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SOUTHAMPTON RECORDS SERIES XLV

THE COMMON AND PIEPOWDER COURTS OF SOUTHAMPTON, 1426–1483

TOM OLDING

With an Introduction by Tom Olding and Penny Tucker

PART I



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OLDING

SOUTHAMPTON RECORDS SERIES

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THE COMMON AND PIEPOWDER COURTS OF SOUTHAMPTON, 1426–1483

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The Common and Piepowder Courts of Southampton, 1426–1483

TOM OLDING

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TOM OLDING and PENNY TUCKER

PART I

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PREFACE AND ACKNOWLEDGEMENTS

The suggestion that the records of the Common and Piepowder Courts of Southampton would provide a fruitful source of study came to me from Ms Jo Smith, senior archivist at the Southampton Archives Service. I am indebted to her and her colleagues for all their help and encouragement. As indeed I am to the late Mrs E. Rothery and Mrs J. Moore, who, together with Ms Smith, made up the Mediaeval Manuscripts Research Group and were collaborators on the early translation of the books. Prof. T.B. James, as chairman of the Southampton Record Series, has, as always, been unstinting in his advice and encouragement. Dr Penny Tucker has been my mentor, guide and collaborator in the revision of the translation and in the preparation of the Introduction. I am enormously indebted to her. Our respective parts in the introduction are indicated in the notes, and, as can be seen, she bore the lion's share of the work. Equally invaluable has been the learned advice and hours of careful scrutiny provided by Prof. Charles Donahue of the Ames Foundation, who contributed many of the notes to the text. I am also most grateful to the research assistants, Devon Coleman who worked long and hard on the index of persons and places and Alex Wolf who worked on the footnotes. In these and other ways the Ames Foundation has contributed generously to this publication and is preparing the on-line version of the texts.

Lastly I would like to acknowledge my deep debt of gratitude to my wife and fellow researcher, Carole Olding without whose patience and persistence this book would have remained a 'mouldering typescript lying on a dusty shelf'.

T. Olding
Southampton 2009

ABBREVIATIONS

CLRO	Corporation of London Record Office
HRO	Hampshire Record Office
IPP	the Index of Persons and Places in this book
SRO	Southampton Record Office
SC7/1	the archival class in SRO to which this book is devoted (cited without a preceding 'SRO')

Bibliographical abbreviations are given at the beginning of the Bibliography.

INTRODUCTION

Southampton's Courts and Jurisdiction[1]

Origins and Early Development

We shall probably never know when Southampton acquired formal courts and jurisdiction.[2] The earliest surviving town charter to contain phrases from which one could safely infer the existence of some sort of court and jurisdiction in the town is a copy of a charter granted by Henry III on 14 July 1256 contained in an *inspeximus* (examination of and copy/ies taken from the Chancery records) of 1341.[3] Among other things, it granted the town the privilege that its burgesses[4] should not be sued outside the town over their goods and properties within Southampton or in other pleas (legal actions, lawsuits), the exceptions being 'offences against us or our heirs' and certain types of lawsuit initiated by royal writ, if the town's officials failed to act. Clearly, there must have been some arrangement by which burgesses could be sued within the town.

Also in 1256, the town was granted the right to elect its own coroner, who held a court at which suspect deaths and other serious crimes were presented and an initial investigation conducted.[5] Not until 1401, however, did a charter grant expressly that the town's mayor and bailiffs would have 'cognisance of all pleas, real [concerning ownership of landed property], personal [concerning personal property] and mixed [such as a widow's right to dower, which derived from land but did not involve ownership of it] . . . concerning all tenements and tenures existing within the town and liberty, also of all manner of offences, debts, accounts, conventions, and other contracts whatsoever, arising or done within the same town and liberty both on land and sea, namely, to be held before them in the Guildhall of the town . . . '[6] Sixty years later, a further

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[1] Penny Tucker bore principal responsibility for the first five sections of this Introduction, except for four paragraphs in the section on 'Use and Abuse', which are noted, and the subsection on 'Enforcement Methods', which is the joint responsibility of Penny Tucker and Tom Olding.

[2] Pollock & Maitland, *History of the English Law*, I, pp. 636–7.

[3] Gidden, *Charters of Southampton*, I, pp. 10–21, especially pp. 14–17.

[4] At this period, 'burgess' may have meant any adult male householder in the town; later, it was more narrowly defined as a man who had been admitted to the freedom of the town, usually as a member of one of the town's trade companies or guilds.

[5] Gidden, *Charters of Southampton*, I, pp. 14–15.

[6] *Ibid.*, I, pp. 40–53, especially pp. 40–51.

grant specified that the king's court held before the mayor and bailiffs would sit on alternate Tuesdays to hear pleas of land and personal pleas, and mentioned a piepowder court (see below).[7] Meanwhile, the town had been acquiring or taking over other courts, sessions and jurisdiction. In 1401 the mayor and a quorum of town aldermen and burgesses were also given the power to act as justices of the peace within the town and mayor was authorised to execute the office of clerk of the market,[8] the latter duties, which involved the enforcement of regulations governing the weight and quality of certain foodstuffs and other necessaries, being presented in what became known as the Court Leet (see below).[9] In 1445, Southampton was granted the privilege that its governors and inhabitants should not be subject to the orders of the king's marshal of the household or of the admiral of England; in 1452, this was reinforced by a specific grant that the mayor should execute those two offices within the town.[10] Either this grant or the earlier one resulted in the establishment of a town Court of Admiralty. And in 1447, the town was made a county, and obtained the right to elect its own sheriff whose county court was to be held monthly on Mondays.[11]

It is quite likely that Southampton also offered some form or forms of informal dispute resolution. Arbitrations and adjudications to which the parties to the dispute submitted themselves voluntarily may even have become semi-formalised as 'adjudications in conscience', or, as it would later be known, suits in equity, heard in private sessions before the mayor and bailiffs. If so, these disputes and the attempt to resolve them appear to have left no mark on the town's surviving medieval court records. The probability is that any such provision remained extremely informal and so did not give rise to challenge or attempts at enforcement.

Medieval sessions before the coroner and the J.P.s and the sheriff's county court have likewise left no mark on the town's own records, and are unlikely to have had any peculiar features. There are however records of two Admiralty Court sessions held in 1493 in the second volume of the Southampton Book of Remembrance,[12] some books of the Admiralty Court which appear to cover courts between 1585 and 1622[13] and a few references to this court in the Town Court books. The evidence of the latter suggests that the other records are very misleading, giving the impression as they do that the Court 'could almost be described as a maritime court leet',[14] dealing with little except minor nuisances and infringements. The entries in the Town Court books, by contrast, relate to

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[7] *Ibid.*, I, pp. 98–119, especially pp. 102–105.
[8] *Ibid.*, I, pp. 48–9, 50–1.
[9] Hearnshaw, *Leet Jurisdiction in ... Southampton*, p. 172.
[10] Gidden, *Charters of Southampton*, I, pp. 61–2, 92–3.
[11] *Ibid.*, I, pp. 71–5.
[12] SRO SC2/1/3, fols. 15, 16.
[13] Welch, *Admiralty Court Book of Southampton*, p. xxvii.
[14] *Ibid.*

what we would now term civil litigation.[15] Presumably what dictated where the litigation would be heard was the location of the offence (on board ship within the town's harbour or the approaches, for instance).

As far as the Town Court is concerned, the picture that emerges from the charters is of a developing court and jurisdiction, one that had its origins, perhaps, in Henry III's charter of 1256 which implicitly authorised the town's governors to set up a mechanism for hearing lawsuits involving the burgesses. By the early fifteenth century, the governors were concerned to have on record exactly what lawsuits the mayor and bailiffs could hear and determine and where the sessions were to be held. Some half-century later, whether because the court became busier, for reasons of administrative convenience, or because of a growing concern to distinguish one broad type of lawsuit (and sometimes even 'law', in the case of piepowder courts; see below, '"Laws" followed in the two courts') from another, or a mix of such reasons, separate sessions for pleas of land, personal pleas, and probably also piepowder suits, were established. The fact that the earliest court books to survive from Southampton belong to the 1470s supports such a picture: in London, for example, the earliest surviving rolls of the city's Court of Husting come from the 1270s, also shortly after a number of divisions and rearrangements of the court's workload had occurred.[16]

As the editor of the town's charters acknowledged, however, it is unsafe to assume that Southampton had no court prior to July 1256.[17] Charters were sought by the governors of the town and might equally grant what they wanted but did not yet have[18] or confirm what they already had or did.[19] If we assume that the *Hamtun* which gave its name to *Hamtunscire* in the eighth century was an important administrative centre associated with the flourishing trading centre, *Hamwic*, of the same period, and that Southampton enjoyed a continuity of history with one or both of these entities, it is just possible that the medieval town court had its roots deep in the pre-Conquest period.[20] As *Hamwic* was eclipsed before the Conquest, however, and its successor, Southampton, was a modest settlement in a different if nearby location, that is far from

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[15] SC7/1/8, fols. 9r, 20r: *Toustem of Paris* v. *Praunce 'master of a certain ship'*. See also Welch, *Admiralty Court Book of Southampton*, p. xxvi, for later developments in this aspect of the Court's work.

[16] Tucker, *Law Courts and Lawyers in the City of London*, p. 94.

[17] Gidden, *Charters of Southampton*, I, p. viii.

[18] Such as county status: Southampton sought and obtained this in 1447, following the much earlier examples of London and Bristol: *ibid.*, I, pp. 72–3.

[19] Although the presidency of the mayor in the town court was not mentioned in a charter until 1401, for so long as Southampton had had a mayor (and it apparently had at least one, for a while, as early as the first half of the thirteenth century), it is highly likely that he presided over any town court then existing: *ibid.*, I, pp. 42–3, n. 1. For the observation that '[t]he earlier documents in the Black Book . . . suggest the possibility that Southampton charters frequently only confirmed practices already well established', see Wallis Chapman, *Black Book of Southampton*, I, p. vii.

[20] Palliser, *Cambridge Urban History of Britain*, I, pp. 52, 79.

certain.[21] What does seem likely, nevertheless, is that the 1256 charter took for granted, rather than granted, arrangements for the resolution of disputes between the town's burgesses. The sheriff of Hampshire almost certainly held his shire court in the town in the years after the Conquest, and there was very probably also what would be known as a court leet, the equivalent of the sheriff's tourn, at which offences were presented and, if minor, prosecuted and punished, from an early date. H.W. Gidden believed these were the only courts held in Southampton in the 190 years after the Conquest. If so, as far as the burgesses of Southampton and their opponents at law were concerned, the charter created a court presided over by the mayor and bailiffs and substituted it for the county court.[22] It is however entirely possible that matters were not quite so clear-cut. In London, changes to the Court of Husting's workload at much the same date led the sheriffs to hold sessions for personal pleas when the Husting was not sitting, and these sessions eventually became formalised as the Sheriffs' Court.[23] In the case of Southampton, on the southern edge of a large county, it might well have seemed expedient for the mayor and bailiffs to hold similar sessions for personal pleas between burgesses in the weeks when the county court did not sit and the sheriff and his undersheriff were otherwise engaged. If so, what changed in 1256 was that any non-burgess who wished to sue a Southampton burgess was obliged – unless his home court enjoyed an equal or higher privilege – to do so in the sessions held, probably, before the mayor and bailiffs, and could no longer make use of the county court.

The Town Court

Relationship between the Common Court and the Piepowder Court

According to the charter of 1401, the Town Court was either to be divided or already divided into two separate sessions at which pleas of land and personal pleas were brought, and in addition there was another court, or a third session of the Town Court, the Piepowder Court. Of the first type of session, that at which pleas of land were brought, only one, late fourteenth-century record of a suit survives.[24] The near-complete disappearance of the records of this side of the Court need occasion no surprise. Separate rolls or books were almost certainly kept for pleas of land as soon as they began to be heard separately, and, as disputes over the ownership of land were particularly important, they may well have been held physically apart from the records of personal pleas and have fallen victim, as some of the other court records did not, to fire, carelessness or marauding antiquarians. It looks as though in the 1420s the Court was hearing personal pleas at what was by then known as the Common Court

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[21] *Ibid.*, pp. 225, 753.

[22] Gidden, *Charters of Southampton*, I, p. viii.

[23] Tucker, *Law Courts and Lawyers in the City of London*, pp. 96–9.

[24] SC7/1/1 (see Appendix 1).

almost every Tuesday. We have tentatively dated the sessions on the rolls of SC7/1/2 on 26 November, 3, 17, and 24 December of 1426.[25] While there is no record of a session on 10 December, and some evidence that at least one the personal pleas on the surviving rolls was heard on that date, it is possible that that session was devoted principally to hearing pleas of land. There are however no late fifteenth-century references to pleas of land, other than in the 1461 charter, and later books show that sessions for personal pleas were more often than not held at weekly intervals.[26] As it appears to have become increasingly uncommon in local courts after about 1350 to initiate lawsuits over ownership of land using writs, it may well be that, although pleas of land sessions *could* still be held every other Tuesday, in practice they ceased to be. Instead, it looks as though process in the Piepowder Court, which, in theory, was held on Mondays, was continued on Tuesdays and indeed on any other day of week when the Common Court was not sitting.[27]

The Common and Piepowder Courts were clearly quite distinct by the 1470s (hence the clerical annotations to void entries 'because [this suit is] in the Common/Piepowder Court'). In origin, piepowder courts – courts for travelling (*piedspoudreux* or dusty-footed) merchants – were held at fairs and market towns and in those towns and cities which were treated as 'open markets' (that is, in them markets were not confined to specific days or dates).[28] In the majority of these towns, until the later fourteenth century at least, travelling merchants seem genuinely to have been the only group other than townsfolk to be allowed to use the towns' courts to litigate against one another. This did not of course mean that nobody other than townsfolk and travelling merchants litigated in these towns before then. In Southampton after 1256, foreigners and 'strangers' (Englishmen who were not residents of Southampton) normally *had* to sue the townsfolk and could be sued by them there. What had probably changed in Southampton by the 1470s at the latest is that one finds instances of strangers litigating as both plaintiff and defendant in a single lawsuit even if they were not said to be merchants.[29]

Southampton's Common and Piepowder Courts could have originated in a single court, as was evidently the case in Winchester. There, the process of

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[25] SC7/1/2 (introduction).

[26] E.g. SC7/1/5a, fols. 7v (*bis*), 8, 8v, 9 (*bis*), 9v, 10, sessions held on 10, 17, 24, 31 October, 7, 14, 22 (*recte*, 21) November, then a gap until 19 December.

[27] See SC7/1/5b and SC7/1/3, fol. 1 for references to the Piepowder Court being held on Mondays and fol. 8v for adjournments for a fortnight, but also fols. 2v, 7 for references to Tuesdays and fol. 16r, 16v for adjournments for 9 days (references to 8 and 15 days probably mean a week's and a fortnight's time respectively).

[28] Basile *et al.* eds., *Lex Mercatoria*, p. 1.

[29] SC7/1/3, fol. 8r: *Englessch of Newport* v. *Taillour of Portsmouth*; SC7/1/4, fols. 2r: *Catan and de Marynis merchants of Genoa* v. *Arbelet of Coventry dyer*; 5v: *Bigall* v. *de Bigara*: 7v: *De Vivaldis* v. *Sasse of Naples*; 8r: *Sease* v. *de Marini*; SC7/1/5(a), fol. 10v: *Trymnell of La Vise [Devizes], Wiltshire* v. *Spynell merchant of Genoa*; SC7/1/6, fols. 11r: *Sparke of London draper* v. *Tanner of London tallow-chandler*; 12av: *Nutkyn and Wright of Andover* v. *Robart of Cornwall* (2 cases).

separation into two courts or sessions began during the last quarter of the fourteenth century.[30] If something similar happened in Southampton, it might explain why the first surviving reference to the Piepowder Court in the town's own records is an ordinance of 1392, which decreed that:[31]

> [A]ny burgess or other dweller or person about to dwell within the liberty of Southampton shall answer foreigners or strangers in the plea of Piepowder, notwithstanding any liberty formerly held or possessed, in pleas of debt for any things or goods sold or bought within the aforesaid liberty. And that among natives or dwellers within the liberty of the town, and burgesses, pleas shall be ended in the King's Court of the town, according to custom formerly used.

Given the importance of Southampton as a port, however (in the fifteenth century, at least, the modest wealth and status of the town did not reflect the importance of the port, which both Italian and London merchants then used as an outport of the capital),[32] it is more likely that special arrangements existed there from an early date for merchants, sailors and other traders who required speedy justice: possibly, as in London, *ad hoc* tribunals that sat 'from day to day and hour to hour' as necessary, in accordance with the practices of the merchant law.[33]

It is not altogether clear whether the rules that governed the bringing of litigation in one court or the other, as outlined in 1392, were being adhered to by the 1470s. There are two sources of difficulty. One is that it is impossible to be entirely certain that every folio in the surviving town court books belongs where it is now found: some books still contain loose folios, others were no doubt bound together some time after they were written, and it is therefore quite possible that piepowder folios have been placed with common court folios and *vice versa*.[34] What appear to be common court books list lawsuits under session headings erratically, at least before 1482,[35] and the one heading in a piepowder book is right at the beginning of SC7/1/5b and was either an error or was a way of identifying the book as a record of that court (given the frequency and unpredictability of its activities, the clerks may not have thought

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[30] The first sessions to be described as piepowder courts appear in the City Court roll for 1389/90 (HRO Winchester City Court Rolls, W/D1/31, mm. 4v–5v, 10, 13v, 21v), and the first surviving separate Piepowder Court roll is for 1424/5 (HRO Winchester Piepowder Court Rolls, W1/D2/1).

[31] Wallis Chapman, *Black Book of Southampton*, I, p. 5. The reference to 'any liberty formerly held' suggests that this represented a restriction on the privileges previously enjoyed by townsfolk.

[32] Summarised in Dyer, *Decline and Growth in English Towns*, pp. 24–5; for a less up-to-date but more detailed account, see Page, *History of the County of Hampshire*, III, pp. 490–537, esp. 504–10, 518–20.

[33] Basile *et al.* eds., *Lex Mercatoria*, pp. 1–2.

[34] This may well be true of SC7/1/4. The first folio contains records of a couple of sessions of the Common Court, but the folios thereafter have all the appearance of belonging to the Piepowder Court.

[35] SC7/1/5a has none before fol. 7v, although there are no grounds for supposing that the earlier entries relate to the Piepowder Court.

in terms of the court having set sessions at all). Session headings are therefore not a consistent guide either.

More seriously (since there are differences between two courts which make it possible to determine with fair degree of confidence to which court the books relate), there is the problem of identifying the status of the litigants. Many were given no 'addition' (descriptor) at all, even when details of the lawsuit were entered for the first time.[36] It was rare for a litigant to be described as a burgess,[37] rather more common but still not invariable for a man who was clearly a foreigner to have his place of residence noted, and although many Englishmen from places other than Southampton are identified, it is possible that the clerks occasionally omitted these details, too. It may well be that the clerks simply copied down whatever details the plaintiff happened to give them. If however some rationale underlay these variations, at least erratically, the reason for giving the defendant's trade in *Donell* v. ?*Grimald* '*Saddeler*' was presumably that, although he was a foreigner by birth, he was a resident of Southampton.[38]

It is probable that the 1392 ordinance was designed to ensure that burgesses and Southampton residents did not defeat their opponents by insisting on being sued in the Common Court, where process might be too slow for foreign merchants and mariners, in particular.[39] Without doubt burgesses and residents could and did sue others in the Piepowder Court.[40] There are however no examples in the surviving fifteenth-century books of men who were described as burgesses being sued there. It is therefore possible that the burgesses had managed to re-establish the privilege that they could only be sued in the Common Court (or could insist on this privilege so long as the plaintiff did not seek to employ the much speedier process available in the Piepowder Court). If so, it is unlikely that other town residents shared their privilege, since that would imply that the great majority of the Englishmen who litigated in the Piepowder Court, including those who were apparently carrying on their trade in the town, were not residents.[41] Conversely, foreigners and

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[36] E.g. SC7/1/2 (Common Court), fol. 1, *Douce* v. *Bouland.*

[37] Whereas in SC7/1/2 (Common Court), small roll recto, *Holeway* v. *Balle*, the defendant was described as 'burgess and tailor of Southampton', in SC7/1/6 (Piepowder Court), fols. 12ar, *Eynes* v. *Spryng*, and 14v, *Dunn* v. *Motsenego*, Lewis Eynes, a town bailiff (and later, mayor) and therefore undoubtedly a burgess, and John Dunn, elsewhere (SC7/1/5a (Common Court), fol. 1v, *Dun* v. *Parvisyn & Acquarde*) described as 'burgess and merchant of Southampton', were not so identified.

[38] SC7/1/2 (Piepowder Court), fol. 1.

[39] Similarly, the 1482 provision that debt cases brought in the Common Court had to be prosecuted within three months 'after the issues are joined' (that is, once the defendant had appeared and denied the plaintiff's count or complaint and both had opted for trial by jury) was no doubt designed to avoid tactical delays: Wallis Chapman, *Black Book of Southampton*, I, p. 9.

[40] As the cases involving the burgesses Lewis Eynes and John Dunn show; see n. 37 above.

[41] E.g. SC7/1/3 (Piepowder Court), fols. 3v: *Philpot* v. *Smyth butcher*; 4v: *Attewelle* v. *Appowell capmaker*; 6v: *William merchant* v. *Davy & Gryme sawyer*; 7r: *Goderiche* v. *Galleway & Denies laborers, et seq.*

strangers were almost certainly not permitted to use the Common Court when suing one another. These restrictions apart, it seems probable that anyone could bring a lawsuit in one of the town's courts, providing only that the cause of the action arose within its jurisdiction (for instance, the debt was incurred/was payable in the town, the account was due to be heard or the offence was committed there).

As far as personal pleas are concerned, the one certain difference between the two courts was that disputes in which process was indeed 'from day to day and hour to hour'[42] were only heard in the Piepowder Court. For residents of Southampton, if they were defendants, the advantage of being sued in the Common Court was that it only sat once a week at best and therefore they had more time in which to respond to the complaint against them. For plaintiffs, however, it is hard to see what possible advantage there could be in using this court rather than the Piepowder Court, which was capable of delivering an extremely rapid resolution of the dispute. From the plaintiff's perspective, not only was process slower, but it appears to have been no more rigorous (see below, 'Enforcement methods, forms of trial and outcomes'). The only evident advantage to the plaintiff was that in the Common Court, not only could the defendant's personal property be seized, but assets within or generated by his real property could also be distrained (arrested) in order to force him to appear. And this modest benefit had to be weighed against the right enjoyed by defendants to essoin (excuse their absence) at one session, after which they then (certainly after 1482, when an ordinance permitted it) were allowed to absent themselves from the next session without penalty.[43] Nor does it appear at first sight to have been any cheaper to use the Common Court; if there is any difference between the two in terms of the costs of bringing a case and the level of amercements imposed, it favoured the Piepowder Court. In 1482 it was decreed that the amount payable in both courts by burgesses (and presumably also other town residents) to the town clerk at the outset and to the sergeant if a jury was summoned was 12d if the sum demanded amounted to 10 marks or less (£6 15s) and 2s if more than 10 marks (foreigners and strangers had to negotiate a price with the town clerk).[44] Amercements for failing to prosecute

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[42] E.g. SC7/1/3, fol. 2v, in *William de Courte* v. *Alan FitzGeffrey of Rasko* [*Roscoff*] *in Brittany*, the case was adjourned to the afternoon of the same day; for other examples, which usually involved either merchants or mercantile matters, see fols. 16v: *Stere* v. *Hethe*; 18v: *Avan* v. *Greenham of Winchester*; 22v: *Foloer* [*Folower*] v. *Deske & de Milen*; an exception is fol. 8v: *Watkyns* v. *Harreson*, a case of trespass (in modern terms, tort).

[43] Wallis Chapman, *Black Book of Southampton*, I, p. 9; but see SC7/1/2, fol. 1, where it is said that the defendant 'has been essoined . . . therefore a day is given to them in eight etc' (i.e., the parties were ordered to reappear in a week's time, as the translation indicates) and SC7/1/4, fol. 1v, *Raynold* v. *Watkyns* and *Henfrey* v. *Estfeld*, where the sergeants were apparently ordered to distrain the defendants immediately if, having essoined at the previous court, they failed to appear and issues of 2d were recorded on each occasion (in this respect, the 1482 ordinance did aim to change practice, as it decreed that the issues should double on each default).

[44] Wallis Chapman, *Black Book of Southampton*, I, p. 11.

a suit, for a licence to come to an agreement, and for a false plea (unsuccessful suit) all normally cost 3d, but in the Common Court, there is at least one instance of an amercement of 6d, apparently, for a licence to agree.[45]

So it is curious that the Common Court appears to have been significantly busier in 1482–3 than it had been in 1473–4. Between 10 October 1473 and 16 January 1474, there were nine sessions and twenty-three new cases.[46] Between 8 October 1482 and 14 January 1483, there were twelve sessions of the Court and forty new cases were brought.[47] The ordinance of 17 October 1482 was evidently designed, among other things, to make process against defendant debtors more rigorous and to clarify what the court fees would normally be, something that plaintiffs in particular would presumably consider an improvement. A possible explanation is therefore that the newly-elected mayor and bailiffs were attempting, successfully, to revive the Court. On the other hand, the very features of the Piepowder Court which made it attractive – its greater flexibility and potentially its much greater speed in determining cases – may also have made it much more expensive. That foreigners and strangers should have been charged more than burgesses and residents to litigate in the town's courts was reasonable enough: it was a concession on the town's part to allow them to do so, not a right. The provision, in 1482, that they had to negotiate their fees with the town clerk could however have put them at a distinct and unfair advantage. That might possibly have been the aim, but it seems more likely that the requirement for negotiation arose because it was more costly and inconvenient to the town to have to deal with lawsuits in the manner most convenient to the plaintiff. If so, it may be that foreign and stranger plaintiffs were charged less by the common clerk if, whenever they sued Southampton residents, they opted to bring their lawsuit in the Common Court than they were if they preferred to use the Piepowder Court; and that they paid most when they asked for the lawsuit to be heard in the latter court 'from day to day and hour to hour'.

'Laws' followed in the two courts

The law followed in the Common Court was English common law, moderated, as in most if not all English lay law courts, by the custom of the court or town.[48] This is probably also true of the Southampton Piepowder Court. Whether, by the late fifteenth century, courts and sessions which offered some 'merchant law' procedures were necessarily applying a different law is doubtful. The distinction by this period appears mainly to have been between mere process (in this case, the availability of a rapid transition between stages of

[45] SC7/1/4, fol. 8r, *Andrew* v. *Barboure* (although this could include the 3d fine owed by the sergeant for failing to produce the defendant).

[46] SC7/1/5b, fols. 7v–10v.

[47] SC7/1/9, fols. 1v–33.

[48] In the plea of land recorded in SC7/1/1, the process involving two summonses and two distraints made to secure the defendants' appearance is said to have been 'according to city custom'.

the case) and the principles by which a judgment was reached. Providing the principles applied were those of the English common law, the fact that process could be unusually swift did not alter the lawsuit's status as one heard and determined (decided) according to common law. This could even be so if the town had absorbed mercantile practices into its own custom. For instance, London's courts, and probably those of other towns which were frequented by international and leading denizen merchants, admitted as proof of indebtedness IOUs and other instruments which had been transferred from one creditor to another, instead of insisting on written bonds between the plaintiff and defendant in the case concerned. London also allowed plaintiffs to sue on the balance of the account between, say, a master and his factor, rather than requiring that the plaintiff should sue for each individual debt without taking account of anything he owed in return. In such cases, judgment was according to common law and local custom. If, however, principles and practices peculiar to the international mercantile community (such as the time customarily allowed by merchants for travelling between A and B) which had not been absorbed into the town's custom were determinative, then the case had been decided 'according to merchant law' and the judgment was unenforceable at common law. There is nothing in the surviving records of the Southampton Piepowder Court to suggest that this was true of cases heard there.

In local courts during the Middle Ages, lawsuits could be begun in three ways: most formally, by the purchase of a royal writ from Chancery which ordered and authorised the presiding official of a court to hear a case; less formally, by presenting a written bill of complaint (known as a petition in those courts or sessions which did not proceed according to law and custom); and very informally, by making an oral complaint to the court. In theory, the majority of pleas of land had to be begun by writ. The lawsuit recorded in SC7/1/1 might therefore well have been begun by a writ known as a writ of right. In practice, a considerable amount of litigation of this type was being undertaken without writ by the fifteenth century, and in any event most litigation in borough courts involved commercial and financial arrangements, with real property being bought and sold in the same way as personal property could be, or being used as a form of security. Almost all the entries in the Southampton town court rolls and books are likely to relate to lawsuits begun by bill or oral complaint. The only references to royal writs (as opposed to judicial writs, ones issued by the court concerned during the course of the litigation) involve writs from the royal Chancery prohibiting the prosecution of a lawsuit for the time being because the defendant was busy on the king's business, or ordering the permanent or temporary transfer of a case to a higher court.[49]

[49] E.g. SC7/1/8, fols. 3r, 8v, 22r, ordering the removal of a case, and the writ inserted between fols. 21v and 22r, ordering the Court to proceed with the case, despite an earlier writ ordering its removal.

Types of legal actions brought in the Town Court

The types of legal action brought in the Southampton Town Court in the fifteenth century had names familiar to students of medieval English common law: debt, trespass, detinue, covenant, deceit and account.

Debt was, as its name suggests, the action brought to recover sums of money owed. Plaintiffs either brought an action of simple debt or one of debt 'upon demand'. In the latter case, a specific sum was almost always stated at the outset (and this probably ought always to have been the case). What distinguished actions of debt upon demand in Southampton is that the defendant was alleged to have made an undertaking to repay the plaintiff whenever required to do so, whereas in debt it was usual for there to be set repayment dates.[50] Debts upon demand could arise in a number of circumstances, not just from loans; for instance, as the result of the auditing of an account, of a sale, or of either the defendant or plaintiff acting as surety for a third party or the defendant himself.[51]

Detinue was the action that would appropriately be employed to recover assets, including sums of money when handed over for safekeeping, if the defendant allegedly refused to give them back; covenant, to enforce broken agreements; and account, to oblige the defendant to render account for moneys or other assets allegedly received on the plaintiff's behalf.

Trespass was the civil action brought when the plaintiff alleged that the defendant had done him some sort of personal injury. It could be employed in cases of physical and non-physical harm, and in some instances could alternatively have been prosecuted as a criminal offence, assuming the allegations were true.[52] Other cases may not have involved anything approaching criminality, despite the occasionally lurid language employed in order to justify bringing an action of trespass. In *Dymmock* v. *Clere*, for example, the plaintiff alleged (and the defendant admitted) housebreaking and the rape of his servant. It may be, however, that the violence was imaginary and the real offence was that the defendant had entered the plaintiff's house without permission and had had consensual sex there with the plaintiff's servant: her (?nick)name was Joan Whore.[53] In *Sprynge* v. *De Lago & Stephan*, the allegation of wrongdoing was almost certainly exaggerated. The defendants were accused of mali-

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[50] E.g., *Eames* v. *Dentyvere*, where the debt was said to have been repayable at any time upon request: SC7/1/8, fol. 29. In York, by contrast, 'debt upon demand' was the almost invariable description of the action, so in that city any distinction between debt and debt upon demand may have been lost by the late fifteenth century: e.g., Stell, *Sheriffs' Court Books of the City of York*, pp. 109–55 (courts held in 1478).

[51] SC7/1/5a, fols. 2r: *White* v. *Bachelor*; 3v: *Shatteswold* v. *Peturson* (both audit); 2v: *Hunt* v. *West*; 5r: *Pars* v. *Gosselyn*, *Marshall* v. *Luffe* (all sale, the last being detinue on demand for the goods); 3r: *Couper* v. *Marshall saddler*; 9v: *Burgh* v. *Berebruer* (both surety).

[52] E.g., in *Fortune* v. *att Hall & Edward*, the allegation was one of theft with force of arms: SC7/1/8, fol. 5v.

[53] SC7/1/8, fol. 27v.

ciously driving the plaintiff's horse into a ditch, where it was so injured that it died; however, as it was said to have been harnessed together with another horse at the time, the probability is that this was an accident to horses drawing a vehicle.[54] In reality, the issue may well have been whether or not negligence was involved. That seems very likely indeed to have been the case in *Broune* v. *[Master] Overfield*; the defendant, a doctor, undertook to cure the plaintiff of a diseased eye, and when Broune lost the use of his eye following unsuccessful treatment, he sued, again implying malice in that the powder employed was said to be 'infective'.[55] Sometimes there was, allegedly, genuine wrongdoing, but it was probably of a relatively pacific kind. In *Clerke* v. *Baudewynson*, the plaintiff alleged that she had been prevented from exercising her lawful right to distrain the defendant, her tenant, who was in arrears with his rent.[56] Conversely, some cases of alleged burglary which were not said to have involved force of arms, and which were admitted in whole or part by the defendant, may have involved tenants complaining against landlords or their rent-gatherers for allegedly distraining unlawfully – for example, for rent that was not yet due, or not due to this particular landlord.[57] Trespass 'against the form of the statute' could relate to a number of different circumstances, including allegedly unlawful entry of property for the purpose of taking possession and allegedly leaving a master's service within the contract period, as was probably the case with many such actions brought against men and women described as servants. Finally, although the surviving Southampton court books of this period do not talk of 'trespass and deceit', deceit was a form of trespass, one in which the wrong allegedly done had involved some sort of deception and the plaintiff was attempting to recover payment or losses resulting from, for example, goods not being as described.[58]

Proportions of different types of actions brought in the Town Court

Table 1. Common Court: Percentage of each Type of Action[59]

Book	*Debt*	*Trespass*	*Detinue*	*Covenant*	*Deceit*	*Account*	*Other/UK*
/5a	70.50	17.00	6.75	3.50	1.25	—	1.00
/9	67.00	22.00	4.50	1.00	0.50	4.00	0.50

[54] SC7/1/8, fol. 3r.

[55] SC7/1/8, fol. 6. For another 'doctor' case, see fol. 12v, *Alrigge & Alrigge* v. *Barbour alias Leche*.

[56] SC7/1/5a, fol. 6v.

[57] As was perhaps the case in *Morton* v. *Lathum shearman*: SC7/1/8, fol. 1.

[58] As in *Maryn* v. *Blaket of Salisbury tanner*, which involved four dickers of leather that the defendant had presumably sold to the plaintiff and which were, he alleged, not of the quality warranted: SC7/1/3, fol. 19r.

[59] SC7/1/2 and SC7/1/4, fol. 1, are omitted as the numbers of cases are too few.

Table 2. Piepowder Court: Percentage of each Type of Action[60]

Book	*Debt*	*Trespass*	*Detinue*	*Covenant*	*Deceit*	*Account*	*Other/UK*
/3	55.00	30.50	6.75	1.50	2.25	1.00	3.00
/4[61]	66.25	23.50	6.50	1.25	1.25	1.25	—
/6	49.75	30.75	5.50	4.00	1.25	1.75	7.00
/7	42.75	34.75	4.00	8.25	2.00	2.00	6.25
/8	55.00	26.50	5.25	3.25	0.75	2.50	6.75

As can be seen, debt was by far the most common type of action brought in both courts, at two-thirds or more in the Common Court and around half in the Piepowder Court. Trespass, conversely, was slightly higher in the latter court, at around thirty percent, than it was in the former, at around twenty. As there are more unidentifiable types of action in the Piepowder than in the Common Court, the apparent differences in the proportions of the relatively few examples of other types of action may not be significant.

Enforcement methods, process, forms of trial and penalties[62]

Enforcement methods and process

Medieval English common law provided different means of enforcing appearance in court and of trial in different forms of legal action. The main means of enforcing appearance were attachment (arrest of personal goods), distraint (arrest of assets on the defendant's property) and personal arrest. In civil actions, arrested goods and people could be mainprised (bailed) if they were able to find someone to act as mainpernor, pledge or surety (someone to go bail for them). For those without the necessary assets or friends, the alternative was, as the Southampton records frequently note, that their 'pledge was prison'.[63] Prison was also used pending payment of any sums acknowledged as owing or owed as a result of a judgment in the plaintiff's favour.[64]

In the early days of the common law, personal arrest had only been available in trespass, which was treated more seriously because of its quasi-criminal nature. In Southampton by the 1470s, it looks at first sight as though the old distinctions between actions as far as the availability of arrest and imprisonment was concerned had disappeared. In the Piepowder Court in 1482–3, eighteen defendants in debt cases were imprisoned, seventeen in trespass; in the Common Court nine years earlier, the numbers were four each. But this

[60] SC7/1/5b omitted as the number of cases is too few.
[61] From fol. 2 on.
[62] Tom Olding and Penny Tucker bore joint responsibility for this section.
[63] E.g., SC7/1/8, fol. 16, *Hannyng* v. *Wodeland.*
[64] E.g., SC7/1/8, fol. 15, *Mershe* v. *Bechewell butcher.*

ignores the fact that there were many more debt than trespass cases.[65] By this date, the distinction arose mainly from the fact that, as we have just seen, the only enforcement measures in use in actions of debt brought in the Common Court against Southampton residents were attachment and distraint. Arrest was however available in debt if the defendants were strangers (who, quite apart from any possible bias against them, were more likely to abscond with their assets). No doubt for this reason, there are as many references to the imprisonment of defendants pending trial, judgment or satisfaction of the debt in a single Piepowder Court book, SC7/1/3, as there are in all the surviving Common Court books.

Personal arrest was not available in actions of debt 'affirmed in the common court of the town towards any man dwelling within the same town'. The first provision of the 1482 ordinance shows how the process in such cases was supposed to work, after that date at least. (*Summoned* means called into court; an *essoin* was an authorised excuse for absence; *default* means unauthorised non appearance. Numbered paragraphs and bullet-points added for clarity).[66]

1. In the first place the defendant shall be summoned,
2. and afterwards at the next court he shall have essoin, if he wishes, for one penny,
3. and afterwards in the next court he shall have default without losing anything.
4. And afterwards, if he does not come, an attachment.
5. And if he finds a man to act as his pledge for the same attachment,
   - if he makes default the first day he shall be amerced twopence;
   - the second day, fourpence;
   - the third day, sixpence;
   - the fourth day, eightpence;
   - the fifth day, tenpence;
   - the sixth day, twelvepence;
   - and thenceforward at each court if he makes default he shall be fined twelvepence, until he comes and answers to the plaintiff;
   - and also in the same manner the issues of the amercements aforesaid shall be returned after a distress awarded against the defendant, as it has been said, if the sergeant returns the defendant as sufficient.'

The two methods of trial available to Southampton defendants in the fifteenth century were trial by jury and wager of law (a formal oath taken in court by the defendant and by a set number of 'oath-helpers'). There was a third method that had been available in London until the early fifteenth century at least, the

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[65] The percentages were 13.75% and 6.5% in debt cases as against 38.5% and 26.75% in trespass ones. Imprisonment in other types of action was fairly common in the Piepowder Court, though the numbers are too low for percentages to be meaningful (at one in eight account cases and two in nine detinue cases).

[66] Wallis Chapman, *Black Book of Southampton*, I, pp. 8–9.

peremptory oath. This required either party to swear the truth of his allegation or denial immediately, when challenged to do so by his opponent. The peremptory oath does not appear in the surviving Southampton records, and had either died out, as it seems to have done in London by the late 1400s, or had never been used.

Methods of trial

If the defendant denied the allegation and opted for trial by jury, the plaintiff seems invariably to have agreed, and a jury was duly summoned. The formula to instruct the officer of the court to carry out this procedure is similar to that used in writs issued to sheriffs by the central royal courts of common law:[67]

> pr[eceptum] est ministr[o] cur[rie] ven[ire] fac[ere] [*or* dis[tringere] *or* hab[ere] corp[ora] xii etc (i.e., tam milites quam alios liberos homines [et] legales de Suthamptonia per) quos etc (i.e., rei veritas melius scire poterit et) qui nec etc [i.e., (*plaintiff's name*) nec (*defendant's name*) aliqua affinitate attingant] ad fac[iendam] quand[am] Iurat[am] int[er] (*plaintiff's name*) querent[em] et (*defendant's name*) def[endentem] in pl[acito] deb[it]i
>
> [Translation:] The officer of the Court is ordered to make 12 jurors come (*or* distrain *or* summon *or* have the bodies of) etc (i.e., both knights and other free men and lawful of Southampton by) whom etc (i.e., the truth of the matter could be better known and) who etc (i.e., are bound by any tie to neither (*plaintiff's name*) nor (*defendant's name*)) to make a jury between (*plaintiff's name*) plaintiff and (*defendant's name*) defendant in a plea of debt

In the court books there survive a few examples of jury lists sewn between the folios. These contain the marks and annotations showing which individuals appeared to answer the summons, which were accepted and sworn, and which rejected. Litigants in civil lawsuits were at liberty, like defendants in criminal prosecutions, to object to individual jurors, for example, because they alleged that the sergeant had not in fact ensured that the juror concerned was not of his opponent's 'affinity'. That they did so regularly can be seen by the frequent formula 'petitions 10 (or 8) talesmen' in the issues line (talesmen were individuals who could be called on to fill the places of jurors who either failed to appear when summoned or who were unacceptable to the parties, so called because they were 'such men (*tales* in Latin) as would make up a jury').

In five of the surviving lists,[68] the system of marks seems to be similar to that which we find in the central royal court of King's Bench in this period. Jurors who appeared were 'pricked' with a dot beside their name and, if chosen, had *Jur* (sworn) written alongside. Even here there are some differences. In the

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[67] E.g., SC7/1/9, fol. 15v (one case of trespass and one of debt); cf. de Haas, *Early Registers of Writs*, p. 77.

[68] SC7/1/4, Br and C1, between fols. 2v and 3r; SC7/1/6, fol. 12c, between fols. 12ar and 12av; SC7/1/8, insertions before fol. 1r, and between fols. 26v and 27r.

earlier lists only talesmen are pricked but not noted as sworn; in the later lists everyone who is pricked is also noted as sworn.

The earliest list, SC7/1/3 (fol. 14br), is quite different and more complicated:

Jury between Andrew Gosselyn plaintiff & Robert Estles defendant

	William Smyth	10 talesmen	
	John Pesson	+•	John Gryme
••∴	Antony Clement	••∴	Walter Danyell
	Thomas Holman	∴	Gabriel Howle
+••∴	Damian de la Pese	∴	William Heckeley merchant
+•∴	John Masselet	•	Richard Folower
••∴	Robert Haseldene	+•∴	John Amore
••∴	Dennis Donell	+	Andrew Goderiche infirm
	William Burdon		Richard Hilton
••∴	Robert Grame	∴	Martin Corneford
••∴	John Leonard	•	Gabriel Lauerance
	Thomas Fygon		

This system of individual black dots, three (fainter) dots forming a triangle, and crosses may give some indication of what happened when juries were chosen in Southampton and how it was recorded.[69] This jury gave its verdict; therefore twelve men must have been chosen. There are not many ways to reach twelve. It is possible that there are three triangular dots (not indicated above) on the name of John Gryme. Adding this to the eleven indicated, that could mean that those were the ones chosen, or that those were the ones who were excluded. The second hypothesis is hard to reconcile with the fact that the only man who has a recorded excuse for not serving (Andrew Goderiche, 'infirm') does not have triangle, but a cross. The first hypothesis involves reading something into the record that is not clearly there, and leaves the rest of the marks unexplained. Indeed, since later systems made use of the dots to indicate that people were chosen, we should try to make use of the dots that we see here to arrive at jury of those who are marked.

Excluding those who were not marked in any way on the ground that they either did not appear or were excluded silently, we have sixteen names with some sort of mark. The only way, it would seem, in which we can reach twelve is if we assume that everyone who has either a single or a double dot was chosen. Of those originally summoned five have two dots, a triangle, and no cross; one has a single dot and cross; and one has two dots, a triangle, and a cross. It looks as if the second individual dot was put in over the cross, or vice versa. Considering that the position of the triangle is always next to the name, it is tempting think that it represents a determination that there is no obvious objection to the man's serving. The two dots would then mean that each party accepted him. The single cross and a dot could mean that one party objected to

[69] These four paragraphs are by C.D., and neither P.T. nor T.O. bears any responsibility for them.

a juror but was overruled. That meaning of the cross ('the court ruled') would then make sense of the cross next to the talesman who was infirm: the court accepted his excuse.

That means that when the court reached the talesmen, five had to be chosen. The first two, Gryme and Danyell, correspond to the pattern that we noted above, except that Gryme does not have any visible triangle. The cross next to his name would indicate, however, that whatever objection was raised against him was overruled. We then get two who have triangles but nothing else. They may have been subject to what in modern law is called a 'peremptory objection'. By the time we reach Folower, however, the parties may have run out of peremptory objections. He is accepted with only one dot. In the case of Amore, there may have been an objection for cause, though the triangle would indicate that it was not obvious. The cross then indicates that the objection was overruled. The final two are the most difficult to interpret. Our supposition is that there was no obvious objection to Corneford (triangle), but that somehow Lauerance was chosen (a single dot).

Whether this interpretation of this list proves acceptable or not, the system reflected here does indicate that jury selection was a quite complicated process at Southampton. It probably involved both 'peremptory objections' and objections for cause and rulings by the court on the latter.

Trial by jury was available in all civil cases in the Middle Ages. At around ninety-seven percent of all trials, jury trial was by far and away the most common form sought by defendants in Southampton in the 1470s and 1480s. It was also much more commonly sought by defendants in trespass than debt cases, particularly, it seems, in the Common Court, where sixty percent of trespass cases in 1473–4 went to a jury (as opposed to just over forty-three percent in the Piepowder Court in 1482–3). Around a quarter of debt cases in the Common Court, and thirty percent in the Piepowder Court, went to jury.[70]

Wager of law was subject to restrictions: for example, it was almost certainly not available to defendants who had allegedly committed violent trespasses or in cases in which the plaintiff had witnesses or written evidence to support his allegation.[71] In both courts, there were no more than one or two cases a year in which the defendant opted, and was permitted, to wage his law. It no doubt performed a small but useful function in resolving those disputes which involved one party's word against the other's; however, although one might expect it to be the preferred method of trial whenever possible in cases heard 'from day to day and hour to hour' (because of the difficulty of summoning a jury at short notice), it was confined neither to these types of cases nor to the Piepowder Court.[72]

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[70] For what it is worth, jury trial was sought in nearly 37% of other actions in the Piepowder Court, and 30% in the Common Court.

[71] This may explain the amendment from wager of law to jury trial in *Holman* v. *De Vivaldis*: SC7/1/8, fol. 8.

[72] E.g., SC7/1/8, fol. 20, *Palmer* v. *Kente of Oxford*; SC7/1/5a, fol. 2, *White* v. *Bachelor*.

