accompte in the seide (19) Chapell the saide monday next after the fest of Sainte Martyn abovesaide and there than countrolle (20) the saide accomptaunt and gyf thire good advises and counsell for the Townclerke good ordeyng of the (21) same accordyng to thabovewretyn ordynaunces than at every tyme that they both soo doo the (22) Maires fee saide maire to have for his labour V S and the towne clerk XXd Townclerkes fee PROVIDED alwey that the (23) saide maister that nowe is ne his successours be in any wise chargid by reason of any Article (24) above wretyn ferther than thyssues and profites of the premis-ses wolte extende and amounte (25) unto onles the saide mesuages or othur the premisses or any parte therof be decayed by the (26) negligence and forlak of good oversight of the saide Maister or his successours And if at any tyme (27) hereafter it shall be thought by the maire of Bristowe forsaide for the tyme beyng that the saide (28) mesuages and othur the premisses with theire appurten-ances or any parte therof fall in decay in the defaulte (39) of the saide maister or hys successours that then they make suche recom-pence therfore as the maire (30) of Bristowe foresaside for the tyme beyng shall thynke resonable IN WITNES wherof to eyther parte (31) of thies presentes Indentures the saide John Esterfeld merchaunt hath sette hys sealle Wretyn the XXllll (32) day of the moneth of Decembyr the XXti yere of the Reign of Kyng Henry the VIIth after the (33) conquest of Englond (34)

Jesus Mercy

IN THE NAME OF GOD AMEN the XVIth day of the moneth of Decembre in the yere of (1) our Lord God M V XI Nicholas Brown of Bristowe merchaunt beeng in perfite mynde (2) and good remembrance lawded be God make and ordeign and declare this my present testament (3) conteigneng my last wille in this maner and fourme as herafter folowith. first I beqwest (4) my sowle unto our Savyoure Jesus Criste my maker and redeemer, and to his moost (glorious) (5) moder the blessid virgyn Seynt Mary and to all the holy company of hevyn and my (6) body to

1 In a later hand.
be buryed within the crowde1 of the parisshe church of Seynt Jonys of Bristowe And 〈7〉 I beqwest unto the werkes of the Moder Church of our lady of Worsetor Ills IIIld Also 〈8〉 I beqwest unto the high awter of the pariss Church of Seynt Leonardes in Bristowe for 〈9〉 my tythynges and offrynges by me forgotten or witholden XX s Also I beqwest unto the iii (10) ordres of Freres wthin the towne of Bristowe that is to sey to every of them XL. S and 〈11〉 they to pray for my Sowle and for the sowles of Jone and Amys my wyves and for the sowles 〈12〉 of John Barre and all our children and for all crysten sowles Also I will that myne 〈13〉 Executrix undernamed shall of my goodes provyde one honest preste to serve god and to 〈14〉 say masse dayly if he be disposid within the saide pariss church of Seynt Leonardes in 〈15〉 Bristowe for the space of VII yeres next ensuyng after the saide date for to pray for 〈16〉 the sowel of John Barre and Margery his wyf and for my sowle and Jone and Amys 〈17〉 my wives and all our children and for all cristen Sowlys Also I will that 〈18〉 the same executrice shal of my goodes provyde another honest prest to serve god and to 〈19〉 say masse daily betwene VI and VII in the Somer tyme and bitwene VII and VIII of the 〈20〉 clock in Wynter within the said Crowde of the parisshe Church of Seynt Jonys aforesaid 〈21〉 the space of VI yeres next ensuyng aftar my deth. And the saide prest to have for 〈22〉 his wages Vli VI5 VIIId Sterlinge for to pray for my sowle and for the sowles of 〈23〉 Jone and Amys my wyves and al our children and for all Cristen sowles Also I give and 〈24〉 beqwest unto Margaret my wyf and myn executrice all my Tenement wherein 〈25〉 now I dwell in the town of Bristowe in Baldwynstrete with a gardeyn pertaigng to 〈26〉 the same and the appurtenaunces To hold and to have to the saide Margarete the terme of 〈27〉 her lyf Moreover I give to the saide Margarethe the yeres of my Store hows and to 〈28〉 her assignes payeng unto our Lady Church of Redclyf XXVI S Vijjd a yere And 〈29〉 if I have a chylde by the saide Margaret my wyf I will that the saide tenemente (30) with the gardeyn and purtenaunces shal holy retaign (sic) to my chylde and his assignes after 〈31〉 the dethe of my wyfe and myn' executrice Also I will that the said Margaret 〈32〉 my wyf and myne executrice shal pay unto the saide childe a hundred marke in 〈33〉 money at the date of his age And the saide Margarethe myne executrice shal fynde 〈34〉 sufficient suretie for the saide money bifor’ the Mayre of Bristowe then beeng 〈35〉 afore she doo

1 i.e. 'crypt'.
Mary And if so be I have no childe then I give and bequest the
said Tenement and the gardeyn with all the purtenaunces longyng to the same unto the foresaid my executrice Margaret my wyf and her assignes More ovir I bequest to Thomas the sonne of William Apowell ij pipes of wode to
be delyvered unto hym at the age of XXI yeres and if he dye before the age Then William Apowell the Fader of the said Thomas shall have the saide wode at the price of VI marke warantise of every pipe. Also I bequest unto William Sewell X li to be paide to him at the space of X yeres next ensuyng after my deth that is to seyeng XX S a yere Also I bequest to the parsone of the londe of the Trinite Chapell at Laffordes Yate XLS. And all the residue of my goodes not bequest My dettes paide and favourably doon for my sowle as it becomyth I give and bequest holy unto myne executrice Margarete my wyf and this testament conteigneng my last will and bi the same I refuse reseve and renounce all other testamentes and condesyonally by me maden before. In witnesse wherof I have put to my seale and firmd my name IN presence of Sir William Crosse Vicary of Seynt Leonardes and my goostly Fadre and William Woseley and Sir John Carlene by me Nycolas Browne hiis testibus Willelmo Crosse Vicar Domino J. Carolene

1 Above the line.
2 The word 'Codicelles' is struck out; possibly the word 'and' which precedes it should have been struck out likewise.
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