Penalties

As we have seen, imprisonment in civil actions, even in trespass, was normally an enforcement process rather than a penalty: a way of ensuring that the defendant appeared in court or paid any amercements and penalties imposed. Because the clerks were not entirely reliable when it came to recording outcomes, it is impossible to know for sure what the practice was with regard to the imposition of costs and damages (although amercements were much more consistently recorded, with 3d being the standard amercement). Such as the evidence is, it suggests that both costs and damages were available in actions of debt upon demand,[73] as well as trespass,[74] in Southampton by the later fifteenth century. However, that may not have been true of ordinary debt actions, since in the one recorded case of damages and costs being awarded in debt, by a jury, judgment was respited 'because the Court was not advised about it'.[75] Because there are so few actions of covenant, detinue, deceit and account in the fifteenth century Southampton records, it is unclear whether damages were available in them as well, but costs were awarded in a detinue case.[76] In general, although recorded awards of costs, with or without damages, are uncommon, they appear to have been considerably more common in the Piepowder than in the Common Court, perhaps simply because the costs of the many strangers and foreigners who appeared as plaintiffs in the former court were in practice significantly higher. Italians, for example, appear to have been more likely to appoint an attorney than local men or, as defendants, to obtain a writ from the royal Chancery ordering the removal of a case while still pending or on appeal.[77]

Accessibility, efficiency and effectiveness of the Town Court

In addition to the provisions in the 1482 ordinance which have already been discussed (relating to process and its cost in debt cases in the Common Court and the fact that residents and strangers had to pay different fees), there are a number of others which had implications for the accessibility and efficiency of the Town Court. In summary, they decreed that:[78]

- Once 'issue had been joined' between plaintiff and defendant in the Common Court (that is, the defendant had denied the claim in whole or

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[73] E.g., SC7/1/3, fol. 14, *Spygot* v. *Fitchet* (costs only): 15v, *Tolle & Tolle of Hook Mortimer* v. *Godeale of Hook Mortimer* (damages as well as costs awarded by the Court; the plaintiffs had claimed damages of 40s – as against a debt of 66s 8d, or 60%! – and were awarded a much more realistic 5s 6d for damages (8.25%) and 4s 7d for costs).

[74] E.g. SC7/1/6, fols. 11v–12ar, *Harison* v. *[Blank] galleyman*; fol. 12c, *Sherman* v. *Parkyn*.

[75] SC7/1/9, fol. 45, *Walker* v. *Avan*.

[76] SC7/1/6, fol. 9v, *Braynwode* v. *Romayo*.

[77] Of 10 such removals in the Piepowder Court, 7 involved Italians.

[78] Wallis Chapman, *Black Book of Southampton*, I, pp. 9–13.

part) the plaintiff had three months in which to prosecute his suit; if he failed to do so, he would be 'non-suited' (not allowed to continue his case) and would have to wait a further three months before bringing it again.

- In both Common and Piepowder Courts if the sum in demand was 10 marks (£6 1s 4d) or less, the sergeant would have 12d to make his return of the panel (of jurors); if more, then 2s.
- In cases of alleged trespass, if the defendant waged his law as to whether the damages amounted to 40s and more or not, he could ask that the plaintiff be examined by the court. If the plaintiff refused to be examined, the defendant would be permitted to make his law. If however the plaintiff was prepared to take an oath that the damages amounted to 40s or more then the case would have to go to a jury.
- In cases involving 'surety of the peace', with fees fixed at a maximum of 2s, the mayor was to receive 12d, the Town Clerk, 8d, and the Sergeant, 4d.
- In cases involving any stranger or foreigner in the Common Court or the Piepowder Court the party should pay 3d pledge money to the Sergeant.

The ordinance thus had two broad aims: one, to regulate fees; two, to tighten up process. The first provision of the 1482 ordinance, regulating the cost of process in debt cases in the Common Court, was clearly intended to ensure that defendants appeared promptly in response to summons. Its effect was to increase the cost of dilatoriness by plaintiffs in such cases. A defendant was still allowed a delay of at least four weeks for a single payment of 1d. For six weeks thereafter the cost went up by 2d each week (and he would have to find someone to act as surety if he wanted his goods back). By the sixth week his costs would total 43d (3s 7d). Further weeks of delay after that would cost the substantial sum of 12d per week. From October 1482 on, therefore, the pressure on a defendant to appear became significant once a month had elapsed. Conversely, the second provision was designed to ensure that, once a defendant had appeared, the plaintiff did not try to drag out proceedings (in London, a similar 'three-month rule' was explicitly introduced to prevent plaintiffs trying to catch defendants on the back foot by re-activating a case after it had been dormant for months).[79]

While the aims of the ordinance were evidently laudable, it seems likely that its provisions did not simply rehearse existing practice. They may well have been introduced because the town's governors accepted that the existing process was unsatisfactory and that the fees previously charged had either been excessive or unsystematic and therefore unfair.

The Common Court

Modern commentators on the administration of the medieval English common law, certainly in the central courts, tend to regard it as costly, slow and inef-

[79] Tucker, *Law Courts and Lawyers in the City of London*, p. 323.

fective.[80] What happened in practice in the full range of lawsuits brought in the Southampton Common Court is best exemplified by the cases contained in Town (Common) Court Book SC7/1/9. This covers a whole mayoral year from early October 1482 to the end of September 1483 and the session dates are fully recorded, making it possible to track a lawsuit over a long time. From this it is clear that cases rarely went to the full extent envisaged above. In some instances, however, the procedure was extremely protracted. One debt-recovery case, that of John Balsarre of Bristol, merchant, against William Selman, seems as first sight to be a good illustration of process in local courts which was almost as slow and ineffective as that of the central courts. Although the case was brought shortly before the 1482 ordinance was introduced on 17 October, it probably was subject to its provisions.

Balsarre brought his case for debt against Selman in the Common Court sometime before (probably at the court before) 8 October 1482.[81] At the initial hearing Balsarre was represented by his attorney Guy Shilvyng (shown by the initials GS) who then petitioned the court to have the case adjourned until the next court after Christmas and gave Balsarre's pledge to appear then. The court accepted this.[82]

A peculiarity of this case is that there is a second entry relating to Balsarre and Selman under the same session heading 'in a plea of debt upon demand of 20 marks'.[83] As this entry appears on just one more occasion, at the next court, where it is annotated 'Void because previously', it looks as if the clerk thought that it was a mistake[84] (but see below, under 'Use and abuse of the Town Court',[85] for what is probably the correct explanation).

From 22 October to 17 December inclusive – nine sessions in total – the formula used to keep the suit pending before the Court is: 'Likewise there still remains a dispute [...] adjourned at the parties'[86] request to the court next after the feast of Christmas by their own pledge'.[87] On 14 January, the next court session after Christmas, however, Selman had not appeared, as is shown by the note 'default', and the sergeant was ordered to attach him. He had no more chances to appear voluntarily; this is indicated by the phrase 'last summons'.[88] But by the next court on 21 January he still had not appeared and neither had any money or goods. Although the main entry merely ordered that Selman

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[80] Blatcher, *Court of King's Bench*, pp. 62–89. For similar problems in medieval London's Court of Husting, see Tucker, *Law Courts and Lawyers of the City of London*, pp. 318–22, 327–31.

[81] SC7/1/9, fol. 2r. The first notice of a case should be the entry 'A complains against B', whereas in *Balsarre* v. *Selman* the first surviving entry records an order to the sergeant to summon the defendant. The usual first notice was probably entered in a book that no longer survives.

[82] The next entry (*ibid.*, fol. 3r.) is annotated 'Adjourned as appears in the preceding court'.

[83] *Ibid.*, fol. 3r.

[84] *Ibid.*, fol. 4r.

[85] At n. 116.

[86] Or 'party's' and 'his' (the annotation is ambiguous).

[87] SC7/1/9, fols. 7v, 10v, 13r, 15v, 17v, 20r, 22r, 24v, 27v.

[88] *Ibid.*, fol. 30v.

be attached, what in fact happened, according to the annotation, was that the sergeant reported that he had 'nothing' (no assets) within the jurisdiction and he was ordered, 'therefore arrest'.[89] This may mean, not that Selman himself was necessarily to be arrested – and, as he was pursuing a lawsuit himself as plaintiff by this stage,[90] he presumably could have been – but that the sergeant was being ordered to arrest him unless he could instead secure goods to the value required to satisfy the debt, or as close as possible to it. In view of what happened subsequently, this is probably the correct interpretation.

We would expect at this point that the next entry would show him in court paying the debt in money or goods but on 28 January and again on 4 February the officer was once more ordered to attach him.[91] The superscript 'action' line ('as previously' and 'as several times before') indicates in both cases that this had been tried before. On 18 February arrest was again ordered 'as several times before', and two appraisers were appointed to value the goods that the court apparently expected to be seized,[92] but on the 25th we seem to be back to the beginning. The sergeant was again ordered to attach Selman to ensure his appearance.[93]

By the next court on 4 March, however, the goods had arrived in court and were awaiting appraisal by Thomas Wilson and Thomas Overey.[94] This did not take place immediately. Between 11 March and 23 September – the last court of the mayoral year and therefore the end of the book – the appraisers continued to 'have a day' on which to make an appraisal but appeared to do nothing.[95] The only development was that on 26 May Thomas Wilson was replaced as appraiser by Thomas Braynwode.[96]

So even after all this, we cannot be entirely certain that Balsarre eventually got any, let alone all, of his money back. It is hardly surprising that historians, wading through entry after entry in which the Court's officers are ordered 'still' / 'as previously' / 'as several times before' to take action and are said to do nothing, have judged medieval courts inefficient and ineffective.[97] We should bear three things in mind, however: one, that modern justice in civil cases can

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[89] *Ibid.*, fo. 33r.

[90] *Selman* v. *Knollys, Leycestre & Leycestre*; see at nn. 104–110.

[91] SC7/1/9, fols. 35v, 38v.

[92] *Ibid.*, fol. 41v.

[93] *Ibid.*, fol. 44v. Possible explanations for this apparent inconsistency include that (a) Balsarre's attorney was employing variable tactics according to how responsive or otherwise the defendant seemed likely to be, and (b) the court clerk was imprecise or careless in his wording.

[94] *Ibid.*, fol. 48r.

[95] *Ibid.*, fols. 51r–90r, twelve sessions (the relevant entry is always directly under the session heading).

[96] *Ibid.*, fol. 62r.

[97] See, for one among a great many similar comments, the observation that in Winchester's City Court, 'delays were endless, and the repetition of summons and distraint and 'better distraint' is inconceivable.' J.S. Furley, *City Government of Winchester from the Records of the XIV & XV Centuries* (Oxford, 1923), p. 137

also be slow and ineffective and, in the superior courts, very costly; two, that the repeated entries served as a reminder to the medieval court that a case was still pending and can give a false impression of dilatoriness; and, three, that the formulaic entries in medieval court records tend to mask what is actually happening.

If we look at the thirty-nine new suits brought in the Common Court in the nine weeks between 15 October (the first session of the year) and 17 December 1482 (the last session before Christmas), excluding four that were vacated because they had been brought in the Piepowder Court, only seven appear not to have reached some sort of conclusion, with one (*Fesaunt* v. *Tall alias Broune*), still pending at the end of the mayoral year, having been adjourned initially until after Pentecost. Of the rest, nearly sixty percent had reached a resolution before the end of the month following their initiation; over eighty percent had done so by the end of the month after that. In twenty cases it is possible to tell for certain who won. The plaintiff either won or secured a (presumably acceptable) agreement from the defendant in eighty-five percent of these cases. Only in three cases, two involving a jury verdict for the defendant and one a non-prosecution, is it clear that the plaintiff lost. Moreover, when the plaintiff abandoned his suit, it appears he might have done so because of some problem with the presentation of the case or the process, since he simply began again.[98] At worst, including all the cases with unknown outcomes, plaintiffs were successful in some forty-three percent of their lawsuits.

As for costs, we have seen that they were not always or even, apparently, commonly awarded. When they were, they ranged from 1s 8d[99] to 10s.[100] In *Balsarre* v. *Selman*, we have no means of knowing what the cost to the plaintiff was. In theory, he paid at least 2s to initiate the suit, and perhaps 3d for each further stage of process (perhaps 1s in total, assuming that there was no charge when the suit remained at the same stage), together with fees to Balsarre's attorney and to the sergeant, which are unlikely to have been less than 3d a time whenever the suit advanced a further stage (at least 1s more). The appraisers, if they ever acted, will have received a fee, too. At the very least, the total cost to the plaintiff should have been 5s, and it could well have been considerably more. On the other hand, assuming that he did receive back the whole value of the debt eventually, he was probably over £10 better off than he would have been, had he not brought his suit. This is so, even if the sum owed to him was no more than the 20 marks mentioned in the vacated entry and his unrecovered costs were, say, 20s, which is twice the highest costs known to have been awarded to any other late fifteenth-century Southampton plaintiff.

Even in relation to dilatoriness, the situation in *Balsarre* v. *Selman* may not have been nearly as bad as at first appears. Balsarre clearly initiated the suit

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[98] E.g., *Calton* v. *Benet*, which was brought for the first time on 10 December 1482, seemingly abandoned a week later and brought afresh on 21 January 1483: SC7/1/9, fols. 27r, 29v, 35r.

[99] SC7/1/4, fol. 7v, *Davy* v. *Laneton*.

[100] SC7/1/4, fol. Bv, following fol. 2v, *Cooper* v. *Spaniard*.

before he was ready to prosecute it. Once he had decided to proceed, it took just eight weeks, between 14 January and 4 March, to secure some part of the the value of the debt.[101] (As the entry on 11 March makes clear,[102] the goods were for the benefit of the plaintiff, available to defray the debt in part or whole, and were not a form of amercement which was retained by the Court). Moreover, a possible explanation of the failure of the appraisers to act is that the Court did not allow the plaintiff to receive the value of the debt until a certain time had elapsed. In London, the goods were handed over to the plaintiff who had to provide security for returning them, should the defendant appear within a year and a day and succeed in reclaiming them.[103] In Southampton, the practice may have been not to hand the goods over at all until a similar period had elapsed (or perhaps plaintiffs were content to allow the Court to hold the goods for them). If so, there would have been little point in carrying out an appraisal beforehand. In any event, we clearly need to be cautious about assuming that delays to prosecute medieval lawsuits are evidence of ineffectiveness and inefficiency on the part of the court concerned.

It may also be significant that William Selman, who was presumably a burgess or resident of Southampton since the suit against him was brought in the Common Court,[104] was also the plaintiff in *Selman* v. *Knollys, Leycetre & Leycetre*, initiated on 14 January.[105] This is the date on which Selman allegedly failed to appear after the various adjournments and his attachment was consequently ordered. On 18 February, after Knollys and the Leycetres had defaulted, they were attached by ten pieces of tin.[106] This was also the session at which the arrest of Selman or his goods was ordered and appraisers appointed, suggesting that there was confidence that the order would be successful. On 4 March, the defendants defaulted for the third time,[107] and Selman himself was said to have been attached by various unspecified goods. And when the defendants in *Selman* v. *Knollys, Leycetre & Leycetre* defaulted for the fourth and final time the following week, the two men who were appointed to appraise their tin were same pair who were eventually to act as appraisers of Selman's goods, Overey and Braynwode.[108] In other words, it looks as though the two cases were linked.[109] The only way for Balsarre to recover most or all of his

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[101] In *Bowrer* v. *Catayn*, for example, the plaintiff claimed 55s and the attached goods were valued at 56s: SC7/1/8, fol. 22.

[102] SC7/1/9, fol. 51r.

[103] Tucker, *Law Courts and Lawyers of the City of London*, p. 183.

[104] He also appears as defendant in *Selman* v. *Ambrose*, SC7/1/9, fols. 4v, 8v. He is probably not the William Sellam *Tranter* who was sued in 1482–3 in the Piepowder Court (SC7/1/8, fols. 6r, 7r, 20v), but he may be the William Sulman who acted as a mainpernor in *Catan* v. *Taverner* (*ibid.*, fol. 2v).

[105] SC7/1/9, fol. 32v.

[106] *Ibid.*, fol. 43r.

[107] *Ibid.*, fol. 49r.

[108] *Ibid.*, fol. 52r.

[109] *Selman* v. *Knollys, Leycestre & Leycestre* was almost certainly a suit between town residents or burgesses, and therefore one that would be heard in the Common Court. The linkage between

debt had been to persuade Selman, who may have been genuinely short of money but who did have debtors himself, to sue them. If that is indeed what happened, neither the rather erratic progress of Balsarre's suit nor the fact that the goods remained in the keeping of the court, presumably until Knollys and the Leycetres had had the requisite time in which to seek to recover them, is surprising. What this case also tends to confirm is the non-availability in Southampton of a procedure known as foreign attachment, which permitted creditors in London and a few other local courts to arrange for the arrest of the assets of their debtor's debtor in satisfaction of the sums owed to them.[110]

The Piepowder Court

The fact that entries in the books of the Piepowder Court are not arranged under session headings and that dates are only normally given when cases were adjourned means that it is impossible to tell how long it took to resolve them. The clerks were also as careless as they were in the Common Court about completing details of suits that clearly did get to an advanced stage (with the defendant being imprisoned, for example, or attached goods appraised).[111] Even when the issue went to a jury, and not only did the jury give its verdict but the Court delivered its judgment, the nature of that verdict and judgment is not necessarily given.[112] Many of the seventy-seven cases with unknown outcomes in the fullest of the books, SC7/1/8, appear, nevertheless, to have been abandoned at an early stage, with some entries being deleted while still incomplete.[113] As was the case in the Common Court, some plaintiffs evidently decided to abandon a suit only to begin it again, judging by notes that the plaintiff had been non-suited, but that (for example) a licence to come to an agreement had subsequently been granted.[114]

If we ignore these entries, together with the eight relating to cases either adjourned beyond the end of the year or removed to a higher court, and also eighteen suits vacated because they were in the Common or Admiralty Court, we have 178 cases with a known outcome, and another eleven in which we can only guess what it was. Of the first group, in 149 cases (eighty-four percent) there was a licence to come to an agreement, and either the defendant admitted the allegation or a jury found for the plaintiff in a further eight cases (five percent). In a couple of cases, one of the parties died, and in a third, the earl of Arundel's action for debt against Margaret Stannford, the suit was discon-

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the two cases may explain why Balsarre chose not to bring his suit in the Piepowder Court although – assuming that the 1392 regulations were still in force – he could have done so.

[110] For foreign attachment generally, see Bateson, *Borough Customs*, Selden Soc., 21 (1906), II, pp. lvii-lviii; in London, Tucker, *Law Courts and Lawyers of the City of London*, pp. 79–80, and for its availability in Lincoln and Waterford by the late fifteenth century, Bateson, *Borough Customs*, Seldon Soc., 18 (1904), I, p. 127.

[111] SC7/1/8, fol. 2, *Harres* v. *[Blank] master of Le Jamys*; fol. 11, *James* v. *Couteren.*

[112] E.g., SC7/1/8, fol. 1, *James alias Eliot* v. *Skapesyn.*

[113] E.g., *Marner* v. *[Blank]* in a plea of [blank]: SC7/1/8, fol. 2v.

[114] E.g., SC7/1/8, fol. 12, *Sherd of Winchester merchant* v. *Palsare & Grigge of Winchester.*

tinued because she was a pauper.[115] That leaves just fifteen cases in which the plaintiff failed to prosecute his suit, two in which the defendant successfully waged his law, and a single instance of a jury finding for the defendant. Even including the cases in which the outcome was unknown for one reason or another, plaintiffs were undoubtedly successful in over fifty-five percent of their lawsuits, an even better result for the plaintiff than was apparently achieved in the Common Court.

Use and abuse of the Town Court

Balsarre v. *Selman*[116] is of interest because it reveals something of the tactics adopted by plaintiffs in the Common Court. The fact that two entries involving Balsarre and Selman, one of which was subsequently vacated, appear under a single session heading could, it was suggested earlier, simply have been a mistake. It is however quite possible that Balsarre began two suits; and as the second suit was settled or abandoned before anything had been done, the Court allowed him to drop it without imposing an amercement. In support of this explanation is the fact that the sum allegedly owed was stated in the second entry because it was an action of debt upon demand, whereas the first suit was an action of simple debt (as we have seen, there was a distinction in Southampton), that in the second suit the sergeant had already been ordered once to summon the defendant (suggesting that this suit had been brought, not one, but two weeks earlier), and that there is no note that the plaintiff asked for the suit to be adjourned, as he did in relation to the first entry. And, whether or not there were originally two separate suits, it seems that Balsarre was not necessarily expecting to litigate. Either that, or he initiated his first suit before the debt was due to be repaid, safeguarding himself against the risk of exceeding the time allowed for prosecuting it by asking for a fixed adjournment, thus ensuring that matters progressed speedily once the repayment date had passed.

The fact that the Common and Piepowder Courts were courts which kept records to which reference could be made in case of later dispute gave litigants the opportunity, in effect, to register debts for a fee.[117] In continental Europe the services of a notary – a lawyer dealing with 'notes' pertaining to debts and bonds – were usually employed to register a debt. In medieval England such a system never fully developed and it was to courts of record that lenders and debtors had recourse to register such transactions. A formal system of recognizances, by which the debtor acknowledged ('recognized') before a judicial authority that the debt was owed, had developed by the thirteenth century.[118] This, however, enabled the creditor to initiate the process for

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[115] SC7/1/8, fols. 17v: *Poterum* v. *Weddell*; 28v: *Glover & Glover* v. *Waterman*; fol. 29r: *Earl of Arundel* v. *Stannford*.

[116] See text at nn. 81–96.

[117] Tom Olding bore principal responsibility for these four paragraphs.

[118] Pollock & Maitland, *History of the English Law*, II, pp. 203–4.

recovering his money without resorting to litigation by precluding the debtor from subsequently denying the debt. Consequently, recognizances registered in Southampton do not feature in the town's court records. On the other hand, throughout the Town Court Books we find repeatedly in the issue line "*P[ro] Lic[encia] Con[cordandi]*" ("For licence to concord"), i.e., permission to reach an agreement, accompanied by a large bracket in the margin. This indicates the resolution of a case by the payment of 3d into the court's coffer (*pyx*) and presumably by the payment of some or all of the debt claimed by the plaintiff. It is impossible to tell how many of these cases in the records involved genuine disputes relating to the non-payment of the original debt and how many, if any, represent fictitious litigation. The many instances of out-of-court settlements suggest at least the possibility that the Southampton courts were being used to register, not the existence of a debt, but its extinction. As plaintiffs in these cases could equally well have been using the initiation of the lawsuit as a means of putting pressure on their debtors to settle a genuinely contested debt, however, that is far from certain.

It is also possible that creditors were taking advantage of the availability of damages in actions of debt upon demand (and possibly debt generally) in order to get round the Church's prohibition on the charging of interest between Christians. This prohibition was based, from the early days of Christianity, on passages in the Bible forbidding the charging of interest.[119] Christian theologians regarded Christians as the new Israelites and considered the prohibition as applicable to them but, ironically, not to the Jews, who, in the period before their expulsion from England by Edward I, were regarded as legitimate money lenders, counting among their clients various kings of England. Interest payment as such on loans was forbidden under both civil and canon law. Jurists of both codes however, with the active involvement of theologians, had developed a rationale for ensuring that trade and commerce, on the fruits of which the Church ultimately depended, could flourish and expand.

A justification of commercial interest payment developed during the thirteenth century in northern Italy and, approved by canon lawyers, was known as *lucrum cessans*, i.e., forgoing profit. The lender loans a certain amount to the borrower so that he may trade with it. By so doing he has deprived himself of the profit he would have had if he had traded with it himself. He is then free to charge the borrower the same amount for lost profit. This amount was calculated at a set rate of interest for a specific time. The rate varied naturally from place to place and time to time; most information derives from northern Italy where rates of anything between five and twenty percent were levied on commercial transactions.[120]

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[119] 'When you lend money or food or anything else to a fellow Israelite, do not charge him interest. You may charge interest on what you lend to a foreigner, but not on what you lend to a fellow Israelite'. Deuteronomy 23: 19–20. Exodus (22:25), Leviticus (25: 36–7) and Deuteronomy (15: 7–11) contain similar prohibitions against charging interest to fellow Israelites.

[120] Spufford, *Money and Its Use in Medieval Europe*, p. 98.

It was possible to incorporate a form of 'interest' within the overall debt at the outset, so that the debtor undertook to repay what appeared to be the original debt but was actually the sum borrowed plus a charge. Dr Paul Brand cites a case (*Lotero de Boneguyde* v. *The Prior of Lewes* in 1279) involving a loan of 500 marks repayable in one year as 700 marks, i.e., with the additional payment of one in every ten marks every two months, although in the event Lotero was only awarded 100 marks in addition to the 500.[121] An alternative approach was to seek damages upon default. According to Dr Brand, '[d]amages were . . . English law's version of lawful interest.' So, while in trespass cases the damages claimed and awarded may very well have been recompense for the damage done or the loss caused, in suits of debt upon demand it may be that they represented interest, if not in the modern sense of a certain rate for a certain period of time, at least in the canon law sense of profit forgone by the plaintiff while the sum was being withheld from him.

The distinction that seems to have been preserved in Southampton in the 1470s and 1480s between simple debt and debt upon demand suggests that here, at least,[122] the former may have been associated with commercial transactions of mutual benefit – credit extended by suppliers to manufacturers, wholesalers to petty retailers, and so on – while the latter was associated with essentially financial arrangements: the equivalent of the modern bank overdraft. The real sanction against the defaulting debtor in simple debt was not the lawsuit, but the loss of creditworthiness. If so, it would help to explain why damages were apparently available in debt upon demand but not simple debt. In practice, however, the availability of damages in debt upon demand is likely to have meant that this was the action preferred by any creditor who was, for some reason, in a stronger position than his debtor, however the debt was incurred.

The Personnel of the Town Court

Judges and Law Officers

The presiding judges of both the Common and the Piepowder Court are given in the session headings, where they appear, as the mayor and two bailiffs. In those instances in which we are told that the Court decided what costs and damages to award, they may well have also been acting as judges of the fact, just as jurors did in those cases that went to a jury trial. On the question of any judges of the law, however, the fifteenth-century Southampton court records are silent. Presumably the mayor and bailiffs also performed this function in theory, but in practice received advice on law and custom from the town's chief clerk until the appointment of a specialist law officer, the recorder.[123]

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[121] Brand, 'Aspects of the Law of Debt 1189–1307', p. 33.

[122] In the London Sheriffs' Court in 1421 an action described as debt upon demand related to a debt repayable on a fixed date: CLRO, Husting Court of Common Pleas Roll 147, fol. 5v.

[123] A town clerk existed by the early fourteenth century at the latest, and a recorder by 1457: Page, *History of the County of Hampshire*, III, p. 513.

Sergeants

Most of the entries in the Town Court books have one or more initials in the left-hand margin.[124] It is highly likely, though not certain, that they are those of the sergeants responsible for ensuring that the orders of the Court were carried out, rather than of the clerks. The main reason for believing this is that the clerks who wrote the entries were inconsistent in their practice, and once in a while they gave a name in full. In a case in the Common Court in October 1482, *Basse* v. *Sulman*, an order was given to Robert Wryght (as opposed to the much more common 'The officer of the Court'). The annotation in the left-hand margin is 'R Wryght'.[125] In another suit, *Burton* v. *White of Southampton gentleman & Marnell of Southampton merchant*, the order is given to the officer of the Court, and the note in the left-hand margin is 'Robert Wryght'.[126] In one of the Piepowder Court books, we are told that Robert Wryght is a 'Sergeant-at-Mace and officer of the Court'.[127] The 'R Wryght' of the left-hand margins is therefore almost certainly Robert, and not the attorney, Richard Wryght (see below), even though Richard does once appear in the left-hand margin himself.[128]

The names and/or initials (with the total number of appointments for SC7/1/3[129] – SC7/1/7) are:

Table 3. Sergeants Appointed SC7/1/3 through SC7/1/7

Initial	*/3*	*/5a*	*/4*	*/5b*	*/6*	*/7*
B	55		1			
R	22	8	6	1	74	16
W	36	12	1	14	3	
H	22	2				
G	36	39	22	3	50	7
F	2	24	33	3	124	18

[124] Very occasionally these details are omitted, as in *Raynold* v. *Seny*, where the explanation is probably that the parties were permitted to come to an agreement almost immediately, or in *Dentebere* v. *De Candea* and *Gough & Gough* v. *Nele*, which admit of no such easy explanation: SC7/1/3, fols. 5, 11 (*bis*).

[125] SC7/1/9, fol. 4r.

[126] SC7/1/9, fol. 4v.

[127] SC7/1/8, fol. 3v.

[128] SC7/1/8, fol. 6r, *Baudewynson* v. *Clerke of Andover*.

[129] The left-hand edge of SC7/1/2 is too damaged for any names or initials to be identifiable.

Table 4. Sergeants Appointed SC7/1/8 through SC7/1/9

Name/Initial(s) in SC7/1/8	*Also appears in SC7/1/9?*
Wryght, R[obert]	Y[es]
White, R	Y
Wryght, Richard	
RW	
R	Y
Rose	Y
B	
G	Y
Gye	Y
G Shilvyng	
GS	

The probability is that the initials of the earlier books (to SC7/1/7) represent a single man in each case. Moreover, the impression given by the mixture in the two later books of surnames with initials, one or two initials, or even a surname or first name by itself – that more men were regularly involved in the 1480s than had been up to 1479 – is almost certainly misleading. On the contrary, it looks as though the number originally was five, and reduced by one in 1473–4,[130] when 'B' was, perhaps, promoted (he appears very occasionally later) and 'H' left office or died, the two men being replaced by 'F'. The one-off entries for 'RW', Richard Wryght and 'B' apart, we have Robert Wryght and R. White, together, in all likelihood, with two other men. It is possible to suggest identities for another three men. 'F' is almost certainly John Filder, who is described as a sergeant-at-mace on one occasion.[131] The 'R' of SC7/1/8 and /9 is probably John Rose throughout, since in *Ludlow & Ludlow* v. *Tasker lately of Winchester yeoman* his surname is given on first appointment but thereafter only the initial 'R'.[132] Similarly, although it is 'Gye' who is ordered to attach the defendant in *Lotton* v. *Grame* on 5 and 12 November 1482, thereafter it is 'G' who is responsible for this suit.[133] This is probably Guy Shilvyng, also referred to as 'GS' (see below).

[130] Both SC7/1/3 (Piepowder Court) and /5a (Common Court) cover this mayoral year.

[131] SC7/1/6, fol. 6b.

[132] SC7/1/9, fols. 55v, 58r. His Christian name is given on SC7/1/8, fol. 14r. That makes it reasonably certain that he is to be identified with the attorney of the same name (see below).

[133] SC7/1/9, fols. 15, 17, 19, 21v, 23v *et seq.*

Attorneys

Table 5. Appointments of Attorneys in SC7/1/3 through SC7/1/9

Names[134]	*In the Common Court*[135]			*In the Piepowder Court*					
	/4[136]	/5a	/9	/3	/4[137]	/5b	/6	/7	/8
Shilvyng, Guy		8	18	7	6	1	6		23
Wryght, Richard	2	2	2	1	3		33		3
Lathum, William				7	1		2	1	1
Avenell, Thomas									10
Wodeford, William			9						
Godefelowe, Gilbert		1	2	1			1		2
Astin, Thomas				7					
Bymson, G.								6	
Rose, John			1						4
Walter/Walton, Hugh				4					
Filder, John[138]					1		1		
White, R.							1		
William, Walter									1
Bache, Thomas of Soton							1		
Bluet, Robert									2
Skorer, John of Coventry							1		
Lane, John									1
Smyth, Richard				1				1	
Raynold, Thomas				1					
Mitchell, John									1
De la Poise, Damian							1		
Wright, David							1		
Elicombe, Thomas							1		
Godfrey, John				1					
Gough, John							1		
Luke, Michael (? of Winchester)				1					

[134] Where initials only are given and match those of an attorney who appeared regularly, they have been assumed to be of the same man.

[135] No names of attorneys are given in SC7/1/2.

[136] SC7/1/4, fols 1 only.

[137] SC7/1/4, fol. 2 on.

[138] Sergeant: SC7/1/6, fol. 6v.

Table 5. (continued)

Names[134]	*In the Common Court*[135]	*In the Piepowder Court*					
Kidwelly, William of Winchester			1				
Vandreson, Henry						1	
Sigon, Raymond					1		
Holman, Thomas					1		
Ambrose, Christopher					1		
de Chipareles, Michael					1		
Dunyng, J.							1
More, Henry					1		
Platte, William					1		
Kirton, Thomas					1		
Exetur, Nicholas							1
Smyth, Thomas[139]		1					
Pere, Richard				1		1	
Belmas, Yvon				1			
Hamond, William					1		
Done(ll), Dennis	1						
Rede, John						1	
Ailesby, Roger							1
Kelsale, R.							1
?Catanea, Seve						1	
?Lomelyn, Geoffrey						1	
HG			1				
IR (?John Rose)						1	
EG			1				
B						1	
TB (?Thos. Bache)		1					

Clearly, if Southampton attempted, as a few provincial cities did, to follow London's example and forbid sergeants to act as attorneys for, and 'be of counsel with', litigants, it failed – also like the provincial cities.[140] It may well be that

[139] 'Baily of the Court': SC7/1/7, fol. 6v.

[140] Riley, *Munimenta Gildhallae Londoniensis*, I, p. 519. For examples of other prohibitions on both sergeants and clerks, see Bird, *The Black Book of Winchester*, p. 40 (early 1400s), Veale, *The*

no such attempt was made, as seems to have been the case in many if not all towns.[141] Guy Shilvyng, who, as we have seen, was almost certainly one of the sergeants, was also the most active of the attorneys at work in the Town Court during the 1470s and early 1480s. One might assume that it was impermissible for a man to act as an attorney for one of the parties if he was the appointed sergeant in the suit concerned. On 4 November 1482 Shilvyng was appointed attorney by the plaintiff in *Grame* v. *Lotton*. The next entry is a countersuit, *Lotton* v. *Grame*, and 'Gye' is the name in the margin; and his appointment as attorney in the other suit is deleted.[142] However, that is apparently not the explanation, as there is an example of R White being appointed as an attorney, even though he was evidently also the sergeant in the suit, and the same is true of Shilvyng.[143] On the other hand, in *Eddon* v. *Soresby otherwise Alderdale*, 'G' was removed as sergeant '*quia de consilio*' and replaced by 'W' who was 'assigned by the Court'.[144] What mattered, it seems, was whether a sergeant was 'of counsel' with one of the litigants; merely being appointed as an attorney did not.

One might well wonder why it did not matter, given that litigants 'put [the attorney] in his place [to win or lose for him]', as the standard phrase went. The difference may be that attorneys in this Court were usually appointed simply to ensure that the case progressed in the litigant's absence. If they did more than this – offered advice on the conduct of the case or undertook pleadings for the litigant[145] – they were 'of counsel' and no doubt paid accordingly. A plaintiff who chose the appointed sergeant as his attorney simply to ensure that process continued did no more than give the sergeant an incentive to do his duty assiduously (and appointing a different sergeant seems to have had as much – or as little – effect). In the suit and countersuit between Grame and Lotton, however, the fact that the sergeant appointed in the countersuit was Grame's attorney in the original suit might reasonably have worried Lotton, as plaintiff in the countersuit. (In other words, while the sergeant in the original suit had an incentive to act assiduously, which was what was expected of him

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Great Red Book of Bristol: Text, Part I, IV, pp. 122 (1449), 254 (1453–4); for their ineffectiveness, see HRO, Winchester City Court Roll W/D1/56 for regular appearances by Sergeants John Ocle, Thomas Stokes and William Mersshe and Underclerk Richard Erle or Erell, at rots. 1 *et seq.* (Ocle x 8, Erell x 2), 4 ('TS'), 4d *et seq.* (Stokes), 14 *et seq.* (Mersshe); for their status, see HRO, Winchester City Court Roll W/D1/106, rots. 11 (1416/7), 'c' (no date, circa 1416–25); also Veale, *Great Red Book of Bristol: Text, Part I*, IV, p. 255, for the sacking of Town Clerk John Joce and prohibition on his acting as counsel in the city courts until he had responded to allegations against him.

[141] See Britnell, 'Colchester Courts and Records, 1310–1525', pp. 133–40, especially 137; Bateson, *Borough Customs*, I, pp. 15, 16 (Worcester, 1467, Lancaster, 1574).

[142] SC7/1/9, fol. 15.

[143] SC7/1/9, fols. 19v: *Lomelyn* v. *Sulman*; 17r: *Boteman* v. *Poynteter*.

[144] SC7/1/3, fol. 20r.

[145] As the burgess Lewis Eynes and Guy Shilvyng did as the plaintiff's jointly-appointed attorneys in *Vandirson* v. *Lokyer*: SC7/1/9, fol. 76v.

in any event, in the countersuit he had an incentive *not* to do so.) Perhaps this was why Shilvyng's appointment as attorney in *Grame* v. *Lotton* was cancelled.

One might also well wonder why more plaintiffs, at least, did not appoint sergeants as their attorneys, or failed to appoint attorneys at all. Cost is one obvious explanation, however little attorneys may have been paid for ensuring that due process was followed. In addition, it looks as though appointing an attorney really was only advantageous when the litigant could not conveniently attend court in person. Five new suits were begun in the Common Court between 15 October and 17 December 1482 in which an attorney was appointed and for which a definite outcome is known. Of those in which the plaintiff appointed an attorney, in two cases there was a licence to come to an agreement, in a third the defendant admitted the allegation and in the fourth a jury found for the defendant. In the one such case in which the defendant appointed an attorney, a licence to come to an agreement was again granted. Since licences to agree represented some sort of victory for the plaintiff, and this was the dominant outcome of all lawsuits in this Court, there is nothing to suggest that appointing an attorney increased the chances that either litigant would be successful.

The joint appointment of the burgess Lewis Eynes and Guy Shilvyng in *Vandirson* v. *Lokyer*[146] raises a further question: why waste money on appointing two men? In some cases, it may be that the litigant concerned wanted to make use of something other than the attorney's legal expertise. Although Eynes was, as a litigant himself, very familiar with the Southampton Town Court, it may have been his personal status or some relationship with Vandirson that made him useful; and 'attorney' was not a term confined to a personal substitute in court. In other cases, the litigant may not have trusted the Southampton attorneys, or have preferred to use a man he had employed elsewhere or in other capacities. Thomas Kirton, for example, who appeared with Richard Wryght, might be the London Mayor's Court clerk of that name.[147] He was active as an attorney in the Mayor's Court by the 1440s, was appointed a court clerk in 1461, clerk of the London Tailors Company in 1465, and is probably the man who was 'specially admitted' (i.e., as an honorary member) to Lincoln's Inn in the mid 1480s, and died in 1487. The London courts themselves appear normally only to have allowed non-resident attorneys to appear if they did so together with a 'regular' attorney. Southampton, however, seems to have allowed non-resident attorneys together with either regular attorneys or Southampton burgesses and/or residents.[148]

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[146] SC7/1/9, fol. 76v.

[147] SC7/1/6, fol. 14v.

[148] E.g., John Skorer of Coventry was jointly appointed with Thomas Bache of Southampton: SC7/1/6, fol. 4v.

The Town Court Records[149]

Description of Records

The classification numbers (SC7/1/) are those given to the records in the Southampton City Archives. Immediately under the heading are given the dates as, usually, written on the roll or book concerned. More precise or revised dates have been added following the editing of the mss.

The re-dating of individual 'books' has been derived from internal evidence gleaned or interpreted from dates given within the individuals entries contained in each book and *per force* must be incomplete. Typical entries read 'The defendant came into court on the Xth day of Z and denied etc.' or 'Adjourned from the Xth day of Z until Tuesday next following after the feast of Y.' The problem of assigning positive dates to each of the entries arises because most of the 'books' consist of either loose folios or erstwhile loose folios now sewn together. In the two instances where books have remained more or less intact, the records of each individual court contain a header paragraph stating the officers of the court and the date of the court session. These books are SC7/1/4 (fol. 1r and 1v only) for 1476 and SC7/1/9 for 1482–3. Both are stated to be records of the Common Court.

All the mss are in page format either loose or in a book made up of gatherings of folios of hand-made rag paper occasionally watermarked with a bull's head. In this form they are in harmony with the contemporary Steward's Books and the majority of the town's records in the fifteenth century.[150]

Although all the rolls and books are known as Town Court rolls/books, it is possible to assign some to the Common Court, others to the Piepowder Court, on the basis of their contents and annotations. For instance, Common Court records refer to presentments of offences by constables and other town officials, to distraints, essoins, issues; Piepowder Court records refer to process being continued from one day (as opposed to one court session) to another, and even from one hour to another; both refer to lawsuits being 'void here because in the Piepowder/Common [i.e., other] Court'. This information is included in round brackets in the heading. Further arguments about, and qualifications of, these identifications will be found in the introductions to each of the sets of records.

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[149] Tom Olding bore principal responsibility for this section.

[150] Thick, 'Accounting in the Late Medieval Town', p. 277.

Table 6. SC7/1 with Revised Dates and Assignment of Courts

Bracketing starting and ending dates are the dates of the first and last sessions that we are reasonably confident are included in the main folios and do not include dates on attached documents.

/1. Town (Pleas of Land) Court Roll (fragmentary)

Modern writing on the verso: *1427 Town Court Rolls No 3 Land Plea John Polymond*

All entries concern a land plea to which John Polymond was party

Recites deed of 16th October 1364–5 (see SC 2/6/3)

1 folio height 21¼″ (540mm) x 9″ (230mm) at widest.

Condition: Ms eaten away progressively on left-hand side

(In the present volume this is presented as Appendix 1)

Revised dating: 48 Ed III ?Jul – Sep 1374

/2. Town (Common) Court Rolls (fragmentary)

Modern writing on the verso: *1426–7*

Time of Walter Fetplace, mayor, John Estewell and Robert Floryse, bailiffs

Two membranes badly damaged 20″ (510mm) x 7″ (170mm) approx

Larger folio part of a parchment roll; sides of both eaten away

Revised dating: 5 Hen VI ?26 Nov – ?24 Dec 1426

/3. Town (Piepowder) Court Register

Modern writing on cover: *Michaelmas 1474 – Michaelmas 1475 (?)*

24 folios 16¾″ (425 mm) folded in half x 11¼″ (285 mm)

Revised dating: 13 & 14 Ed IV ?11 Oct 1473 – 26 Oct 1474

/4 Town (Common and Piepowder) Court Records

Modern writing: *1475–6 (?)*

9 folios loose (remains of one or more registers) 8½″ (215 mm) x 12″ (305 mm)

Revised dating: 16 Ed IV ?9 Jun – 30 Oct 1476

/5a. Town (Common) Court Register

Modern writing: *1475–6 (?)*

10 folios 9″ (229mm) x 12½″(318mm)

Table 6. (continued)

Revised dating: 14 & 15 Ed IV 31 Jan 1475 – ?16 Jan 1476

/5b. Town (Piepowder) Court Record

Modern writing: *Michaelmas 16 Edward IV*

1 folio 9″(229mm) x 12¼″(312mm)

Revised dating: 15 & 16 Ed IV 8 Feb and 7 Oct 1476

/6. Town (Piepowder) Court Register

Modern writing: *1475–77*

28 folios 17½″(445 mm) folded in half x 12″(305 mm)

Revised dating: 16 Ed IV 9 Nov 1475 – 18 Aug 1476

/7. Town (Piepowder and Miscellaneous) Court Register

Modern writing: *19 Edward IV*

9 folios 9″ (229mm) x 12″ (305mm)

Revised dating: 19 Ed IV 7 Oct 1478 – ? Nov 1479

/8. Town (Piepowder) Court Reigister

Modern writing: *1481–82*

34 folios 17½″(445 mm) folded in half x 12″(305 mm)

Revised dating: 21 & 22 Ed IV 10 Nov 1481 – 22 Oct 1482

/9. Town (Common) Court Register

Archival dating: *22 Edward IV to Michaelmas 1Richard III, 1482–83*

Cover original. The inside back cover contains an injunction to the sheriff of Southampton concerning matters to be enquired of at Quarter Sessions including livery and maintenance. Dated 17th November 15 (?Edward IV)

Text: 98 folios 17″(432mm) folded in half x 8½″(226mm)

Revised dating: 22 Ed IV – 1 Ric III 8 Oct 1482 – 23 Sep 1483

Table 7. Dates of Court Sessions

Superscript letters indicate the source of the information about the session date: a = adjournment, c = dated court entry, normally an appearance, h = heading, ⋆ = likely first and last dates of datable court sessions reported. The day of the week for records that contain only Common Court sessions is Tuesday unless otherwise noted. Discussions of the problematical dates, including the ones that are queried here and some that are too problematical to be included here, will be found in the introductions to each set of records.

Record	*Regnal Year*	*A.D.*	*Session Dates*
SC7/1/2 (Common)	5 Hen VI	1426	Nov ?26^{h}; Dec ?3^{h}, ?17^{h}, ?24^{h}
SC71/3 (Piepowder)	(12) 13 Ed IV	1473	(Feb 1^{a} [Mon]); Sep 12^{a} (Sun), 25^{a} (Sat); Oct 11^{a*} (Mon), 14^{a} (Thu); Nov 16^{a} (Tue); Dec 2^{a} (Tue), 13^{a} (Mon), 14^{a} (Tue), 21^{a} (Tue)
	14 Ed IV	1474	Mar 13^{c} (Sun), 25^{a} (Fri); Apr 17^{c} (Sun), 27^{c} (Wed); May 20^{c} (Fri), 23^{c} (Mon); Jun 7^{a} (Tue), 10^{a} (Fri), 14^{c} (Fri), 15^{a} (Wed), 19^{a} (Sun), 24^{a} (Fri); Jul 2^{a} (Sat), 4^{a} (Mon), 5^{a} (Tue), 12^{ca} (Tue), 28^{c} (Thu), 30^{c} (Sat); Aug 19^{a} (Fri), 22^{a} (Mon); Sep 12^{ca} (Mon), Oct 11^{a} (Tue), 18^{a} (Tue), 20^{a} (Thu), 26^{a*} (Wed), Nov 1^{a} (Tue)
SC7/1/5a (Common)	14 Ed IV	1475	Jan 31^{a*}; Feb 28^{c}
	15 Ed IV		Mar 14^{c}; Jun 27^{c}; Oct 10^{h}, 17^{h}, 24^{ha}, 31^{h}; Nov 7^{h}, 14^{h}, ?21^{h}; Dec 19^{h}
		1476	Jan ?16^{h*}
SC7/1/6 (Piepowder)	15 Ed IV	1475	Nov 9^{c*} (Wed); Dec 1^{c} (Fri), 11^{a} (Mon), 14, 16^{ca} (Sat), 17^{c} (Sun), 21^{a} (Thu) 23^{a} (Sat), 26^{a} (Tue)
		1476	Jan 9^{a} (Wed), 12^{c} (Sat), 23^{a} (Tue), 30 (Tue), 31^{c} (Thu)
	16 Ed IV		Mar 4^{c} (Mon), 14^{c} (Thu), 16^{a} (Sat), 30^{a} (Sat); Apr 6^{c} (Sat); May 27^{c} (Mon); Jun 24^{a} (Mon), 29^{a}; Jul 1^{ac} (Mon), 9^{a} (Tue), 14^{a} (Sun), 16^{a} (Tue), 21^{c} (Sun), 26^{c} (Fri), 29^{a} (Sat), 31^{a} (Wed); Aug 2^{a} (Fri), 5^{a} (Mon), 6^{a} (Tue), 10, 15^{a} (Thu), 18^{a*} (Sun)
SC7/1/5b (Piepowder)	15 Ed IV	1476	Feb 8^{c*} (Thu)
	16 Ed IV		Oct 7^{h*} (Mon)

Table 7. (continued)

Record	*Regnal Year*	*A.D.*	*Session Dates*
SC7/1/4 (Common and Piepowder)	16 Ed IV	1476	May 20[c] (Mon); Jun ?9[a]★ (Sun), 18[h] (Tue), 25[h] (Tue); Oct 25[c] (Fri), 30[c]★ (Wed); Nov ?1 (Fri), ?14[c] (Thu)
SC7/1/7 (Piepowder and Miscel-laneous)[151]	18 Ed IV	1478	Oct 7[a]★ (Wed), 12[a] (Mon), 13[a] (Tue), 28[a] (Wed)
SC7/1/8 (Piepowder)	21 Ed IV	1481	Oct 28[a] (Sun); Nov 10[c]★ (Sat), 11[a] (Sun), 13[a] (Tue), 15[a] (Thu), 20[a] (Tue), 23[a] (Fri)
		1482	Jan 7[a] (Mon), 12[ca] (Sat), 13[a] (Sun), 21[a] (Mon), 23[ca] (Wed), 24[c] (Thu), 28[a] (Mon), 30[a] (Wed), 31[c] (Thu); Feb 2[a] (Sat), 3[a] (Sun), 5[a] (Tue), 24[a] (Sun), 26[a] (Tue), 27[c] (Wed), 28[c] (Thu)
	22 Ed IV		Mar 5[ca] (Tue), 17[c] (Sun), 25[a] (Mon), 27[a] (Wed), 28[a] (Thu); Apr 1[c] (Mon), 2[a] (Tue), 12[a] (Fri), 13[c] (Sat), 16[a] (Tue), 21[c] (Sun), 23[a] (Tue), 25[c] (Thu), 26[c] (Fri); May 20[a] (Mon), 22[c] (Wed), ?26[a] (Sun); Jun 4[a] (Tue), 9[c] (Sun), 10 (Tue),11, 15[c] (Sat), 22[c] (Sat), 24[c] (Mon), 25[c] (Tue); Jul 1[c] (Mon), 4[c] (Thu), 6[a] (Sat), 13[a] (Sat), 31[c] (Wed); Aug 5[c] (Mon), 6[c] (Tue); Sep 6[c] (Fri), 10[c] (Tue), 11[c] (Wed), 16[c] (Mon); Oct 1[c] (Tue), 22[c]★ (Tue)
SC7/1/9 (Common)[152]	22 Ed IV	1482	Oct 8[h]★, 15[h], 22[h], 29[h]; Nov ?5[h], 12[h], 19[h], 26[h]; Dec 3[h], 10[h], 17[h]
		1483	Jan 14[h], 21[h], 28[h]; Feb 4[h], 18[h], 25[h]
	23 Ed IV		Mar 4[h], 11[h], 18[h]
	1 Ed V		Apr 29[h]; May 6[h], ?13[h], 26[h] (Mon); Jun 3[h], 10[h], 17[h]
	1 Ric III		Jul 1[h], 8[h], 29[h]; Sep 23[h]★

[151] For the miscellaneous entries, the court of which is quite uncertain, see the introduction to this section. The ending bracketing date given in Table 6 is not found here because the evidence for it is not the date of a court session.

[152] All of the dates are taken from the headings, and no effort was made to collect the adjournment dates.

EDITORIAL NOTE

Format

The records are, for the most part, in Latin. An occasional English word creeps in, particularly in the 'additions' to people's names. These have been placed in italics and are transcriptions rather than translations, though standard abbreviations have been extended. A couple of the attached documents and memoranda incorporated in the record are in English, and these are, once again, transcriptions rather than translations and in italics. Two of the attached documents contain pleadings in French. These have been translated and the language noted in the margin. An occasional French phrase appears in the main records. These, too, have been translated and noted in the margin.

The format and as far as possible the layout of the entries on the manuscript page have been closely followed. As far as the layout is concerned although the clerks were not entirely consistent in their practice they do seem to have tried to use the positioning of annotations to indicate to whom they referred: e.g., who it was who had appointed an attorney, was liable to pay an amercement or had been committed to prison. Because these particular books were primarily administrative and financial rather than legal records, it is often impossible to tell why a particular outcome was reached or even what the outcome was other than by deducing it from the positioning of the concluding amercement.

Two different types of format exist for the surviving fifteenth-century court books: the 'session' book, represented only by two of the books of the Common Court, and the 'entry' book, of which there are both Common and Piepowder Court examples. A 'session' book is one in which each stage of the process in a particular case is entered under the relevant session of the court; the 'entry' book contains a single entry for each case, with no session headings, and process is recorded by means of annotations above, below and alongside the entry.

In the first entry relating to the case in the 'session' books, and in all entries in the 'entry' books, the format is as follows:

- The name of the officer of the court appears in the left-hand margin
- The name of the defendant is given
- The defendant's profession (sometimes) or place of residence if he is not a burgess (If the profession is written in English, the word has been italicised and the original spelling has been retained, e.g., *Barbour, Taylour, Merchaunt.*)

- The phrase 'complains against'
- The name of the plaintiff and perhaps his profession or place of residence if he is not a burgess as above
- The type of plea to be replied to. This is normally 'debt' or 'trespass', 'detinue' or 'covenant'
- Above the main body of text is recorded, in a smaller hand, the result of that day's and previous hearings. The top line of text records the outcome of the most recent stage of proceedings and the instruction to the officer to set in motion the next step in the legal proceedings. This was of course, written after that day's hearing.

Subsequent entries in the 'session' books normally take a similar form:

- The name of the officer of the court appears in the left-hand margin
- The order, or precept, given to the officer appears as the main body of text (This was written out prior to the appearance in court.)
- The name and profession of the defendant, etc., as above
- The phrase 'to reply to'
- The name and profession of the plaintiff as above
- The type of plea to be replied to as above
- The result of that day's and previous hearings as above.

The 'issues' line which precedes the main entry was written subsequently. ('Issues' is the translation adopted for the Latin: *exitus*, the results of the various stages of the proceedings). The first stage in the proceedings will have no issue line; in 'session' books, the second will have the result of the first stage, written smaller and superscript, and so on, until the case is concluded. Thus the current state of the case will be found in the first line encountered.

Adjournments are also indicated in the issue lines by such phrases as: *con[tinuatur] usq[e] p[ro]x[imam] cu[riam] p[os]t F[estu]m* (followed by the name of the feast) i.e., 'adjourned until the next court after the feast of . . .'. This follows the practice, usual at the time, of dating events by stating their date as a certain day of the week before or after a well-known saint's day, which was fixed in the Roman calendar, or counted before or after a movable feast such as Easter. Very often in these books the scribe will omit the day of the week as unnecessary, limiting himself to 'the court next after . . .', since the Common Court usually, but not invariably, sat on Tuesdays. The Piepowder Court however, could be in session on any day of the week as necessary according to the internal dating evidence. Usually the day is not specified but the date may be. By using Cheney's *Handbook Of Dates* it is possible to work out that very few Piepowder Court sessions occurred on Thursdays or Fridays and that Sunday appeared to be a working day.

If the case is contested, it seems usual to insert the details supplied by the parties on the day or within the week, in the body of the entry in very much smaller script. The allegation brought by the plaintiff and the formulaic denial by the defendant come first and may contain, in cases of trespass, such phrases

as 'feared for his life and the mutilation of his limbs', 'entered his house by force of arms' or 'drew blood'. These phrases are part of legal formulae applicable to types of charges brought against the defendant by town officers such as beadles acting as, or on behalf of, plaintiffs where they consider a felony has been committed.

The use of this method of recording is satisfactory where the case is simple or lacks detail but, in contested cases, because the scribe fails to anticipate the space required for details within the body of the entry or issue line, congestion and minuscule script are inevitable, leading to occasional illegibility.

Examples of Formats in Latin

The first pages of SC7/1/9 have been chosen as a good example of a 'session' book and a sample page of SC7/1/7 as an example of an 'entry' book. In transcribing the Latin text extensions have been placed within square brackets when the letters omitted from the original words because of contraction, suspension, abbreviation and superscription are certain. Doubtful renderings are extended with a question mark.

SC7/1/9

fol. 2r

Villa Suth[amp]t[onie] Cur[ia] co[mmun]is d[o]m[ini] Regis ib[id]em tent[a] viij die octobr[is] vi[delicet] martis p[ro]x[imo] post Festum S[anc]ti Mich[ael]is Arch[angel]i Anno r[egni] r[egis] Ed[wardi] iiii^{ti} xxij coram Walt[er]o William tunc maiore ib[ide]m Ac Ric[ard]o Harewode et Gabriel Howley tunc ball[iv]is ville p[re]dicte

Exit[us] iijd — pl[egium] p[ro] co[mmun]i cur[ia] Joh[ann]es Godfray

R Wryght pr[eceptum] est distr[ingere] Joh[ann]em Browne *cordeuaner* Ad r[espondendum] Thome Maryn[er]e in pl[aci]to tr[ansgression]is

cont[inuatu]r p[re]ce p[ar]t[ium]usque p[ro] x[imam] cur[iam] post f[est]um Nat[ivitatis]

po[nit] in lo[co] suo GS — pl[egiu]m semet ips[um]

R Wryght pr[eceptum] est sum[monere] Will[elmu]m Selman Ad respond[endum] Joh[ann]i Balsarre de Br[i]stoll *merchaunt* in pl[aci]to deb[it]i

pl[egium] p[ro] co[muni] cur[ia] Ric[ardus] Watkyns

Attach[iatus] est

G pr[eceptum] est Attach[iare] Will[elmu]m West Ad respon[dendum] Joh[anni] Smyth *Taylor* in pl[aci]to deb[it]i

cont[inu]at[ur] p[re]ce p[ar]t[ium] po[nit] in lo[co] suo GS
usque p[ro]x[imam] cur[iam] p[ost]
fe[stum] Nat[ivitatis] dom[ini]

R Wryghte pr[eceptum] est dist[ringere] Moyses Courteyn[e] Ad r[e] spond[endum] Joh[ann]i Smyth de Br[i]stoll *dier* in pl[aci]to deb[it]i.

M[isericordia] Exitus vjd

R White pr[eceptum] est dist[ringere] Thom[am] Wylson Ad
~~Wryghte~~ r[espondendum] Adriano Lokyar in pl[acit]o deb[it]i

Sum[monitus] est id[eo] attach[ia]
pr[eceptum] est sum[monere] Will[elmu]m Sterne *Bocher* Ad r[espondendum] Ric[ardo] Watkyns in pl[aci]to deb[it]i

con[tinuatur] usque p[ro]x[imam] cur[iam]
p[os]t F[estu]m omn[ium] Sanc[torum]
M[isericordia] p[er] ple[gium] GS Exit[us] iiijd

G pr[eceptum] est dis[tringere] Joh[ann]em Gryme nup[er] de Horsley in co[mitatu] Suth[amptionie] *yoman* Ad r[espondendum] Ric[ardo] honidiew in pla[ci]to deb[it]i Honiedew de Soka Winton[ie] in com[itatu] Suth[amptonie] *yoman* in pl[aci]to deb[it]i

no[n] est invent[us] id[eo] cape sicut prius

R White pr[eceptum] est sicut plus plur[ies] cap[er]e Joh[ann]em Everard Ad r[espondendum] Nich[ola]o Chesman in pl[aci]to deb[it]i sup[er] demandum vi l[ibrarum] v s[olidorum]

SC7/1/7

fol. 1r

M[inister] Cur[ie] r[espondit] q[uo]d dict[us] def[endens] att[achiatus] est & M[anucaptus] p[er] J Rose & q[uia] ip[su]m non h[ab]et id[eo] in Mis[ericordi]a[1]

Venire fac[ias] pleg[ius] de p[at]r[i]a Rogerus Holewey

F Will[elm]us Overay q[ueritu]r v[er]sus Will[elmu]m White *Maryn[er]* in pl[ac]i[t]o deb[it]i sup[er] d[eman]d[um] viii s[olidorum]

M[inister] Cur[ie] r[espondit] q[uo]d dict[us] def[endens] att[achiatus] est p[er] iiij patell[as] Unde ij in parte magna & ij p[ar]vas ij ollas de stamne vj capit[a] vasarum stamnorum ij candel[s] & 1 ketyll'

[1] See Glossary, n. 2.

F Ric[ard]us Gryme q[ueritu]^{r} v[er]sus Will[elmu]m
Exit[us] iijs ixd Waynflet *Baker* in pl[ac]i[t]o deb[it]i sup[er] d[eman]d[um] xiij s iiijd

P[ro] li[cencia] con[cordandi] iij d [in] p[yxide]

Venire fac[ias] pleg[ium] de p[at]r[i]a p[ri]sona
F Ric[ard]us Marshall q[ueritu]^{r} v[er]sus Thoma[m] Dereham in pl[ac] i[t]o t[r]^{a}n[sgressioni]s

P[ro] li[cencia] con[cordandi] iij d [in] p[yxide]
G Will[elm]us Mekelowe q[ueritu]^{r} v[er]sus Joh[ann]em Charleton *Waynman* in pl[ac]i[t]o con[ventionis] fr[acte]

P[ro] li[cencia] con[cordandi] iij d [in] p[yxide] p[er] securitate[m] Joh[ann]is Gover al[ias] Coup[er]
G Petrus Jacobson q[ueritu]^{r} v[er]sus Aliciam Gardener in pl[ac]i[t]o detenc[i]o[n]is

GLOSSARY OF LEGAL WORDS AND PHRASES AND SYMBOLS EMPLOYED IN THE TEXT

The following words, phrases or symbols have been adopted to translate or represent the abbreviations, symbols and legal formulae in the text:

⎡ ⎣	This symbol shows that a large bracket occurs in the left-hand margin, perhaps indicating a completed case.
⎧ ⎩	This symbol shows where the clerk has put in a brace, indicating, usually, a list of names of people who are to perform a function, e.g., pledges.
^ ^	Carats are used to denote that a name or phrase has been inserted above the line within the text.
~~text~~	Strikethrough indicates that such words have been deleted in the text.
[word(s)]	Square brackets indicate that the words within them have been supplied to explain or complete an incomplete entry.
[. . .]	An ellipsis in square brackets means that the entry is incomplete.
[blank]	Square brackets with 'blank' written in them indicates that the clerk left a blank space to be filled in.
[?]	Square brackets with a query in them indicates that there is something questionable about the following reading, translation, or both.
∴	The 'therefore' sign shows where three dots in the same configuration but with a short tail added has been placed, usually in the left-hand margin. The meaning is unclear but could possibly indicate unpaid amercements. Where it appears elsewhere, for example in jury lists, it does not have the tail.
∞	The infinity sign shows that a symbol resembling a recumbent figure 8 occurs in the left-hand margin. The meaning is again unclear.[1]

[1] In the hope that someone will be able to figure out what these symbols mean, we have gathered both '∴' and '∞' in the Subject Index under 'symbol'.

N — For *N(ota)*, Note. This is usually placed in the left-hand margin.

'Adjourned' — For *cont[inuatur]*, indicating that a case was put back to (usually) a specified subsequent court.

'Attached' — For *attachiatus*, where the defendant offered some asset as security that he would appear in court.

'At the parties' request' — For *pr[ece] p[ar]c[ium]*, indicating that a specific action, usually an adjournment, had been asked for by both parties.

'At the same stage as now' — For *statu quo nunc*, where a case was adjourned without further process.

'By pledge of' — For *p[er] pl[egiu]m*, used here in the context of entries voided in one book 'because in the Common [or Piepowder] Court' and indicating that the person or persons named immediately after stood surety for the prosecution of, or defendant's answering to, the case in the other court.

'Default[s]' — For *def[alta]e]*, usually indicating the failure of the defendant to appear in court when summoned, attached and so on.

'Discontinued' — For *discontinuat[ur]*, indicating that the case was permitted to be abandoned [without the plaintiff incurring an amercement for non-prosecution].

'Fine or make fine' — For *finem* or *finem facere*, an agreement, sometimes to pay an amercement and sometimes to settle a matter.

'For a bad plea' — For *p[ro] mala querela*, usually indicating that the plaintiff lost his case, e.g., because the defendant successfully 'waged his law' (see below, 'law'), but sometimes that there was a defect either in the plaintiff's initial declaration of his complaint or in the subsequent legal argument.

For 'M' or 'm' as:

1. 'Amercement' or 'amerced' where M stands for *Misericordia* [Mercy/Amercement].
2. 'Amerced' where the phrase *in m[isericordia]* refers to people or to objects 'at the mercy' [of the court].
3. 'In the hand[s] of' where the phrase *in m[anu]ibus]* refers to payment held by a court official, usually the town clerk or the sergeant involved.

4. 'Hand' as in 'himself the 11th hand' referring to the number of oath helpers [see below 'Law'] the party was required to supply.
5. 'The officer of the court' where the capital stands for *M[inister curie]*.
6. 'Mainprised' where the M refers to a person or persons who 'go bail' for the defendant.[2]

'Has an hour/day'
: For *h[ab]et hora[m]/die[m]*, indicating an adjournment to a specific time or session of court.

'In box'
: For *in p[yxide]*. This refers to the box [*pyx*] kept in the court to receive the amercements and indicates payment usually either for a 'licence to concord/agree' [see below, 'licence'] in cases settled between the parties or for money owing for 'defaults', i.e., non attendance at court.

'In prison'
: For *[in] prisona*, which indicates that the defendant or sometimes the people supplying his surety has/have been committed to prison.

'Judgment'
: For *Iudic[iu]m*, an annotation recording the fact that the court had reached a determination e.g. that the defendant should pay a certain sum to the plaintiff and be committed to prison until he had paid ['made satisfaction for'] the debt.

'Jury'
: For *p[at]ria*, literally the 'country' or neighbourhood from which jurors were drawn.

'Law'
: For *lex*, indicating that one of the parties 'waged his law', i.e., offered to make an oath as to the truth of his version of events either by himself or with a prescribed number of 'oath-helpers' and subsequently either *p[ro]fecit lege[m] sua[m]* [successfully made his law] or *defecit lege[m] sua[m]* [failed to

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[2] Perhaps the most common entry in our records is the one that tells us that the officer of the court replied that the defendant had been attached: 'and because he does not have him, therefore he is in mercy', with an amount. If the entry says that the defendant has been attached and mainprised, we have assumed that the mainpernors owe the amercement. If it does not say that the defendant has been mainprised, we have assumed that the officer owes the amercement. There is support for these assumptions. In SC7/1/3, fol. 9r, the defendant, somewhat unsually, was mainprised by two people and both the verb (*quia non habent*) and the pronoun (*ideo ipsi in misericordia*) are in the plural. SC7/1/3, fol. 4r, and SC7/1/5a fol. 9r, on the other hand, clearly indicate that where there is no mainpernor, the amercement could fall on the officer. In SC7/1/6, fol. 5r, the wording indicates that the officer paid the first amercement, but when the defendant was mainprised, the mainpernor paid the subsequent amercements. While there are records that give cause for doubt (e.g., SC7/1/5a, fol. 7v), we have indexed the records on the assumption that mainpernors pay the amercement if they are mentioned and the officer does if they are not: 'non-appearance of defendant, amercement of mainpernors for', 'non-appearance of defendant, amercement of officer of the court for'.

make his law] by completing or failing to complete the oath without error and with the necessary number of oath-helpers.

'Licence to concord'

For *l[icencia]con[cordandi]*, permission for the parties to settle between themselves.

'Nothing has been done'

For *nihil* or *nullum actu[m] est.* The sergeant has not yet taken the step necessary to progress the case, e.g., has not summoned the defendant.

'Not prosecuted'

For *non pros[equitur]*, indicating that the plaintiff has not pursued his case.

'On the service of the lord King'

For *in s[er]vicio d[omi]ni R[egis]*, which a defendant could claim in order to oblige the court to delay the case *pro tempore.*

'Pledge of jury/law'

For *pleg[ium/ia] de p[at]r[i]a* or *lege*, which refers to the person[s] named immediately after, who goes surety for the defendant and promises that he will attend the trial by jury or come to the day set for making his law. In SC7/1/9, we sometimes find *plegium de patria et de Iudicio*, the additional phrase probably meaning that the pledge also promises that the defendant will pay any judgment rendered against him.

'Appoints N.N. his attorney[s]'

For *ponit [in] lo[co] suo*, meaning 'Puts in his place' to appoint a legal representative who acted as his client's personal substitute and could 'win or lose the case' for him.

'Removed by writ of Certiorando'[3]

For *Removetur p[er] br[ev]e de Certiorando*, signifying that Chancery had ordered the court to supply details of the case [and to cease process on it unless or until it was remitted].

'Security' For *pro securitate*, an occasional alternative to pledge indicating that the party has offered [probably more limited] surety for attendance at court, payment, and so on.

'Sergeant' For *s[er]vient[is]/[em]*, i.e., the court's Sergeant-at-Mace/Arms where the word appears in the issue section.

'Summon jury' *For venire[e] fac[ias].* This phrase refers to the judicial writ [i.e., issued by the court] used to summon a jury to hear the case.

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[3] In the register of writs this is called *certiorari* from the word that appears in the writ.

'Talesmen' For *tales*, i.e., additional names, usually ten, added to the jury panel when too few of those originally summoned responded to make up a jury. The Latin *tales* means 'such men' i.e., as are suitable to make up the numbers.

'To jury' For *inq[ui]r'*, which literally means 'inquire' or 'inquest', i.e., the case is to go to trial with a jury.

'Void' For *vacat*, where an entry is noted to be deleted, sometimes because the case is in another court, but also for reasons that are less clear.

'Whereof he produces suit if etc'[4]
For *inde producit sectam si etc.* 'Suit' in this context is transaction witnesses, but the condition is never spelled out, so we cannot tell whether and what circumstances an actual production of suit would be required.

[4] In the central royal courts in this period, the phrase was formulaic; no transaction witnesses were produced. That may also have been the case at Southampton. The formula is not found in SC7/1/9. We also find *secta* meaning 'suit' in a more colloquial sense: e.g., 'abandoned his suit' (SC7/1/3, fol. 14v); 'arrested at the suit of Richard Beneyt' (SC7/1/6, fol. 1r); 'come into court to prosecute his suit' (*ibid.*, fol. 10r; it is possible that 'prosecute' here is a mistake for 'produce'); 'at the suit of John Bowrer' (SC7/1/8, insert between fols. 21v and 22r); 'at the suit of the lord king' (*ibid.*, fol. 25v).

COMMON COURT ROLLS, SC 7/1/2, ?26 NOVEMBER – ?24 DECEMBER 1426

SC7/1/2 consists of two rolls, the larger of parchment, the smaller of paper, both written front and back, which record sessions in the Common Court. The rolls are eaten away on the side. The smaller roll is missing entries at the bottom. Fortunately, many of the entries repeat themselves, allowing a tentative reconstruction in square brackets of what is missing. One side will give the first part of the entry, the other the second.

Dating is problematical. A number of the headings indicate that we are dealing with sessions in the fifth year of Henry VI (1 Sep 1426 – 31 Aug 1427). One session is dated with reference to the feast of St Lucy (13 Dec). One of the cases, which appears in all four sessions, has issues from a distraint for non-appearance of 16d, 18d, 22d, and 24d, respectively. This gives us the likely order of the sessions and suggests that one session is missing. One session is dated on the vigil of an unnamed feast. We know that the court met weekly on Tuesdays. Three of the four sessions are dated on Tuesday; in one of them the day of the week is missing. Putting all of this together, we tentatively identify the sessions of the smaller roll as being on 26 November and 3 December of 1426, and those of the larger roll as 17 December and 24 December of the same year.

Some of these entries make use of formulae that are not found in the later entries, to which this book is largely devoted, and so are not covered in the introduction. We have given the Latin for them in the margin along with a brief discussion.

smaller roll, recto[1]

Southampton Common Court of the lord king held at Southampton [before Walter Fetplace then mayor there, John Estewell] and Robert Floryse of the same town then bailiffs on Tuesday next [after the feast of St Catherine][2] in the fifth [year of the reign of King] Henry, the sixth after the conquest

He has still not been found therefore etc[3]

B It is ordered as very many times before to seize John Ferby merchant to reply [to John Port merchant, plaintiff by his aforesaid attorney, concerning a plea of debt].

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[1] In pencil '1426–7'; 13" (32cm) x 6 3/4" (17cm). Digital photography suggests that these entries are written over an erased original.

[2] 25 November. The saint's day is missing, but this would be the right one on the assumption, discussed in the introduction to this section, that this session was held on 26 November.

[3] *Adhuc non est inventus ideo etc* – a few of the later entries suggest that what should be supplied for the *etc* is *cape sicut prius*, i.e., 'arrest as before' (cf., e.g., SC7/1/9, fol. 2r: *Chesman* v. *Everard*).

B It is ordered to distrain Thomas Braybroke auditor assigned, [along with . . . the other auditor] assigned who now appears, etc, to hear the account [between Benedict Wycheford' merchant, plaintiff by his aforesaid attorney and Thomas] Chambourne, merchant, in a plea of account.

He has still not been found [therefore etc]

B It is ordered as very many times before to seize John Sollyng' merchant to [reply to John Pollysworth' merchant, plaintiff by his aforesaid attorney, concerning a plea of debt].

He has still not been found therefore etc

B It is ordered as very many times before to seize William Payn' junior to make [fine with the lord king concerning various articles on his part].

Issues 16d Issues of land 1[6d][4]

B It is ordered as very many times before to distrain Thomas Ba[lle burgess and tailor of the town of Southampton to reply to Agnes] Holewey of the same town widow, senior, plaintiff by her aforesaid [attorney, concerning a plea of debt].

He has still not been [found therefore etc]

T It is ordered as very many times to seize Walter Ma[ntell' lately farmer of the tolls of Lymington and and Keyhaven[5]] to reply to John Emmory lately collector [of the tolls of Southampton, plaintiff by his aforesaid attorney, concerning a plea of debt].

He has still not been f[ound therefore etc]

B It is ordered as very many times before to seize John Aylmere to [reply to Thomas Hampton plaintiff by his aforesaid attorney concerning a plea of trespass].

B Thomas Hampton' plaintiff complains by his aforesaid a[ttorney against John Chesman concerning a plea of debt]

B Judgment between Stephen [Robys plaintiff by his aforesaid attorney and John Bray porter[6] defendant concerning a plea of debt is still placed] in respite for one week[7] etc [because the court has not yet been made aware of the judgment to be given etc].[8]

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[4] *exitus terre* – this formula suggests that in this period the court was following a practice similar to that of the central royal courts of taking from the produce of distrained land an amount sufficient to pay the fine.

[5] The port of Lymington (about 16 miles southwest of Southampton) and the smaller port of Keyhaven (3 miles further SW) were then in the jurisdiction of the port of Southampton. Page, *History of Hampshire*, IV (1911), pp. 639–49.

[6] The porters were one of the guilds.

[7] Latin wording *in octo*, 'in eight (days)', means in a week's time, using inclusive counting.

[8] The roll is torn at the bottom. The dorse of this roll and the larger roll both suggest that there are entries missing. For the formula employed here see n. 29.

smaller roll, verso

[Southampton Common Court of the lord king held] at [Southampton][9] before Walter Fetplace then mayor there, John [Estewell and Robert Flo]ryse then bailiffs, on Tuesday next after the feast [of St Andrew[10] in the fifth year] of the reign of Henry, the sixth after the conquest

[. . .] plea of debt by Richard Hat – assessor[11]

[He has still not] been found therefore etc

[B It is ordered as many times before to seize John Ferby] merchant to reply to John Port plaintiff by his aforesaid attorney concerning a plea of debt.

[. . .] He makes default therefore distrain[12]

[B [13] auditor] assigned to hear the account, along with Thomas Braybroke, the other [auditor assigned to the hear the account] between Benedict Wycheford', merchant, plaintiff, and Thomas Chambourne merchant [in a plea of account].

[He has still] not been found therefore etc

[B It is ordered as very many times before to seize Joh]n Sollyng' merchant to reply to John Pollysworth' merchant, plaintiff by his aforesaid attorney, concerning [a plea of debt].

[. . .] He has still not been found therefore etc

[B It is ordered as very many times before to seize William] Payn' junior to make fine with the lord king concerning various articles presented against him [super ipsum p's'].

[Issues of the land] 18d

[B It is ordered as very many times before to distrain Thomas B]alle burgess and tailor of the town of Southampton to reply to Agnes [Holewey of the same town widow, plaintiff by her aforesaid] attorney, concerning a plea of debt.

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[9] Missing, though the preceding *apud* is not.

[10] 30 November. The saint's day is missing, but it would be the right one on the assumption, discussed in the introduction to this section, that this session was held on 3 December.

[11] This mysterious entry is repeated on the verso of the larger roll, where three pleas of debt are joined by lines to Richard's name. Nothing corresponds to it on the recto of either roll. Similar entries are found in SC7/1/3, /6, and /8 (see Subject Index s.v. *assessor*), but such entries are not common. The function may have been the same as or similar to that of the appraiser, entries concerning whom are much more common. See Subject Index s.v. *appraisal.*

[12] *facit defaltam ideo distringe* – later practice would seem to be to number the defaults, e.g., SC7/1/9, fol. 46v: *Selman* v. *Knollys*.

[13] It is unclear precisely what this order was, but it probably concerned '[. . .]', the other auditor. See n. 28.

[He has still not] been found, therefore etc.

[T It is ordered as very many times to seize Walter] Mantell' lately farmer of the tolls of Lymington and Keyhaven to reply [to John Emmory lately collector of the tolls of the town of] Southampton, plaintiff by his aforesaid attorney, concerning a plea of debt.

[. . .] He does not prosecute therefore amerced 3d[14]

[B It is ordered to seize John A]ylmer' to reply to Thomas Hampton plaintiff by his aforesaid attorney concerning a plea of trespass.

[B It is ordered [?] to seize[15] John Chesman to reply to Thomas Ham] pton' plaintiff by his aforesaid attorney concerning a plea of debt.

[B Judgment between Stephen Robys plaintiff aforesaid by his attorney and John] Bray porter, defendant, concerning a plea of debt, is still placed [in respite for one week etc because the court has not yet been made aware of the judgment] to be given etc; therefore a day is given to them in a week, etc.

[. . .] porter and merchant defendant concerning a plea[16]

larger roll, recto

Southampton Common Court of the lord king held at Southampton [before Walter Fetplace then there] mayor, John Estewell and Robert Floryse then there [bailiffs on Tuesday next after the feast of] St Lucy the Virgin[17] in the fifth year of the reign of King Henry, the sixth [after the conquest]

He has still not been [found therefore etc.]

B It is ordered as many times before to seize John Ferby merchant to [reply to John Port merchant, plaintiff by his aforesaid attorney, concerning a plea of debt].

He appears etc[18]

B ⌈ It is ordered to distrain Thomas Braybroke auditor [assigned, to hear the account along with [. . .] the] other auditor assigned who now

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[14] *non prosequitur ideo in misericordia iii d* – later we find to the same effect: *non prosequitur – iii d (in) pixide*, e.g., SC7/1/3, fol. 1v: *Pillard* v. *Chanell*.

[15] Since the previous entry contains the basic entry of the complaint, it is possible that this one only called for the summons of the defendant. In the other entries of basic complaints, the defendant is either essoined or a continuation is ordered, so this is the only entry that concerns the beginning of a case where adjournment or essoin is not recorded.

[16] This fragmentary entry, just visible at the bottom of the roll, probably concerned the judgment between John Bray and Thomas Panter of Houghton that is mentioned on the larger roll.

[17] 13 December. We posit in the introduction to this section that the session was held on 17 December.

[18] *comparet etc* – very faint, the reading is somewhat problematical, but it would support the notion that Thomas and the other auditor were alternating defaults.

appears, between Benedict [Wycheford', merchant, plaintiff by his aforesaid attorney, and Thomas Chambourne merchant], defendant, concerning a plea of account.

[?]Distress[19]

B It is ordered as very many times before to seize John Sollyng' merchant to [reply to John Pollysworth' merchant, plaintiff by his aforesaid attorney], concerning a plea of debt.

He has still not been found therefore etc[20]

B It is ordered as very many times before to seize William Payn' junior to [make a fine with the lord king concerning various articles against him] presented etc.

Issues 22d Issues of the land [22d]

B It is ordered as very many times before to distrain Thomas [Balle burgess and tailor of the town of Southampton to reply to] Agnes Holewey, of the same town widow, plaintiff [by her aforesaid attorney, in a plea of debt].

He has still not been found therefore etc

T It is ordered as very many times to seize Walter M[antell' lately farmer of the tolls of Lymington] and Keyhaven to reply to John Emmory lately collector [of the tolls of the town of Southampton, plaintiff by his aforesaid attorney], concerning a plea of debt.

He has still not been found therefore etc

B It is ordered to seize John Chesman to reply to Thomas [Hampton' plaintiff by his aforesaid attorney concerning a plea of debt].

Judgment is still remitted etc[21]

B Judgment between Stephen Robys plaintiff by his aforesaid attorney and Jo[hn Bray porter, defendant, concerning a plea of debt,] is still placed in respite for [one week etc because the court has not yet been made aware of the judgment] to be given etc; therefore a day is given to them in one week etc.

Judgment is still remitted etc

B Judgment between Thomas Panter' of Houghton merchant [plaintiff by his aforesaid attorney and John Bray porter and merchant, defendant, concerning a plea of debt] is still placed in respite for one week etc because the court has not yet been made aware [of the judgment to be given etc; therefore a day is given to them] in one week etc.

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[19] *disto'* ?= *districtio* – it is clearly not simply *di*, the standard abbreviation for *distringe* or *distringere*. An entry for this case does not appear in the next session.

[20] This is very faint, but it would seem to be as before.

[21] *adhuc iudicium remittitur etc* – we would expect *adhuc iudicium in respectu*, 'the judgment is still in respite', but that is not what it says. See also n. 29.

Judgment is still remitted etc

B Judgment between John Umfrey plaintiff by his aforesaid attorney [and Richard Romsey defendant concerning a plea of debt is still placed in respite] for one week etc because the court has still not been ad[vised of the judgment to be given etc; therefore a day is given to them in one week] etc.

He has still not been found [therefore etc.]

B It is ordered as previously to seize Henry Sayte to reply [to John North plaintiff by his aforesaid attorney concerning a] plea of debt.

Fine 3d

B It is ordered as very many times to distrain John Pole to reply to [. . .][22] plaintiff by his aforesaid attorney concerning a plea of debt.

Issues 2d Issues of land 2d

T It is ordered to distrain Richard Joynor to reply to Robert Geffrey by his aforesaid [attorney concerning a plea of debt].

Still adjourned for one week by [?]order etc[23]

B Peter Jamys complains by his aforesaid attorney against Peter Dokham concerning [a plea of debt. And now it is adjourned by order in one week etc and] a day has been given to them in one week etc.

Essoin

B It is ordered to deposit for security etc[24] John Lymyngton' to reply to John [. . . plaintiff by his aforesaid attorney concerning a plea of debt].

Essoin

B It is ordered to deposit for security etc Thomas Balle to reply to [?] A[. . . by her/his aforesaid attorney concerning a plea of debt].[25]

Essoin

B It is ordered to deposit for security etc Peter Fysshe to reply to John [. . . by his aforesaid attorney concerning a plea of debt].[26]

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[22] This is the only entry in this case, so we cannot fill in the details. The amount of the fine, however, is consistent with the hypothesis that the parties were given a licence to concord or that the plaintiff failed to prosecute.

[23] *adhuc continuatur per preceptum* (*perp'c*) *in octo etc* – later the formula *adhuc continuatur prece partium statu quo nunc*, 'Adjourned at the parties' request at the same stage as now' is common, e.g., SC7/1/3, fol. 8v: *Harrison* v. *Watkins*. What we read here as *per preceptum* may be a misformed version of the abbreviation for *prece partium* (*p'pt'*).

[24] *Preceptum est ponere per vadimonium etc* – later the pledges seem, at least for the most part, to be people, either third parties or the imprisonment of the defendant. The use of the word *vadimonium* suggests that we are dealing here with property as security, and its position in the entry suggests that it may be the security posted by the plaintiff to prosecute. What is interlined above then suggests that the defendant was essoined.

[25] The name of the plaintiff is also missing in the subsequent entry. If the barely visible letter is, in fact, an *A*, the plaintiff could be Agnes Holewey, bringing, apparently, another action of debt against Balle in addition to the one recorded above.

[26] The name of the plaintiff is also missing in the subsequent entry.

larger roll, verso

[Southampton Common Court of the lord king] held at Southampton before Walter Fetplace then [there mayor, John Estewell and] Robert Floryse then there bailiffs on Tuesday on the eve [of the Nativity of the Lord in the fifth year of the reign] of Henry the sixth after the conquest.

[. . .] plea of debt
[. . .] plea of debt — by Richard Hat – Assessor[27]
[. . .] plea of debt

[He has still not been] found therefore etc.

[B It is ordered as many times before to seize John Ferb]y merchant to reply to John Port merchant, plaintiff by his aforesaid attorney, [concerning a plea of debt].

[. . .] He makes default therefore distrain

[B [28]] auditor assigned to hear the account, along with Thomas Braybroke, [the other auditor assigned to the hear the account between] Benedict [?Wyche]ford merchant, plaintiff by his aforesaid attorney, and Thomas [Chambourne merchant, defendant, in a plea of] account.

[. . .] He has still not been found therefore etc

[B It is ordered as very many times before to seize William] Payn' junior to make fine with the lord king concerning various articles [presented against him].

[Issues of the land] 2s

[B It is ordered as very many times before to distrain Thomas] Balle burgess and tailor of the town of Southampton [to reply to Agnes Holewey, wi]dow of the same town, plaintiff by her aforesaid attorney, concerning a plea of debt.

[For] licence to concord therefore amerced 3d

[T It is ordered as very many times to seize Walte]r Mantell' lately farmer of the tolls of Lymington and [Keyhaven to reply to John Emmory lately] collector of the tolls of the town of Southampton, plaintiff by his aforesaid attorney, [concerning a plea of debt].

[He] has still not been found therefore etc

[B It is ordered to seize John] Chesman to reply to Thomas Hampton' plaintiff by his aforesaid attorney [concerning a plea of debt].

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[27] See above, n. 11.

[28] It is unclear precisely what this order was, but it probably concerned '[. . .]', the other auditor. If, as we posit, there is a missing session between 3 and 17 December, this order could have been issued because of the other auditor's non-appearance at that session, but that does not explain the mysterious entry on 3 December. It is possible that the two auditors were alternating defaults.

[. . .] Judgment is still remitted etc

[B Judgment between Stephen R]obys plaintiff by his aforesaid attorney and John Bray porter, defendant, concerning a plea of debt, [is still placed in respite for] one week etc because the court has not yet been made aware of the judgment[29] to be given etc; therefore a day is given to them [in one week etc].

[. . .] Judgment is still remitted etc

[B Judgment between Thomas Panter' of] Houghton merchant plaintiff by his aforesaid attorney and John Bray porter and [merchant, defendant, concerning a plea of debt is still placed] in respite for one week etc because the court has not yet been made aware [of the judgment to be given etc; therefore a day is given to them in one wee]k etc.

[. . .] Judgment is still remitted etc

[B Judgment between John Umfrey plain]tiff by his attorney and Richard Romsey defendant concerning a plea of debt is still placed [in respite for one week because] the court has not been made aware of the judgment to be given etc; therefore a day is given to them [in one week etc].

[Licence to concord] therefore amerced 3d[30]

[B It is ordered as previously to seize Henry] Sayte to reply to John North plaintiff by his aforesaid attorney concerning a plea of debt.

[Issues] of land 3d

[T It is ordered to distrain Richard] Joynes to reply to Robert Geffery by his aforesaid attorney concerning a plea of debt.

[. . .] He makes default therefore distrain

[B Peter Jamys complains] by his aforesaid attorney against Peter Dokham concerning a plea of debt. And now it is adjourned [?]by order[31] in one week [and a day has been given to them in] one week etc.

[. . .] He makes default therefore distrain

[32][B John . . . complains] by his aforesaid attorney against John Lymington concerning a plea of debt. And now the said John has been essoined [. . .]; therefore a day is given to them in one week etc.

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[29] *quia curia nondum est provisum de iudicio inde reddendo* – reminiscent of the formula used in the central royal courts in the same circumstances, but there the formula is *quia curia nondum est advisum*, 'because the court is not yet advised'. Our awkward English translation of the formula here, 'not yet been made aware', reflects the awkwardness of the Latin.

[30] The guess as to what is to be supplied is based on the facts that 3d is the standard fine for the licence and that an *n* is visible, which could be the final letter of the abbreviation *licon.* Three pence is also, however, the standard fine for failure to prosecute.

[31] *et m*^{o} *cont*^{r} *perp'c'* ?= *et modo continuatur per preceptum* – once more, this may be a badly formed abbreviation for *prece partium.* See n. 23.

[32] The reconstruction of the following three entries is more than normally problematical, because the previous entries themselves have much that seems to be missing.

[. . .] He makes default therefore distrain
[B ?A . . . plaintiff complains] by her/his aforesaid attorney against Thomas Balle concerning a plea of debt. And now the said Thomas [has been essoined . . .];[33] therefore a day is given to them in one week etc.

[. . .] He makes default therefore distrain
[B John . . .] by his aforesaid attorney against Peter Fyssh' concerning a plea of debt and now the said Peter [has been essoined . . .]; therefore a day is given to him in one week etc.

[Licence to concord] therefore fine 3d[34]
[Walt]er Mantell'[35] concerning a plea of debt pledge to prosecute John Ine'; therefore etc.

[33] Just before *ideo, _sson'* is visible. In later entries (e.g., SC7/1/5a, fol. 4r: *Warson* v *James*) we find the phrase *distringere post essonium*, 'distrain after essoin'. That may be what is to be supplied here. If so, the practice codified in 1482 that the defendant was allowed to default without penalty for one session after an essoin may have been in effect here, because it looks as if the distraint is ordered only after the defendant has failed to appear at this session.

[34] The final letters of what is supplied may be *ncia* as in *concordandi licencia*. Since 3d is also the fine for failure to prosecute, that might explain the mention of the pledge.

[35] This would seem to be same Walter who is the defendant in *Emmory* v. *Mantell*.

PIEPOWDER COURT REGISTER, SC 7/1/3, ?11 OCTOBER 1473 – 26 OCTOBER 1474

SC1/7/3 consists of two quires of six bifolia each, bound together (though the sewing is deteriorating), without a cover. There is one inserted document following fol. 14.

After the second entry on the first folio we find: "TOWN COURT BOOK / NO DATE," written in a 19th or early 20th century hand and probably dating from the cataloguing of Southampton's archives by the Historical Manuscripts Commission. The modern outer wrapper says '1474–5'.

Evidence that this register contains records of the Piepowder Court abounds. Perhaps the most dramatic is a note on fol. 16v: "To the Piepowder Court held there on the 24th day of the month of June of the present year at the 9th hour before noon of the same day comes John Wilde & claims ownership in the said goods and he has the 3rd hour of the same etc." Not only is the court identified as the Piepowder Court, but it is meeting on a feast day (St John's day), on a Friday (see below), and the adjournment is from morning to afternoon, none of which were characteristic features of the Common Court. Less dramatic, but perhaps more telling is the fact that throughout the register entries are cancelled or vacated because the case is 'in the Common Court' (fols. 4r, 8v, 9r, 12v, 13v [*ter*], 19r, 20v).

The question is not whether this register contains records of the Piepowder Court but whether it contains only records of the Piepowder Court. Of this we cannot be certain, but the dates given in the records suggest that it probably does not include Common Court records. While the entries are not in strict chronological order, the pattern of dates runs from December at the beginning of the register to the end of October at the end. Folios 7 and 8 seem to include entries from earlier in the autumn than those recorded at the beginning. A day of week and of the month given toward the beginning of the register matches 1473 as the year of grace (Tue., 14 Dec., fol. 2v), one given toward the end matches 1474 (Tue., 12 July, fol. 18v). A regnal year given in the middle of the register matches 1474 (13 March, 14th year of Edward IV, fol. 10r), and the same regnal year is given somewhat later (20 May, 14th year, fol. 14v). All of the dates of events given in the pleadings are consistent with court dates in 1473–4.

There are no dates given for court appearances in 1473. For 1474, appearances are recorded on: 13 March (Sun.) (fol. 10r); 27 April (Wed.) (fol. 13v); 17 April (Sun.) (fol. 14r); 20 May (Fri.), 14 June (Fri.) (fol. 14v); 23 May (Mon.) (fol. 15v); 12 July (Tue.) (fol. 18v); 30 July (Sat.), 28 July (Thu., 2 cases) (fol. 19r); 12 September (Mon.) (may not be an appearance) (fol. 20r). Of these days only 12 July is a Tuesday, the regular meeting day for the Common Court, and that entry gives the hour of the appearance, which was not the practice of the Common Court. The Sunday sessions are particularly notable. It would seem that the Piepowder Court met, if necessary, on any day.

Adjournment dates are probably somewhat less reliable as indicators of when the court met, particularly because some of them seem to have been copied from

previous entries.[1] Most of them are, however, consistent with what we would expect for the Piepowder Court: from 2 December (Tue.) to 13 December (Mon.) (fol. 1r); to 14 December (Tue.) (fol. 2v); to 21 December (Tue.); from 1 February (?Mon., 1473)[2] (fol. 6v); to 16 November (Tue) (fol. 7r); from 12 September (Sun.) to 25 September (Sat.), from 11 October (Mon.) to 14 October (Thu.) (same case, fol. 8v); from ?9:00 am Fri., no date given, to ?3:00 pm, Sat. (fol. 8v);[3] from 25 March (Fri.) to 24 June (Fri.) (fol. 11v); from 10 June (Fri.) to 19 June (Sun.) (fol. 16r); from 5 July (Tue.) to 12 July (Tue.) (fol. 16r); morning 24 June to afternoon 24 June (Fri.) (fol. 16v); from 7 June (Tue.) to 15 June (Wed.) (fol. 16v); from 2 July (Sat.) to 4 July (Mon.) (fol. 17r); from 19 August (Fri.) to 22 August (Mon.) (fol. 20v); to 12 September (Mon.) (fol. 21v); to 20 October (Thu.) (fol. 23r); from 11 October (Tue.) to 18 October (Tue.), from 26 October (Wed.) to 1 November (Tue.) (same case, fol. 23v). While there are a number of probable Tuesdays in this list, most of them show characteristics inconsistent with the Common Court: The session on Tuesday, 2 December, 1473 was adjourned to Monday, 13 December of the same year, not a regular session day for the Common Court. The same is true of the case adjourned from Tuesday, 7 June to Wednesday, 15 June. The adjournment on Tuesday, 14 December was an adjournment from morning to afternoon, something that the Common Court is not known to have done. The session adjourned to 21 December was adjourned to a feast day (St Thomas the Apostle). The final case, which seems to have met mostly on Tuesdays, is once adjourned from a Wednesday to a Tuesday, which, once more, was a feast (1 Nov., All Saints'). Thus, while the case adjourned to Tuesday, 16 November, 1473, and that adjourned from Tuesday, 5 July to Tuesday, 12 July, 1474, could be in the Common Court, as could others that have no indication of date, there is no evidence here of a case that must be a Common Court case, and very few that could be.

The dates tell us one thing more. There is a gap in the dates between fols. 9v and 10r (which is not where the quire break occurs). All of the dates in the first nine folios are in the autumn of 1473, and they are quite jumbled chronologically. The dates in the remaining folios are all in 1474, beginning in March, and although they are not strictly chronological, they are approximately so. We might speculate that the first nine folios are the product of a different clerk, or that record-keeping practice in the Piepowder Court changed in the 14th year of Edward IV.

fol. 1r

For licence to concord

RB William Douce complains against Thomas Bouland concerning a plea of debt

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[1] This seems most likely in the case of the entry on fol. 6v, which is noted at the top as having been continued from 1 Feb. Since this is found in entries that seem to date from Michaelmas term of 1473, it seems most likely that 1 Feb. 1473 is meant. The entry on fol. 8v, which notes that the case was adjourned from 12 Sep. to 25 Sep. and from 11 Oct. to 14 Oct. could not have been written earlier than 11 Oct., and may have been later than that.

[2] See n. 1.

[3] *continuatur a die veneris ab hora iij*^{a} *eiusdem diei usque diem* ~~*sabbati extunc*~~ *proximo sequentem ad horam ix*^{am} – the assumption in the text is that the clerk is using the older style of counting the hours of the day, from daylight to nightfall, roughly 6:00 am to 6:00 pm. Alternatively, it could be from 3:00 pm to noon the next day.

For licence to concord 3d in box

Adjourned — Adjourned from the 2nd day of December until Monday[4] next after the feast of St Nicholas next following by pledge of Richard Alcok at the parties' request at the same stage as now

R ⌜ William Meckelowe complains against Philip Cannynges concerning a plea of covenant broken

⌞ Michael Luke complains against William Taverner concerning a plea of trespass

For licence to concord 3d

[?]W. f ~~Denis Donell complains against ^Grimald^ [?]Massian *Saddeler*[5] concerning a plea of debt~~

B Denis Donell complains against ^John de^ Grimald [blank] concerning a plea of debt upon demand of 8s 4d on the grounds that on the 4th day of December in the 13th year of the reign of King Edward IV they accounted between them regarding various receipts and sums of money and when all accounts had been completed and all allowances made the same defendant was found in arrears in the sum on demand and although etc [i.e., from the aforesaid John the said 66s 8d had very often been requested by the aforesaid Denis this however the same John refused to do at all times and

Judgment still refuses so to do and he unlawfully] withholds etc to the plaintiff's damage of 10s ~~whereupon it was considered~~ the party defendant came into court and acknowledged the said sum in demand For damages of 12d and for costs[6] outgoings and expenses 3s 5d for unlawful detinue 3d

fol. 1v

Not prosecuted 3d box Fine 21d box Pledge of jury^of the law^prison ^William^ Spershot

Summon jury
1 default 2 defaults 3 defaults

The officer of the court responded that the said defendant has been attached and mainprised by Damian de la Poise and because he does not have him therefore amerced 3d 6d 12d

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[4] 13 December.

[5] Nothing about these names is clear; even the reading 'saddler' is problematical. It would seem, however, to be the same name as appears in the next entry as 'John de Grimald'. 'Grimald' is almost certainly the Italian surname Grimaldi. That would suggest that 'Massian' or 'Maffian' is a mistake.

[6] *custubus*. Not in Latham; see Niermeyer, s.v. *custus*. It is normally, as here, accompanied by *missis et expensis*.

The defendant says that he did not unlawfully detain He is at law himself the 11th hand

B Baptist Chanell complains against Antony Pillard concerning a plea of detinue

For licence to concord in John B's hands

R Robert Bluet complains against William Blakborn vyntener

Here previously Vintemyle and within two folios back the same and there twice sixteen next[7]

B Nicholas de Prete complains against Vintemyle Corowe concerning a plea of debt

Not prosecuted 3d box For licence to concord

R Angel Catan complains against Barnard Gunsal concerning a plea of debt upon demand of 60 crowns in gold

Pledge of jury { Richard Page / Gilbert Hex }

Summon jury
1 default

The officer of the court responded that the defendant has been attached and because he does not have him therefore amerced 3d

B Robert Combston chaplain complains against John Clyffe perpetual vicar of the parish church of Holy Rood within the town of Southampton concerning a plea of debt

Judgment 10 talesmen

fol. 2r

∴[8] Summon jury Pledge of jury John Sprynge

R William Edmond complains against Richard Mondy concerning a plea of trespass. The defendant denies therefore to jury

For licence to concord 3d box

Summon jury Pledge of jury William Saundres

B Christopher Ambrose complains against John Belam concerning a plea of deceit

Edward by the grace of God King of England and France and Lord of Ireland complains against [blank]

[7] *hic prius vintmyle et infra duo folio retrossum* (i.e., *retrorsum*) *idem et ibi bis sedecim px'*. The only reading that is obscured by the strike-outs is *idem*, but it is the most likely. This is probably a somewhat ungrammatical reference to other entries in a case involving Vintemyle Corowe, but what follows is the only one that we have.

[8] Margin: three dots in triangular form with 'g' shaped tail, possibly an auditors' mark.

Pledge of jury for { Peasqueall de Cerr' / Martin de Asqueo[9]

Summon jury — For licence to concord 3d in box — & for [blank] — ~~Pledge of jury~~

W Thomas Smyth inspector of the lord king ^of all ships and vessels^ in the port of the town of Southampton ^[and] lying beside the same port^[10] and in all ports and places adjacent to the same port and all ships and vessels entering the same port complains against Nicholas Andrea ^prison^ understeersman from a certain carrack called Le Parvisyn Paqueall ^W Smyth^ de Cerre Martin ^W Smyth^ de Asqueo Adrian ^prison^ Williamson & Antony ^prison^ Johansoles pilots of the same carrack concerning a plea of trespass Defendants deny therefore to jury

For a bad plea 3d in box

He carried through his law
Pledge of the law John Andrewe de Vivaldis[11]

Appoints John Godfrey his attorney
1 default
Defendant denies & is at law himself the 11th hand at the 4th hour of the afternoon

The officer of the court responded that defendant has been attached & mainprised by Benedict Spynell 3d

R Henry otherwise Rigo de Almayn *Cunibarder*[12] complains against Galiate Salvago patron of a certain carrack Walter Salvago of Genoa concerning a plea of debt upon demand of 33 ducats of Genoa[13] from a certain account had between them withheld to plaintiff's damage of 5 marks[14]

fol. 2v

Not prosecuted 3d box

Pledge of jury Thomas Payn merchant

Summon jury

Parties plaintiff as well as defendant have an hour at the 3rd hour in the afternoon of the

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[9] It seems odd that one of the defendants should be allowed to pledge for another, but that seems to be what the entry says.

[10] We rearranged the clerk's interlining here to reflect what seems to have been his meaning.

[11] There is little doubt, despite the normally English spelling of his second Christian name, that this is the merchant of Genoa who appears regularly in the Piepowder Court in this period. The Latin, where it is given, can in most instances be extended to *Johannes Andreas de Vivaldis* and would have been in Italian in this period *Giovanni Andrea* (or *d'Andrea*) *dei* or (*de'*) *Vivaldi*. The last element is a patronymic not a placename, the same as the surname of the famous composer. It is recorded as early as 1200. http://www.cognomiitaliani.org/cognomi/cognomi0020is.htm (last visited 28.viii.10).

[12] Meaning uncertain.

[13] This coin was also known as a '*genovino d'oro*' and was worth about 51s in 1473. The sum in dispute would amount to £81 3s. See Spufford, *Handbook of Medieval Exchange*, p. 114.

[14] A mark was a unit of account, not a coin, and was worth 13s 4d i.e., 2/3 of £1 sterling.

same day Tuesday 14th day of December[15]
to produce the plea & defence

Appoints Guy Shilvyng his attorney

H [William de Courte complains against Alan FitzGeffrey of Rasko[16] in
[Brittany concerning a plea of debt

10 talesmen

[William de Courte complains against Alan FitzGeffrey of Rasko in
[Brittany concerning a plea of trespass

Nothing has been done

W Robert Bluet complains against William West concerning a plea of debt upon demand of 50s

Summon jury 10 talesmen Pledge of jury John Smyth *tailour*

G John Warde complains against William Krakehill of Kendale[17] concerning a plea of debt upon demand 10s is owed from a loan outstanding to him to damages of the plaintiff of 20s

For licence to concord 3d

Summon jury Pledge of jury prison

R [William Everyngham complains against Richard Whytyng concerning
[a plea of trespass

fol. 3r

Adjourned For licence to concord Adjourned from [blank] until the feast of St Thomas the Apostle[18] at the same stage as now by pledges { Richard Smyth, Gabriel Haule }

R Henry Hardyng complains against William Key of Nursling[19] concerning a plea of debt upon demand of 5s

Robert B

Summon jury For licence to concord Pledge of jury prison

R William Everyngham complains against Richard Whytyng concerning a plea of trespass in the grounds that the same Richard on the 17th day of the month of December in the 13th year of the reign of King Edward IV broke and entered the close and house of the same

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[15] This confirms the year as 1473. See Cheney, *Handbook of Dates*, p. 211.

[16] Rasko is probably the modern port of Roscoff (Rosko in Breton) in Brittany.

[17] The appearance in our records of two men described as 'of Kendal' (Westmoreland) (see SC7/1/9 fol. 58v and following for Edward Crakehill) is sufficiently surprising that we might question it were it not for the fact that their surname is derived from place names in the North Riding of Yorkshire.

[18] 21 December.

[19] A village 6 miles west of Southampton.

William here at Southampton within the jurisdiction of this court & unlawfully seized one purse with 20s of the goods and chattels of the same William found then and there and took it away and otherwise committed outrages upon him to very grave damage of William himself and against the peace of our lord the king Wherefore now the same William says that he has suffered loss and has damages to a value of 100s And whereof he produces his suit if etc And the aforesaid Richard came in his own person and acknowledged the unlawful taking of 10s and as for the rest he denies it therefore to jury It was considered by the court that the aforesaid plaintiff should recover the said 10s thus confessed to and that he [the defendant] should be committed to prison until he has made satisfaction

For licence to concord

1 default 2 defaults — The officer of the court responded that the defendant has been attached and mainprised by David White and because he does not have him therefore amerced 3d 6d

G Thomas [?]~~Braynke~~ Harrys complains against Richard Trier concerning a plea of debt

For licence to concord
in prison

H John Everard complains against Chaselyn de Charnell concerning a plea of debt

fol. 3v

Appoints Richard Smyth & G Shilvyng his attorneys

Thomas Philpot complains against Thomas Smyth *Boucher* concerning a plea of debt

G William Overay esquire complains against Peter Clyf concerning a plea of trespass

For licence to concord 3d in box

W [Vincent Pitlesden esq. complains against Alan Guylyngham
[concerning a plea of trespass

Nothing has been done

W John Warde complains against Oliver [blank] of Brittany concerning a plea of trespass

fol. 4r

For licence to concord 3d

H William Dukeworth complains against Alan Fitz Geffrey of Saint Pol de Léon[20] concerning a plea of trespass

[20] A town in Brittany.

For licence to concord 3d in box

G Thomas Stranger complains against John Wikeham servant of John Danyell of Romsey concerning a plea of debt upon demand of 5s

Void here because in the Common Court[21] by pledge of John Warde

1 default The officer of the court amerced because he does not have him etc 3d

W Geoffrey Staveley complains against William Sannson concerning a plea of debt upon demand of 33s 4d

For licence to concord 3d in box

G John Assheley complains against Jacab Seny of a plea of debt

fol. 4v

For licence to concord 3d in box

R Henry Att Welle complains against Hugh Appowell ~~sengilman~~ ^*Capmaker*^ concerning a plea of trespass

For licence to concord 3d in box

R Hugh Appowell *Capmaker* complains against Henry Att welle concerning a plea of trespass

R Hugh Appowell *Capmaker* complains against Henry Att welle concerning a plea of debt

W

R Christopher Ambrose complains against Sebastian ^Frachampo of Durra^ *Maryn[er]* concerning a plea of debt upon demand of 32s 11d for certain parcel of woollen cloth sold to him here at Southampton on the 15th day of January in the 13th year of the reign of our Lord King Edward IV withheld by him to the

Judgment plaintiff's damage 10s The defendant came into court and acknowledged the sum in demand Therefore it was considered by the court that the party plaintiff should recover the sum in demand and the party defendant be amerced for unlawful detention 3d And upon this he should be committed to prison until he has made satisfaction etc

fol. 5r

For licence to concord 3d in box

W Seva Catan complains against John de [blank] of Genoa concerning a plea of debt

For licence to concord 3d in box

Thomas Raynold complains against Jacomy Seny concerning a plea of debt

John Rouland complains against Margery [blank] *sengulwoman* concerning a plea of trespass

[21] This implies that this court is therefore sitting as the town's Piepowder Court.

For licence to concord 3d in box

W Thomas Payn complains against John of Spain concerning a plea of covenant broken

fol. 5v

G Nicholas Picamillion patron of a certain carrack called the St Brigid complains against Pellegro de Gwano concerning a plea of debt upon demand of 150 ducats of gold[22] by a bond

For licence to concord 3d in box

1 default The officer of the court responded that the said defendant has been attached and mainprised by Francis Justynian and because he does not have him 3d

G Nicholas Picamillion patron of a certain carrack called the St Brigid complains against John de Albyngena *Maryn[er]* & Juvene de Popa concerning a plea of debt

By security of Richard Gryme to be paid at the feast of the Annunciation of Blessed Mary the Virgin[23]

The party plaintiff came into court and acknowledged that he had received satisfaction

Robert Hiche *Baker* complains against Edmund Milner concerning a plea of debt upon demand of 15s for one bay coloured horse sold by him here in the town of Southampton on the 4th day of August in the 13th year of the reign of King Edward IV payment to be made at the feast of Christmas then next following and despite etc but he withholds etc to the plaintiff's damage 40s etc The defendant came and acknowledged that he was buying the aforesaid horse from the aforesaid defendant in the manner and form recited above for the aforesaid 15s however payment was to be made at the feast of the Purification of Blessed Mary the Virgin[24] then next following and in no way before the aforesaid day and judgment was given to him

For licence to concord

G Roger A Bowe complains against Robert Belhous concerning a plea of detinue

Summon jury Pledge of jury Richard Smyth

Appoints H G his attorney Appoints G Shilvyng his attorney

H William Webbe complains against William Boucher of Beaulieu[25] concerning a plea of deceit

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[22] In 1474, the Venetian gold ducat exchanged for 4s 2d. Spufford, *Handbook of Medieval Exchange*, p. 207. Hence, the total sum claimed was 625s or £31 5s.

[23] 25 March.

[24] 2 February.

[25] 15 miles south west of Southampton.

10 talesmen

For licence to concord in hands of John W

G Thomas Stranger complains against Richard Hardyng concerning a plea of debt

fol. 6r

Summon jury — For licence to concord — Pledge of jury prison
1 2 3 defaults — The officer of the court responded that the said defendant has been attached and mainprised by Thomas Avan and because he does not have him therefore amerced 3d 6d 12d 2s

H John Blankpayn complains against John Clyffe ^perpetual^ vicar of the parish church of Holy Rood in the town of Southampton concerning a plea of deceit Defendant denies therefore to jury

G John Clarke *mason* complains against John Criton concerning a plea of debt

Summon jury — Pledge of jury prison

G John Milsent complains against William Belynchampe concerning a plea of debt upon demand of [blank] Defendant denies

For licence to concord 3d in box
in prison

R [Vincent Tehy complains against John Dier concerning a plea of detinue

Nothing has been done — For licence to concord 3d in the hand of the clerk

[Andrew Gosselyn complains against Peter Serle concerning a plea of debt upon demand of 26s

For licence to concord

1 default 2 defaults — The officer of the court responded that the said defendant has been attached by 1 cart and 5 horses

W Nicholas Eliot complains against Richard Wolfe concerning a plea of trespass

Nothing has been done

Isabella Mondy complains against Edmund Carter concerning a plea of debt

fol. 6v

1 default 2 defaults — The officer of the court responded that the said defendant has been attached by 1 cart and 4 horses in the custody of the court

H John Gryme complains against Thomas Peke otherwise Villamore *farecarter*[26] concerning a plea of debt

[26] This term could possibly denote a carrier of people.

Adjourned from 1st day of February

1 default — The officer of the court responded that the said defendant has been attached and mainprised by John Andrewe de Vivaldis and John Clerke *mason* 3d

R [Cornelius Clerk complains against Spartinus Trumpet from a carrack concerning a plea of trespass

1 default — The officer of the court responded that the said defendant has been attached and mainprised by John Andrewe de Vivaldis and John Clerke *mason* and because they do not have him therefore amerced 3d

R [Cornelius Clerk complains against Spartinus Trumpet from a carrack concerning a plea of debt

For licence to concord 3d in box

[John William *merchaunt* complains against Philip Davy and Thomas Gryme *Sawer* concerning a plea of trespass against the form of the statute[27]

Summon jury — Pledge of jury { Robert Bagwyth, Thomas Raymond }

W John Marde complains against John Cornyssh concerning a plea of debt

fol. 7r

Summon jury — For licence to concord 3d in box — Pledge of jury prison

W [Richard Pavy of Bristol complains against Richard Fortune otherwise Forthe otherwise Foreste concerning a plea of trespass to the plaintiff's damage of £300

W [?]R Stephen Parker complains against Thomas Feyelle concerning a plea of debt upon demand of 10s

For licence to concord 3d in box

[Christopher Ambrose complains against Jacu de Valdestowla concerning a plea of debt upon demand of 19s 3d

Summon jury — For licence to concord 3d in box — Pledge of jury prison

WB Andrew Goderiche complains against John Galleway and Robert Denies *laborers* concerning a plea of trespass

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[27] The statute referred to could be that of 8 Henry VI c. 9 (1429) (forcible entry), but it is more likely to be the Statute of Labourers of 23 Henry VI c. 12 (1445), which has a complicated history that goes all the way back to the well-known Statute of Labourers of 25 Edward III stat. 2 (1351).

Adjourned until Tuesday next after the feast of St Martin[28] at the parties' request at the same stage as now

1 2 3 defaults — The officer of the court responded that the said defendant has been attached and mainprised by John Pessold and because he does not have him therefore amerced 3d 6d 12d 2s 4s

G John Shropsshire complains against Leonard Parvisin concerning a plea of debt

fol. 7v

in prison

W John Groce complains against Vincent Tynker and Philippa his wife concerning a plea of debt of 2s 1d

∴ Not prosecuted 3d box Nothing has been done

[John Dobbs complains against John Taillour *Boucher* concerning a plea of debt Defendant denies

For licence to concord 3d in the sergeant's hand

W [James[29] Petir complains against Richard Taillour *Carter* concerning a plea of debt

For licence to concord 3d in box
He has been attached by 1 cart & [blank] horses in the sergeant's hand

B [Peter Johnson complains against Thomas Geffrey *Carter* concerning a plea of debt

fol. 8r

~~R~~ John Vandreson complains against Leonard Parvison concerning a plea of account

G Thomas ^Robis^ Prior of the house and church of St Denys by Southampton complains against Ninettus Bower and John Barbour lately servant of William Broune *Barbour* concerning a plea of trespass

1 default — For licence to concord 3d In the Clerk's hand — The officer of the court responded that the said defendant has been attached and because he does not have him therefore amerced 3d

R [John Spryng & Thomas Eliott [blank] servant of the same John complains against William Pewterer servant of John Baben concerning a plea of trespass

R Thomas Englessch of Newport complains against John Marche otherwise Nicholas Bond concerning a plea of debt upon demand of £11

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[28] 11 November.

[29] The Latin name is *Jacobus* which could be translated as either James or Jacob.

R Thomas Englessch of Newport complains against Michael Taillour of Portsmouth concerning a plea of debt upon demand of 43s 4d

fol. 8v

For licence to concord 3d in box

Adjourned at the parties' request at the same stage as now by pledge of William Makelowe	For licence to concord	Adjourned from Friday at the third hour of the same day until the following day at the ninth hour[30]

B Richard Watkyns complains against Roland Harreson concerning a plea of trespass

Because in the Common Court
Appoints Thomas Raynold and Hugh Walton his attorneys jointly and severally

∴ B ~~John Morton otherwise Painter complains against Robert Hall *Carpynt[er]* concerning a plea of debt upon demand of 34s 10d~~

	Adjourned from the 11th day of October until the 14th day next following	Adjourned from the 12th day of September until Saturday[31] next after the feast of St Matthew
1 2 defaults	For licence to concord 3d in B's hand	The officer of the court responded that the said defendant has been attached and mainprised by John William *merchaunt* and because he does not have him therefore amerced 3d 6d 12d

~~R~~H Thomas Englissh of Newport complains against William Sexey concerning a plea of debt upon demand of 34s 4d

Summon jury Pledge of jury prison

B William Talle complains against Richard Whityng concerning a plea of debt upon demand of 6s 8d

fol. 9r

because he appeared in court	For 1 default	& licence to concord	The officer of the court responded that the said defendant has been attached and mainprised by Nicholas Eliot & John Couper & because they do not have him therefore amerced 3d
1 ~~2 defaults~~	6d in box	3d in box	

R ⌈ John Osmond complains against Thomas [blank] *Brasier* concerning a plea of debt
⌊

[30] See above n. 3.
[31] 24 September 1474.

Discontinued
Summon jury
1 default Appoints W Lathum & Guy Shilvyng his attorneys

Pledge of jury { John Spryng / William Broune
The officer of the Court responded that the said defendant has been attached & because he does not have him therefore amerced 3d

R ~~Isabelle~~ ^Thomas Griffith^ ~~Baker~~ of Romsey ^*Baker*^ complains against John Baker ^lately^ servant of the ~~said T~~ ^said Thomas^ ^Isabelle^ concerning a plea of trespass against the form of the statute[32]

Because in Common Court
~~John Denmede complains against William Vengem *Weler* concerning a plea of trespass~~

For licence to concord 3d in box
[John Shepperd complains against John Hankyn concerning a plea of debt

Fine
The court was given to understand that the said defendant has been attached and that he does not have him therefore amerced 3d 6d 12d 2s 4s
1 2 3 4 defaults

B [John Shropshire lately waterbailiff complains against Victor Campany concerning a plea of trespass

fol. 9v

For licence to concord
By security of John Blankpayn
The officer of the court responded that the said defendant has been attached and mainprised by Fulk Shirevayn [and] because he does not have him therefore amerced 3d
in prison

B James Parker complains against Henry Tanner *Labyrer* concerning a plea of debt

The officer of the court responded that the said defendant has been attached by 2 sacks of hops in the custody of the court
1 2 3 4 defaults

G Thomas Avan complains against John Bakton of Chichester concerning a plea of debt

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[32] The entire entry looks as if it were struck out with a wavy line. We have ignored this in order to try to preserve the corrections within the entry. 'The said T' may have been struck out because the clerk had the wrong gender for *dictus*. (Alternatively, it may be 'the said I', which would make more sense.) This is corrected in the carated 'said Thomas' but then 'Isabelle' is written over it, without 'Thomas' being struck out. Perhaps there was some ambiguity as to whose servant John was. On fols. 12r and 13v, Isabel Griffith, who is described as a widow, sues a John Baker, who is described as servant of William Baker and servant of William Broune, baker. These would seem to be same man, and Isabel would seem to be the same woman who is suing here. It is possible that Thomas is her husband who died in the intervening period.
For 'the statute' see n. 27.

For licence to concord 3d in box
Summon jury Pledge of jury prison
Appoints Michael Luke & William Kidwelly of the city of Winchester *Gentilman* his attorneys

H [John Lethom citizen & baker of London complains against Robert Stoddard son of Thomas Stoddard of Horton in the county of Northumberland *husbondman* concerning a plea of trespass

Nothing has been done

∴ Simon Long complains against Francis [blank] concerning a plea of debt upon demand of 39s 4d

fol. 10ar[33]

in prison
For licence to concord 3d in box

W [John Osmond complains against Thomas [blank] *Brasier* concerning a plea of debt

For licence to concord 3d in box

B [William Small complains against [blank] pilot concerning a plea of debt

For a bad plea 3d in box[34] Because defendant made his law himself the 11th hand
Appoints Th. Astin his attorney

B [John Vanderson[35] complains against Leonard [blank] *Berebruer* of Winchester concerning a plea of debt upon demand of 45s for 1 sack of hops weighing 3 cwt price the cwt 15s here sold to him on 13th day of June in the 11th year of the reign of King Edward IV withheld to damages to the plaintiff of 13s 4d Defendant denies and asks to be admitted immediately [to make his law]

B Thomas Avan complains against [blank]

Summon jury Pledge of jury [Thomas Braynwode
[Matthew Berewike
Appoints T Astin his attorney

B John Vandreson complains against Leonard Beerbruer concerning a plea of account Defendant denies and says that he is not accountable and concerning this he requests a jury

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[33] Both fol. 10 and fol. 14 are numbered 'a', which normally indicates that an inserted document follows. We have been able to find only one such document, however, which is numbered '14(b)', so we have placed it after fol. 14v. Since the document is not sewed in, it is possible that there was never more than one, but that it was in different places at different times.

[34] The reason that this action is classed as a bad plea is not stated but it probably has to do with the fact that the defendant successfully made his law.

[35] This name appears quite often in the records with a large variety of spellings. We have indexed it under 'Vandirson', which is not only the most common spelling in the records, but also corresponds to the modern Dutch surname 'Van Deursen', i.e., 'of Deursen', a hamlet in Noord Brabant.

He made satisfaction

Summon jury — For licence to concord and for weighing 4d in box — in prison — Pledge of jury prison

John Sexton of Bishopstoke complains against Thomas Brasiar concerning a plea of detinue concerning 2 brass pots of which 1 weighed 27lbs price the pound 3d & 1 weighed 3lbs price the pound 3d which makes in total a sum of 8s 4d [sic, recte 7s 6d] withheld to damages to the plaintiff of 3s 4d The defendant came into court on the 13th day of March in the 14th year of the reign of King Edward IV and there acknowledged that he was withholding the 2 pots weighing in total 27lbs price the pound 2d which makes a total of 4s 6d and he withholds nothing further etc as to the rest he denies it Therefore to jury Wherefore it was decided by the court that the party plaintiff should recover from the party defendant according to his confession and that the party defendant be amerced for unlawful detention 3d and that he should be committed to prison until he should provide satisfaction

Judgment in part

fol. 10av

Appoints ~~Hen~~ W L his attorney

John Everard complains against Sebastian Frachampo of Durra concerning a plea of debt

Appoints W L his attorney

John Everard complains against [blank] Chavelyn concerning a plea of debt

Thomas Thurleby complains against [blank]

For licence to concord 3d in box

W [Richard Broune of the Isle of Wight complains against Michael Tailour concerning a plea of debt upon demand of 4 marks

∴ Robert Osclyffe complains against Richard Forthey concerning a plea of debt upon demand

fol. 11r

Nothing has been done — The officer of the court responded [*sic*] amerced because he does not have [him] 3d

Peter Dentebere complains against Martin de Candea concerning a plea of debt upon demand

Summon jury — Pledge of jury Robert Bluet

John Gough ^& Joan his wife lately wife of Thomas Wellys and executrix of the testament of the same Thomas^ complains against John Nele ~~and Alice his wife lately wife of Thomas Welle an executrix of the testament of the same~~ concerning a plea of ~~debt~~ pledge[36]

[36] This is the only action in the records that is so described. There are a number of actions in debt where the plaintiff creditor is suing the pledge of his debtor. E.g., SC7/1/3 fol. 23v, SC7/1/5a

For licence to concord 3d in box

B [Baptista Bynea complains against [blank] scrivener from a certain ship of John Ramys of Spain concerning a plea of detinue

For licence to concord 3d in box

H [George Cock complains against [blank] pilot concerning a plea of deceit

Pledge of jury [John Goo
Summon jury For licence to concord 3d in box [John Percher

W [Stephen Broune complains against Marin Caliger & Antony Skane
B [complains against James Vinagro concerning a plea of trespass

fol. 11v

for ~~Robert~~ ^William Raymond^
Jacob Petreson
Summon jury Pledge of jury prison for Richard Whityng
Prison

Alice Bonvile complains against Richard Whityng & William Raymond concerning a plea of trespass

Adjourned from 25th day of March until the feast of the Nativity of St John the Baptist[37]

~~summon jury~~ ~~pledge of jury~~

B Richard Alpige of the parish of Ringwood complains against Robert Barnard of Beaulieu concerning a plea of trespass

For licence to concord 3d in box

W [John Hardyng complains against [blank]

In prison

Richard Brownne complains against Baptist Janello from a ~~carryke~~ carrack[38] concerning a plea of debt upon demand of 40s

~~John Capper complains against Lef~~

For licence to concord 3d in box

W [Lefyn Malvesyn complains against John Capper concerning a plea of debt

For licence to concord 3d in box

W [Robert Capper complains against John Capper concerning a plea of debt

---

fol. 3r, SC7/1/9 fol. 76r. The fact that this action is first called 'debt', which is then struck out, suggests that the same facts may be involved here, with the additional complexity, it would seem, that the original creditor is now dead.

[37] I.e., from the feast of the Annunciation of St Mary the Virgin to 24 June, both Quarter Days.

[38] The Latin word for this type of ship is '*carrakea*'. The English word '*carryke*' was originally written but then deleted. It may provide a clue to the pronunciation of the word at this time.

fol. 12r

The officer of the court responded that the said defendant has been attached and because he does not have him therefore amerced 3d

B William Everyngham complains against John Broun of Millbrook[39] *Husbondman* concerning a plea of debt upon demand

Judgment For licence to concord Valuers { Gabriel Laurence / Andrew Goderiche }

1 2 3 4 defaults The officer of the court responded that the said defendant has been attached by 1 cloth valued at [blank]

Thomas Venician complains against Richard Gisseche concerning a plea of debt upon demand of 5s

B { Thomas Braynwode complains against John Broune concerning a plea of debt upon demand for those for whom he mainprised for Richard Whityng[40] And the said John Broune appeared and acknowledged the sum in demand

Richard Metkalfe complains against [blank] *Bouteswayn* from a certain ship of London concerning a plea of trespass

Not prosecuted 3d in box

H { Thomas Kibbill complains against John Rikeman concerning a plea of debt

In prison For licence to concord

W Isabel Griffith complains against John Baker servant of William Baker concerning a plea of covenant broken

fol. 12v

Void here because in Common Court by pledge of { Gabriel Haweley / Richard Alcok }

Peter Carvanell complains against William Weste concerning a plea of trespass

Not prosecuted 3d in box

B { John Sarke complains against Alice Bonvile concerning a plea of detinue of chattels

Alice Bonvile complains against John Sarke concerning a plea of trespass

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[39] Millbrook was a village 2 miles west of the town. It is now a suburb of Southampton.

[40] *pro quibus manucepit pro Ric' Whityng.* The text may be corrupt, but we can make sense of it as it stands if we assume that Braynwode went bail for a group of defendants at the request of Whityng and that Broun agreed to share in the cost if the defendants defaulted, which apparently they did.

Nicholas Misere complains against Andrew Fisicus ^Phisicus^ concerning a plea of trespass

in prison

B Thomas Gryme complains against Alice Bower concerning a plea of debt upon demand of 17s 6d from a certain and lawful
Judgment account made between them to the plaintiff's damage 12d. The party defendant came and acknowledged the sum in demand Wherefore it was considered by the court [blank]

Summon jury Pledge of jury Christopher Ambrose

W Lewis Aymer complains against Galiciano de Nigre concerning a plea of debt by a bond of his The defendant says that it is not his bond

fol. 13r

For licence to concord 3d in box

W [Reginald Jacob complains against John [blank] concerning a plea of debt

Not prosecuted 3d in box

[Walter Craddock complains against Christopher Dake lately servant of the same Walter concerning a plea of trespass

B Christopher Ambrose complains against Richard Nutkyn of Andover concerning a plea of debt upon demand of 38s 8d

Summon jury Pledge of jury Gregory Holmage

B Thomas Norfolk complains against John Welles *taylour* concerning a plea of debt

For licence to concord 3d

Summon jury Pledge of jury Prison

B [Richard Busshopp complains against Christopher Mighell concerning a plea of trespass The defendant denies therefore to jury

fol. 13v

The officer of the court responded that the said defendant has been attached and because he does not have him therefore amerced 3d

~~Void because in the Common Court~~

G [Thomas Braynwode complains against John Osmond *Pewterer* concerning a plea of unlawful detinue of goods namely 1 mould fitted out for the pewterer's art together with its complete equipment to a value of 10s delivered to him at the town of Southampton on the 7th day of March in the 14th year of the reign of King Edward IV withheld to damages to the plaintiff of 20s The defendant came into court on the 27th day of April in the year above written and acknowledged unlawful detinue of the aforesaid mould It was considered by the court that the party plaintiff should recover the said mould and its apparatus and 3s 9d for necessary expenses assessed by the court

For licence to concord 3d box

B Isabel Griffith widow complains against John Baker servant of William Broune *Baker* concerning a plea of trespass against the form of the statute

For licence to concord 3d in sergeant's hands

W John Smyth complains against John Dedeve concerning a plea of trespass

For licence to concord 3d

B Peter Carkanell complains against John Potter concerning a plea of detinue of a ring

Void because in Common Court by pledge

W Richard Mede complains against Richard Forthey concerning a plea of detinue of chattels to a value of £15

For licence to concord

+B Peter Russell complains against Christopher Dake *Barbour* concerning a plea of trespass against the form of the statute on the grounds that the same Peter on the 3rd day of March in the 13th year of the reign of King Edward IV covenanted with the aforesaid Christopher to serve the aforesaid Peter – that this Christopher would serve the aforesaid Peter well and faithfully from the said third day of March for a whole year taking for his salary 40s the said [. . .]

fol. 14ar

W Trahaern Jenan ap Meryk of Bristol *Gentilman* complains against Richard Forthey of Southampton concerning a plea of detinue

~~W Richard Pere complains against Richard Forthey concerning a plea of debt~~

For licence to concord 3d
in prison

G John Gryme complains against John Kent *Milner* concerning a plea of trespass against the form of the statute

in prison
Summon jury For licence to concord Pledge of jury Prison
Defendant denies therefore to jury

G Johnn Gryme complains against John Kent *Miln[er]* concerning a plea of trespass

For licence to concord

B William Spigot complains against Thomas Fitchet concerning a plea of debt upon demand of 50s from a lawful account had between them ^at Southampton^ from the 8th day of March in the 14th year of the reign of King Edward IV to be paid to the aforesaid plaintiff at any time

whenever it might have been required And despite etc but he withholds to damages to the plaintiff of 3s 4d The defendant came into court on the 17th day of April in the year as above and acknowledged the debt in demand and for costs outgoings and expenses assessed by the court 2s 8d and for unlawful detention 3d

Judgment

fol. 14av

For licence to concord 3d in sergeant's hands

∴ B Thomas Wellys complains against [blank] Mattok otherwise Mertock concerning a plea of debt

Summon jury 10 talesmen Pledge of jury { Thomas Braynwode / Thomas Stevenson }

W Thomas Avan complains against Robert Osclyff concerning a plea of trespass on the grounds that the said Robert on the 1st day of May in the 10th year of the reign of King Edward IV with other persons unknown and disturbers of the king's peace equipped in the manner and form of war namely with swords clubs and knives unlawfully entered a certain ship ~~this Thomas~~ ^called Le Jesus^[41] at the town of Southampton within the jurisdiction of this court and seized 9 barrels of *Odeasshes*[42] price the barrel 5s 6d 1 hogshead[43] of sweet wine called *Caprik*[44] price 20s 1 tunful[45] of iron price 100s from the goods and chattels of the same Thomas found then and there and otherwise took & did him other enormities to the grievous damage of the same Thomas and against the peace of the lord king Wherefore the same Thomas says that he has suffered loss and damage to the value of £20 And wherof he produces his suit if etc And the aforesaid Robert in his own person came and denied the force & injury and damages etc And he says that he is not guilty of the trespass aforesaid ^nor of any part^ in manner and form as submitted and alleged against him above and concerning this he requests a jury and the aforesaid Thomas likewise

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[41] Le Jesus: *Le Ihs.* These are the initial letters of the Greek form of the name Jesus (ΙΗΣΥΣ) in Latin letters.

[42] *Odeasshes* is wood ash used in the making of soap amongst other things. See O.E.D. s.v. *woad-ashes.*

[43] A hogshead is a barrel usually containing a quarter of a tun i.e., 63 gallons liquid measure.

[44] O.E.D. s.v. *caprik(e),* but the entry is not particularly helpful.

[45] A tun is a barrel usually containing 252 gallons liquid measure.

Summon jury 10 talesmen Pledge of jury { Thomas Braynwode / Thomas Stevenson }
Appoints Thomas Aston his attorney

+W Andrew Gosselyn complains against Robert Osclyffe concerning a plea of trespass on the grounds that the said Robert on the 1st day of May in the 10th year of the reign of King Edward IV with other persons etc by force of arms &c unlawfully seized a certain ship called Le Jesus 3 anchors 3 cables 1 sail with all the equipment of the same ship here at Southampton within the jurisdiction of this court and took them away & other [enormities] etc and against the peace &c to the damage to the said Andrew £30 And whereof he produces his suit if etc And the aforesaid Robert in his own person came and denied force and injury and damages etc And he says that he is not guilty of the trespass aforesaid nor of any part thereof in manner and form as submitted and alleged against him above and concerning this he requests a jury and the aforesaid Andrew likewise

The party plaintiff on Friday next after the feast of Corpus Christi[46] appeared in court and abandoned his suit 3d in box

[47]Richard Watkyns complains against William [blank] concerning a plea of trespass

[inserted document] fol. 14br[48]

Jury between Andrew Gosselyn plaintiff & Robert Estles defendant[49]

William Smyth
John Pesson
••∴ Antony Clement
Thomas Holman
+••∴ Damian de la Pese
+•∴ John Masselet
••∴ Robert Haselden
••∴ Dennis Donell
William Burdon
••∴ Robert Grame
••∴ John Leonard

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[46] In 1474 the feast of Corpus Christi, always celebrated on the second Thursday after Whit Sunday (Pentecost), fell on 9 June; the Friday was the 10th.

[47] The last line of the preceding case appears below this.

[48] For the position of this document, see n. 33. The verso is blank.

[49] The system of stars and crosses indicates the method of choosing juries (see Introduction, text following n. 68). A case between Andrew Gosselyn and Robert Estles does not appear in this book. There is, however, one between Andrew and Robert Osclyffe on fol. 14v. That case is clearly related to one brought by Thomas Avan against Osclyffe on the same folio. It is possible that the record of *Gosselyn* v. *Osclyffe* is mistaken and that the name of the defendant in that action was really Estles (or vice-versa). The *Osclyffe* case, however, was abandoned and probably did not reach the stage of jury selection. It seems more likely, therefore, that the folios that recorded the *Estles* case have been lost.

Thomas Fygon

10 talesmen

+ • John Gryme
••∴ Walter Danyell
∴ Gabriel Howle
∴ William Heckeley merchant
• Richard Folower
+•∴ John Amore
+ Andrew Goderiche ^infirm^
Richard Hilton
∴ Martin Corneford
• Gabriel Lauerance

fol. 15r

Richard Watkyns complains against [blank]

The defendant did not appear Pledge of jury Walter James

H William Saundres complains against Thomas Warson
Judgment concerning a plea of debt upon demand of £41 19s 9 ¼ d

Pledge of jury John Drewe

Not prosecuted 3d in box The officer of the court responded that the said defendant has been attached by the said ship and by 100 quarters of wheat

H William Smyth complains against John de Gatara ^of Gatara[50] in Spain^ calling himself master and owner of a certain ship called Le Petur concerning a plea of trespass

Summon jury 10 talesmen Pledge of jury prison
Defendant denies therefore to jury

H William Reve complains against William Godeale concerning a plea of trespass on the grounds that the same William Godeale on the 1st day of May in the 9th year of the reign of King Edward IV here at Southampton etc together with other persons unknown etc by force of arms namely with swords clubs and knives broke and entered into the house of the same William
Judgment Reve then and assaulted the same William Reve and beat him and ill treated him and imprisoned him from such a day until such a day and kept him in prison although the same paid a fine and redemption for his delivery to the aforesaid William Godeale and others of his associates for 66s 8d etc to damages of 20 marks etc

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[50] There is no town in Spain with that name today. The name may refer to the *sierra de Gata*, a mountain range in western Spain that gives its name to a number of small towns, including Gata, Cárceres, Extremadura. The name may, however, be a joke; *gatera* in modern Castillian means 'cat flap'.

\+ Summon jury Pledge of jury prison
Defendant says that the bond is not his therefore to jury

B Richard Gryme of the town of Southampton merchant complains against William Godeale of Hook Mortimer[51] in the county of Southampton merchant concerning a plea of debt by a writing upon demand of 100s by a writing obligatory the date of which is is the 24th day of March in the 13th year of the reign of King Edward IV to be paid to Richard or his certain attorney at the feast of Pentecost[52] next following after the date of presentation and despite etc but he still withholds to the plaintiff's damage of 10 marks The defendant came into court

Judgment on the 20th day of May in the 14th year of the reign of the king as abovesaid and acknowledged that the writing obligatory aforesaid was his deed And it was decided by the court that the party plaintiff should recover with damages and that the said defendant should be committed to prison until he should make satisfaction and be amerced for unlawful detention of the aforesaid sum 3d

fol. 15v

Summon jury 10 talesmen Pledge of jury prison

B William Coltyng & Alice his wife lately wife of Henry Cork and executrix of the testament of the same Henry complain against William Godeale concerning a plea of debt upon demand of £4 15s

B Andrew Tolle of Hook Mortimer and Alice his wife lately wife of Thomas Gander executrix of the testament of the same Thomas complain against William Godeale of the same town concerning a plea of debt upon demand of 66s 8d on the grounds that the same William Godeale on the 1st day of May in the 9th year of the reign of King Edward IV took by way of a loan from the said Thomas Gander 66s 8d to be paid to the aforesaid Thomas at any time when the same William would have been required Afterwards the said Thomas on his deathbed made his testament of all his goods and made the said Alice executrix of the said testament After he made and ordained this he died After whose death the said Alice executrix of the testament aforesaid was married to the said Andrew Tolle and despite the said 66s 8d very often having been requested from the aforesaid William by the aforesaid Andrew & Alice this however the same William refused to do at all times and still refuses so to do and he unlawfully withholds from them wherefore the same Andrew and Alice say that they have suffered loss and damages to a value of 40s And whereof they produce

[51] The then village of Hook is now a town near Basingstoke, Hants. Mortimer was probably a manor within the village. The modern village of Mortimer lies between Basingstoke and Reading.

[52] In 1473, 6 June.

their suit if etc And the aforesaid William Godeale came into full court on the 23rd day of May in this present year and acknowledged the sum in demand Therefore it was decided by the court that the party plaintiff should recover the sum in demand and for damages 5s 6d and for costs outgoings and expenses 4s 7d and that the party defendant is amerced for unlawful detention 3d and that he should be committed to prison until he make satisfaction

fol. 16r

Adjourned from the 10th day of June until the 19th day of the same month at the parties' request at the same stage as now by pledge above written[53]

Adjourned 6s 8d in box for licence to concord & for 5 defaults and residue paid by the mayor and bailiffs

The officer of the court responded that the said defendant has been attached and mainprised by Richard Alcok and because he

1 2 defaults does not have him therefore amerced 3d 6d 12d 2s 4s

G Roger Kelsale complains against William Smyth of Plymouth concerning a plea of debt

For licence to concord [blank] in the sergeant's hand

B James Peturson tailor complains against Thomas Trippe of Beaulieu concerning a plea of debt

For licence to concord 3d in box

G William Heckley senior complains against William Stephyns of Hertfordbridge concerning a plea of debt upon demand of 30s

~~Richard Broune complains against Richard Forthey~~

For licence to concord & for 2 defaults 10d in box 12d [?] in box

Adjourned from 5th day of July until Tuesday next following

The officer of the court responded that the said defendant has been

1 2 defaults attached and mainprised by John Smyth and because he does not have him therefore amerced 3d 6d

G John Andrew de Vivaldis complains against Richard Bourer of Millbrook concerning a plea of debt

fol. 16v

Adjourned from the 7th day of June at the parties' request at the same stage as now until the 15th day of the same month

The officer of the court responded that the said defendant has been attached and mainprised by

For licence to

1 default concord 3d John Tasker and because he does not have him therefore amerced 3d

G Roger Kelsale complains against Richard Eynsham of Hinchyn[54] concerning a plea of detinue of chattels

[53] If anything was written above, it is now illegible.

[54] Of the various place-names derived from the river Itchen, the village on the east bank of the river in Southampton itself seems the most likely. There are also villages of Itchen Abbas and Itchen Stoke further up the river.

For 1 default & for licence to concord 5d in box
To the Piepowder Court held there on the 24th day of the month of June of the present year at the 9th hour before noon of the same day comes John Wilde & claims ownership in the said goods and he has the 3rd hour of the same etc
The officer of the court responded that the said defendant has been attached and mainprised by 2 broadcloths of
1 default mustredevilers[55] colour 1 blanket of kersey[56] in court

G [Robert Stere complains against John Heth concerning a plea of debt
[Andrew Goderiche complains against [blank]

For licence to concord [blank]
The officer of the court responded that the said defendant has been attached and mainprised by Thomas Barother and because
1 default he does not have him therefore amerced 3d

B [John Grosse complains against Petronilla Waserer concerning a plea of debt

fol. 17r

Summon jury For licence to concord 3d in box Pledge of jury prison

G [John White *Gentilman* complains against Edgar Monke concerning a plea of trespass

On the service of the lord king
The officer of the court responded that the said defendant has been attached and because he does not have him therefore amerced 3d

B John Davy complains against John Starke concerning a plea of trespass and against the form of the statute

For licence to concord 3d in box
in prison

B [Thomas Gryme complains against Mautild Thomson otherwise Amice de le Steues[57] *Sengilwoman* concerning a plea of debt upon demand of 60s

For licence to concord
The officer of the court responded that the said defendant has been attached and mainprised as below and because he does not have him therefore amerced [?]3d [?]6d ^2s^ [?] in box[58]
Adjourned from the 2nd day of July until

---

[55] A grey woollen cloth. O.E.D. s.v. *musterdvillers*. Musterdevillers (many variant spellings) is an old form of Montivilliers, Normandy.

[56] Kersey is a kind of coarse narrow cloth woven from long wool, usually ribbed.

[57] The 'stews' is the term for a brothel and the sur- or nickname taken together with the title '*Sengilwoman*' indicates that she is possibly a prostitute.

[58] These notes are difficult to reconstruct. It would seem that what happened is that the clerk began to record the fines on the mainpernor, who never seems to be named, in the entry below (now crossed out), then wrote the note of the continuation above it, and then attempted to summarize the fines on the mainpernor above that. The end of the line is hard to read, but the interlined '2s' is clearly visible.

Monday next following at parties' request
at the same stage as now by pledge of { Richard Bechewell / Roger Colswayn }
Appoints H Walters ~~and because he does not have him therefore amerced 3d 6d~~
his attorney

G Thomas Raynold complains against John Brightrede *Brasier* concerning a plea of detinue

fol. 17v

Appoints Thomas Ashton his attorney Not prosecuted 3d in box

B [Richard Pavy of Bristol & Roger Kynton complain against Michael Samise & John Lope concerning a plea of trespass

To be removed by a writ of Certiorando
Summon jury Pledge of jury { John Goo / Richard Alcok }

The officer of the court responded that the said defendant has
1 default been attached by 1 ship with all its equipment
Appoints Thomas Ashton his attorney 2d in box[59]

H [William Mattok complains against Lope Gomys concerning a plea of trespass

Void because earlier
~~Roger Kyngton complains against~~

W John Alleyn complains against James Taillour concerning a plea of trespass

For licence to concord 3d in box

[Christopher Ambrose complains against William Everyngham concerning a plea of debt

fol. 18r

For licence to concord

B John Rouland complains against Allegret Brigandiremaker[60] concerning a plea of trespass against the form of the statute

Summon jury
Appoints Thomas Aston attorney of Amice his wife Pledge of jury William Smyth

B Thomas Dun *helier*[61] complains against John Care otherwise Mallage concerning a plea of trespass Defendant denies therefore to jury

To be removed by a writ of Certiorando
Summon jury Pledge of jury { Richard Smyth / Philip Tregas }
Appoints G S his attorney in prison

[Robert Stere complains against Michael Smyth concerning a plea of trespass against the form of the statute

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[59] It is unclear what this is for.

[60] Presumably a maker of brigandine, a type of body armour. See SC7/1/8 n. 18.

[61] A hellier is a tiler or roofer. O.E.D. s.v.

To be removed by a writ of Certiorando — Richard Alcok
Summon jury — Pledge of jury — John Goo

B Richard Pavy of Bristol and Roger Kyngton complain against Michael Samise & John Lope concerning a plea of trespass and the defendant denies therefore to jury[62]

fol. 18v

Not prosecuted 3d in box — 10 talesmen
Summon jury — Pledge of jury Thomas Braynwode

W John Oldyng complains against Roger A Bowe concerning a plea of trespass

For 1 default & for licence to concord
To the court held there on the 12th day of July namely a Tuesday at the 9th hour before noon on the same day comes John Smyth *Taillour* and claims ownership
The officer of the court responded that the said defendant has been attached and mainprised by 2 broadcloths namely 1 of the colour MustredeVilers and 1 russet coloured in sergeant's hand

1 default 2 defaults

Appoints W L his attorney

W Thomas Avan complains against William Greenham of the city of Winchester concerning a plea of debt upon demand of £40

For licence to concord 3d in box

B Roger Kyve complains against Clement Curtese servant of Robert Orchard concerning a plea of trespass

in prison

G Richard Smyth complains against Richard Watford concerning a plea of debt

For unlawful detention 3d in box

G Thomas Avan complains against Thomas Lambe concerning a plea of debt upon demand of 8s for detaining 1 barrel of whiting sold to him to the plaintiff's damage of 10s which the same Thomas acknowledged in full court and paid in full and amerced for unlawful detention 3d

fol. 19r

Quashed here because in Common Court
Summon jury — By pledge of jury John Gryme

G Thomas Northfolke complains against John Well *Taillour* concerning a plea of debt

Defendant denies therefore to jury

For licence to concord
The officer of the court responded that the said defendant has been

[62] This entry written in a different hand.

attached and mainprised by Hans otherwise called John Couper and because he does not have him therefore amerced 3d

G Vincent Pitlesden complains against John Brightrede concerning a plea of detinue of 52 lbs of *potbrass* delivered to him on a certain day and year and despite etc but withholds etc Defendant came into court on the 30th day of July and acknowledged the detinue of the metals aforesaid

For licence to concord 3d in box

Summon jury Pledge of jury Henry Colyns

Defendant appeared on the 28th day of July and said that in no way had he deceived him and concerning this he requests a jury

Appoints W L his attorney

~~W~~B Mark de Maryn' complains against Thomas Blaket Tanner of Salisbury concerning a plea of deceit on the grounds that the same defendant ^on the 8th day of July in the present year^ warranted that 4 dickers[63] of leather would be ready and merchandisable which the same defendant acknowledged to be spoiled damages £10

10 talesmen Pledge of jury { Christopher Ambrose / Henry Colyns }

Defendant appeared on the 28th day of July and said that he is in no way guilty of the aforesaid trespass and concerning this he

Summon jury requests a jury

WB John Walker complains against Thomas Garard otherwise called Thomas Baker of Salisbury in the county of Wiltshire Tanner concerning a plea of trespass for the unlawful ^on the 25th day of December & in the 4th year of the reign of King Edward

Judgment IV[64] [sic] recovery^ & seizure of 2 butts of malmsey[65] price between them £10 & the said 2 butts of wine in such an arrest detained until fine and redemption were made of 40s and other enormities to a value of 5 marks[66]

∴ For licence to concord

G James Parker and ^Cecilia his wife^ complain against Robert Boucher servant of Richard Bechewell in [blank]

fol. 19v

For licence to concord 3d in box

Summon jury Pledge of jury Guy Shilvyng

Geoffrey Staveley complains against Antony Spynell concerning a plea of debt upon demand of 10s 8d

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[63] Half a score; here, 10 hides of leather.

[64] The 4th year of the reign of King Edward IV was 1464–5. The 14th year of the reign began on 4 March 1474; it seems more likely that this is what is meant.

[65] A butt or pipe is a barrel containing 126 gallons. Malmsey is a strong sweet wine.

[66] 5 marks at 13s 4d the mark puts the gross, or wholesale, value at 66s 8d.

Nothing has been done

John Alenson complains against Robert Baker concerning a plea of debt

Robert Glover complains against Edith Yong concerning a plea of debt upon demand of 6s 8d

fol. 20r

The officer of the court responded that the said defendant has been attached and because he does not have him therefore amerced 3d

B Thomas Leversege complains against James Vynacre Spaniard concerning a plea of [blank]

B Robert Ive citizen and *Grosser* of London complains against Roger Debull concerning a plea of trespass

~~George Depe John Fraunces William Oriall Barnard Gelowe & John Hasket merchants of the town of St Malo complain against John Shireve William Lukas & William Smyth of~~

Not prosecuted 3d therefore plaintiff ~~amerced~~ 3d in box { ~~William Saundres~~ / ~~Thomas Smyth~~
Summon jury 10 talesmen Pledge of jury ^prison^
Appoints E G his attorney Distrain

H George Depe John Fraunces William Oriall Barnard Gelowe & John Hasket merchants of the town of St Malo complain against John Shireve William Lukas ^[?] appeared willingly^[67] & William Smyth of Plymouth concerning[68] a plea of trespass ~~concerning £s~~ ^stet^[69] of £1000 concerning £s

Memorandum that the party plaintiff appeared in court and acknowledged that he was given satisfaction on the 12th day of September Afterwards he appeared & denied it etc[70]
Summon jury 10 talesmen Distrain[71] Pledge of jury { John Gough / David Rouland

~~The officer of Court responded that the said defendant has been attached and committed to the prison of the lord king under~~

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[67] Superscript: *gratis apparuit* seems to mean 'appeared willingly'.

[68] The same entry up to this point without the interlining appears above this entry in what looks like a different hand. It is struck out.

[69] The words *De li* (? 'concerning pounds [sterling]') are deleted, steted back in with an interlineation, and written again at the end. Perhaps the clerk was confused because the plaintiff described the plea as a trespass whereas it concerned moneys owed, which the clerk would have preferred to describe as a plea of debt; or perhaps he thought it was both. If this really is *De libris*, one has to wonder why the word is repeated after what certainly looks like *mille*. The upper-case letter is also odd. It is possible, considering the Continental origins of the plaintiffs, that the word is really *delicti*, the closest equivalent in Roman law to *transgressio*.

[70] This last phrase is connected to the previous ones with a streamer.

[71] It is not completely clear to whom this refers, but it is probably the talesmen.

~~custody of John Blankpayn and because he does not have him therefore amerced 3d~~

Because of counsel ~~G~~ W assigned by the court — John Eddon complains against Robert Soresby otherwise Alderdale concerning a plea of trespass

fol. 20v

John Cornyssh complains against John Parantyne ^chaplain^ concerning a plea of [blank]

Void here because in Common Court by pledge of { John Gough / Hans Couper otherwise / John Couper }
Appoints G Godefelowe his attorney

John Ball & Robert Arnold wardens of the goods of the church of Timsbury[72] complain against John Colwayn of Southampton bellmaker concerning a plea of detinue of goods and chattels namely the detinue of a old bell weighing 150 lbs & 60 lbs of old metal delivered to him to make a certain new bell & for detinue of 16s delivered to him in advance by way of earnests[73] on the 10th day of May in the present year withheld to the plaintiffs' damage 100s

For licence to concord 3d in box

[John Spryng complains against John Colwayn bellmaker concerning a plea of debt

Adjourned from the 19th day of August until Monday then next following at the same stage as now at the parties' request by pledge of Thomas Fygon

For licence to concord in John B's hands — The officer of the court responded that the said defendant has been attached and committed to prison under the custody of John Blankpayne and because he does not have him therefore amerced 3d

Appoints W L & H W his attorneys

W [Robert Bluet complains against William West concerning a plea of debt

Not prosecuted therefore the same plaintiffs amerced — By pledge of George Akart

Wa [John Knolles and Matilda his wife lately wife of Bartholomew Angowe and executrix of the testament of the same Bartholomew complain against Francis Calverley concerning a plea of debt

[72] Timsbury is 10 miles west of Southampton.

[73] In Latin *erra* or *arrha* means 'earnest money', i.e., money paid on instalments to confirm a contract or money paid on account to ensure the completion of the work.

fol. 21r

For licence to concord in prison

WH John Allewyn complains against James [blank] *Taillour* concerning a plea of trespass

Nothing has been done

B William Broune *Baker* complains against Edmund servant of the same William

Nothing has been done

H John Love complains against John Colswayn concerning a plea of debt

1 2 3 4 defaults — The officer of the court responded that the said defendant has been attached by 1 box 2 bowls 1 abacus

BF John Peresson Master of the Hospital of God's House[74] in the town of Southampton complains against William Sampson concerning a plea of debt on demand

G Robert [blank] Boucher of the Isle of Wight complains against Geoffrey [blank] concerning a plea of trespass

fol. 21v

Appoints G Shilvyng his attorney — For licence to concord & for 2 defaults 12d — The officer of the court responded that the said defendant has been attached and because he does not have him therefore amerced 3d 6d 12d

William Awbery of Wells in the county of Somerset *Clothier* complains against John Paysey of Taunton in the said county Barker[75] concerning a plea of debt upon demand of £6 13s 4d

1 2 3 4 defaults — The officer of the court responded that the said defendant has been attached by 2 broadcloths of blue colour & 1 pack of straits[76] of the same colour

Geoffrey de Maryns complains against George Akart concerning a plea of debt

By pledge of John B

For licence to concord 3d in box — Adjourned from that day until Monday next after the feast of the Birthday of Blessed Mary The Virgin[77] next at the parties' request at the same stage as now

B Richard Symond complains against Stephen Mundy ^his servant^

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[74] The *Domus Dei* (also called St Julian's) still exists in a reduced form as 'God's House' Almshouses, Winkle St, Southampton.

[75] A barker is a salesman especially at a fair or market.

[76] A strait is a narrow cloth of single width as opposed to a broadcloth.

[77] 8 September. The following Monday was the 12th in 1474.

concerning a plea of trespass on the grounds that he left his service against the form of the statute

in prison

B John Clerke mason complains against Matthew de Negre concerning a plea of debt

Defendant denies therefore to jury Pledge of jury prison

Summon jury The officer of the court responded that the said defendant has been attached and mainprised by Angel Caten and because he does not have him therefore amerced 3d 6d 12d 2s 4s

1 2 3 4 5 defaults

Appoints G Shilvyng his attorney

G Ralph Calton complains against Francis de Milen scrivener[78] of a certain galley from Naples concerning a plea of detinue of chattels

fol. 22r

For licence to concord

G Lawrence Michell complains against [blank] Dowbrins concerning a plea of debt

H John Clerk mason complains against Leonard of Corfe[79] concerning a plea of debt

Appraisers { John Martelet; Matthew Berewike; Andrew Goderiche

1 2 3 4 defaults The officer of the court responded that the said defendant has been attached by 1 pipe[80] filled with glass[81] and by 1 cade[82] filled with [?]*counfet*[83]

G John Lexworth of Bridgewater in the county of Somerset *Clothyer* complains against Thomas Housbond of Bishop's Lynn in the county of Norfolk staying in Middilburgh in Seland[84] merchant concerning a plea of debt upon demand of £5 & 6s by a bond to be paid etc at the day of payment ^specified in the said bond^ as is more fully contained in the same bond Who despite etc but he withholds etc to damages etc 20s

B John Barnes ^of Salisbury^ complains against John Clerk chaplain concerning a plea of debt upon demand of 13s 4d

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[78] A scrivener was a document writer, notary or broker.

[79] Corfe Mullen in Dorset.

[80] A pipe is a measure equivalent to ½ tun or 126 gallons.

[81] *impletam cum vitro* – it is possible that this is a mistake for *vino*. Classically *vitrum* can also mean 'woad'. Lewis & Short, s.v.

[82] A cade is a cask or barrel usually for herrings.

[83] *counfet'* or *connfet*. Perhaps we should be thinking of French *confit*, sugared fruit or nuts.

[84] Middelburg is a port town in Zeeland in The Netherlands.

fol. 22v

B John Powell complains against John Remer of a galley from London concerning a plea of debt

Pledge of the law prison
Defendant denies and is at law himself the 12th hand at the 9th hour before noon

Richard Foloer complains against John Deske & Francis de Milen servant concerning a plea of debt for 2 hogsheads of red[85] wine and 1 butt of sour wine[86] price in total 46s 8d sold to him here at Southampton on the 13th day of September in the present year withheld to the plaintiff's damage 20s

The officer of the court responded that the said defendant has affected a rescue[87] against the sergeant aforesaid

G Robert Bluet complains against Richard Babcare concerning a plea of debt upon demand

For licence for [blank]

B Thomas Elcombe complains against Robert Jameson *Farecarter*[88] concerning a plea of trespass

fol. 23r

1 2 3 4 defaults

The officer of the court responded that the said defendant has been attached by 1 maund of *Flaun*[89] in the custody of the court filled with cloth of linen and [?]flax[90]

Adjourned at the parties' request etc until 20th day of October

Assessors assigned by the court { John Spryng, William Heckeley, Gabriel Haule

S Agnes Bilet complains against Oliver Cherd concerning a plea of debt upon demand of 40s

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[85] *rubij* for the expected *rubei*.

[86] *vino acro*, i.e., wine vinegar.

[87] 'Rescued against' means that the defendant has unlawfully seized back goods which the sergeant had already seized.

[88] See n. 26.

[89] *j maunde de Flaun* (the final letters are faint). 'Maund' normally means 'basket' (O.E.D. s.v.[1], 1a), but it can also mean 'a measure of capacity' (*ibid.*, 2). If that is the meaning, then *Flaun* may be 'Flanders', i.e., a measurement used there. Alternatively, *Flaun* (O.E.D. s.v. *flawn*), a custard or pancake, could refer to the shape of the basket.

[90] *cum panno lineo et floxeo*. The reading is clear enough; the meaning of *floxeo* is not. The translation assumes that the English 'flax' has been converted into Latin redundantly. Alternatively, Latin *phlox* has been applied to the French *soie floche*, with an English meaning, 'rough silk', that is not recorded until much later.

Default

S Agnes Bilet executrix of the testament of Philip Bilet complains against ~~Oliver Cherd~~ ^John Laurence^ concerning a plea of debt

The officer of the court responded that the said defendant has been attached and because he does not have him therefore he is amerced 3d And because he does not have him therefore amerced 6d

[91] __ynard complains against John Lopes concerning a plea of debt upon demand of 40s

The officer of the court responded that he has been attached and mainprised by Christopher Ambrose and because he does not have him therefore amerced 3d 6d 12d

G Marino de Nichalao of 'Scontere'[92] complains against John Jurdan [?] crossbowman[93] of a certain galley called Manuleseo concerning a plea of detinue of chattels

fol. 23v

H Boniface Beryngare complains against Benedict Spynell concerning a plea of debt

Wherefore to law Pledge of law { David Rouland / Jota Couper }

H John Everard complains against Alvice Sent Michell concerning a plea of debt upon demand of 13s 4d on the grounds that the same Alvice on the 4th day of March in the 14th year of the reign of King Edward IV ^here in the town of Southampton^[94] went pledge for a certain Sebastian for the sum aforesaid to be paid at any time when it might have been required and despite etc but he withholds it to the plaintiff's damage 3s 4d And whereof he produces ^his^ suit etc And the aforesaid Alvice came and defended the force and injury as etc And said that he did not owe him the sum in demand nor any portion thereof in any manner or form etc And concerning which he is at law himself the 12th hand at the next court

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[91] There is a hole in the manuscript at this point.

[92] Unidentified. There are no modern Italian surnames that begin with this sound. The only place that so begins is Scontrone, prov. Abruzzo, high up in the mountains south of Rome. This possibility is slightly enhanced if we read the badly formed middle vowel as an *o* rather than an *e*.

[93] *scorptorem*. This may be a variant on *scorpionarius* 'crossbowman', a word not recorded in English sources until the seventeenth century, but which DuCange *Glossarium* reports in an Italian source from 1485. That galleys could have crossbowmen is confirmed by SC7/1/6 fol. 19r, where we find the more usual *Balastrere* and *Balastrarius*. Cf. SC7/1/8 fol. 3r: *balister*.

[94] Probably important as establishing venue.

Adjourned from the 11th day of October until the 8th day next following at parties' request at the same stage as now

Adjourned from the 26th day of October until the feast of All Saints following at the parties' request at the same stage as now

The officer of the court responded that the said defendant has been attached [and because he does not][95] have [him] therefore amerced 3d

G Cornelius Baudewynson complains against Leonard Par

∴ For licence to concord & in J B's hand

H John Everard complains against Antony Comyter from the galley *Capitan* concerning a plea of debt

fol. 24r

For licence to concord 3d in box

H [John William merchant complains against Manyles patron of a certain galley concerning a plea of debt

For licence to concord 3d in box

H [Thomas Venecian complains against Peter de Negre concerning a plea of debt

For licence to concord 3d in box

W John Trumpet complains against Robert Stere concerning a plea of debt

For licence to concord 3d box

[[Rober]t Barnard complains against John Galyman concerning a plea of debt

Nothing has been done

G Vincent Pitlesden complains against John Robyns & John Colswayn in a plea of debt

[95] There is a hole in the manuscript at this point.

COMMON COURT REGISTER, SC 7/1/5(A), 31 JANUARY 1475 – ?16 JANUARY 1476

SC7/1/5(a) is a register of 10 folios, with one attached document, bound together without a cover. Quire breaks are difficult to determine from the images, but there is definitely one between fols. 9v and 10r. The folios have an ox-head watermark in the centre of each.

Headings on fols. 7v, 8r, 8v, 9r, 9v, and 10r identify the court as the Common Court. The dates given are 10, 17, 24, and 31 October; 7, 14, 22 (almost certainly a mistake for 21) November, and 19 December. These days (as corrected) were all Tuesdays in 1475. The missing day of the month on fol. 10v (Tuesday after St Hilary) is probably 16 January, 1476. That these pages, if not the entire folios, contain Common Court records is confirmed by the entry on fol. 7v: "Void because in Piepowder Court." The fact, however, that the clerk first wrote "Common" and then struck it out indicates that he was familiar with Piepowder Court records and formulae. While the headings correspond to the style that we find in SC7/1/2 and /9, the number of entries is considerably fewer. It is possible that this is a draft of (or an extract from) a more formal register.

Dating of the entries on fols. 1–6, and even the identification of the court, is more problematical. On fol. 3r, someone is said to be a pledge for the Common Court. We find this entry in Piepowder Court records when a case is transferred to the Common Court, but we would also expect to find it in the Common Court record, when the case arrived from the Piepowder Court. This expectation is confirmed by the fact that the same entry is found on fols. 8r, 8v, and 10v, which we are reasonably confident contain Common Court entries.[1] On fol. 4r in an entry that is lightly crossed out the constable is said to have day in the Common Court, and then the result of that day is given.

The entries or the notes above them on the first six folios tend to confirm the supposition that these are Common Court records. The defendants appeared on 27 June (fol. 2v), 14 March (fol. 3r), and the last day of February (fol. 3v).[2] A case was adjourned from the last day of January (fol. 3v),[3] another from 24 October (fol. 6v). All of these days were Tuesdays in 1475. In a case on fol. 5r, however, the record may say that the officer of the court responded on 5 February.[4] This was a Sunday in 1475, a Monday in 1476. We may be dealing here with a Piepowder Court record. Be that as it may, the dates are a pretty clear indication that the entries on these folios are not in chronological order.

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[1] It is also found twice on fol. 1v of SC7/1/9, in what are clearly Common Court entries.

[2] In the entry inserted between fols. 9v and 10r, the defendant also appeared on the last day of February.

[3] If we are right in supposing that this is 1475, this is the earliest datable case in the register.

[4] See below, n. 19, for the suggestion that this is not a day of session.

Further indication that the first six folios contain Common Court records is the fact that essoins are recorded on fols. 3v, 4r, 5v, and 6r. Essoins are never recorded on records that we know are those of the Piepowder Court (e.g., SC7/1/6, /7, and /8). Entries on fols. 1v, 2r, 4r, 4v, 5r, 5v, 6r, and 6v record the multiple taking of 'issues' (*exitus*). Occasional taking of issues is found in Piepowder Court records, but it is quite rare and unsystematic.

The most telling evidence for the proposition that we are dealing with records largely from 1475, other than the correspondence of the days of the month with Tuesdays, is the pleading in a case on fol. 6v, where the trespass is said to have occurred on 12 July in the fifteenth year of the king's reign, i.e., 12 July 1475. A case obviously cannot be brought until after the event has occurred. That other pleadings refer to events that occurred in the 12th (fols. 2r, 2v, 3v), 13th (fol. 3r) and 14th (fol. 5r) regnal years is not inconsistent with a date of 1475 for the hearing. These are all commercial cases, and it may have taken some time for the plaintiff to realize that the deal had gone sour.

fol. 1r

Discontinue because party plaintiff has died
Summon jury — Pledge of jury Cornelius Baudewynson

G John Clerk *Mason* complains against Richard Martyn concerning a plea of trespass

Summon Jury — 14 talesmen 13 talesmen
Appoints GS his attorney — Pledge of jury Thomas Braynwode

G John Knolles and Mathilda his wife lately wife of Bartholomew Angowe and executrix of the testament of the same Bartholomew complains against Thomas Smyth merchant & Agnes his wife lately wife of Thomas Lyndesey and executrix of the testament of the same Thomas concerning a plea of debt

Summon jury
Appoints GG his attorney — 14 talesmen — Pledge of jury [blank]

G John Knolles and Mathilda his wife lately wife of Bartholomew Angowe and executrix of the testament of the same Bartholomew complain against George Akard concerning a plea of debt

Summon Jury — Pledge of jury prison

H William Overay complains against Peter a Clyffe concerning a plea of trespass

∴ — She has nothing therefore arrest

G Richard Hilton complains against Cristina Nymhithalfe concerning a plea of debt

fol. 1v

For licence to concord Once more pledge J Gryme
Summon Jury Pledge of jury discharged pledge[5] and party defendant committed to prison

G John Spryng complains against John Couper concerning a plea of trespass

Summon Jury Pledge of jury prison

W Lewis Eynes complains against Damian de la Poise concerning a plea of debt

The officer of the court responded that the said defendant George has been attached and mainprised by John Burghbrigge and because he does not have him he is amerced 3d 6d

G John Dun burgess and merchant of the town of Southampton complains against Leonard Parvisyn and George Acquarde concerning a plea of debt

He has nothing therefore arrest

G John Wroughton esquire complains against James Peturson concerning a plea of debt

Adjourned For licence to concord
Adjourned Issues 12d Issues 4d Issues 4d Issues 4d Issues 12d

W Robert Bluett complains against Andrew Gosselyn concerning a plea of debt

fol. 2r

The officer of the court responded that he has been attached and mainprised by John Burghbrigg and pledge of jury who [?since] he does not have him Therefore amerced 3d 6d The defendant says that the said William Knypull died intestate [and] did not make any testament without this [. . .][6]

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[5] It is hard to believe that the pledge was committed to prison. Probably *plegius* was repeated by mistake. Above it we read *denuo* where the clerk has written *deneuo*. It would seem that Gryme got himself discharged from being a pledge, and then thought better of it and once more went pledge for Couper.

[6] 'without this' *absque hoc*. The phrase is found frequently in pleading in the central royal courts when the defendant wanted to raise an affirmative defence to the complaint without admitting its underlying facts. Here, the problem is to figure out what might have followed *absque hoc* had the clerk bothered to fill it in. It was probably something like 'that the said William was indebted to the said John'. The only way in which the intestacy of William would be relevant to this case would be if Agnes became liable for his debts by becoming his executrix. If he did not make a testament, then she could not have become his executrix. That the alleged debt was one to John rather than Joan is less certain, but it is hard to imagine why Robert would have alleged that Joan was the executrix of John if the debt had been owed directly to her.

proviso[7]
Summon Jury

W Robert Berell ~~executrix~~ executor of the testament of Joan lately wife of John Kybell and executrix of the same John complains against John Goo executor of the testament of Agnes lately wife of William Knypull concerning a plea of debt

Arrest

W Thomas Holman complains against Simon Plummer concerning a plea of debt

Issues 2d For licence to concord Arrest

G John Andrewe de Vivaldis merchant of Genoa complains against John Everard of the town of Southampton *Fuller* and Agnes his wife concerning a plea of debt

W Robert White complains against Richard Bachelor concerning a plea of debt upon demand of 5 marks from a lawful account had between them on the 4th day of March in the 12th year of the reign of King Edward IV[8] withheld to the plaintiff's damages of 40s And whereof he produces suit if etc And the aforesaid defendant comes into court and says that he owes him nothing And he is at law himself the 12th hand[9] to the next court by pledge of prison

Wherefore law to next court

Nothing has been done

H Boniface Berynger complains against Benedict Spynell concerning a plea of covenant broken

fol. 2v

R Andrew Gosselyn complains against Clement Boket concerning a plea of trespass

Summon jury 1 default 2 defaults 3 defaults 4 defaults

Pledge of jury John Spryng

F Andrew Hunt complains against William West concerning a plea of debt upon demand of 25s for malt sold to him here at the town of Southampton on the 25th day of June in the 12th year of the reign of King Edward IV withheld to the plaintiff's damages of 20s The defendant came into court on the 27th day of June and acknowledged that he owed 24s to the said Andrew which on this day and all the time he had been prepared to pay to the aforesaid plaintiff and which he paid in court and as to the residue he denies it therefore to jury

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[7] Perhaps meaning 'provisionally' with reference to the *venire facias* below it. The entire entry may have been struck out.

[8] 4 March 1472 – 3 March 1473.

[9] 'Himself the 12th hand' means that he needs 11 others to act as compurgators.

fol. 3r

Summon Pledge for the Common Court Andrew Goderiche

G Peter Spryng complains against Gabriel Lauerance concerning a plea of debt

F Christopher Ambrose complains against Gabriel Lauerance concerning a plea of debt

[blank] James Couper complains against Richard Marshall *Sadler* concerning a plea of debt upon demand of 16s 8d on the grounds that the same Richard went pledge to the said James for Bartholomew Nigre here at the town of Southampton in the 13th year of the reign of King Edward IV for the payment of the aforesaid sum to the aforesaid plaintiff for all the time when it should have been required of him and the defendant appears and says that he was pledge to the aforesaid James in the form etc on condition not in the writing Therefore on the 14th day of March the defendant appears and acknowledged the said 16s 8d [and] for outgoings and expenses 3s 4d Judgment was given by the court

fol. 3v

10 talesmen 8 talesmen[10]

G Richard Moresby complains against Andrew Gosselyn concerning a plea of detinue upon demand of 112 dozen calfskins price 3s per dozen sum £16 16s 48 dozen sheepskins price the dozen 10d sum 40s delivered to him on the 26th day of November in the 12th year of the reign of our lord the King Edward IV to the plaintiff's damages of £10 The defendant comes into court on the last day of February and says that the aforesaid Richard never delivered to the same Andrew any such goods to keep safe and sound in the manner and form which is supposed and alleged against him by the aforesaid Richard Concerning which he requests a jury [&] the aforesaid Richard likewise[11]

Removed by writ

Summon Essoin Distrain after essoin

G John Felder complains against John Muskot concerning a plea of debt

Judgment Summon jury The officer of the court responded that the said defendant has been attached and mainprised by John Gryme and because he does not have him therefore he is amerced 3d 6d 12d 2s

1 2 3 4 defaults Arrest

G William Shatteswold complains against James Peturson concerning a plea of debt upon demand of 13s from a lawful account had between

[10] Above this line is one or more that have been expunged.

[11] See the document inserted between fols. 9r and 10v.

them on the 2nd day of June in the 14th year of the reign of King Edward IV withheld to the plaintiff's damages of 100s adjourned from the last day of January in the year etc until the feast of Easter then next following

Adjourned until the feast of Easter

F John Blase complains against Simon Plum'er concerning a plea of debt upon demand of 20s 5d

For licence to concord
Pledge that he will stand in court with John Spryng[12]

Adjourned until the feast of the Assumption of Blessed Mary the Virgin[13] — He has nothing therefore arrest 3d 6d 12d 2s 4s 8s

G Thomas Raynold complains against William Broune *Baker* concerning a plea of debt of 16s

fol. 4r

Issues 2d Issues 3d [14]Issues 2d ∴ ~~Issues Issues 2d~~
Issues 2d ~~Issues 2d Issues 2d~~
Issues 2d Issues 2d ~~Issues 2d Issues 2d~~
Issues 2d
Issues 2d } Issues Issues 2d ~~Issues 2d Issues 2d~~
Issues 2d
Issues 2d } Issues 3d Issues 2d Issues 3d Issues 2d Issues 2d Issues 2d
Issues 2d Issues 2d Issues 2d Issues 2d Issues 2d

G Thomas Raynold complains against Philip Tregas concerning a plea of debt upon demand of 4 marks

Summon Essoin after essoin He has nothing therefore arrest

G John Dun complains against Cornelius Bawdewynson concerning a plea of debt

presentment by the Constable ~~To this court comes Thomas Braynwode one of the constables of the lord king for the peace etc and presents that on Friday last past Robert Hild otherwise Barbour unlawfully and against the peace of the lord king assaulted and drew blood and on the same Robert~~ [*sic*] ~~with 1 *ladell*'[15] and 1 dagger to the injury of the said Robert Therefore he is amerced 3d And the same constable produced the said~~

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[12] This is the only time that this phrase occurs in our records. It may mean nothing more than that Spryng went pledge for Broune.

[13] 15 August.

[14] This column may be struck through as well.

[15] *ladell'*. Considering what follows, it seems likely that the clerk got confused and should have written *gladium*. There is clearly confusion about the names. Probably both the accused and the victim were named Robert, but the clerk has omitted the surname of one or the other of them.

~~dagger in court And because he did not produce the said sword therefore he is amerced 3d And nevertheless he has a day at the next Common Court to produce the said sword under fine of 3s 4d which[16] he produced and made the fine for the same sword~~

Fine

Summon Ession Distrain after essoin

G Thomas Warson complains against Walter James concerning a plea of debt

fol. 4v

Issues 2d Issues 2d
Issues 2d Issues 2d Issues 2d Issues 2d Issues 2d
Issues 2d Issues 2d Issues 2d Issues 2d
Issues 2d Issues 2d Issues 3d Issues 3d Issues 2d Issues 2d Issues 2d Issues 2d Issues 2d
Issues 2d Issues 2d

~~Pledge of jury prison~~

G William Saundres complains against Philip Tregas concerning a plea of debt

Issues 3d
Issues 3d
Issues 2d
Issues 2d

For licence 6d [in the] box

The officer of the court responded that the said defendant has been attached and mainprised by Walter Fetplace ^Raymond Sigen^ and because he does not have him 3d 6d Issues 2d
nothing

W John William *Merchaunt* complains against William Pratt & William Lusack concerning a plea of debt

~~To this court comes Geoffrey Staveley one of the beadles within the parish of Holy Rood and presents that Ita Couper unlawfully and against the peace of the lord king assaulted and drew blood and on [blank to end of line] Sarra Therefore she is amerced 3d~~

He has been summoned [? the officer] responded that the said defendant has been attached and
because he does not have him 3d

F ~~John William complains against Damian de la Poise concerning a plea of debt~~

[16] *que* where we would expect *quod*.

For licence to concord 3d [in the] box

The officer of the court [responded] that on the 20th day of June the party defendant was attached and mainprised by John Gough and because he does not have him therefore he is amerced 3d 6d

F Richard Watkyns complains against Richard Bechewell concerning a plea of debt

Pledge of jury Thomas Braynwode
The officer of the court responded that the said defendant has been attached and mainprised by John Smyth and because he does not have him[17] He has nothing therefore arrest

Summon jury
Appoints G S his attorney

G William Waynflete *Merchaunt* complains against Thomas Coke concerning a plea of debt

fol. 5r

Removed by writ ~~delivered~~

3d

Summon jury He has been summoned Pledge of jury Thomas Braynwode
Appoints G S his attorney Defendant denies therefore to jury

G Elias Pars complains against Andrew Gosselyn concerning a plea of debt upon demand of 14s for wool sold to him here etc at the end of Lent in the 14th year [of the reign of King Edward IV] withheld to the plaintiff's damages of 10s

Summon jury Summoned Pledge of jury Walter Feteplace
Appoints G S his attorney He has nothing

W Thomas Marshall complains against Richard Luffe concerning a plea of detinue upon demand of 1 pipe of Gascon wine price 8 marks withheld to the plaintiff's damages of 7 marks

~~Issues~~ 10 talesmen The officer of the court responded that the said defendant has been attached and because he does not have him therefore 3d

Issues 2d Issues 2 Issues 4d Issues 3d
Issues 4d Issues 3d Issues 3d Issues 4d[18]

5th day of February nothing[19] The officer of the court responded that the said defendant has been attached and mainprised by R Smyth ^T Thurby^ 3d 6d 6d

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[17] There is a small smudge here which may be an erasure, followed immediately by the next sentence. It would seem that the normal amercement was not imposed.

[18] This last phrase is tucked in under the next entry but seems to belong here.

[19] '5 February' may go with the response of the sergeant, but the colour of the ink is somewhat different, and it seems to be followed by the abbreviation for 'nothing' (*nihil*). If it, in fact, goes

R Thomas Darsett clerk complains against John Musket concerning a plea of debt

For licence to concord 3d

Summon jury Pledge of jury Walter Feteplace

F [John Swanne complains against Arnald Hamond concerning a plea of trespass

For licence to concord

Appoints GS his attorney Pledge of jury John Denmede

F Thomas Braynwode complains against Richard Bechewell butcher concerning a plea of debt upon demand of 20s

Summon jury Pledge of jury Fulk Shirewyn

R John Swan complains against William Boucher concerning a plea of debt upon demand of 16s The defendant denies therefore to jury

John Gryme complains against John White *Gentilman* concerning a plea of trespass

fol. 5v

For licence to concord

∴ The officer of the court responded that the said defendant has been attached and because he does not have him therefore he is amerced 3d 6d

He has been summoned Essoin Distrain after essoin Arrest

G Adrian Lokyer complains against George Akard concerning a plea of debt upon demand

Summon jury

Appoints [blank] his attorney Pledge of jury Michael Luke

F Richard Alcok complains against Thomas Sonday concerning a plea of deceit The defendant denies

For licence to concord 3d box

Discontinued Summon jury Pledge of jury

F ~~Andrew Gosselyn complains against Robert Couper concerning a plea of detinue~~

Summon He has nothing therefore arrest

G Richard Smytht complains against Roger Clerke otherwise Boucher concerning a plea of debt

For licence to concord

W Robert Hall complains against William Carewe concerning a plea of debt

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with list of 'issues' above it, the dating problem discussed in the introduction to this section largely goes away. It is much more plausible to think that an officer of the Common Court was attempting to collect issues on a Sunday than it is that the court was in session.

For licence to concord

G John Rouland complains against Agnes ~~Hall~~ ^Hill^ concerning a plea of detinue of chattels

The officer of the court responded that the said defendant has been attached and because he does not have him therefore he is amerced 3d 6d 12d Issues 12d 2s

G Lawrence Newbolt complains against George Akard concerning a plea of debt

For licence to concord 3d box

Summon jury Pledge of jury John Knolles

R John Ludlowe complains against John Rouland concerning a plea of debt upon demand of 40s The defendant denies therefore to jury

fol. 6r

The beadle of East Street came to this court and presented in court that Nicholas Lewes *Touker*[20] on the 18th day of June in the present year unlawfully and against the king's peace assaulted Otrght Bred[21] with 1 stick Therefore he is amerced 3d

Issues 4d ~~Issues 3d~~ ~~Issues 3d~~
~~Issues 4d~~ ~~Issues 4d~~ ~~Issues 4d~~
~~Issues 2d~~ ~~Issues 4d~~ ~~Issues 3d~~
~~Issues 2d~~ ~~Issues 2d~~

Not prosecuted 3d box — Nothing has been done — He has been summoned Distrain after essoin Issues 2d Issues 2d Issues 4d Issues 3d Issues 3d

R Francis Tirell complains against Vincent Patesden concerning a plea of covenant broken

Issues 3d
Issues 3d
Issues 3d
Issues

Similarly the beadle presented that Richard Kykeby unlawfully and against the king's peace assaulted and drew blood from and on Margaret Glover with 1 stick of no value Therefore he is amerced – and he fled therefore he is amerced

Issues 3d

Not prosecuted 6d box He has been summoned Issues 2d Put by gage[22]

G Gabriel Laurens complains against Massias[23] Salman concerning a plea of detinue

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[20] Fuller.

[21] This is perhaps a scribal error for 'John Brightrede' mentioned in SC7/1/3 fol. 17r.

[22] The phrase is unusual and reminiscent of the royal writ of trespass: *pone per vadios et salvos plegios.*

[23] The clerks had trouble with this unusual Christian name. Here it is *Massianus*; later it is *Massias*; once it is 'Mace'. As a surname we rendered it as 'Massay', following one of the spellings offered.

For licence to concord Issues 3d Issues 3d He has nothing therefore arrest

W Robert Bluet complains against Richard [blank] *Lokeer* concerning a plea of trespass

Not prosecuted 3d box

G Benedict Spynell complains against William Hayles concerning a plea of trespass

fol. 6v

For licence to concord

~~Issues 8d~~ ~~Issues 8d~~ ~~Issues 4d~~
~~Issues 8d~~ ~~Issues 8d~~ ~~Issues 8d~~
~~Issues 8d~~ ~~Issues 8d~~ ~~Issues 3d~~ ~~Issues 3d~~
~~Issues 8d~~ ~~Issues 8d~~ ~~Issues 3d~~ ~~Issues 3d~~ ~~Issues 3d~~
~~Issues 3d~~ ~~Issues 3d~~ ~~Issues 3d~~

G Andrew Arthur complains against Andrew James concerning a plea of debt upon demand of 30s

Issues 8d
Issues 8d
Issues 8d
Issues 8d For licence to concord
Issues 8d Adjourned from the 24th day of October in the present year for one week

The officer of the court responded that the said defendant has been attached and mainprised by John Burghbrige and because he does not have him therefore he is amerced 3d 6d 12d 2s

F Damian de la Poise complains against George Akard concerning a plea of debt

For licence to concord 3d box

Summon jury
Appoints R Wright his attorney Pledge of jury prison Defendant denies therefore to jury

G John Sharpshire complains against John Barde otherwise Gurdeler concerning a plea of trespass

He has been summoned He has nothing therefore arrest
Appoints G S his attorney

G John Harman & Richard Wymond complain against Antony Spynell concerning a plea of debt upon demand of 13s 4d

10 talesmen

Judgment Summon jury Pledge of jury Andrew Goderiche

R Elizabeth Clerke complains against Cornelius Baudewynson concerning a plea of trespass on the grounds that the same Elizabeth on the 12th day of July in the 15th year of the reign of King Edward IV[24] entered into her house at Southampton which the same Cornelius

[24] 15 Edward IV: 4 March 1475 – 3 March 1476.

rents at her pleasure from the same Elizabeth at an annual rent of 44s and for the rent of the same tenement being in arrears of 50s namely for 1 year and 1 quarter the same Elizabeth wished to distrain the said Cornelius and the same Cornelius was unwilling to permit the said Elizabeth to enter her said house as she was entitled so to do but upon [?] her by the said [. . .][25]

fol. 7r

He has been summoned Essoin He has nothing therefore arrest

G John Dun complains against William Bronne *Baker* concerning a plea of debt upon demand of £3

Nothing has been done

F John A Kyngeston of Romsey *Taillour* complains against John Camont of Southampton *Taillour* concerning a plea of debt

For licence to concord and for 1 default 5d
Issues – issues 2d

F John Dyvet widow complains against Robert Barbour concerning a plea of trespass

10 talesmen Pledge of jury ~~prison~~ ^Andrew Goderiche^
Summon jury Issues 6d 8d 8d

G John Gryme complains against John White concerning a plea of trespass

Not prosecuted 3d in box Summon Essoin Distrain after [blank]

G William Bedull complains against Elizabeth Clerke widow concerning a plea of detinue

Issues 3d Issues 3s Issues 3d Issues 3d
Removed by writ Issues 3d Issues 3d Issues 3d
Summoned Essoin Distrain after essoin

R Sir Thomas Darset vicar of the parish church of St Michael of the town of Southampton complains against Andrew Gosselyn merchant of the town of Southampton aforesaid concerning a plea of debt
Removed by a writ *de prosequendo*[26]

For licence to concord

F John Walker complains against Richard Watkyns concerning a plea of debt

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[25] *sed super eam* [or *eum*] *a dicto* runs off into the gutter. Something is clearly missing because there is not enough space in the gutter for this to have been filled out. Perhaps what is missing is an allegation that some sort of assault was perpetrated upon Elizabeth by Cornelius.

[26] *per unum brevem de prosequendo. unum* is not clear, but it makes sense. The real problem is that there is no *breve de prosequendo* in the register. The closest in sound is the *breve de procedendo*, but such a writ would not remove the case from the court but instruct it to proceed with it. The clerk may have been confused by the fact that many writs begin *Si A te fecerit securum de clamore suo prosequendo*. None of the common writs for review begins this way, however.

fol. 7v

Void because in ~~Common~~ Piepowder Court

F ~~Lewis de Vale complains against John de Dure concerning a plea of debt~~

Town of Southampton — The Common Court of the lord king held here on the Tuesday next after the feast of St Denis namely the 10th day of October before the mayor and bailiffs there abovewritten in the year as above

[No entries]

Town of Southampton — The Common Court of the lord king held here on the Tuesday next after the feast of St Michael *in Monte Tumba* namely the 17th day of October before the mayor and bailiffs there abovewritten in the year as above

G ~~John Dun complains against William Briten concerning a plea of debt~~

For licence to concord

It has been given to the court to understand that the said defendant has been attached and because the officer of the court does not have him therefore he is amerced 3d

1 default	Summon		The officer of the court [responded]
2 defaults		He has nothing	that the said defendant has been attached and mainprised by John Avan
		Arrest	and because he does not have him 6d

G William Hill complains against John Everard concerning a plea of debt

fol. 8r

Issues 4d

Issues 4d

For licence to concord — Continued from the 14th day of November until the feast of St Andrew next in the same state as now

Continued

Summon Essoin Distrain after essoin — Issues 3d Issues 3d

F Robert Hiche complains against Richard Alcok concerning a plea of debt

For licence to concord 3d box

F [George Acarde complains against John Farnet concerning a plea of trespass against the form of the statute

Town of Southampton — The Common Court of the lord king held here on the Tuesday next after the feast of St Romanus namely the 24th day of October before the mayor and bailiffs there abovewritten in the year as above

Essoin[27] Issues 3d
Not prosecuted 3d Summon Essoin Pledge for the Common
Distrain after essoin Court Vincent Tehy

F [Leonard ^otherwise Nardus^ Scape complains against Thomas
[Venician concerning a plea of debt
Issues[28] Attach For licence to concord 3d box

F [William Harte complains against William Coke of the parish of St
[Mary the Virgin concerning a plea of trespass

fol. 8v

For licence to concord

G William Heckley merchant complains against John Shepeshere *Boucher* concerning a plea of debt

Town of Southampton The Common Court of the lord king held here on Tuesday that is on the last day of October before the mayor and bailiffs there abovewritten in the year as above

Issues 3d
Issues 3d Pledge of jury John Spryng
Summon Essoin Distrain after essoin
Issues 3d
Summon jury Pledge for the Common Court John Spryng

F Thomas Norffolke complains against John Welles *Taillour* concerning a plea of debt The defendant denies therefore to jury

Issues 2d For licence to concord

F [Richard Staunton complains against Thomas Griffith concerning a
[plea of debt

For licence to concord 3d box

F [Richard Watkyns complains against Francis Tirell concerning a plea of
[debt

fol. 9r

Town of Southampton The Common Court of the lord king held here on the 7th day of November as above

Issues 4d
Issues 4d
Issues 3d Issues 2d Issues 4d
Issues 3d Issues 4d
Issues 2d Issues 4d
Issues 3d
Discontinued by ~~writ~~ the death of the plaintiff He has been summoned
Essoin Distrain after essoin

[27] This is written, almost certainly by mistake, in the same *litterae notabiliores* as the heading above.
[28] Following this there may be some numbers which look as if they have been rubbed out.

G Robert Burell ~~complains against [blank] of Winchester *Gentilman*~~ complains against William Hekley of the town of Southampton *Merchaunt* concerning a plea of debt

Town of Southampton The Common Court of the lord king held here on Tuesday that is the 14th day of November before the mayor and bailiffs there abovewritten in the year as above

∴ Pledge of jury Richard Alcocke

Summon jury

G Peter Karbanell complains against John White Gentilman concerning a plea of trespass
The defendant denies therefore to jury 10 talesmen 8 talesman

Gabriel Laurence complains against Francis Tirell concerning a plea of debt

Francis Tirell complains against Gabriel Laurence concerning a plea of debt

fol. 9v

For licence to concord 3d
He has been summoned He has nothing therefore arrest

G Nowell Helier complains against Stephen Smyth concerning a plea of debt upon demand

For licence to concord 3d box F[29]

R Robert Blewett complains against Nicholas of [blank] concerning a plea of covenant broken

Issues 2d
Issues 2d
For a bad complaint 3d box Issues 2d
Appoints G Shilvyng his attorney Summon Essoin Default after essoin

G Thomas Burgh complains against Peter Berebruer concerning a plea of debt upon demand of 40s for which Walter Estfeld of Bristol there went pledge on the 8th day of October payable at any time when it had been required of him but he does not pay but withholds to damages of 20s The defendant comes into court and says that he does not owe him the sum in demand nor any part thereof in any way etc

Town of Southampton The Common Court of the lord king held here on the Tuesday next after the feast of St Edward King and Martyr that is the 22nd[30] day of November in the year as above before the mayor and bailiffs there as above

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[29] Meaning of capital 'F' unclear at this point.
[30] Scribal error for 21st.

[inserted between fols. 9v and 10r][31]

Andrew Gosselyn has been summoned to reply to Richard Moresby concerning a plea of detinue of chattels which the same Andrew withholds from the aforesaid Richard of which the same Richard complains and says that on the 26th day of November in the 12th year of the reign of our lord the king now here at the town of Southampton he handed over and delivered to the aforesaid Andrew 12 dozen calfskins price the dozen 3s – £16 16s & 48 dozen sheepskins price the dozen 10d – 40s to be kept safe and sound and which the aforesaid Richard was promised by the aforesaid Andrew to release at any time when the same Andrew would be required so to do by the aforesaid Richard And although the aforesaid Andrew had very often been requested so to do by the aforesaid Richard the same Andrew had refused at all times so to do and still so refuses but withholds them from him unlawfully Wherefore the same Richard says that he has suffered and has damages to the value of £10. And whereof he produces his suit if etc And the aforesaid Andrew comes into court on the last day of February in the present year and denies the force and injury whenever etc and damages etc and says that he does not withhold any goods in any way or form which is supposed above and alleged Therefore he requests a jury and the aforesaid Richard likewise

fol. 10r

~~John Lokton of London *draper* complains against Andrew Jamys of *Sowthhampton marchent* of a plea of debt~~

For licence to concord

Summon

G John Lokton citizen and draper of London complains against Andrew James of the town of Southampton in the county of Southampton merchant concerning a plea of debt

Issues 6d Issues 6d Issues 6d
Issues 6d Issues 6d Iss Issues 6d
Issues 6d Issues 6d
Issues 6d Issues 6d
Issues 3d

Summon ~~Issues 2d He has nothing therefore arrest~~

R John Dun complains against John Everard concerning a plea of debt

Issues 2d Issues 3d For licence to concord
Summon Essoin Distrain after essoin

F John White complains against John Gryme concerning a plea of debt

[31] This document refers to the case recorded in the first entry of fol. 3v.

Town of Southampton — The Common Court of the lord king held here on the Tuesday next before the feast of St Thomas the Apostle that is on the 19th day of December in the year as above before the mayor and bailiffs abovesaid[32]

fol. 10v

Town of Southampton — The Common Court of the lord king held here on the Tuesday next after the feast of St Hilary that is on the [blank] day of January before the mayor and bailiffs there abovewritten

Appoints Richard Wryght his attorney — Summon Issues 2d Issues 2d He has nothing

W F Richard Bull ^of Winchester^ complains against John Googh concerning a plea of ~~account~~ detinue for 1 but of Romney price 5 marks

After the feast of Christmas[33]

Issues 4d
Issues 4d
Issues 3d — ~~Summon Essoin~~ — Thomas Payn[34]
Issues 3d — Pledges for the Common [Court] — John Andrea de Vivaldis
Issues 3d
Issues 4d For licence to concord

~~G~~ F William Trymnell ^of 'la vise' [Devizes] in the county of Wiltshire *Clothier*^ complains against Antony Spynell ^merchant of Genoa^ concerning a plea of debt upon demand of £73 6s 8d

For licence to concord 3d
He has nothing therefore arrest
Appoints Dennis Donell his attorney — He has been summoned Essoin

R Sir John ~~Sherwell~~ Taillour vicar of the parish church of Sherwell complains against Francis Tirell *Boucher* concerning a plea of [blank]

Issues 4d
Summon jury — The defendant denies therefore to jury — Summon — Essoin Distrain after Essoin
Appoints Guy Silveyng his attorney — Pledge of jury John Kenlast
Issues 3d Issue

F Reginald ~~Raynold~~ ^Jacob^ complains against Fulk ~~Stavcley~~ Shirwyn concerning a plea of debt

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[32] This heading is at the foot of the page. The entries for this court appear to be missing as the verso of this folio begins a new court session.

[33] This is written in the same *litterae notabiliores* as the heading. Perhaps it was originally intended to be part of it, because the case entry before it is rather jammed.

[34] The strike-through may be intended to extend through this name.

Issues 3d

For licence to concord

He has been summoned Nothing has been done

G F Peter ~~Berebruer~~ ^Bremer^ complains against Peter Chaundelar ^otherwise James^ lately servant of Tilman Skluter concerning a plea of debt

PIEPOWDER COURT REGISTER, SC 7/1/6, 9 NOVEMBER 1475–18 AUGUST 1476

SC7/1/6 is a register of 28 folios with a number of inserted documents, bound in paper. The front cover is unfoliated and contains various modern notes.[1]

Folios 1r and 3v record appearances that are expressly said to be in the Piepowder Court on 9 November and 1 December 'in the present year'. A regnal year for a court session is not given on the main folios until fol. 7r, which records an appearance on 17 December in the 15th year of Edward IV (1475). The dates of court sessions that are given, however, show that the register proceeds in roughly chronological order: 'has a day to produce . . . on the day next after the feast of Christmas' (fol. 5r), adjournment from 11 December to 16 December (fol. 6r), adjournment from 16 December to 23 December (fol. 6r), adjournment from 16 December to 23 December (fol. 6v), adjournment from 21 December to 9 January (fol. 6v), appearance on 16 December (fol. 7r).

The pattern continues after fol. 7: appearance on 12 January (fol. 8v), confession in full court on 12 January (*id.*), adjournment from 23 January to 30 January (fol. 9r), judgment given on 31 January (fol. 9v), acknowledgement on 31 January (*id.*), appearance on 4 March in the 16th year (i.e., 1476, fol. 11v [*bis*]), adjournment from 16 March to 30 March (fol. 13r), appearance on 14 March in the 16th year (fol. 13v), adjournment from 24 June to 1 July (fol. 20r), adjournment from 14 July to 15 August, adjournment from 9 July to 16 July (fol. 22r), adjournment from 31 July to 1 August, adjournment from 9 July until the plaintiff appears (fol. 22v), adjournment from 29 June to 5 August (fol. 24ar), adjourned from 18 August (fol. 25av [*bis*]). A fragmentary heading on fol. 16r tells us that we are 'after the feast of Easter' (14 April in 1476).

It seems reasonable to assume that these dates run from November of 1475 to August of 1476. None of the dates of events in the pleadings is inconsistent with these dates for the court session. On this assumption, we have court sessions on every day of the week: Sun. (6),[2] Mon. (9),[3] Tue. (7), Wed. (5), Thu. (6), Fri. (3), Sat. (10). This is what we would expect for the Piepowder

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[1] 'Common Court Book / No date' in 19th /20th century hand in ink, followed by, in pencil: 'Obligation detached', '16 Edward IV'.

[2] Includes a recognizance on an attached document dated 21 July, 16th year (1476).

[3] Includes on an attached document a judgment execution decreed on 27 May, 16th year (1476).

Court.[4] Cases are regularly vacated, cancelled, or not pursued because they 'in the Common Court' (fols. 2r, 9r, 12av, 15r, 16r, 17r, 18v, 19r, 20v, 22v, 28v). There are no recorded essoins; issues (*exitus*) are taken only twice (fols. 9r, 21v).

We conclude, then, that all of these records are most likely records of the Piepowder Court.

fol. 1r

1 2 3 4 defaults

The officer of the court responded that the said defendant has been attached by 2 chests containing certain goods remaining in the custody of the court

F John Veer ~~and Matilda his wife~~ complains against Richard Bouland executor of the will of ~~John~~ William Bon lately of Portswood concerning a plea of debt upon demand of 40s

Assessors Robert [blank] *pewterer*
Gabriel Hawley
John Hardman
Hugh Clerke

At the Piepowder Court held there on the 9th day of November in the present year there appeared in court Richard Bourer and he says that he has been lately arrested at the suit of Richard Benet as he asserted and because the said Richard Benet has not entered any complaint before the beginning of the aforesaid court and he brings no other matters into court against the said Richard Bourer Therefore on account of the appearance of the said Richard Bourer the same has been dismissed from the court[5]

Appoints R Wright his attorney For licence to concord 3d box

F Richard Bourer complains against Richard Bennett concerning a plea of trespass

The officer of the court responded that the said defendant has been attached and because he does not have him therefore he is amerced 3d

∴ For licence to concord

F William Saunders complains against John Stayner concerning a plea of debt

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[4] None of the Tuesday dates is likely to be a Common Court record. One of them cannot be because it specifies the hour both from which and to which the adjournment is made (fol. 24ar); one of them is to a day (26 Dec., fol. 5r) when we can be reasonably confident that the Common Court did not meet. Perhaps more important, these all specify the day to which adjournment is to take place, whereas in the Common Court adjournments are normally either 'to the next court' or 'to the next court' after a specified feast, just what we would expect for a court that had a regular meeting date.

[5] See SC7/1/6 n. 73.

For licence to concord 3d box
Summon jury Pledge of jury Damian de la Poise

~~G~~ R damages 20 marks — John de Lessporie Biskene[6] complains against Etena Pelisson concerning a plea of trespass on the grounds that on the 18th day of October in the present year here he broke into and entered by force of arms a certain ship of the same plaintiff and seized 1 anchor & 1 cable price 14 skutes & 4 oars price 6s 8d & 6 skuts of money 4 *duddes* otherwise *slopes*[7] price ~~6s 8d~~ 4 skuts[8]

1 default The officer of the court responded that the said defendant has been attached by 1 blue broadcloth and 2 blue straits

R John Walker complains against James Seny concerning a plea of debt upon demand of £8

Assessors William Dryghbrig John Pesson
For licence to concord 3d
Summon jury Pledge of jury John Druet Thomas William

F — Ettena Pelisson complains against John de Lesspore concerning a plea of trespass on the grounds that on the 10th day of November in the present year the named defendant by force of arms assaulted the same John [*sic*] here etc and beat him wounded and ill-treated him etc to the plaintiff's damages of £10

fol. 1v

W Richard Calfe complains against Thomas Broune concerning a plea of detinue

Note Summon jury Defendant denies therefore to jury Pledge of jury prison

W — Nicholas Scapecene complains against Constantine Vafalo Venetian concerning a plea of detinue of goods upon demand of ^£5^ 12 large cloths of various colours namely 8 cut pieces of kersey white in colour price the piece 20s & 5 yards of russet price the yard 5s – 25s & 4 yards of various colours price the yard 5s – 25s

For licence to concord The officer of the court responded that the defendant denies

F James Petur complains against Henry Taillour concerning a plea of trespass

For licence to concord 3d box

F — John Gryme complains against Thomas [blank] his servant concerning a plea of trespass

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[6] We have been unable to identify John's surname. What follows suggests 'Biscay' or 'Basque' and may indicate that he came from Gascony. The similar toponym on fols. 3v and 9r suggested a location in the north of modern Spain because of the other names found in the entries.

[7] *duddes al slopes* – 'An article of clothing, a coarse cloak'. O.E.D. s.v. *dud*. 'An outer garment, as a loose jacket, tunic, cassock, mantle, gown, or smock-frock'. O.E.D. s.v. *slop*[1], 2a.

[8] Skuts are Italian coins usually reckoned at 4 to the pound. See SC7/1/4, n. 28.

For licence to concord 3d box

F [William Heckley merchant complains against John Quale concerning a plea of debt

fol. 2r

Delivered because he had been cited to the Consistory [Court] & afterwards delivered

F Fulk Sherwyn complains against Robert ~~Hede~~ Ede concerning a plea of debt

For licence to concord 3d box

F [Richard Marshall complains against Robert Frenche concerning a plea of trespass

Assessors Damian de la Poise John William

1 2 3 4 defaults

W John Walker complains against John Maryner concerning a plea of debt upon demand of 40s

Because in the Common Court

G Thomas Burgh complains against Peter Berebruer concerning a plea of debt

It was given to the court to understand that the said officer of the court has attached the said John Marke & because he does not have him therefore he is amerced 3d

For licence to concord 3d box

R [Robert Bounde of Romsey complains against John de Marke *Venecian* concerning a plea of deceit

For licence to concord 3d box

F [William Heckley senior complains against John Sparvile *Milward* concerning a plea of trespass against the form of the statute

fol. 2v

Appoints R Wright his attorney For licence to concord 3d box

R [John Chapman of Broughton complains against Purnell [blank] concerning a plea of debt of 15s

G John Rouper complains against George [blank] *Genoan*

~~John Andrewe de Vivald' complains against~~[9]

Summon jury Pledge of jury

G [Vincent Pitlesden complains against John Andrewe de Vivald' concerning a plea of trespass

Removed by writ of ~~recordari~~ habeas corpus

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[9] This is probably a misstart on the following entry.

fol. 3r

For licence to concord 3d box

R [John Leonard complains against Dominic de Drivast concerning a plea of trespass

The officer of the court responded that the defendant has been attached by 1 chest remaining in court

Appoints Richard Wright his attorney

1 2 3 4 defaults

F Benedict Spynell complains against Thomas Chavalo concerning a plea of debt

F Robert Glover complains against Martin Lobyn concerning a plea of debt

Vincent Petelsden esq complains against William Peers concerning a plea of trespass

fol. 3v

Assessors ~~William Burbrigge~~ John Forest
John William *Taillor*

1 2 3 4 defaults

The officer of the court responded that the said defendant has been attached and by 1 bale of woollen cloth

R Christopher Ambrose complains against Jasper de Skocia *Napolitan* concerning a plea of debt upon demand of £7 4s £9 14s

Judgment was given that the party plaintiff should make recovery upon the said goods £7 4s and for costs outgoings and expenses 7s 9d

Pledge of law John Walker

To the Piepowder Court held there on 1st day of December in the present year at the 9th hour before noon of the same day comes John de Madarga and claims ownership in the aforesaid ship The officer of the court amerced because he did not make the court aware of the dispute pending on the last day of November – 3d[10]

Not prosecuted 3d box

Appoints Christopher Ambrose & Michael de Chiparoles & Richard Pere his attorneys jointly and severally

R [John Jacobi of Florence complains against Peter de Madarega of 'Biscaya in Spain'[11] concerning a plea of debt upon demand of £20

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[10] It is not completely clear where this entry belongs, because no ship is mentioned in the surrounding entries, but the fact that the claimant has the same surname as the defendant in the next main entry suggests that it goes with that entry.

[11] As nn. 6 and 26 make clear, the general identification of this name is clearly the modern 'Biscay' or 'Basque'. The addition of *in hispania* suggests, as do the names, that we should be thinking 'around the corner', i.e., beyond Gascony into modern Spain.

Appraisers John de Perche Thomas Smyth Taillor

1 2 3 4 defaults — The officer of the court responded that the said defendant has been attached by 1 long russet gown lined with black fur and by 2 blankets

F William Lustak complains against John Langton *Taverner* concerning a plea of debt

For licence to concord 3d box

Summon jury — Pledge of jury prison

R 10s damages Robert Saynlowe complains against George de Santa Maria concerning a plea of trespass for the unlawful removal of 5 white bonnets

fol. 4r

Summon jury — Pledge of jury John Walker

F Pascall Parawde complains against Rodigon de Remayon of Allocarte[12] concerning a plea of ~~detinue~~ covenant broken

10 talesmen

For licence to concord 3d box

F Andrew Waterman complains against William Coumber concerning a plea of detinue

For licence to concord 3d box

R Richard Hilton complains against Mark Gryll concerning a plea of debt

For licence to concord 3d box

in prison

G John Tasker ^complains against^ Isabel *sengilwoman* concerning a plea of debt

For licence to concord 3d box

R Mark Grill complains against Matthew Dyton concerning a plea of debt

fol. 4v

Nothing has been done

R John Walker complains against John Pese concerning a plea of debt

For licence to concord 3d box

F William Pick complains against [blank] Ludale concerning a plea of debt

[12] 'Allocarte' – unidentified. *Albocarte* means 'anchovy' in the Cantabrian dialect of Spanish. Considering the other names here, we probably should be thinking of Spain and perhaps of its northern coast.

For licence to concord 3d box

F [John of Salesburie complains against John [blank] concerning a plea of trespass

For 1 default and for licence to concord 6d box

G [William Raynold ^of the city of Coventry *Deyster*^ complains against Peter Baptiste[13] concerning a plea of debt

Adjourned because it was given to the court to understand that the said ~~defendant~~ sergeant had attached the aforesaid Peter and that he does not have him therefore he is amerced 3d
Appoints John Skorer of Coventry & Thomas Bache of Southampton his attorneys[14]

G [William Raynold of the city of Coventry *Deyster* complains against Peter Baptiste of Genoa merchant concerning a plea of debt upon demand of £46 12d & £48 12d

fol. 5r

1 default Removed by writ Pledge of jury likewise William Spaniard
The officer of the court responded that the said defendant has been attached and because he does not have him therefore the same amerced 3d and afterwards mainprised by William Saundres and because [he does] not [have him] 6d 12d 2s

Appoints Guy Shilvyng his attorney

Appoints at the instance of the party John Filder his attorney

G John William merchant complains against Robert Cosyn of the City of London merchant concerning a plea of debt upon demand of £15
The party defendant appears and alleges that the party plaintiff has been outlawed and has a day to produce peremptorily[15] the record and process of outlawry proclaimed upon the aforesaid plaintiff on the day next after the feast of Christmas

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[13] Peter Baptiste (Pietro Battista) is not a common combination of Christian names, and we identified the defendant with those names, who appears eight times in this register and no place else, as being all the same man. In the next entry he is identified as a merchant of Genoa, and there is no reason to doubt that attribution. On fol. 5v, he is called 'Calvo', which is probably a nickname ('bald'). On fol. 7r, 'Spynell' is inserted above his name in a different script. This may be his surname, but it is more likely the name of his pledge. Twice on fol. 7r he is said to be *de Caules*. There is no plausible modern Italian place name with those sounds. This may also be nickname, because 'caules' in both Latin and English means the stalk of plant (compare the nickname 'bean-stalk'). On fol. 7v, he is called 'Peter Baptiste Calbot', and this may be his surname. (It is not listed in the standard dictionaries of modern Italian surnames, but may be the same name as that of the explorer who is known in English as John Cabot). Of course, the fact that all of these attributions (except for Spynell) have similar sounds raises the possibility that Peter Baptiste had an unusual surname, which the clerks consistently garbled.

[14] See Introduction, at n. 148.

[15] *peremptorily* – 'without (the possibility of) delay or postponement'. O.E.D. s.v.

In the box[16]
~~in prison~~ in prison

F [Alice Bower & Agnes Bertram complain ~~in a plea~~ against Isabel Lord *sengilwoman* concerning a plea of debt

For licence to concord and for 4 defaults 11d box

Seva Catanea & Geoffrey Lomelyn } to claim & prove ownership in that and in all [things][17]
Appraisers John William & David White

1 2 3 defaults

Genoa [sic] 4 defaults — The officer of the court responded that the said defendant has been attached by 2 cables in the custody of the court

R [James Marik complains against ~~Peter Semaynes~~ Luke Benedicte ~~& Benedicte~~ de Maryn patron of a certain carrack of *Janua* [Genoa] concerning a plea of ~~trespass~~ debt upon demand of £8 14s 8½ d

For ~~1 def~~ 4 defaults and for licence to concord 11d
The officer of the court responded that the said defendant has been attached by 2 cables in the custody of the court

1 2 3 4 defaults

R [William Pike complains against ~~Peter Semaynes~~ Luke Benedict ~~& Benedict~~ de Maryn patron of a certain carrack of Genoa concerning a plea of debt upon demand of £18

For 4 defaults and for licence to concord 11d
The officer of the court responded that the said defendant has been attached by 2 cables in the custody of the court

1 2 3 4 defaults

R [John Knolles complains against ~~Peter Semaynes~~ Luke Benedict ~~& Benedict~~ de Maryn patron of a certain carrack of Genoa concerning a plea of ~~trespass~~ debt

fol. 5v

∴ For licence to concord 3d box

R [Griffin Poro complains against John Bedee of *Burdeux* [Bordeaux] concerning a plea of debt

For licence to concord and for 4 defaults 11d

1 2 3 4 defaults — The officer of the court responded that the said defendant has been attached by 2 cables in the custody of the court

R [Peter Jay complains against Luke Benedict de Maryn patron of a certain carrack of Genoa concerning a plea of debt upon demand of 22s

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[16] *pixede*. The odd spelling, coupled with the facts that it is spelled out and that no sum is mentioned may mean that the clerk had some other word in mind.

[17] I.e., presumably, either as third parties in a foreign attachment or as someone's attorneys.

For licence to concord and for [4] defaults 11d box

1 2 3 4 defaults — The officer of the court responded that the said defendant has been attached by 1 *skyft*[18] said [. . .]

R [Basyn Torse complains against Luke Benedict de Marynys patron of a certain carrack of Genoa concerning a plea of debt

For licence to concord 3d box

G [Antony ~~Spapesyn~~ Skarpesyn complains against Peter Baptiste Calvo concerning a plea of debt

Not prosecuted 3d — in prison

G John Everard complains against ~~William~~ Thomas Burgeaunt concerning a plea of trespass

fol. 6r

For licence to concord

F [Peter Dagilde complains against [blank]

Adjourned from the 11th day of December until the Saturday next following

For licence to concord and for defaults 9d box

Pledge Geoffrey de Maryn 3d

1 2 defaults — The officer of the court responded that the said defendant has been attached and mainprised by Geoffrey de Maryn and because he does not have him therefore etc 3d 6d 12d

F [John Bromer complains against Serett ^de [?blank]^ *Carykman* concerning a plea of debt ^upon demand^ of 24s 6d

For licence to concord 3d box

F — Luke Benedicte de Maryn complains against Basyn [Torse] concerning a plea of trespass against the form of the statute

~~Appoints Richard Falow~~[19]

∴ For licence to concord 3d box

F [Damian de la Poise complains against John from a carrack concerning a plea of debt

For licence to concord 3d box

Summon jury — Pledge of jury Lewis ^Spynell^ Eynes

F William Pike complains against Bartholomew ^Lante^ *Nantese*[20] concerning a plea of debt Defendant denies

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[18] *skyft* – probably a dialectical variant of 'skiff' (O.E.D. s.v *skift*[4]), recorded only in the U.S., but as early as the 17th century. If that is right, then the dangling *dict'* that follows may have been the start on the name of the skiff.

[19] *const' Ric' Falow* – which then seems to have been struck out. This may mean that the sergeant 'F' (?Filder, see Introduction at n. 131) appointed Falow his deputy, but then thought better of it. But it is hard to tell; Falow does not otherwise appear.

[20] Bartholomew was probably from Nantes in Brittany.

fol. 6v

Summon jury — Pledge of jury prison

Defendant denies therefore to jury — John Goo

Pledge of jury

Appoints ^Henry More &^ William Pratte his attorneys jointly and severally

G Robert Drope citizen and alderman of London and Dame Joan his wife lately wife and executrix of the testament of Master John Treguram lately citizen and merchant of London complain against John Paris called John Mighell concerning a plea of debt upon demand of £12

Adjourned from the 16th day of December until the Saturday next following at the request of the parties below specified and from the 21st day of December until Wednesday next after the feast of the Epiphany[21]

The officer of the court responded that the said defendant has been attached and mainprised because he does not have him therefore he is amerced 6d

F Opicino de ^Aurea Genoan merchant^ complains against Jerome ^Teapolo Venetian merchant^ concerning a plea of debt upon demand of £20

For licence to concord

F Richard Picard complains against Robert Santlowe concerning a plea of debt

For licence to concord 3d box

F [James Marrik complains against John de Carre concerning a plea of debt

Summon jury — Pledge of jury ~~prison~~ John Estfeld

F Thomas Goble complains against John Hostellar concerning a plea of debt

[inserted between fols. 6v and 7r]

Town of Southampton[22] John Filder Sergeant-at-Mace and officer of the court there is ordered to arrest Tilman Skluter pledge both to appear in court and to pay the judgment on behalf of James Lokyer in a certain action of debt by Adrian Lokier otherwise Cornelius against the aforesaid James raised on the grounds that you have elsewhere returned that the aforesaid James has nothing nor has been found within the jurisdiction of this court but is hiding in the country Therefore it has been considered by the court that there should be made execution against the pledge aforesaid to

[21] 6 January.

[22] This is a surviving precept or order given to the Sergeant-at-Mace who is the Officer of the Court, instructing him to carry out the court's judgment.

be arrested and to be held in custody in prison until he shall render satisfaction to the aforesaid Adrian in the matter of 20s together with damages outgoings and expenses taxed by the court which the same Adrian recovered against the aforesaid James in the court of the Lord King there And whatever he shall have done in the foregoing he will certify without delay at the next court together with this order And this he shall by no means omit [to do] under the penalties incumbent Given in court on the 27th day of May in the 16th year of the reign of King Edward IV after the conquest of England[23]

fol. 7r

G Thomas Braynwode complains against [blank]

in prison

F John Holcote complains against John White concerning a plea of debt concerning a plea of trespass

Pledge of jury Lewis Spynell

And memorandum that the said John Andrewe came into court on the 16th day of December in the present year and acknowledged that he had received satisfaction concerning the £3 20d and for costs outgoings and expenses 6s and for lawful demands 3d

F John Andrewe de Vivaldis complains against Peter Baptiste ^Spynell^ concerning a plea of debt ~~& account~~ ^upon demand^ of 27s for his board that is for 24 months beginning on the 28th day of October in the 13th year until the [blank] day ~~which all~~ [?] ~~amounted to the sum in demand 20s and~~ [?]~~ac~~ £3 20d in money by way of a loan lent to him withheld to his damages of £20 And whereof he produces his suit if etc And the aforesaid Peter ~~in his own person came & denied force & injury such etc and damages etc and says~~ came to court on the 17th day of December in the 15th year of the reign of King Edward IV and acknowledged from the sum in demand £3 20d and as for the residue he denies it Therefore to jury Whence concerning the confession of the said plaintiff [*sic*] it has been adjudicated previously that the party plaintiff should recover the sum confessed and for costs outgoings and expenses 6s

10 talesmen

F John Andrewe complains against Peter Baptiste concerning a plea of account

[23] 4 March 1476 – 3 March 1477

For licence to concord 3d box

∴ Summon jury Pledge of jury Lewis Spynell

F Francis de Aurea ^~~and Gregory de Vivaldis~~^ complains against [?]~~Paul David~~ Peter Baptiste *de Caules* concerning a plea of trespass

For licence to concord box

∴ Summon jury Pledge of jury Lewis Spynell

F Gregory de Vivaldis complains against ~~Paul de~~ Peter Baptiste *de Caules* concerning a plea of trespass on the grounds that the same defendant on the 3rd day of October in the present year by force of arms broke into and entered the chamber of the same plaintiff and seized 20s in money and one cloak belonging to the same plaintiff price 20s from his goods and chattels

1 2 3 4 defaults

The officer of the court responded that the said defendant has been attached by 1 horse

G John Estfeld complains against Stephen Rence concerning a plea of debt

fol. 7v

For licence to concord 3d box

F William Picke complains against Constantine Fornar concerning a plea of debt

For licence to concord and for all defaults 16s

Summon jury Pledge of jury prison

1 2 3 4 5 defaults The officer of the court responded that the said defendant has been attached and mainprised by Christopher Ambrose and because he does not have him therefore he is amerced 3d 6d 12d 2s 4s 8s

GG Robert Couper otherwise Ede complains against Barnard [blank] *sourgeon* concerning a plea of deceit

Summon jury Pledge of jury prison

F John Hoper complains against ~~Lewcas~~ Lucain Brande concerning a plea of debt trespass Defendant denies

Nothing has been done

Nicholas Muste complains against Peter Baptiste Calbot concerning a plea of debt upon demand of 23 crowns loaned

G Walter Craddock complains against Robert Blackborn concerning a plea of debt

fol. 8r

W Nicholas Pewterere complains against [blank]

For licence to concord 3d box

F Nicholas Cheseman complains against Antony [blank] lately servant of the same Nicholas concerning a plea of trespass against the form of the statute

For licence to concord 3d box

F [John Hide complains against John Middleton concerning a plea of debt
[Robert Hilde complains against [blank]

∴ Not prosecuted 3d box

G Vincent Pitlesden complains against Edmund Carter concerning a plea of [blank]

fol. 8v

After the feast of Christmas

Summon jury Pledge of jury John Coles & Denis Bone

Appoints Richard Wright his attorney

W John Warde complains against Agnes Barwik lately servant of the aforesaid plaintiff ^John^ concerning a plea of debt upon demand

10 talesmen

For licence to concord 3d box

Summon jury Under pledge Reginald Baker[24] Pledge of jury prison

1 2 3 4 defaults The officer of the court responded that the said defendant has been attached and mainprised by Walter Saundres and because he does not have him 3d 6d 12d 2s 4s

Appoints R Wright his attorney

R [Thomas Power complains against Walter Yorle concerning a plea of debt upon demand of 8s

F ~~Peter Tremer complains against Peter Chaundelar concerning a plea of debt upon demand of 18s~~

The which Christopher on the 12th day of January in the present year came into court and acknowledged that he had received satisfaction of the sum in demand and of the costs outgoings and expenses hereunder specified

F{ [Christopher Ambrose complains against John Andrewe de Vivaldis concerning a plea of debt upon demand of £7 4s on the grounds that the same John on the last certain day of the year etc went pledge to the aforesaid Christopher for Jasper de Skocia who was attached by 1 ballot[25] of woollen cloth and at the instance of the aforesaid Christopher and the said ballot was appraised by 2 appraisers as above and for the discharge of the aforesaid ballot the said John was attached by his oath to

12th day of January [reply to the said John [*sic*] in the aforesaid plea The which John thus attached confessed in full court that he was indebted to the aforesaid Christopher in the sum aforesaid And upon this judgment had been given that the party plaintiff should recover

---

[24] Written at an angle between the licence to concord and the pledge of prison for the jury, it is hard to tell whether this pledge is to ensure the payment of the licence fee or for the jury (which presumably was never summoned).

[25] *ballot* – a small bale of 70 to 120 lbs. O.E.D. s.v.[2].

the sum in demand and for costs outgoings and expenses 9s 4d & the party defendant be amerced for unlawful detinue of the aforesaid sum 3d

fol. 9r

Void here because in Common Court
Pledge for the Common Court { Peter Basse / Thomas Smyth }

It was given to the court to understand that the said George has been attached by the aforesaid sergeant and because he does not have him therefore he is amerced ~~3d~~

The officer of the court responded that the said defendant has been attached and mainprised by Peter Basse and because he does not have him [therefore the same amerced] 3d 6d 12d

Issues 3d box

Appoints Richard Wright his attorney

R [Thomas Bereward and Joan his wife complain against George ^Sherman^ lately servant of Peter Basse concerning a plea of trespass

For licence to concord

Summon jury — Pledge of jury Tilman Skluter

G [Peter ^Jacob ^ ~~Berebruer~~ complains against Peter ~~Crewe~~ ^Cremer^ concerning a plea of account

~~by G~~

~~F assigned~~

Adjourned

Adjourned from 23rd day of January until the eighth day next following

R John de Espurowa master of a certain caravel Santa Mara de la Catera in Biskaia[26] complains against Peter Darmayona capital merchant of the same caravel concerning a plea of covenant broken

Summon jury — Pledge of jury Fulk Staveley under pledge Fulk Staveley

Appoints Richard Wright his attorney

R Richard Ludlow complains against John Karre ~~Fulke Staveley~~ concerning a plea of trespass

Not prosecuted 3d box

Appoints Richard Wright his attorney

R [Thomas Benet complains against Hugh Richardes concerning a plea of trespass

~~Robert Sayn~~ Walter Stayn complains against Robert Stayn [blank]

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[26] *cuiusdam karvele Sancta Mara de la catera in Biskaia.* The ms is stained at *de la catera*; it may read *cantera*. Even if it does not, that is probably what we should be thinking; *cantera* is the modern Castillian word for 'quarry' and is found in a number of modern Spanish placenames. None of them, however, is in the Basque region. The most plausible is Cantera in Pontevedra, Galicia. There is a *Playa de la Cantera*, 20 km northeast of Bilbao. Compare n. 6.

[27]8th day of January in the 15th year of the reign of King Edward IV he seized and took away against his will a black cloak and 2 shirts out of the goods of the aforesaid plaintiff

fol. 9v

~~The officer of the court responded that~~ For licence to concord & 1 default 3d box

The court was given to understand that the said defendant ~~has been attached~~ and that he does not have him therefore he is amerced 3d

[Denis Donell complains against John ~~Bolear~~ ^Bullar^ concerning a plea of debt upon demand of 9s 4d

Adjourned

G John Gryme complains against William Bockett of Alyngton *Carter* concerning a plea of covenant broken

Not prosecuted 3d ~~box~~ in F's hands

F [John Goo complains against Marten Spenarde concerning a plea of debt

The officer of the court responded that the said defendant has been attached by [blank] tuns of wine

1 2 3 4 defaults

R John Forest complains against John de la Tonure concerning a plea of debt

Adjourned until Tuesday next

1 2 defaults The officer of the court responded that the said defendant has been attached and mainprised by Denis Donell and because he does not have him therefore he is amerced 3d

Appoints Richard Wright his attorney

R Thomas Benett complains against Hugh Richardes *maryner* concerning a plea of trespass

31st day of January Judgment was given that the party plaintiff should recover from the party defendant the said pipe of wine or 20s for the said pipe and for costs outgoings and expenses 5s and the party defendant amerced 3d

R [Thomas Braynwode complains against Inigo de Roma ^Romayo^[28] concerning a plea of detinue On the 15th day of December in the 15th year of the reign of King Edward IV the same Thomas did by the hand of John Estfeld here at Southampton deliver and hand over into bail to the aforesaid Inigo 1 pipe of red wine grown in the Spanish region[29]

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[27] This entry added at bottom right of fol. 9r in smaller script.

[28] Although *de Roma* is not struck out, it seems relatively clear that this is an alternative spelling of the defendant's surname; they mean the same thing.

[29] See SC7/1/4 n. 38.

price 20s to be kept safe and secure lest etc And although from which time the same Thomas very often required from the said Inigo the delivery of the said pipe of wine the said Inigo however refused from that time and still refuses The same Thomas says that he has suffered loss and has damages to a value of 40s and on the 31st day of January in the present year the said Inigo acknowledged unlawful detinue of the said pipe

fol. 10r

Walter Lathum complains against Pascal Parawde concerning a plea of debt

The party plaintiff came into court on the 26th of May in the 16th year of the reign of King Edward IV and acknowledged that he had received satisfaction and the party defendant was dismissed from the court and amerced 3d box[30]

10 talesmen

Summon jury Pledge of jury Tilman Skluter

F Adrian Lokier otherwise Cornelius complains against James [blank] *Lokier* lately servant of the same Adrian concerning a plea of debt upon demand of 15s 6d out of a lawful account held between them on the on the 13th day of February when all accounts had been completed and all allowances made the said defendant was found to be in arrears to the said plaintiff of 15s 6d withheld to the plaintiff's damages of 10s

[?]Reversed[31] [32]And the aforesaid James the defendant came into court in his own person and denied the force and injury [and said that he] owes [nothing] and requests a jury and the aforesaid plaintiff likewise Therefore etc it was ordered And he did not come into court to prosecute[33] ^his suit^ in court [*sic*] ^as it was ordered^ and because of this the aforesaid plaintiff recovered [? his arrears][34] and damages as it was above said and he was discharged of the right of the defendant[35] And because the aforesaid plaintiff [?] as was said above[36] came

[30] See SC7/1/6 n. 73.

[31] The writing of these marginalia is clear enough; the interpretation is not. It could be *re'* written at an angle followed by the abbreviation for *versus* written below it horizontally. 'Reversal' is not the way to describe what is written to the right, but if what seems to have happened was reversed, that would explain why the paragraph to the right is struck out.

[32] This paragraph is struck out, probably because of the settlement indicated at the very top of the entry or because of the reversal suggested in the margin, or both. We have left it without striking it out because of the difficulty of interpreting it.

[33] Normally this phrase applies to the plaintiff, but here it seems to apply to the defendant.

[34] The manuscript is stained at the right; and what is written there is obscured. The meaning seems fairly clear.

[35] *iure defendentis exoneratus*. The reading is reasonably clear. It seems to mean that by not appearing the defendant forfeited his right to a jury trial.

[36] The manuscript is stained at the right, and what is written there is obscured.

with right and the said defendant defaulted nothing was done[37]

Nothing has been done

F Patrick Lynch complains against David Lowes *Cordenar* and Henry Brawell concerning a plea of trespass

For licence to concord 3d box

R Thomas Venician complains against Luke Tailpere concerning a plea of detinue of goods

For licence to concord 3d box

R George Sklavenaye complains against Alvisus Riteso chaplain from a Venetian galley

fol. 10v

For licence to concord 3d box

F John Calley complains against Leonard Parvisyn concerning a plea of debt upon demand of £4 5s

G Robert Hanell complains against William [blank] *Lokier* concerning a plea of ^trespass^ ~~debt~~

~~Peter Cremer complains against~~

For licence to concord 3d box

F Peter Jacobes complains against Peter Cremer concerning a plea of detinue

F Peter Jacobes complains against Peter Cremer concerning a plea of detinue[38]

fol. 11r

Appoints G S and John Rede his attorneys

G William Sparke of London *Draper* complains against John Tanner of London *Talowe chaundeler* concerning a plea of debt upon demand ^viz^ 40s by his bond

~~Thomas Venecian complains against Luke Tailpere chaplain concerning a plea of trespass~~

[37] The combination of the strike-throughs and the staining, coupled with the somewhat unusual vocabulary employed, make the translation of the entire paragraph problematical. If we have the readings right, this last phrase seems to mean that because the plaintiff came with evidence of the account described in the first paragraph (*cum iure venit*) and the defendant did not come, nothing was done about the jury that the defendant had demanded.

[38] This could be two pleas relating to two separate assets, rather than just a duplicate entry resulting from a clerical error.

For licence to concord 3d box

R ⌈ Thomas Venecian complains against [blank] chaplain ^of a galley^
⌊ concerning a plea of trespass

~~Richard Lofe complains against~~

For licence to concord 3d box

[Blank] ⌈ Francis Tirell complains against Richard Loffe concerning a
⌊ plea of trespass

He has been summoned

~~G John Donnynges complains against William Browne Thomas Baker concerning a plea of debt~~

fol. 11v

1 2 defaults The officer of the court responded that the said defendant has been attached and mainprised by John Spryng [sic] burgess and because he does not have him therefore he is amerced 3d 6d

R Agnes Curtes complains against John Spryng concerning a plea of detinue of one brass pot price 10s

For licence to concord

G John Sprynge complains against John Wykes concerning a plea of debt

~~For licence to concord 3d box~~

R ⌈ John Sprynge complains against John Prioure concerning a plea of
⌊ trespass

G ⌈ Thomas Marmorey complains against John Millesent concerning a plea of debt upon demand of 27s for money lent by him on the 13th day of July in the 11th year of the reign of King Edward IV here in the town of Southampton withheld to damages of 4s The defendant came into court on the 4th day
Judgment ⌊ of March in the 16th year of the reign of King Edward IV and acknowledged the sum in demand And moreover the plaintiff had not received satisfaction of the sum in demand Let him be committed to prison until he shall have given satisfaction etc and the party defendant amerced 3d and for costs outgoings and expenses ~~For licence to concord~~ 2s 11d[39]

For licence to concord

R Thomas Coke complains against John Cristian concerning a plea of debt

[39] The note of the licence to concord was probably put in before the entry was filled out with the judgment as to costs. The sum is placed some distance from the word 'costs', but almost certainly goes with it.

[40]Judgment For licence to concord 3d box

Summon jury Pledge of jury prison

F James Harison complains against Matthew [blank] *Galeman* concerning a plea of trespass on the grounds that on the 25th day of February in the 15th year of the reign of King Edward IV the defendant broke into and entered the close and yard and house of the same plaintiff here in the town of Southampton and seized 2 shirts for women's wear[41] price between them 2s 6d and 2 shirts for men's wear price 2s 6d and 1 cloak and took them away to the plaintiff's damages of 10s

fol. 12ar

[42] The defendant came into court on the 4th day of March in the 16th year of the reign of King Edward IV and acknowledged the unlawful detinue of 2 shirts price 2s 6d and 1 hand towel price 12d and as for the rest [blank] he denies it Therefore to jury and the party defendant amerced 3d and let him be committed to prison until he shall make satisfaction etc for costs outgoings and expenses 3s 7d

For licence to concord

1 2 defaults The officer of the court responded that the said defendant has been attached and mainprised by Thomas Avan and because he does not have him therefore he is amerced 3d 6d

R Lewis Eynes complains against John Spryng ^*maryner*^ concerning a plea of debt

For licence to concord 3d

R Robert Lauraunce complains against John att Mille of the parish of West Wittering concerning a plea of trespass

For licence to concord 3d box
He has been attached by 1 bote

F John att Mille complains against Robert Laurannce concerning a plea of debt

F ~~Robert~~ Richard Nutkyn of Andover complains against Martin Robart of Cornewell concerning a plea of covenant broken

[Appoints] Richard Wright [his attorney] The officer of the court responded that the said defendant ^has been attached^ and mainprised by Michael Luke

F Richard Nutkyn of Andover complains against Martin Robart of Cornewell concerning a plea of account in that the said Richard

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[40] We have here both a judgment and a licence to concord. A possible explanation for this seeming inconsistency is found on the next page, where we learn that the defendant partially confessed judgment and costs were awarded the plaintiff.

[41] *pro mulieribus aptatas.*

[42] It is unusual to find an entry carried over from one folio to another, but that is almost certainly the case here. The bottom of fol. 11v is jammed with writing.

was buying from the said defendant 43 score of hake 400 [and] 4 score ^26s 8d^ on the 2nd ^5th^ day of March in the 16th year of the reign of King Edward IV here in the town of Southampton when all accounts had been completed and all allowances made the said defendant ^the said defendant [*sic*] made acknowledgement concerning the said sum of 13s 4d^ came in his own person with his attorney and said that he does not have the aforesaid 43 score hake except for 40 21 score and 4 [i.e., 424] hake and thereupon the said plaintiff came and wished to have as before and he would not have the residue thereof namely the 21 score[43]

fol. 12av

For licence to concord 3d box

F [Richard Nutkyn complains against Stephen ~~Konyngham~~ Konyngman of Overton concerning a plea of debt

Void here because in Common Court by pledge of John Butteller *Sherman*

F ~~Tilman Scluter complains against Peter Clyf concerning a plea of debt~~

Martin Robart complains against Richard Nutkyn concerning a plea of trespass

For licence to concord

The officer of the court responded that the said defendant has been attached and mainprised by Renald Jacob and because he does not have him

Attached

G John Whelar complains against John Foule of [?]'Hasebrugge'[44] concerning a plea of debt

12b[45]

Peter Pokoc of Lyndhurst complains against John Lovell of Berkeley concerning a plea of debt upon demand of 6s 11d for a vessel sold to him etc [on the feast] of St James etc [blank] And for an amercement as appears in the estreat 16d in the 15th year of the reign of King Edward IV at the feast of St Michael

[To] Peter[46]

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[43] Probably the sense here is 'came and wished to have the amount acknowledged and then he would not have/would forego the rest, namely the 21 score'.

[44] This could be a corruption of Harbridge, about 18 miles west of Southampton, or Hartfordbridge, about 35 miles northeast of Southampton. Or it could denote the fishing village of Happisburgh (pronounced Harze-borough) on the north Norfolk coast.

[45] 12b is an inserted paper (16 x 9cm), triangular in shape with the point facing down.

[46] *Petrm*, written toward the bottom of the paper, some distance from the main entry.

12c[47]

Jury between John William Sherman plaintiff and William Parkyn defendant

- Thomas Marmory sworn
- Richard Corker sworn
- Thomas Coupar otherwise Kebill sworn
- William Hill sworn
- Ralf Jobard sworn
- Robert Couper
- Peter Pynson
- Matthew Chapell sworn
- Peter Vinherfeld sworn
- Richard Furber a bailiff sworn
- John Barnarde Cotelar sworn
- John Poyneter sworn

10 talesmen

- Thomas Gay
- Robert Haselden
- Robert Grame
- John Pryor
- Thomas Lewes sworn
- James Marres
- William Crakebone
- John Bremer
- John Rounde sworn
- Richard Turner

The which jurors say upon their oath that the said defendant is guilty of the aforesaid trespass and assess damages with costs outgoings and expenses at 2s And the defendant amerced 3d

12d[48]

[49] William Parkyn has been attached to answer John William Sherman concerning a plea of trespass And the same John went pledge to prosecute his suit [*loquelam*] against John ^Thomas^ Bost wherefore the said John complains and says that the same William together with other unknown persons & disturbers of the king's peace against whom

[47] 12c is an inserted jury list (24 x 7cm).

[48] 12d is an inserted paper (30 x 20cm).

[49] The document is damaged on the left side. (This accounts for the places marked 'Illegible' below.) In the place in the margin where we normally find an initial (G, F, etc.) an 'h' is visible, and there was probably more. Perhaps this was kept as a separate document because this session was not handled by one of the 'regulars'.

if present [torn ms. illegible] ~~the same John~~ would wish to declare on the 7th day of March in the 16th year of the reign of King Edward IV after the conquest of England at the town of Southampton within the jurisdiction of this court that he did ^by force of arms^ assault the said William and beat him with a certain drawn sword [torn ms illegible] and ill treated him such that his life was despaired of and [illegible] other enormities to the grave damage of the same John William and against the peace of the Lord King [illegible] the same John William says that he has suffered loss and has damages to [illegible] ten pounds And whereof he produces his suit if etc And the aforesaid William comes into court and denies the force and injury when etc and damages etc And whatever has been against the peace of the Lord King and he says ~~he himself was not guilty of the trespass aforesaid nor of any part thereof in manner and form which was alleged against him~~ ^that the same John William did on the same day month and year here in the town of Southampton against the peace of the Lord King attack beat wound and ill treat him, William, and thus the same William in defending himself did wound the same John to the injury of the same John William^ and concerning which he requests a jury And the aforesaid John William likewise Therefore ~~John Felder~~ John Feleder Sergeant-At-Mace and officer of the court is ordered to summon jurors etc by whom etc who neither etc to make a jury between the parties aforesaid

fol. 13r

For licence to concord 3d box

Appoints Richard Wright his attorney

G Joan Doddes widow complains against John Russheton *Miln[er]* concerning a plea of debt upon demand of 9s 8d

Adjourned from the 16th day of March until Saturday[50] next before the Sunday of the Passion of Our Lord Jesus Christ next by pledge Richard Gryme

Appoints R Wright his attorney Nothing has been done

F ~~Lord of Harunedell~~ ^William Earl Arundell^ complains against John Lovel of Berkeley concerning a plea of detinue of 16s 8d

Summon jury Pledge of jury prison in prison

F John William ^*Sherman*^ complains against William Parkin concerning a plea of trespass on the grounds that the same William on the 6th day of March in the 16th year of the reign of King Edward IV after the conquest of England against the same John here at Southampton did by force of arms namely a sword

[50] 30 March, 1476.

a cudgel and a dagger assault the same John beat him wounded him and ill treated him so that his life was despaired of and did other enormities to him to the grave damage of the same John
Judgment and against the peace of the Lord King and the same John says that he has suffered loss and has damages to the value of 40s

[loose scrap][51]

Memorandum that Jeram Contriryn owyth to John Scropschyr uppon his baylywyke uppon a rest [i.e., residue] *of acount £4 4s 5d*

fol. 13v

The officer of the court responded that the said defendant has been attached by 2 pieces of tin retained in the custody of the court
1 2 3 4 defaults Appraisers Nicholas Misere John Sprynge

R John Shropshire complains against Jerome Couteryn concerning a plea of debt

John Druet comes on the 14th day of March in the 16th year of the reign of King Edward IV at the 3rd hour after noon on the same day and claims ownership of the same pipe and he has a day at the next court The officer of the court responded that the said defendant has been attached by 1 pipe of white wine grown in the region of La Rochelle
1 default

R Alice Mige complains against Thomas Harbotell concerning a plea of debt upon demand

For licence to concord ~~Thomas~~ Pledge of jury John Bromer
Summon jury Defendant denies

F John Furgen complains against William Crakebon *Furbour* concerning a plea of trespass

F John Sendall complains against William Crakebon concerning a plea of debt

G Thomas Coke complains against Richard ~~Nutkyns~~ Haukyns concerning a plea of trespass[52]

fol. 14r

For licence to concord 3d box
Summon jury Pledge of jury prison
Defendant denies

F [Thomas Coke[53] complains against John Baker concerning a plea of trespass

[51] This is a loose scrap of paper, written in English, which was inserted after fol. 18r. It seems to relate to the following case.

[52] See the fragment inserted before fol. 18r.

[53] See the fragment inserted before fol. 18r.

For licence to concord 3d box

R [John Craford complains against Roger Grey concerning a plea of trespass

∴ For licence to concord 3d box

R [Cornelius Clerke complains against John Gunner concerning a plea of debt

For licence to concord

The officer of the court responded that the said defendant has been attached and mainprised by John Baker and because he does not have him therefore he is amerced

1 2 defaults 3d 6d under pledge of John Baker

G John Gryme complains against William Scobarde concerning a plea of debt upon demand of 13s 6d

Appraisers Robert Baker John Prentes

1 2 3 4 defaults The officer of the court responded that the said defendant has been attached by 1 gown retained in the custody of the court

G John Tasker complains against Margery [blank] *sengilwoman* concerning a plea of debt

Summon jury Pledge of jury prison

Defendant denies therefore to jury

F William Grey complains against James Comyte concerning a plea of trespass on the grounds that the same defendant did on the 17th day of March in the 16th year of the reign of King Edward IV break and enter into the house of the same plaintiff against the peace of the Lord King and then and there unlawfully seize 15 yards of blanket ^kersey^ & 8 yards of russet kersey & 1 yard of white kersey price in total 32s out of the goods and chattels of the same plaintiff and take them away to damages of 40s

fol. 14v

For licence to concord 3d box

F [William Capleyne complains against Richard Pipar concerning a plea of debt

For licence to concord 3d box

1 default The officer of the court responded that the said defendant has been attached and mainprised by Christopher Ambrose and because he does not have him therefore he is amerced 3d

F [John Dunn complains against Marius Motsenego concerning a plea of debt of 3d

G ~~John Walker complains against Christopher Ambrose concerning a plea of deceit~~

~~F~~ R[54] Summon jury 10 talesmen
Pledge of jury Stephen Brokast
Defendant denies therefore to jury
Appoints Thomas Kirton[55] & R Wright his attorneys jointly and severally

G Robert John *Vintener* complains against Paskowe Parrawde concerning a plea of debt upon demand of 56s

fol. 15r

For licence to concord 3d box

F [Thomas Defeney complains against Mighel [blank] concerning a plea of trespass

Void here because in Common Court
Appoints R Wright his attorney

F William Cromnell complains against Antony Spynell concerning a plea of debt upon demand of 8 marks namely for 2 white broad cloths

∴ For licence to concord 3d box

[Richard Watkyn complains against Paskowe Parawde concerning a plea of debt

10 talesmen The officer of the court responded that the said defendant has been attached by 30 tuns of wine

1 2 defaults 3d box Pledge of jury Walter Feteplace Vincent Tehey Defendant denies
Appoints ~~Reeemond~~ ^Raimond^ Sigon & Richard Wryght his attorneys jointly and severally[56]

G John Bodey otherwise John Bodehan complains against Gracian Baker concerning a plea of debt upon demand of £21 5s on the grounds that the said plaintiff & the said defendant on a certain day of March in the 15th year of the reign of King Edward IV here at Southampton before William Feteplace and Walter William assigned auditors between them were accounting concerning various receipts and sums of money and when all accounts had been completed and all allowances made the said defendant was found in arrears to the said plaintiff of £21 5s and although etc but he withholds etc in 10 marks etc and the defendant comes into court and says that there was never such an account etc

~~G~~ Dominic Pilot complains against Lewis Selato concerning a plea of debt

---

[54] It is unusual to find what we have posited is the initial of a sergeant in this position. Perhaps 'R' was to summon the jury.

[55] See Introduction, at n. 147, for the possible identification of Thomas Kirton with the London Mayor's Court attorney of that name.

[56] The appointment of two attorneys here suggests that Sigon was not a resident of Southampton, although he does appear elsewhere (see IPP) as both a mainpernor and as a plaintiff. See further at nn. 14, 55; Introduction, at nn. 146–148.

For licence to concord 3d box

R [Vincent Tehey complains against Henry Edward concerning a plea of debt

fol. 15v

The officer of the court responded that the said defendant has been attached and mainprised by Christopher Ambrose and because he does not have him

3d 6d 12d 2s 4s

Appoints Thomas Holman & Guy Shilvyng his attorneys

G Walter Bokett of Salisbury merchant complains against ^Peter Antony Couterini^ patron of a galley of Venice concerning a plea of detinue

For licence to concord 3d box

F [John Mondy and Agnes his wife lately wife of William Halle of Titchfield and ~~executors~~ executrix of the testament of the same William complain against Richard Bachelar concerning a plea of debt

For licence to concord 3d box

F [Alavice Georgie complains against ~~Lewse~~ Lewis Selato concerning a plea of debt upon demand of 3 crowns

Not prosecuted 3d box

John Mone esquire complains against Ralph Jermyn concerning a plea of covenant broken

For licence to concord 3d box

F [Richard Coke complains against William Thryng concerning a plea of debt upon demand of 13s 4d out of a loan lent to him on the 20th day of March in the 15th year of the reign of King Edward IV to be paid within one week then next following at which however the same William did not pay but withheld to damages of 10s The defendant came into court on the 6th day of April in the 16th year of the reign of King Edward IV and acknowledged the sum in demand however to be paid on the feast of Easter then next following and at no time before But the said defendant on the same 6th day of April in fact paid the sum in demand Upon which it was adjudged by the court that the party plaintiff recover for outgoings and expenses 3s 6d and the party defendant be amerced for unlawful detinue 3d

fol. 16r

G John Brede complains against Matthew Galleman concerning a plea of trespass

John Roket complains against John Barliche *Tailour* concerning a plea of trespass

G Richard Pynhorne complains against John de Essesex ^lately^ servant of William Spynell concerning a plea of debt upon demand of 11s

For licence to concord 3d box

[Blank] [Peter Johnson complains against John Underwode concerning a plea of trespass

After the feast of Easter[57]

Void here because in Common Court

Summon jury Pledge of jury prison

F [~~Antony Clement complains against William Barly *Carpentar* concerning a plea of covenant broken~~

~~Defendant denies~~

Void here because in Common Court

~~G Roger Kyve and Joan his wife complain against [blank]~~

fol. 16v

For licence to concord

Summon jury Pledge of jury prison

G Thomas Broune complains against John Nicholson concerning a plea of trespass

Richard Duke of Gloucester Grand Admiral and Constable of England complains against Henry ~~Harnond~~ Pece concerning a plea of trespass

For licence to concord 3d box

F [Denis Donell complains against Longus Wallum *Yrissheman* concerning a plea of debt

For licence to concord 3d box

Appoints Richard Wright his attorney in prison

F [Thomas Avan complains against John Haggeson otherwise called Lynsey concerning a plea of account

The officer of the court responded that the said defendant has been attached and mainprised by Robert Stere and because he does not have him therefore he is amerced 3d 6d 12d

R John Bromer complains against Oliver de Meone concerning a plea of debt

For licence to concord 3d box

Summon jury Pledge of jury prison

F [Hugh Hamonde complains against John Hew *Bocher* concerning a plea of trespass Defendant denies

For licence to concord

F William Talle complains against John William *Sherman* concerning a plea of debt

---

[57] 14 April 1476.

fol. 17r

~~Void here because in Common Court~~

~~By pledge of John William~~

Appoints R Wright his attorney ~~*m[er]chaunt*~~

R [~~Cornelius Clerk complains against Joan [blank] *douche* [Dutch] Woman concerning a plea of debt upon demand of 22s~~

For licence to concord 3d box

R [Christopher Ambrose complains against Henry Bele concerning a plea of debt

∴ For licence to concord

R Robert Hache complains [blank]

Thomas Braynwode complains against Roger A Bowe concerning a plea of debt

Johanna Grene [illegible]
Genett Crompett [illegible]

For licence to concord 3d box
in prison

F [William Burbrigge complains against Jenett Crompett concerning a plea of debt

For licence to concord 3d box
in prison

F [William Burbrigge complains against Babtyste Piper concerning a plea of debt

Nothing has been done

The officer of the court responded that the said defendant has been attached and mainprised by John Rounde and because he does not have him therefore he is amerced 3d

Adjourned

F Richard Wryght complains against Thomas Payntor concerning a plea of covenant broken

fol. 17v

Roger Bowe complains against [blank]

Discontinued For licence to concord 3d box

Summon jury 10 talesmen Pledge of jury Thomas Braynwode Peter Donell

Appoints R Wryght his attorney

G [Thomas Coke complains against William Marchant & John Staveley concerning a plea of trespass

Not prosecuted 6d box

The officer of the court responded that the said defendant has been attached and mainprised by William Heckley senior and because he does not have him therefore he is amerced 3d

F [John Spryng complains against Richard Bourer *dier* concerning a plea of debt

Not prosecuted 6d box

The officer of the court responded that the said defendant has been attached and mainprised by John Waleys and because he does not have him therefore he is amerced 3d

F [Frank Tyrell complains against Nicholas Beyre of Nursling concerning a plea of detinue

The officer of the court responded that the said defendant has been attached and mainprised by William Browne Sherman and because he does not have him therefore he is amerced 3d 6d

For 1 2 defaults and for licence to concord 12d

G [Thomas Crokker complains against William Brise concerning a plea of debt upon demand of 4s

[recto of document inserted between fols. 17v and 18r][58]

Thomas Cooke[59] complains against [blank] concerning a plea of trespass on the grounds that the aforesaid defendants on the 17th day of March in the 16th year of the reign of King Edward IV together with others here in the town of Southampton by force of arms namely with cudgels and knives did break into and enter the house and close of the same Thomas and there did seize and abduct Joan the wife of Thomas from his service and kept her with them viz from the aforesaid 17th day of March in the aforesaid year until the day of the hearing of this such complaint during which time he had lost the service of his said wife Therefore the said plaintiff has suffered loss and has damages to a value of 40 marks And therefore the said etc

[verso of the same]

and they came and seized then and there other goods and chattels of the said Thomas namely 4 marks in money and one cup to a value of 33s 4d one green coloured dress to a value of 7s 3d smocks to a value of 40d from the goods and chattels of the said Thomas and other things belonging to the same etc

[58] The document is a fragment of paper triangular in shape.

[59] See the last entry on fol. 13v and the first on fol. 14r.

fol. 18r

Summon jury [For licence to concord 3d box
Pledge of jury Stephen Brokast
He says that he does not owe because it had been arbitrated by Stephen Brocast and the party plaintiff says that it has not been [?] Therefore let there be an inquest[60]

F [John Shepeherd complains against Pasko Paroude concerning a plea of debt and of ~~detinue~~

[For licence to concord 3d box
Summon jury Pledge of jury Stephen Brokast

F [John Shepeherd complains against Paskow Parowde concerning a plea of detinue of goods and chattels

R Peter Wyn complains against Joan [blank] concerning a plea of trespass

For licence to concord

F Edward by the grace of God King of England and France and Lord of Ireland complains against Peter *de*[61] John Reymer and Galio Couteryn concerning a plea of debt

For licence to concord
The officer of the court responded that the said defendant has been attached by certain goods kept in the custody of the court

1 2 3 4 defaults
Appoints R Wright his attorney

F John Stiele of the parish of St Helens in the Isle of Wight complains against William Bocher concerning a plea of debt

fol. 18v

∴ For licence to concord 3d box

F [John Gough complains against [blank] Boucher concerning a plea of detinue

---

[60] Combining this with what lies below in the translation, we have: *et ?Ideo ~~detencionis~~ n* (with a loop around it) *quer'*. Nothing about this phrase is clear. *Ideo* is not clear, and the *n* with a loop around it is not one of the standard abbreviations. The translation assumes that *ideo n quer'* is part of the report of the pleading that lies above it, written around the struck-out *detencionis*. If we do that, then what follows *ideo* may be simply *inqueratur* (rectius *inquiratur*). As the next entry makes clear, the plaintiff brought a plea of detinue as a separate action.

[61] Something is clearly missing. The easiest thing to assume is that the clerk forgot to include a toponym and that there were three defendants. It is unlikely that 'servant' is the missing word, because the normal way of indicating a servant is by the proper form of *serviens* followed by the accusative (or even the genitive). The only argument against positing three defendants is the form of the name *Galio*, which looks as if it is governed by *de*. This is the only place, however, where that name appears in our registers, and it is quite possible that the clerk did not try to turn it into Latin. Compare 'Galiate Salvago', SC7/1/3 fol. 2r.

10 talesmen

Summon jury — Pledge of jury prison Thomas Holman

Defendant denies

Appoints Richard Wright his attorney — Appoints G Shilvyng his attorney

F John Spryng complains against Richard Bourer *dyer* concerning a plea of debt upon demand of 73s 4d for [blank]

Pledge of jury William Bedill

Summon jury

The officer of the court amerced because he does not have John Vandirson whom he arrested 3d 6d

Appoints R Wright his attorney

G Tilman Scluter complains against John Vanderson concerning a plea of debt

For licence to concord 3d box

R Edward by the grace of God King of England and France and Lord of Ireland complains against George Acarde concerning a plea of debt upon demand of 8s

[Void] here because in Common Court

G Thomas Braynwode complains against Thomas Marmory concerning a plea of trespass

[recto of document inserted between fols. 18v and 19r]

[62] *That presentacion made prysyd the guddys of Joh[ann]is Tanner of London A clothe of xxv[ti] yerdys of lyght blew the valewe of — xxx[ti] vi s xii id. Item for xiiii dosens of calfeskinnys And viii skynnys p'ce of a dosene— ii s & vi d.* [63]*Summa iii li' xiii s iiii d*

[verso of the same]

lxxi s v d.[64] For Marener ~~of outgoings and expenses xiid~~ ^and for damages — xii d^ — vi s & j d

For necessary expenses — v s j d and for damages — xiid

fol. 19r

1 2 3 4 defaults

The officer of the court responded that the said defendant has been attached by 1 blue-coloured broadcloth 12 dozen calfskins

Appraisers Massias Salmon John Smyth *Taillour*

F John Maryner complains against John Tanner of London concerning a

---

[62] This appraisal is almost certianly related to *Maryner* v. *Tanner*, fol. 19r.

[63] The following is centred at the bottom of the document.

[64] In margin between the two entries. The amount is far more than the total of items listed, but it is a bit less than the amount of debt claimed in the first entry on fol. 19r plus the items listed.

plea of debt upon demand of 65s 4d on the grounds that the aforesaid plaintiff did on the 4th day of December in the 15th year of the reign of King Edward IV here at Southampton lend from a loan to the aforesaid defendant so much money withheld to damages of 40s

For licence to concord 3d box

W [Nicholas Boucher complains against [blank] *Galyman* concerning a plea of trespass

Jacob For licence to concord 3d box

R [Jacomyn *Dochwoman* complains against William Symon concerning a plea of trespass

For licence to concord 3d box

F [John Forest complains against John Bore concerning a plea of debt

[void] because it follows
Appoints R Wright his attorney
~~Joan de Donao Venetian Balastrere[65] of the galley Bembo complains against John Everard and Nicholas Couper concerning a plea of debt upon demand of 23 crowns as appears by a bill~~

Void here because in Common Court
The officer of the court responded that the said defendant has been attached and mainprised by William Everard and because he does not have him therefore he is amerced 3d
Appoints R Wright his attorney

F ~~John de Donato Venetian Balastrarius[66] of a Venetian galley Bembowe complains against John Eberard otherwise Everard and Nicholas Couper concerning a plea of debt upon demand of 23 crowns~~

fol. 19v

Summon jury Pledge of jury prison
For licence to concord 3d box

G [~~Renald~~ ^Richard^ Walles complains against John ~~Bare~~ Bramhar concerning a plea of trespass

For licence to concord 3d box

F [Phillip Sawer complains against John Joy otherwise Campyon concerning a plea of covenant broken

~~John William merchant complains against Richard Thompson and Elizabeth Clerke lately wife of Walter Clerke and executrix of the testament of John Gille concerning a plea of debt~~

---

[65] *Balastrere*, in the next entry *Balastrarius*, means 'crossbowman' in Italian and Latin respectively.
[66] See n. 65.

For licence to concord 3d box

F [Thomas Dun complains against William Undrewode concerning a plea of trespass

R Robert Haselden complains against William Fuller *Bucher* concerning a plea of debt

~~Thomas Braynwode complains against Robert~~

fol. 20r

Richard ~~Watkyns~~ ^Wattes^ *Barbor* complains against Peter Howsear concerning a plea of trespass

~~Elias Lot[o]n] complains against~~

R Robert Wellyngham complains against Roger Smyth concerning a plea of debt

For licence to concord 3d box

G Richard Moresby complains against John Gorewey *carter* concerning a plea of debt

R John Walker complains against John Hymb'ton concerning a plea of trespass

Adjourned from the 24th day of June in the present year until the 8th day then following

F John Gryme complains against Nicholas Smyth concerning a plea of debt

fol. 20v

For licence to concord 3d box

Summon jury

Pledge of jury Thomas Braynwode

The officer of the court responded that the said defendant has been attached and mainprised by Thomas Braynwode and because he does not have him therefore he is amerced 3d

F [Thomas Venycian complains against Petronilla de Flandr' concerning a plea of trespass

For licence to concord 3d box

Appoints G S his attorney

G Thomas Colvill complains against John ~~Peysey~~ ^Pexsey^ of ~~Coventr'~~ ^Taunton^ concerning a plea of debt

For licence to concord 3d box

F [Thomas Venician complains against Elizabeth de Flaundres concerning a plea of trespass against the form of the Statute on the grounds that the same Thomas did on the feast of Easter last past agree with the said Elizabeth that she should stay with him from the said feast until the feast of Easter then next following The said Elizabeth left his service on the said 24th day of June without reasonable cause

W damages 100s

Defendant acknowledges the retention[67]

Nicholas de Druest complains against George de Druest concerning a plea of detinue namely of a sea-cape part of a [?]load[68] delivered to him here etc withheld to the plaintiff's damages The defendant came into court and acknowledged the detinue of the same cape It has been decided by the court that the party plaintiff should recover the said cape etc

Summon jury Pledge of jury prison

Appoints Richard Wright his attorney

John Grose complains against George Druest *Galyman* concerning a plea of debt upon demand The defendant came into court and acknowledged 7s 8d and as for the rest he denies it Therefore to jury

Void here because in Common Court

F James Crosse complains against William Carrow concerning a plea of trespass

The officer of the court responded that the said defendant has been attached and mainprised by Peter Karvannell & Ralph Calton and because he does not have him therefore he is amerced 3d

Appoints Richard Wright his attorney

F R Henry Edward otherwise called Taillio[r'] of the town of Southampton *maryn[er]* complains against Peter A Clyff merchant concerning a plea of debt

Adjourned from the 14th day of July in the present year to the feast of the Assumption of Blessed Mary the Virgin[69] at the same stage as now by pledge abovesaid

fol. 21r

The officer of the court responded that the said defendant has been attached by 10 horses received into the hands of the court

For licence to concord 3d box

Appoints R Wright his attorney

G Oliver Sherd complains against John Poyse ^of Taunton *Fuller*^ concerning a plea of debt

R ~~Thomas Braynwode complains against John Shorte concerning a plea of debt~~

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[67] These notes are in the margin for the previous entry, but they clearly belong here.

[68] The initial letter is unclear. It could be *d*, *v*, or *b*, followed by *attm'*. The translation assumes that it is an ungrammatical form of *battum*, French *bât*, English 'bat', derived from Late Latin *bastum* meaning a pack-saddle.

[69] 15 August.

Summon jury Pledge of jury prison

R John Grose complains against Peter Druest concerning a plea of debt upon demand of £3 12s on the grounds that the same Peter on the 5th day of February in the 15th year of the reign of King Edward IV became a pledge ^for 3s 4d^ for Maryn Teder John le Vete Dominic Malet Nicholas and old Nicholas Dimitre and 11s for himself The defendant came into court on the 1st day of July in the 16th year of the reign of King Edward IV and acknowledged the £3 3s 4d and as for the rest

Judgment he denies it Therefore to jury It has been decided by the court that the party plaintiff should recover the sum thus acknowledged and for costs outgoings and expenses 4s 2d

For licence to concord 3d box

W [Thomas Waymouth complains against William Petite concerning a plea of trespass

Summon jury Pledge of jury prison

Appoints R W his attorney

R John Elryngton esquire Grand Butler of the Lord King in England complains against Matthew Fabour concerning a plea of debt upon demand of £9 10s from a lawful account between Robert Bagworth deputy of the said John and the aforesaid defendant here at Southampton on the 4th day of February in the 15th year of the reign of King Edward IV ^concerning various sums for wines to the officers of the port^ and when all accounts had been completed and all allowances made the said defendant was found in arrears to the said plaintiff of a certain

Judgment sum The defendant came into court on the 1st day of July in the present year and acknowledged £8 10s and as for the rest he denies it

fol. 21v

Issues 3d 4d 6d For licence to concord

Appoints R Wright his attorney

F Thomas Avan complains against Peter Renowde concerning a plea of trespass

W Haruald Comn' complains against George Aquart concerning a plea of debt

Appoints J Gogh & R Wright his attorneys For licence to concord 3d box

F William Skynner complains against William Cokeram concerning a plea of debt upon demand of 18s 4d for sheep and other cattle and victuals bought from him on the 1st day of July in the present year withheld to the plaintiff's damages of 10s

1 2 3 4 defaults ~~The officer of the court responded that the said~~

~~defendant has been attached by 1 broadcloth of white colour 2 dozen broad blankets 2 yards *mustredevilers*[70] & 2 yards *sadblewe*[71]~~

Appoints W Lathum his attorney

F Edward by the grace of God King of England and France and Lord of Ireland complains against John de la Toure in Brittany concerning a plea of debt

Appraisers John Williams and William Harries

1 2 3 4 defaults

The officer of the court responded that the said defendant has been attached by 1 broadcloth of white colour 2 dozen large blankets 2 yards *mustredevilers* & a yard *sadblewe*

Nothing has been done

Appoints W Lathum his attorney

F Edward by the grace of God King of England and France and Lord of Ireland complains against Nicholas Phillipp concerning a plea of debt upon demand of £5 18s 8d

fol. 22r

For licence to concord 3d box

F [John Hoblaw complains against William Stone concerning a plea of debt

Summon jury

Pledge of jury James Petreson

R Thomas Braynwode complains against John Shorte and Alice his wife concerning a plea of debt

Summon jury

Pledge of jury ~~prison~~ Robert White

F Vincent Pitlesden complains against Roger A Bowe concerning a plea of debt

For licence to concord 3d box

Adjourned from the 9th day of July until a week's time at the parties' request by pledge below written

and because he does not have him he is amerced 3d

The officer of the court responded that the said defendant has been attached and mainprised by John Potter ~~and because he does not have him he is amerced 3d~~

F [John Pesson complains against Thomas Hopkyn concerning a plea of debt

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[70] See n. 55.

[71] Cf. O.E.D. s.v. *blue*, adj. 1*f*: 'Lectum de worstede de light blewe et sadde blewe' (1415). 'Blue', at least later, was a defining quality of a grade of wool. *Id.* 1*g*.

Adjourned from the last day of July in the present year until St Lawrence's day[72] next by pledge

G William Hill Baker complains against John [blank] servant of the same William concerning a plea of trespass against the form of the statute

For licence to concord 3d box

F [Peter Jacobisson complains against Henry Berebruer servant of the same Peter concerning a plea of trespass against the form of the statute fol. 22v

For licence to concord

G John Odey otherwise Saser complains against John Glyn concerning a plea of trespass

For licence to concord

Adjourned from the 9th day of July until the arrival of John Baker below written

F John Baker complains against John Millener concerning a plea of trespass

The officer of the court responded that the said defendant has been attached and mainprised by Richard Abowe [and because he does not have him therefore he is amerced] 3d

F Robert Hill complains against Christopher Dake concerning a plea of debt

in Common Court

F ~~Richard Reynalde lockear complains against John Bone concerning a plea of detinue~~

For licence to concord 3d box
in prison

F [Franke Tyrrell complains against Robert servant of the same Franke concerning a plea of trespass against the form of the statute

W Thomas Waymouth complains against William Petite concerning a plea of trespass

fol. 23r

For licence to concord 3d box

F [Richard More complains against William Pratt concerning a plea of covenant broken

Not prosecuted 3d box

F John Hall complains against Katherine John A Bristowe concerning a plea of trespass

~~John Osmand complains against W~~

F ~~William Bedell complains against John Osmond concerning a plea of detinue~~

[72] 10 August.

For licence to concord

R William Pratte complains against Pernand de Burdeux[Bordeaux] concerning a plea of debt

For licence to concord 3d

The officer of the court responded that the said defendant has been attached and mainprised by Lewis Spynell and because he does not have him therefore he is amerced 3d

F ⌈ Manaton de Larte complains against Jerome Spynell [blank] ⌊ concerning a plea of debt

fol. 23v

For licence to concord 3d box

F ⌈ Walter William complains against [blank] *Doucheman* in a plea [of ⌊ [blank]]

Richard Wryght complains against Sir William [blank] of the parish of St Lawrence chaplain concerning a plea of trespass

For licence to concord 3d

[Blank] ⌈ Jerome Spynell complains against Pernand de Burdeux ⌊ concerning a plea of debt

For licence to concord

Pledge of jury prison

The officer of the court responded that the said defendant ~~has been attached~~ ^and mainprised by John Marnell^ and

Summon jury because he does not have him therefore he is amerced 3d

∴

F ⌈ Richard Smyth complains against Stephen Dryver

Damages 100 marks ⌊ concerning a plea of account

R Memorandum that Elizabeth ^Dewey^ servant of Richard Day of Southampton appeared ^in the court there^ before Lewis Eynes bailiff of the court there on the 26th day of July in the 16th year of the reign of King Edward IV and because no complaint or matter against the same had been entered in court there in the roll of the court nor shown in the court of the same town therefore [after] there had been a proclamation about this by the court crier and because no one wanted

Amercement 3d box to show any matter against her in the court there therefore she was dismissed from the said court by pledge 3d[73]

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[73] The formal dismissals of defendants are curious documents. There are only seven of them (eight if we count the one that is deleted in SC7/1/9). See Subject Index s.v. *dismissal, formal.* There are four such entries in SC7/1/6, two in SC7/1/8, and two (one deleted) in SC7/1/9. Except for the two given here, all of the entries suggest that a plaintiff had had a defendant attached and then had failed to prosecute the case. In this entry and in the one immediately below it, no plaintiff is mentioned. It is hard to imagine, however, that there was not such a plaintiff, or that there were

William Dey *Miln[er]* similarly appeared before the bailiffs
Amercement in the court there and because no etc therefore the same was
3d box dismissed from the court 3d

fol. 24ar

For licence to concord 3d box

That plea adjourned at its present stage from the ninth hour before noon on the penultimate day of June until the 2nd day of August at the ninth hour before noon at which day and hour the party defendant [is] to appear

Appoints Richard Wright his attorney

F Richard Marchall citizen and *Hab[er]dassher* of London complains against Richard Forthey esquire ^Appoints [blank] his attorney^ late of the city of Worcester concerning a plea of debt

Amercement Andrew [blank] complains against Oliver [blank]

Summon jury Pledge of jury Walter Danyell

G Richard Wryght complains against Sir William [blank] chaplain of St Lawrence concerning a plea of trespass[74]

By pledge of the defendant

~~Oliver Sherd citizen and merchant of the town of Winchester [complains against] John Beachamp~~

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not rumours of such a plaintiff. In this entry and the following one we have to wonder why the moving party was charged a fee (called an amercement in the margin), for which in this entry she apparently stood as pledge. But we might imagine that this was the fee, which is not large, for a considerable amount of process. A fee (called an amercement in the entry itself) is also charged in SC7/1/6 fol. 10r, but in that case the reason for the dismissal was that the plaintiff acknowledged that he was satisfied, an indication that there was something about which he needed to be satisfied. That a fee is also charged the defendant in one of the entries on SC7/1/9 fol. 67r tends to confirm the notion that this fee is for the entry of the judgment of dismissal. Except for the two entries in SC7/1/9, all of these entries are in the Piepowder Court. It may be that the more informal procedures of the Piepowder Court led to situations in which the wrong defendant got attached.

P.T. suggests that the way that the court dealt with the appearance and subsequent dismissal of the individuals concerned here is similar to the way that commissions of gaol delivery dealt with people arrested and imprisoned on suspicion by officials, where in the absence of any prosecution by the official/plaintiff the proclamation allowed others who might know of some offence to say so. Putting the individuals under pledge, even if nobody complained against them, would also make sense if this is a similar procedure. The advantage for the individual was that it offered at least a qualified dismissal – not quite *sine die*, but almost. The later instance of John Walton's dismissal, SC7/1/8 fol. 3v, would then be an example of what happened if someone was attached by an official on a third party's complaint, if the third party failed to prosecute.

Which of the two views that we take depends, to some extent, on whether the pledge in this case was a general one for good behaviour or more specific to the amercement. With a record as cryptic as this one, it is hard to tell.

[74] At this point there is a prominent water mark in the form of a horned bull.

Nothing has been done

John Bechamp complains against Oliver Sherd of Winchester concerning a plea of debt

Adjourned from the 5th day of August in the present year from the ninth hour before noon until the sixth day of the same month at the ninth hour of the same day at the parties' request at the same stage as at present

Appoints David White & Thomas Elicombe his attorneys jointly and severally

The officer of the court responded that the said defendant has been attached 3d mainprised by John Dun and because he does not have him

F Peter Martyn ^of Portsmouth *M[er]chaunt*^[75] complains against Peter Champyan of Romsey concerning a plea of debt upon demand of 42 *Skutes* by his bond

fol. 24av

G Richard Alcok complains against John Miryman concerning a plea of trespass

Not prosecuted 3d box

R [John Mersshe complains against Thomas Pole concerning a plea of trespass

Appoints R Wright his attorney 1 2 3 4 defaults

R Richard Abowe of Southampton complains against Andrew Bakere of a ship called Galley[76] of London concerning a plea of debt

Peter Barvanell complains against Roger Payn concerning a plea of trespass

He has died

Summon jury Pledge of jury Thomas William

Appoints R Wright his attorney

R [John Barnard and Agnes his wife complain against John ^Elleygram^ servant of Thomas William *Sherman* concerning a plea of trespass

The beadle of East Street and Bag Row presents that Francis Tirell did unlawfully and against the king's peace on the 6th day of August in the 16th year of the reign of King Edward IV assault John White with [blank]

[recto of inserted document] fol. 24br[77]

Know everyone by these presents that I Richard Pollyngton of Newbury in the county of Berkshire *Clothier* am bound & firmly obligated to Thomas Braynewode of the town of Southampton burgess & *pewterer* in £14 8s

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[75] Placed above the line without the usual carat, but it does not seem to go anyplace else.

[76] Probably the ship was not called 'Galley' but was a galley, the name of which the clerk omitted or possibly was called 'Galley of London'.

[77] 32 x 4.5cm, a copy of a bond. It is not foliated but the fact that the preceding folio is numbered 24a suggests that this is the foliation intended.

sterling to be paid to the same Thomas his heirs or executors at the feast of Christmas next after the present date to make which payment well and faithfully I bind me and my heirs and executors by these presents sealed by my seal Given the 21st day of July in the 16th year of the reign of King Edward IV after the conquest of England

[verso of inserted document] fol. 24bv[78]

[French] This shows you Richard Smyth in his own person who is here that Stephen Tarry in his own person who is there wrongfully did not render him account for the time that he was Receiver of those sums And wrongly in that the aforesaid Richard Smyth on the 4th day of March the 39th year of the reign of Henry at that time King of England here at the town of Southampton committed ^into the control and administration^ to [*sic*] the aforesaid Stephyn three parts of 1 Balinger[79] together with the Cables and anchors and other gear appertaining to the said Balinger Rendering reasonable account to the aforesaid Plaintiff for all the gain Revenue and other profits of the aforesaid three parts of the same Balinger at all times as he was required And often a [?]servant[80] on the part of the said plaintiff came to the said defendant and required him to render him reasonable account on this [but] he did not wish nor still wishes to render to him the said account refuses wrongly and to the damage of the same plaintiff of 100 marks If the said defendant etc

fol. 25ar

For licence to concord 3d box
The officer of the court responded that the said defendant has been attached and mainprised by Peter Russell and because he does not have him therefore he is amerced 3d

F [William Gunter complains against Maragone [blank] of the Galley
[London concerning a plea of debt

For licence to concord 3d box
The officer of the court responded that the said defendant has been attached and mainprised by Peter Russell and because he does not have him therefore he is amerced 3d

F [William Surmond complains against Maragone [blank] of the Galley
[London concerning a plea of debt

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[78] The original is in French, translated by P.T. This appears to be the actual bill presented to the Piepowder Court. The fact that it is in French is interesting at this late date. The latest surviving French petitions in London date from the 1440s..

[79] *Balinger*. 'A small and light sea-going vessel, apparently a kind of sloop, much used in the 15th and 16th centuries'. O.E.D. s.v.

[80] Most of this sentence is common form and can be reconstructed, despite the faded and sloppy writing, from Milsom, *Novae Narrationes*, entries gathered in index s.v. *account*. Three words are not common form and are not easy to interpret: *se' de p'*. Without much confidence, we have read *ser[vant] de parte* and translated as above.

Summon jury 10 talesmen Pledge of jury ^John Avan John Knoll'^ prison

G [Walter James complains against Humphrey Knolles ^of Chichester^ *yoman* concerning a plea of debt

F Christopher Ambrose complains against Thomas Cock of Romsey concerning a plea of debt

R Peter Carbanell complains against Matthew [blank] concerning a plea of [blank]

fol. 25av

For licence to concord

G John William complains against William Cote *laborarre* in a plea upon the Statute of Labourers[81]

Adjourned from the 18th day of August in the present year until [blank]

∴ Appoints R Wright his attorney

The officer of the court responded that the said defendant has been attached and because he does not have him therefore he is amerced 3d 6d

~~1 default [imposed] on John Roper because he has not been found etc~~

R [William Salmon of [blank] complains against Andrew Balaster concerning a plea of debt upon demand of 10s 2d

Adjourned from the 18th day of August

∴ Not prosecuted

R Thomas Payn complains against Thomas ^Hiland^ his servant concerning a plea of trespass

For licence to concord 3d box
Pledge of jury Vincent Tehy

Summon jury

R [John Swanne complains against John Pen of Weston concerning a plea of deceit

R Thomas Avan complains against Paul servant of the same Thomas concerning a plea of debt

R Richard Corker complains against Richard [blank] *maryn[er]* concerning a plea of trespass

[recto of inserted document] fol. 25br

[French:][82] This shows you Pascual Perawte in his own person that is here that Rodigo de la Kete in his own person who is there wrongfully

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[81] Probably the statute of 23 Henry VI c. 12 (1445) (see SC7/1/3, n. 27). This is the first specific reference to the statute; the others have been the vaguer 'against the statute'.

[82] See n. 78. In this case the French bill, once more translated by P.T., is followed immediately by the Latin entry. The ends of the lines are damaged, and conjectural readings are placed in square brackets. Where something is clearly missing, but no conjecture came to mind, we placed an ellipsis in square brackets. The verso is blank.

did not keep the agreement [made between them] that whereas it was ordained by our Lord the King and his council that it is not allowed to any Stranger of whatever degree or condition he might be coming to any port within his [Realm] & [?]wines of whatever country they are derived outside his Realm shall discharge the aforesaid wines within those ports aforesaid without his speci[al licence] on pain of forfeiture of the wines aforesaid the aforesaid Rodigo on the 24th day of November the 15th year of our Lord the King who now is here at the town of Southampton [. . .] with the said Pascuall in the manner and form following that is to say that the said Pascuall within 2 weeks after the making of the said agreement between them should deliver to the aforesaid Ro[digo at the] town of Southampton aforesaid a licence under the seal of our said Lord the King for the discharge of two Ships[83] laden with various wines of the parts of [?]G[ascoigne] and Guyenne deriving at that time being within the Port of the town of Southampton aforesaid taking for his labour 5 tuns of the best wines within [. . .] aforesaid Ships at that time being or the true value and price of the aforesaid 5 tuns according to the price of each tun of 6 marks [?]within [*demys*] which 15 [. . .] [wi]nes for a period of 10 days the aforesaid Pascuall was ready to deliver the said licence here at the town of Southampton to the aforesaid Rodigo and offered to him according to [. . .] and form and manner of the agreement aforesaid the which licence the said Rodigo refused and still refuses and thus breaks his agreement by which [. . .] the [?]same Pascuall ^said that^ wrongly and to his damage of 15 marks If the said defendant wishes to deny this you have the plaintiff's mainprise that he intends to summon his suit [. . .]

[Latin:][84] Pascal Parawte complains against Redigo de le Kete concerning a plea of covenant broken on the grounds that the aforesaid Redigo on the 24th day of November in the 15th year of the reign of the present king at the town [of Southampton] had come together with the aforesaid Pascal to purchase for themselves a certain licence under the seal of the Lord King for unloading 2 ships with various wines remaining from the parts of [?]G[ascoigne . . .] and Guyenne being in the port of the town aforesaid taking for his work 5 tuns from the better wines in the said 2 ships being then ^and there^ [in the port . . .] or the true value or price of the said 5 tuns of wine [?]according to a[85] price of 6 marks Which licence the aforesaid Pascal was prepared to deliver within 10 days [after] the completion of the aforesaid agreement to the aforesaid Redigo in the town but

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[83] Reading *Neffez*. In both places where it occurs the upper-case *N* is curiously formed, and one could almost read *sneffez*, but the translations confirm what is intended.

[84] Like the French this document is torn at the edge.

[85] ?*secundum* – this would seem to correspond to *selonque* in the French.

the aforesaid Redigo refused receipt of the aforesaid licence and still refuses etc Wherefore he says etc to damages of 40s And wherefore etc

fol. 26r

Appoints Damian de la Poise his attorney

Allowise Ferre *Galear* of a certain galley of Venice called Fustareyn complains against Thomas Hall of Southampton in England concerning a plea of debt upon demand of £4 13s 4d

F John Estfeld complains against Richard Coke concerning a plea of debt

For licence to concord 3d box

W [Richard Watkyns *Barbor* complains against Alice Bowear concerning a plea of debt upon demand of 5s 7d

W John White complains against [blank]

Nothing has been done

Appoints Gilbert Godefelowe his attorney

G Robert Rowe esquire complains against Roger Kelsale valet of the Crown to the Lord King concerning a plea of debt

fol. 26v

For licence to concord

Summon jury Pledge of jury Vincent Pitlesden

W Thomas Kensale complains against Lawrence Bisson concerning a plea of trespass upon the Statute of Labourers

John William *merchaunt* Walter Feteplace

Pledge of jury prison

Summon jury 10 talesmen Pledge of jury Damian de la Poise

Appoints Richard Wright his attorney

R Thomas Venician complains against ~~Margaret~~ Thomas Coricure and Margaret his wife concerning a plea of trespass

Vincent Pitlesden esquire complains against [blank]

The officer of the court responded that the said defendant has been attached and mainprised by William Saundres and because he does not have him therefore he is amerced 3d 6d 12d 2s therefore etc

Appoints G Shilvyng his attorney

F Thomas Walsh otherwise Touker complains against John Miryman concerning a plea of debt

fol. 27r

For licence to concord 3d box

Summon jury Pledge of jury prison

Appoints Richard Wright his attorney

F [Robert Blewett complains against Nicholas de Johan a galleyman concerning a plea of trespass The defendant denies it

For licence to concord 3d box

R [Andreas de Johanne complains against ~~*Sir Lewes*~~ ^Sir Lewis^ Degremande concerning a plea of [blank]

F John ~~Langton~~ ^White^ complains against John Langton concerning a plea of covenant broken

Nothing has been done

W John Hall complains against John ~~Mirryman~~A Bristowe otherwise Obley concerning a plea of trespass

For licence to concord and for 1 default 6d

The officer of the court responded that the said defendant has been attached and mainprised by Walter Craddock and because he does not have him therefore he is amerced 3d

R [James Mares complains against Walter Yorle ^*Maryn[er]*^ concerning a plea of debt

fol. 27v

For licence to concord 3d box

W [John William *Marchaunt* complains against Thomas Dier concerning a plea of debt

For licence to concord 3d box

F [Robert Blewett complains against [blank] ~~Parker *bocher*~~ Thomas Laurance and Walter Foster concerning a plea of trespass

~~For licence to concord~~

F Robert Blewett complains against John Parker *bocher* concerning a plea of trespass

For licence to concord 3d box

F [Arnald Hamond *Bocher* complains against John Parker concerning a plea of trespass

For licence to concord 3d box

F [The same Arnald complains against Thomas Laurance and William Foster concerning a plea of trespass

The officer of the court responded that the said defendant has been attached and because he does not have him therefore he is amerced 3d

1 2 defaults for 2 defaults and for licence to concord 6d 12d

R [Thomas Venician complains against Prefidentius [blank] chaplain of the galley Couteryn concerning a plea of trespass

fol. 28r

Summon jury Pledge of jury prison

W William Crakeland complains against William Assheley concerning a plea of trespass

Summon jury Pledge of jury Damian de Poise

F Andras de Tothre complains against ~~George de~~ Nodale ^de George^ concerning a plea of trespass [*sic*] debt upon demand of 13 ducats for service performed by him from the 1st day of August in the 15th year of the reign of the present king until the last day of the same month of August in the 16th year of the same lord king withheld to damages of 40s ^1 ducat^

Nothing has been done

R Nodale de George complains against Andreas de Tothre in a plea upon the statute

R Lewes Sebeni Sebeno[86] complains against [blank] concerning a plea of debt

fol. 28v

For licence to concord 3d box

G [John Bromer complains against Cataino [blank] concerning a plea of debt upon demand

Summon jury Pledge of jury prison & for Common Court David White

G ~~William Clerke complains against John [blank] concerning a plea of trespass~~

~~For licence to concord 3d box~~ [?]only[87]

~~Pledge of jury and for Common Court~~

Summon jury For licence to concord 3d box

F [Peter Lawrance *Baker* complains against Walter Touker servant of [blank] Thorn concerning a plea of trespass

Not prosecuted 3d box

F [Walter Touker complains against John Baker servant of Peter Lawerance concerning a plea of trespass

John White *Gentelman* complains against John de Salesbury in a plea of covenant broken

[88] [?]~~Laurence~~ [?]~~Fantom and Bernard Venesey [complain] against Peter de Galey~~

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[86] There is no modern Italian surname like this. Considering, however, how common the phrase *se bene* is in Italian (e.g., *se va bene, se bene ricordo*), one has to wonder if Ludovico was having fun with the clerk or the clerk with Ludovico.

[87] *tan'* for ?*tantum*.

[88] This entry is at the bottom of the page, a considerable distance from the previous entry, and the ink is faded.

PIEPOWDER COURT RECORD, SC 7/1/5(B), 8 FEBRUARY AND 7 OCTOBER 1476

That this single folio of entries records a session of the Piepowder Court on Monday, 7 October, 1476, is indicated by the heading that appears at the top of the recto, the only full heading that we have for a Piepowder Court record.[1] Nothing in the entries that follow suggests another court. An entry on the verso, however, records the appearance of the defendant on Thursday, 8 February 1476. The entries on the verso may thus be earlier than those on the recto, but it is possible that the case had been continued into Michaelmas term.

fol. 1r

Town of Southampton — Piepowder Court of the lord king held there on Monday next after the feast of St Michael the Archangel in the 16th year of the reign of the Lord King Edward IV[2] before Robert Bagworth mayor there and Lewis Eynes and William Spershotte bailiffs of the same town in the Guildhall of the aforesaid town

Summon Jury — Pledge of jury prison

F [Lewis de Vale complains against John Camyn of Romsey concerning a plea of detinue

Appoints G Shilvyng & W Hamond his attorneys — Nothing has been done

R [William Crocher complains against John Coly concerning a plea of debt upon demand of 30s for 4 kerseys sold to him

Summon jury — Pledge of jury John Warde

W [Robert Mill complains against John Eddon concerning a plea of trespass Defendant denies therefore to jury

fol. 1v

Pledge of jury Thomas Braynwode

Summon jury — The officer of the court responded that that the said defendant has been attached and mainprised by Benedict Spynell and because he does not have him therefore he is amerced ~~3d 6d 12d~~ in arrears [?] for a year[3]

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[1] A fragmentary heading of the Piepowder Court is found in SC7/1/6, fol. 16r.

[2] 16 Ed IV: 4 March 1476 – 3 March 1477. The Monday after 29 September (the feast of St Michael) was 7 October.

[3] 'in arrears for a year'. This phrase is tucked in below the specific amercements which are struck out. It does not occur elsewhere, so its meaning (and even its transcription) is unclear.

G Gregory Holmedge complains against Charles servant ^of Benedict

∴ Spynell^ concerning a plea of debt upon demand of 15s for wages for taking one horse from Southampton to London at various times and although etc but he withholds to damages of 20s The defendant came into court on the 8th day of February in the present 15th year[4] and acknowledged that he owed from the sum in demand 18d which he left in court and as for the rest he denies it Therefore to jury

G ~~William Dowerige complains against Robert [blank] concerning a plea of debt~~

Nothing has been done

F William Harres complains against Angel Caten concerning a plea of debt upon demand of 26s 8d

Nothing has been done

G William Hiwode complains against John Baker of Romsey concerning a plea of debt

Nothing has been done

F Vincent Pitlesden complains against John Colswayn and Agnes his wife in a plea of trespass

[4] 15 Ed IV: 4 March 1475 – 3 March 1476.

COMMON AND PIEPOWDER COURT RECORDS, SC 7/1/4, ?9 JUNE – 30 OCTOBER 1476

SC7/1/4 is a collection of nine loose folios with inserted documents. Though some, perhaps all, of the folios were at one time bound into quires, they are not now bound, and there is no reason to think that they were ever bound to each other. Hence, it is not surpising that they seem to contain entries of both the Common Court and the Piepowder Court.

Fol. 1r contains two headings of the Common Court, similar to those found in SC7/1/5a. The headings are dated on Tuesday, 18 June and 25 June, 1476. This is the only time that the year of grace is mentioned for an entry on the main folios. The only date of the events described in the pleadings that is inconsistent with the notion that these entries date from 1476 is a pleading in a trespass case that describes events alleged to have taken place in April of 1472. Normally trespass cases are brought quite soon after the alleged events. The entry, however, is in an attached document (C2), and there is no way of knowing how long it has been associated with the main folios.

Only one entry appears under the first heading. How many entries belong under the second heading is unclear. The entries, however, on both sides of fol. 1 record both essoins and the multiple taking of issues (*exitus*). As we noted in the introduction to SC7/1/5a, the former are never found in records that we know to be of the Piepowder Court, and the latter are rare.

On fol. 1v, however, a case is adjourned from 9 June 'of this year' until All Saints' (1 Nov). If 'this year' is 1476, 9 June was a Sunday, and that would suggest that this is a Piepowder Court entry.[1] On fol. 5r, judgment was given on 30 October, a Wednesday if the year is 1476 and, again, suggesting the Piepowder Court. On fol. 9r, the defendant, on 25 October, acknowledged that he owed a debt. 25 October was also a Friday in 1476. (Fol. 8r has a defendant appearing in October, without the day being mentioned, lending some further support to the notion that the entries on the last five folios date from the beginning of Michaelmas term.)

A garbled note on fol. 9v also supports the notion that we are dealing with a Piepowder Court entry. What it seems to say, leaving out what is struck through, is that the officer of the court reported that the defendant had been mainprised to the Common Court. Hence, presumably, he did not belong in this, the Piepowder Court.

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[1] It is possible that the clerk was thinking in terms of weeks rather than specific days, just as we say 'the week of 9 June' referring to the Sunday on which it begins. Similarly, we should not assume that the reference is to a session actually scheduled to take place on All Saints' (a Friday in 1476); it may be to the next session thereafter. Quite long adjournments from the day of session to a major feast are fairly common in Common Court records, and in no case is there reason to believe that the court met on the feast unless it was a Tuesday. References to the Sunday when referring to a week are less common. This may be the only example of it, if it is such.

That these folios contain both Piepowder and Common Court entries is given some additional support by the attached documents. Document A is an order to enforce a judgment, expressly said to be one of the Piepowder Court, and dated 20 May 1476. The judgment of the jury recorded in Document C1 is dated 14 November, a Thursday if this is 1476.[2]

fol. 1r

The officer of the court responded that the said defendant been attached and mainprised by John Dryghbrig and he does not have him therefore he is amerced 3d 6d 12d
He has nothing therefore arrest Note 2s

G Thomas Bache complains against George Akarde concerning a plea of debt upon demand of 42s

Town of Southampton — Common Court of our lord the king held there namely on Tuesday the 18th day of the month of June in the 16th year of the reign of King Edward IV[3] after the conquest of England before the mayor and bailiffs below written

Summoned Put by gage[4] He has nothing therefore arrest

G Elias Loton complains against Richard Marshall *Saddelar* concerning a plea of debt

Town of Southampton — Common Court of our lord the king held there on Tuesday next after feast of the Nativity of St John the Baptist namely the 25th day of the month of June in the 16th year of the reign of King Edward IV after the conquest of England before the mayor and bailiffs below written

Issues 2d Issues 2d Issues 2d
Appoints R Wright his attorney Attached

G John Rouland complains against Peter Carvanell *Gentilman* concerning a plea of trespass To this court came Peter Russell one of the constables of the lord king and David Rouland one of the beadles within the parish of Holy Rood of the town of Southampton and said that Peter Clyffe on a day in June in the 16th year of the reign of King Edward IV unlawfully and against the peace of the lord king made an assault on and drew blood from John Foorest with a stone

fol. 1v

Adjourned from the 9th day of June this year until the feast of All Saints next following

G John Dun complains against Henry Colyn concerning a plea of debt

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[2] Documents C1 and C2 are attached to each other, an attachment that may long antedate their presence among these folios. Since C2 deals with a trespass in 1472, there is even less reason than there is in the other cases to think that we are dealing with a document made in 1476. 14 November fell on a Tuesday in 1475.

[3] 4 March 1476 – 3 March 1477.

[4] See SC7/1/5a n. 22.

Issues 2d Issues 3d Summoned Essoin Distrained after essoin
Appoints R Wright his attorney

F Thomas Raynold complains against Richard Watkyns concerning a plea of debt

Summoned Essoin

F John Dun complains against John Gryme concerning a plea of debt upon demand of £6 10s

Note Issues 3d Issues 2d
Issues 3d Issues 2d
Issues 2d
Summoned Distrain after essoin

F William Henfrey complains against John Estfeld concerning a plea of debt

fol. 2r

1 default 2 defaults
3 defaults 4 defaults Appraisers { Geoffrey Mommbray / John Shropshire }

The officer of the court responded that the said defendant has been attached by a certain quantity of iron namely by [?] 6 *tun endez*[5] of iron

G John William merchant complains against John Goo Spaniard[6] [concerning a plea of] debt upon demand of £25 for a ship

For licence to concord 3d [paid into the] box

F [Ceva Catan and Geoffrey de Marynis merchants of Genoa complain against William Arbelet of Coventry *dier* concerning a plea of debt upon demand of £8 8s by his written bond

Let it stand[7] in prison

W Alice Bower common woman complains against Elizabeth Lorede concerning a plea of debt upon demand of 10s 7s 11d

For licence to concord 3d box

F [John White complains against [blank] *Galeman* concerning a plea of trespass

---

[5] *vj Tun endez*. Neither the unit nor the measurement is clear. *T* could be *C*, in which case we should be thinking of 604 'ends', but that seems even stranger. Perhaps this is what is left over after a 'tun' of iron has been measured out (compare modern 'bin-ends') or the iron with which a physical tun is secured.

[6] Since these pleas concern traders from outside Southampton it is likely that this is a Piepowder Court record. The folios are separate but now listed as SC7/1/4 and possibly do not belong together or are the clerk's notes to be written up separately for each court. See the introduction to this section.

[7] The entry was originally crossed through. This cancels the crossing through.

Albice Castilian commissary of a galley called Founteryn complains against Robert Cosyn concerning a plea of debt upon demand of £5 for [?]budge (*Bouge*)[8] sold to him

fol. 2v

R William Westbroke & Simon Longe complain against George Acarde of Southampton *merchaunt* concerning a plea of debt upon obligation in demand of 100 shillings

[documents inserted between fols. 2v and 3r, A recto]

Town of Southampton John Felder Sergeant-at-Mace and officer of the court there is ordered to collect 12s 4d & 6s 8d for damages outgoings & expenses taxed by the court from the goods and chattels of James Lokier lately servant of Adrian Lokier to the use of the said Adrian which the same Adrian recovered against the said James in the Piepowder Court And you will certify without delay what you shall have done in the foregoing at the next court there to be held together with this order Given in the court there on the 20th day of May in the 16th year[9] of the reign of King Edward IV after the conquest of England

[documents inserted between fols. 2v and 3r, A verso]

Amercement: The officer of the court responded that the said defendant has been attached

[documents inserted between fols. 2v and 3r, B recto]

Jury between Robert Cooper plaintiff and Oziam *Spaynard* defendant

- William Grey sworn
  Robert Bisshop
- Robert Hylde *barbor* sworn
- William London sworn
- Willam Osbourn sworn
- George Kokke sworn
- John Goodworth sworn
- Peter Humferfeld sworn
- Peter Johnson sworn

[8] *Bouge.* Though not recorded among the many spelling variants of 'budge', this seems more likely than any of the meanings of 'bouge'. Budge is lambskins with the wool dressed outwards. See O.E.D. s.vv. *bouge* and *budge*[1].

[9] 1476.

- Peter Jacobson[10] sworn
- William Symondes sworn
  Leonard Rooke

10 talesmen

- ^d^[11] Robert Haselden
  John Googh
  William Brown *sherman*
  Thomas Danyell
- ^d^[12] Richard Corker
- Adrian Lokier sworn
  Luke Brande
- Henry Beerbrewer sworn
  John Vanderson
- George Acquart

[documents inserted between fols. 2v and 3r, B verso]

The which jury say upon their oaths that the said defendant is guilty of trespass to damages with costs outgoings & expenses of 13s 4d namely for damages 10s & for costs outgoings & expenses 3s 4d and party defendant amerced 3d

[documents inserted between fols. 2v and 3r, C1 (sewn to C2)]

Jury between Elizabeth Clerke lately wife of Walter Clerke plaintiff and Corneleus Bawdwenson defendant

- Robert White sworn
- George Holmhegge sworn
- John Heckley[13] sworn
- Gabriel Howley sworn
  William Heckley *m[e]rcer*
- Reginald James
- William London sworn
- William Osborne
- John Joye sworn
- James Cowper sworn
- John Biede sworn

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[10] The name 'Jameyson' also occurs; 'Jacobson' is what is written.

[11] The meaning of the lower-case 'd' is uncertain, but it could mean 'default'. The names of these and others had been 'pricked' indicating 'chosen'. The two marked 'd' and George Acquart are picked but appear not to have been sworn.

[12] See n. 11.

[13] It seems likely that this is the same man who is called John Heckley 'senior' in SC7/1/9, fols. 61v and following.

- William Willye sworn

10 talesman

- Thomas Braynwode sworn
- John Estfeld sworn
- Walter Daniell
  John Gryme
  Richard Smyth
  George Cocke
  John Pryor
  Robert Haseldene
- Mace Salmon
- Denis Donell

14th day of November The which jury say upon their oaths that the said Cornelius is guilty of the aforesaid trespass and they assess the plaintiff's damages at 10s & for costs outgoings & expenses, 10s & the party defendant amerced for trespass aforesaid 3d

[documents inserted between fols. 2v and 3r, C2]

Elizabeth Clerk lately relict of Walter Clerk complains against Cornelius Bawdewynson concerning a plea of trespass on the grounds that whereas the same Elizabeth on the 4th day of the month of April in the 12th year of the reign of the lord king in a certain free tenement of hers in the town of Southampton situated on the High Street in the parish of Holy Rood of the aforesaid town had wished to seize chattels of the said Cornelius by way of distraint for rent and services owed to her as the same Elizabeth ^thus by way of distraint taken^ was well allowed so to do according to the law and custom of the kingdom of England and since the aforesaid Cornelius had wished to deprive the aforesaid Elizabeth of the aforesaid chattels he took away by force of arms namely with a cudgel and a knife ^on entering her tenement aforesaid made a rescue^ & abused, attacked & maltreated the aforesaid Elizabeth so that her life was despaired of ^and just as she was entitled to enter into her said tenement aforesaid the same Cornelius was in no way [entitled] to enter^ And other enormities etc against the peace etc Whence she says that she has suffered and has damages to a value of 20 marks And whereof she produces suit if etc

fol. 3r

Pledge of jury Thomas Braynwode
Summon jury

GL [14] John Sprynge *maryn[er]* complains against John Guale concerning a plea of trespass

[14] Large 'L' shaped bracket, meaning uncertain.

Summon jury Pledge of jury Prison

B ~~Christina Nymhithalfe complains against Richard Apperce concerning a plea of debt~~

~~Summon jury~~ ~~Pledge of jury prison~~

W John Gos and Joan his wife lately wife of Thomas Welles and executrix of the testament of the same Thomas complain against John Nele concerning a plea of debt

1 2 3 4 defaults The officer of the court responded that the defendant has been attached by certain goods

G John Baker Warden of the College of the Blessed Mary near Winchester clerk complains against Joan Frie lately wife of William Frie and administratrix of the goods and chattels of the same William who died intestate as it is said concerning a plea of debt

He has been distrained by affirmation of Peter Carbanell

Summon jury 10 talesmen Pledge of jury William Saundres

G ~~Robert Broune complains against Henry Gose concerning a plea of debt upon demand 26s 8d resulting from a certain compromise by Peter Carbanell and John Druett arbitrators between the parties aforesaid impartially chosen~~

fol. 3v

R Thomas Venician complains against Lewis [blank] concerning a plea of debt

G Thomas Avan complains against Thomas Dunnying otherwise Dun apothecary concerning a plea of debt

Summon jury Pledge of jury R Hilton John Gryme

G William Saundres complains against Nicholas Abron concerning a plea of debt upon demand

Not prosecuted 3d [paid into the] box

W William Martir complains against Leonard Roke ^Rowe^ concerning a plea of trespass[15]

[?] They previously accounted[16]

F William Abree otherwise Powterer complains against John Poyse of Taunton in the county of Somerset *touker*[17] concerning a plea of debt upon demand of £7 by one bond of which the date is [blank]

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[15] Below *trans* is something that may be a very faint word.

[16] *p'comp'*, probably *prius computaverunt*.

[17] *touker* or *tucker*– 'One whose occupation is the fulling and dressing of cloth; a fuller, a cloth finisher'. O.E.D. s.v. *tucker* n.[1], 1.

fol. 4r

[?] They previously accounted[18]

F ⌜ John William merchant complains against Thomas Raven concerning a plea of debt upon demand of £22 11d by a certain bond of which the date is [blank]
⌞

Nothing has been done

F ⌜ John Frampton complains against Master John Leche concerning a plea of deceit
⌞

Summon jury — For licence to concord 3d box
Defendant denies — Pledge of jury John William *merchaunt*

∴ F Richard Tiher complains against John Middleton concerning a plea of trespass on the grounds that he together with unknown people etc broke into and entered the close and house of the same Richard in Southampton

Distrain

F ⌜ John Walker complains against George Galyman and [blank] concerning a plea of trespass
⌞

1 2 3 4 defaults — The officer of the court responded that the said defendant has been attached by 1 feather bed

G ⌜ William Tele complains against Thomas Bekenell concerning a plea of debt
⌞

fol. 4v

Nothing has been done

G Henry Massay complains against William Bek concerning a plea of debt

1 default 2 3 4 — The officer of the court responded that the said defendant has been attached by 1 girdle of red silk

G ⌜ John Dun complains against John Rothorn concerning a plea of debt upon demand of 20s
⌞

1 default 2 3 4 — The officer of the court responded that the said defendant has been attached by 1 last[19] of herrings

Appoints GS his attorney

G Robert Broune complains against John Laurence concerning a plea of debt upon demand of £3 for 2 kerseys of russet colour price the kersey 20s sold to him here and delivered on the 18th day of March in the 14th year of the reign of the Lord King Edward IV etc and although etc but he detains etc to the plaintiff's damages of 13s 4d

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[18] See n. 16.

[19] A last is usually 12 barrels of herrings.

Distrain

G Robert Prynce complains against Lawrence Dale concerning a plea of debt

Summon jury Pledge of jury Prison
Appoints GS his attorney 10 talesmen

∴ F John William otherwise called John William *merchaunt* complains against Damian de Podio of Southampton concerning a plea of detinue The defendant denies therefore to jury

fol. 5r

Nothing has been done

F John Couper otherwise Lovell complains against David Rouland otherwise Couper concerning a plea of debt

in prison

G Thomas Elcombe complains against Francis Salverley concerning a plea of debt

For licence to concord 3d box

F John Turbelvile hospitaller brother of St John of Jerusalem [in] England complains against John de Ursina concerning a plea of covenant broken

For licence to concord 3d box

G William Eynys complains against Francis Tirelles concerning a plea of debt

For licence to concord 3d box
Summon jury Pledge of jury Richard Foloer

F Thomas Nottis complains against Thomas Carpentar concerning a plea of trespass

Summon jury
Pledge of jury W Smyth
Appoints Richard Pere & GS his attorneys jointly and severally

F Thomas Robys Prior of St Denys next the town of Southampton complains against William Hamond concerning a plea of debt 30s

Judgment given on the penultimate day of October

fol. 5v

Distrain Appoints GS his attorney For licence to concord 3d box

G Baptist Bigall complains against Lopes de Bigara concerning a plea of debt upon demand of £15

Nothing has been done

F Nicholas Coke deputy of John Quydhampton Warden of the gaol of the lord king at Winchester complains against Mary Maneres *Sengilwoman* concerning a plea of debt

For licence to concord
Nothing has been done

G John Dun complains against William Briten of the City of London *Wolpacker* concerning a plea of debt

Summon jury Pledge of jury William Tall

R Thomas Dun complains against William Porter concerning a plea of debt upon demand namely 1 cloak price 6s and a linen hanging price 6d The defendant came to court and acknowledged detinue of the said cloak to a value of 8d and 1 hanging price 4d and denies detaining more[20] The party plaintiff comes ~~and claims that~~ and detains from him the said goods to the value which he previously declared etc

fol. 6r

Delivered[21] by [writ of] protection of our lord the king

W Thomas Englisse complains against Gabriel Laurence concerning a plea of debt upon demand of 8 marks 3s 4d

For licence to concord and for 4 defaults 15d box
She has been attached by 1
Appoints W Lathum his attorney anvil price 14s 8d

F Edward by the grace of God King of England France and Lord of Ireland complains against Joan Frie administratrix of the goods and chattels of William Frie who died intestate as it is said concerning a plea of detinue concerning a plea of debt [*sic*]

1 default Attached by mainprise of Peter Hamlyn 3d

F Leonard Roke complains against Cornelius Clarke concerning a plea of debt

Adjourned until the return of the galleys
For licence to concord
Summon jury Pledge of jury Thomas Braynwode

W William Pipe complains against Joan Tullock and Edith Yong concerning a plea of trespass

Summon jury
Appoints G S her attorney 10 talesmen Pledge of jury Thomas
Defendant denies therefore to jury Braynwode

G Margaret Round complains against Edith Yong concerning a plea of debt upon demand of 7s 9d

Summon jury
Pledge of jury Thomas Braynwode
Defendant denies therefore to jury

W Agnes Coly complains against Edith Yong concerning a plea of trespass

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[20] I.e., goods of a greater value.

[21] *deliberat'*. We would expect *essoniatus*; perhaps the defendant had been imprisoned. Alternatively, this may be 'delivered' in the obsolete English sense of 'get rid of quickly'. O.E.D. s.v. *deliver*[1] 6a.

on the grounds that Edith on the 2nd day of November in the 13th year of the reign of King Edward IV[22] by force of arms namely etc broke and entered the house of the same Edith [*sic*] at Southampton

fol. 6v

Not prosecuted

F Joan Tullock otherwise Tulles complains against ^William^ Pipe otherwise Boucher concerning a plea of trespass

Elizabeth Clerke & Richard Thomson executors of the testament of John Gill complain against John de Steadham concerning a plea of detinue of chattels

For licence to concord

Summon jury Pledge of jury Robert Hiche

G William Strode complains against John Clerke of Swaythling[23] concerning a plea of account upon demand[24] of 6s 8d

Summon jury Pledge of jury prison

Richard Wattes *Barbour* complains against John Eyland concerning a plea of debt

Distrain Nothing has been done

R Richard Nutkyns complains against Richard Musprotte Richard Culle Thomas Karrik John Beaumond Robert Beaumond John Beaumond junior & William Pynell concerning a plea of trespass

fol. 7r [unfoliated]

Summon jury For licence to concord

Appoints G S his attorney Pledge of jury prison

G John Naile complains against Richard Apprice concerning a plea of trespass

F William Day complains against John Laneton concerning a plea of debt of 30s And the said defendant was coming into court

Judgment in his own person and acknowledged his said debts etc And the aforesaid plaintiff sought judgment from the court And for his costs outgoings and expenses 20d And he owes my [?] sergeant his fee[25]

Appoints R W his attorney For licence to concord 3d

G John Andrewe ^de^ Vivaldis complains against Leonard Sasse of Naples concerning a plea of debt

---

[22] 4 March 1473 – 3 March 1474.

[23] Swaythling was a village 2 miles north of Southampton. It is now a suburb.

[24] This is the only plea that we have found that is so described. It may be a mistake for 'debt upon demand'.

[25] *et debet mrm' meum feodum suum.* Normally, the entries do not use the first person when speaking of the court, but *mrm'* certainly looks as if it should be extended to *ministrum.*

Adjourned

For licence to concord
The officer of the court responded that the said defendant has been attached and mainprised by John Shopper otherwise John Baq[u]er and because he does not have him therefore he is amerced 3d

Appoints R Wright his attorney

W Nicholas Douche otherwise Clerke complains against Thomas Solfe otherwise Swolfe concerning a plea of debt on the grounds that from the 20th day of June in the ~~40th~~ ^14th^ year of the reign of King Henry VI[26] after the conquest until this day he withholds 1 dun coloured cow price 12s with profits of the same rendered to the aforesaid plaintiff to the use of his wife

fol. 7v [misnumbered 7r]

Summon jury

Pledge of jury Antony Spynell
Defendant denies therefore to jury ~~1d 3d~~

W William Hayles complains against Benedict Spynell concerning a plea of trespass

Nothing has been done

W Peter Basse complains against Robert [blank] servant of the same Peter concerning a plea of trespass

The officer [of the court] responded that the said defendant has been attached by 4 butts of sack[27] price £4

Appoints R Wright his attorney

W Robert Blewett complains against John Camount concerning a plea of debt upon demand of £9 6s 8d

For licence to concord

R Ralph Elys of Devet complains against John de Castro concerning a plea of debt upon demand of 24 skuts[28] namely £4 from money due to him from advances and loans on the 15th day of June in the 15th year of the reign of King Edward IV[29]

---

[26] The word 40th is deleted and 14th written superscript. There appears to be some confusion over dates: 40 Henry VI would have been 1 September 1470 – 1471 but he had been deposed and imprisoned from 4 March 1461. He was restored between September 1470 and April 1471, which is strictly speaking 49 Hen VI but would be 40 Hen VI if the period between his deposition and restoration were ignored. The regnal year 14 Edward IV dates from 4 March 1474. The year 14 Henry VI spans 1 September 1435 – 31 August 1436. This would have made the cow very old! The probable explanation is that the 14th year of Edward IV is meant, i.e., 20 June 1474, the scribe forgetting to alter the name of the king concerned.

[27] 'Vin sec', dry wine.

[28] Skut is possibly the English version of *scudo* (It.) / *escudo* (Sp. & Pg.) / *escu/écu* (Fr.), a coin named from the Latin *scutum* – shield, the device stamped on many types of European coin. 'A silver coin or money of account formerly current in various Italian states usually worth about 4 shillings.' O.E.D. s.v. *scudo*.

[29] 4 March 1475 – 3 March 1476.

mainprised by John Goo

R Ralph Elys of Dyvet complains against John de Porrys concerning a plea of debt

fol. 8r

Adjourned until Easter
1 default The officer of the court responded that the said defendant has been attached and mainprised by Vincent Pitlesden and because he does not have him 3d

F Thomas White complains against Hans Couper otherwise Love otherwise called John Couper otherwise Love concerning a plea of detinue

~~The officer of the court amerced because he does not have the said Richard 3d 6d~~

Summon jury Pledge of jury Richard Marshall
The officer of the court responded that the said defendant has been attached and because he does not have him therefore he is amerced 3d 6d

W Thomas Griffith complains against Richard [blank] *cayiaur*[30] concerning a plea of debt upon demand of 42s Defendant denies therefore to jury

Summon jury Pledge of jury James Peturson

F Richard Wattes *Barbour* complains against Leonard Roke concerning a plea of debt Defendant denies therefore to jury

Appoints J Filde his attorney 10 talesmen
Pledge of jury Antony Spynell otherwise Leonard Seese
Summon jury Satisfaction made Inquest taken by default

F Nicholas Raynold complains against ~~Geoffrey de Maryn~~ ^Nardo de Sease^ concerning a plea of debt of 6s out of a lawful account had between them from the 8th day of September in the 15th year of the reign of King Edward IV withheld to the plaintiff's damages of 6s 8d

For licence to concord 3d box

F [Nardo Sease complains against Geoffrey de Marini concerning a plea of debt

The officer of the court responded that the said defendant has been attached and mainprised by Robert Hild and because he does not have him therefore he is amerced 3d
For licence to concord 6d

F [Mr Andrew of Holy Rood complains against Mark Barboure concerning a plea of debt upon demand of 21s 2 ¼d which the same Andrew [?]contented[31] & paid to William Day Peter Barbour William

[30] Meaning uncertain.

[31] *contentavit.* The last three letters are unclear, but this seems to be intention. The word does not exist in Latin, but may be a back formation from English 'content' in the transitive sense or French *contenter*. Less literally, we might translate 'made full satisfaction'.

Barbour & Peter Harrison in the name of the same Mark here at the town of Southampton detained to the plaintiff's damages of [blank] The defendant came into court on the [blank] day of October in the present year and acknowledged the sum

fol. 8v

For licence to concord 6d box
The officer of the court responded that the said defendant has been attached and mainprised by John Gough junior and because he does not have him therefore he is amerced 3d

F Lewis de Vale complains against John de Bure concerning a plea of debt

Thomas Holman complains against William Geffrey concerning a plea of debt

in prison For licence to concord 3d box F[32]

G The king etc complains against Thomas Bercherd concerning a plea of trespass

For licence to concord 3d box

F William Slade complains against John Jogelar concerning a plea of debt

G Richard Watkyn[33] complains against William Gullucke concerning a plea of debt upon demand of 24s

~~Richard Wright complains against [blank] concerning a plea of trespass against the statute[34] on the 29th day of September in the 15th year of the reign of King Edward IV [who] came with a large dog into the house of Richard Smyth to bite the greyhounds with [?] heavy and drunken words[35] on the day and year abovewritten gave Thomas Lathum a blow with his fist and as well as this he threw one lantern into the face of Richard Wright~~

---

[32] The significance of this *F* (formed of two lower-case f's joined together) is unclear. It may be a section marker, but that is not usually found in this position. It may have to do with 'F' who appears in the left margin in a number of the following entries.

[33] *Gulluck* is written above *Watkin* and then seemingly rubbed out.

[34] Unlike the previous pleas of trespass 'against the statute', all of which seem to be referring to the Statute of Labourers, this one seems to be referring to the Statute of Forcible Entry, 8 Henry VI c. 9 (1429), with predecessors going back to the reign of Richard II.

[35] 'to bite the greyhounds and with [?] heavy and drunken words': *ad mordendum leporarios et cum verbis molosis et hauster"*. Neither adjective modifying *verbis* is recorded. We have assumed that *molosus* is dervied from the term in prosody (*molossus*), referring to a foot of three long syllables and that *hauster* is dervived from the numerous variants on *haustus*, one of which, *haustor* (Latham, s.v. *hauritorium*), means a 'drinker'. Alternatively, *cum verbis* and *molosis* could have gotten scrambled, in which case *molosis* could be a corruption of *molossos*, 'bandogs' (Latham, s.v. *molossus*). It is also possible that *hauster* is really *hauscer*', a possible spelling of *haucera*, 'hawser'. Hence, the most radical emendation would read: *ad mordendum leporarios et molossos* [et] *cum verbis* [*malignis*] *et haucera*, 'to bite the greyhounds and bandogs and with evil words and a hawser'.

fol. 9r

For licence to concord 3d box
F [Arnold [blank] a Gascon complains against Richard Castell concerning a plea of debt

For licence to concord 3d box
F [Richard Castell complains against Arnold [blank] a Gascon concerning a plea of debt

John Dun complains against William Britan concerning a plea of debt

For licence to concord 3d box
F [Damian de la Poise complains against John de la Tere concerning a plea of debt

For licence to concord 3d box
R [Thomas Figen complains against John Luffe concerning a plea of debt

For licence to concord
Summon jury Pledge of jury prison
On the 25th day of October the defendant acknowledged 43s 4d and as to the residue he denies it therefore to jury
F Robert Hild complains against Mark Barboure concerning a plea of debt upon demand of £3 10s

[?] Determined by the court that the party plaintiff should receive the sum which this Mark confessed to in court

fol. 9v

For licence to concord 3d box
W [[blank] scrivener of a carrack complains against John de Genoa concerning a plea of debt

For licence to concord 3d box
F [Robert Hiche otherwise Baker complains against John Ewyen concerning a plea of debt upon demand of 4s

1 default The officer of the court responded that ~~the said~~ defendant ~~has been~~ attached and mainprised by John Sprynge ~~and because he does not have him therefore 6d~~ that he will stand [to right] in the Common Court

∴ F ~~Thomas Northfolke complains against John Welles concerning a plea of debt~~

For licence to concord 3d box
F [Arnald Boucher complains against William Coumper of Romsey[36] concerning a plea of trespass

[36] Romsey is a market town 8 miles west of Southampton.

For licence to concord 3d box

F ⌈ Geoffrey Sonday complains against Reginald Longe concerning a plea
⌊ of debt

For a bad plea 3d box

10 talesmen Pledge of jury John Gough *paynas*[37]

Appoints Yvon Belmas his attorney

F ⌈ Malo otherwise Mathias Morell complains against John de May
Distrain | *Dane* & master of a certain ship from Spain called (blank) in a plea
| of trespass on the grounds that on the 20th of September now
| in the 15th year of the reign of the Lord King by force of arms
| namely with swords cudgels and knives he unlawfully entered
| into ~~one boat~~ one ship ^being within the port of Southampton^
| belonging to the same Malo and seized and took away 2 pipes of
| white wine grown in the region of Rochelle[38] and then and there
⌊ assaulted the same Malo

[37] Meaning uncertain.

[38] *vini albi crescen' de partibus Rochell'*. The only problem is the extension of *crescen'*, because the wine is clearly no longer growing. We probably should extend to *crescentie*, literally 'white wine of a growth from the parts of Rochelle'. The geographical reference is to modern La Rochelle (dép. Charente-Maritime).

PIEPOWDER AND MISCELLANEOUS COURT REGISTER, SC 7/1/7, 7 OCTOBER 1478 – ?NOVEMBER 1479

SC7/1/7 is a quire of three bifolia with an additional single folio (fol. 5) tipped in. The first four folios record court sessions with adjournment dates in October, one of which is specified as Monday, 12 October. That would give us a year of grace of 1478. That year is consistent with the dates of the events given in the surrounding pleadings: oysters sold on 20 August 1478 (18th year) (fol. 2r), trespass on 19 October 1478 (fol. 2r), and an agreement in the 18th year to provide security for a payment at Christmas 'which will be the year of our lord 1479' (fol. 1v).

There is little doubt that the court sessions described on the first four folios are those of the Piepowder Court. The dates of the court sessions as indicated by the adjournments show no preference for Tuesday: from 7 October (Wed.) to 13 October (Tue.) (fol. 1v), from 12 October (Mon.) to 'now' (fol. 2v), from 12 Oct. (Mon.) at the ninth hour until the third hour in the afternoon (fol. 2v), to 28 October (Wed.) (fol. 4r). There are no recorded essoins, and issues are taken in only two cases (fols. 1r, 2v). On fols. 2v, 3v, and 4v (*bis*), entries are vacated or not pursued because the case is 'in the Common Court'.

Folio 5, the folio that is tipped in, is more problematical because on fol. 5v, we we find a case that alleges deceit that occurred on 19 November in year 19, i.e., 1479. There are no other dates. There are no tell-tale signs of the Common Court (recorded essions, multiple issues), but there are no tell-tale signs of the Piepowder Court either (adjournments from hour to hour or to a different day of the week, entries vacated because 'in the Common Court'). Someone at some time thought that these were Piepowder Court entries, because the folio was tipped into a register that began with Piepowder Court entries. We are inclined to agree that these are Piepowder Court entries, most likely from the following year, but there is not much to go on.

The last two folios are even more problematical. They seem to have been used for recording non-contentious matters and entries concerning the keeping of the peace. Such court entries as they contain may be notes of the clerk which were later to be transferred to more formal entries, which have not survived. The dating of these last two folios is vague. Fol. 6r has a record of complaint before the former lieutenant of Southampton made on 15 September 1479. Fol. 6v has two receipts dated in May of 1479. None of the entries on fol. 7 is dated by year. The feast days mentioned on fol. 7v (Annunciation, Easter, St John the Baptist) are probably those in either 1479 or 1480, more likely the latter than the former, because they are forward looking.

fol. 1r[1]

The officer of the court responded that the said defendant has been attached and mainprised by J Rose and because he does not have him therefore fined

Summon jury Pledge of jury Reginald Holdewey

F William Overay complains against William White *maryn[er]* concerning a plea of debt upon demand of 8s

The officer of the court responded that the said defendant has been attached by 4 pans of which 2 in large part and 2 small 2 vessels of tin 6 capital vases of tin 2 candle[sticks] and 1 kettle

F Richard Gryme complains against William Waynfleet *Baker* concerning a plea of debt upon demand 13s 4d
Issues 3s 9d

For licence to concord 3d box

Summon jury Pledge of jury prison

F [Richard Marshall complains against Thomas Dereham concerning a plea of trespass

For licence to concord 3d box

G [William Mekelowe complains against John Charleton *Waynman* concerning a plea of covenant broken

For licence to concord 3d box by security of John Ganer otherwise Couper

G [Peter Jacobson complains against Alice Gardener concerning a plea of detinue[2]

fol. 1v

Adjourned from the 7th day of October until Wednesday then next following at the same stage as now by pledge below written[3]

Summon jury Pledge of jury Reginald Jacob

For licence to concord

R Henry Serch otherwise Chapman complains against George Roche and Milo Arther merchants of Ireland concerning a plea of covenant broken on the grounds that this same plaintiff in the town of Southampton in the 18th year of the reign of King Edward IV made a bargain with the said defendants about and concerning 10 broad cloths the colour of straw to a value of £30 and the said plaintiff would receive from the said defendants 6 butts of salted salmon to a value of £12 in part payment of the greater sum and as far as the residue of the said sum of £30 namely the £18 they would find for the same

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[1] This folio is transcribed in full in the Editorial Note.

[2] '19 Edward IV' written in pencil at the foot of the page.

[3] This entry indicates that this is probably a Piepowder Court record.

plaintiff here at Southampton aforesaid sufficient security for the payment of the obligation at the feast of Christmas which will be in the year of our lord 1479 And although the same plaintiff very often asked the aforesaid defendants for this, that is to find him this sort of security so as to accomplish and fulfill the aforesaid obligation [and] covenant, the same defendants nonetheless refused and still refuse to the plaintiff's damages of £10 And whereof he produces his suit if etc And the aforesaid defendants in their own persons come and say that they made no such contract with the aforesaid plaintiff in any manner or form by which the above named complaint or allegation could be brought against them and concerning this they request a jury and the aforesaid plaintiff likewise Therefore it is ordered to the Sergeant-at-Mace etc

fol. 2r

in prison

R John Michell complains against Richard Taillour concerning a plea of [blank]

∞[4]

Appoints G Bymson his attorney

Summon jury Pledge of jury Roger Holeway

W Geoffrey Dollynge complains against Thomas Blamer of Shotteshale concerning a plea of debt on demand 3s 9d for oysters sold to himself here etc on the 20th day of August in the 18th year of the reign of King Edward IV to the plaintiff's damages of 6s 8d The defendant came into court and said that he owes him nothing and concerning this he requests a jury and the aforesaid plaintiff likewise

For licence to concord 3d box

Appoints G Bymson his attorney Pledge of jury ~~prison~~ Nicholas Raynold

F Lewis John and John Withepoll ~~Wethebews~~ complain against Richard Clerke *Marin[er]* concerning a plea of trespass on the grounds that that the same defendant on the 19th day of October in the 18th year of the reign of King Edward IV here etc solicited and strove to and caused [blank] and other servants of theirs mariners with the aforesaid plaintiffs ^hired and^ and retained in service to sail on the sea to leave the service of the said plaintiffs ^long^ before the end of the term among them taken up[5] and ~~long before the~~ [?end]~~of their term~~ among them agreed and he retains them thus separated in ^his^ service against the form of the statute etc to the plaintiffs' damages

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[4] Margin: figure resembling recumbent figure 8, possibly an auditors' mark. Here and hereafter represented by ∞.

[5] *terminum inter eos conductos.* The terminology would seem to be derived from the vocabulary of Roman law where one 'lets' (*locare*) a contract to perform a job, which is then 'hired' (*conducere*) by what we would call the contractor.

of 10 marks The defendant comes and says that he is not guilty of the trespass aforesaid in any manner or form against all the above accusations and allegations and concerning this he requests a jury and the aforesaid plaintiffs likewise

fol. 2v

For licence to concord
Adjourned from the 12th day of October to now
The officer of the court responded that the defendant aforesaid has been attached and mainprised by Richard Hilton and because he does not have him therefore etc 3d ~~6d Issues 12d~~
12d

F John A Milbroke ^and Alice his wife^ complain against Henry Morynges *Baker* concerning a plea of trespass

∞ Summon jury Pledge of jury Walter Feteplace Peter Russell
Adjourned from Monday the 12th day of October at the ninth hour before noon until the third hour in the afternoon by pledge of Peter Russell
Distrain Appoints W Lathum ~~G Bymson~~ his attorney

F ~~Christopher Ambrose~~ The king etc complains against Margaret Willewise concerning a plea of debt

Void here because in Common Court
Appoints G Bymson his attorney

F Christopher Ambrose complains against Margaret Willewise concerning a plea of debt

∴ For licence to concord 3d box

F John Gundesland complains against John Galyman concerning a plea of trespass

fol. 3r

Not prosecuted 3d box in prison

R Hans Couper otherwise called John Couper ^of Salisbury^ complains against Yvan Clerk concerning a plea of debt

For licence to concord 3d box

W John Glasier amerced for licence to concord with John Godefelowe debtor

This plea void because the party ~~plaintiff~~ defendant attached on suspicion of felony and for a felony committed and fleeing to the church of St Michael the Archangel within the town of Southampton has abjured the realm ~~That plea void here because the party plaintiff of the aforesaid plea has abjured the realm before the coroners~~

F William Broune of St Albans complains against Richard Flute concerning a plea of debt upon demand of 40s

For licence to concord

R John Gough junior complains against [blank] Ryngewode concerning a plea of trespass

fol. 3v

Not prosecuted here because in Common ~~Piepowder~~ Court by pledge of Gilbert Godefelowe

Appoints G Bymson his attorney

R ~~John Halle of Salisbury *merchaunte* otherwise called John Halle *merchaunte* of Salisbury complains against Agnes lately wife of Vincent Pitlesden *merchaunte* of Southampton and executrix of the testament of the same Vincent her late husband concerning a plea of debt~~

The officer of the court responded that the said defendant has been attached and mainprised by Geoffrey Corviser and because he does not have him therefore amerced 3d paid

For licence to concord 3d

R [John Marelet complains against Dominic Trakyll *Galyman* concerning a plea of account

For licence to concord 3d box

F [William Hill complains against John Stockwell concerning a plea of trespass And wherefore he brings his complaint and says that the aforesaid John Stockwell has been retained in the service of the said defendant The defendant denies that has ever been retained in his service and this he is prepared to verify and he requests a jury

Adjourned

Summon jury ~~Attach~~

F William Vengham complains against John Parise concerning a plea of trespass The defendant comes in his own person and by G Godefelowe denies force and injury and he requests a jury Therefore it is ordered etc

fol. 4r

For licence to concord 3d box
in prison

F [John Pynnocke complains against Nicholas Bocher concerning a plea of debt And requests 3s 4d which he acknowledged in full court 1s is retained by the court because [blank]

F ~~John~~ Michael Luke complains against [blank] *Galyman* [blank] trespass

For licence to concord in prison

F William Broune *Barbor* complains against John Ginner ^*dyer*^ concerning a plea of trespass The plaintiff came and said that the said defendant unjustly took 1 collar 2 bridles value in total 10s and

concerning the aforesaid collar he[6] acknowledges it and concerning the bridles he denies it Therefore to jury

For licence to concord and 1 default 6d box
Adjourned until the feast of the Apostles Simon and Jude[7] in the same state as now at the parties' request by pledge of John Vandreson and because on this day etc 3d
Appoints B his attorney

G ⌈ John Vandreson and John Druet complain against John Guy
⌊ concerning a plea of debt The defendant denies therefore to jury

The officer of the court responded that the said defendant has been attached and mainprised by John Kneller and because he does not have him therefore etc

∞ Appoints B his attorney Still nothing has been done
Summon jury C[8] 3d Pledge of jury John Kneller

R John ~~Drenall~~ ^Druett^ and Agnes his wife complain against Benedict Basse concerning a plea of trespass The defendant denies therefore to jury

fol. 4v

Void here because in Common Court Pledges ⌈ Robert A Lawe &
⌊ Robert Busshopp

Still nothing has been done

G ⌈ John Charetur and Agnes his wife complain against Isabella Busshop
⌊ widow concerning a plea of trespass

Pledge of jury Richard Thomson
The officer of the court responded that the aforesaid defendant has been attached and mainprised by Richard Thomson and because he does not have him Therefore etc 3d
Summon jury

∞ Appoints I.R his attorney

R Julian de Ryvers complains against Alice Dekons concerning a plea of detinue viz of 1 ducat

For licence to concord and default 6d box
The officer of the court responded that the aforesaid defendant has been attached and mainprised by John Estfeld and Gilbert Clerke and because they do not have him therefore etc 3d
Appoints G Bymson his attorney

R ⌈ Thomas Harreys of Hamell[9] junior complains against John Strode
⌊ concerning a plea of covenant broken

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[6] I.e. the defendant.
[7] 28 October.
[8] This is not a standard abbreviation, but it may stand for 'licence to concord'.
[9] Probably Hamble-le-Rice 5 miles east of Southampton.

R ~~John White and Agnes his wife complain against Thomas Browne~~ ~~*Baker*~~

Summon jury Pledge of jury prison
concerning a plea of trespass

Executrix of the testament of Gabriel
~~Appoints G Bymson his attorney~~ Flemang

R ~~John White and Agnes his wife complain against Thomas Broune *Baker* concerning a plea of trespass Defendant denies~~

Void here because in Common Court Pledges Richard Thomson Robert Broune

∞ Summon jury Pledge of jury William Mekelowe

W Richard Thomson complains against Julian de Ryvers concerning a plea of trespass

fol. 5r

Summon jury Pledge of jury prison Roland Vandreson Johnson
Peter Vandreson
Henry Vandreson

G ~~Leonard Rowe~~ ^Henry Colyns^ complains against Dirk Berebruer concerning a plea of trespass

∴

R ~~William~~ ^John^ Colynges complains against Nicholas Brounde *Berebruer* concerning a plea of trespass

Pledge of jury Robert Willyngham
For licence to concord 3d box
The officer of the court responded that the said defendant has been attached and mainprised by George Akard and Robert Willyngham 3d 6d 12d
Summon jury
Appoints Henry Vandreson his attorney

G Bartholomew Pursia bombardier complains against Antony Skapesyn concerning a plea of debt upon demand of £3 3s 4d by his bond remitted in court The defendant comes into court and says that it is not his bond

D[amages] 20s

For licence to concord in prison

R Robert Willyngam complains against Agnes Cirtes widow concerning a plea of debt upon demand 12s

fol. 5v

Pledge of jury Gregory Holmage
Pledge of jury prison
Did not break the covenant
For licence to concord 3d box
Summon jury

F Luke Brond complains against Robert Briten concerning a plea of ~~debt deceit~~ ^ covenant broken^ – £6 13s 4d

Thomas Braynwode Robert Willyngam
Pledge of jury prison
Summon jury

R Nicholas Raten complains against Antony Skapesyn concerning a plea of deceit on the grounds that the same Antony on the 18th day of November in the 19th year of the reign of Edward IV [blank]

∴

R Antony Skapesyn complains against Nicholas Raten concerning a plea of debt

F Ralph Symkyn complains against Jerome [blank] concerning a plea of trespass

Not prosecuted 3d box

R Lewis Eynes complains against John Mores concerning a plea of debt upon demand of 2s which the same Lewis lent to the aforesaid plaintiff by John Lewes

fol. 6r

~~John Jesus Mary mercy~~[10]

~~Roland Hoke comes before Richard Gryme ^at that time lieutenant of the town of Southampton^ and swears an oath on his body that he was put in fear of his life and the mutilation of his members by Henry Gough and Richard son of the same Henry *Maryners* Therefore etc~~[11]

~~Appoints Richard Smyth his attorney Pledges for the Common Court John Tasker Richard Barett~~

~~William Smythe of Micheldever complains against William Broune *Baker* [concening a plea] of debt~~

Peter Jacobson on the 15th day of September in the 19th year of the reign of Edward IV comes before Richard Gryme then lieutenant of the town of Southampton and there swears an oath on his body that he was put in fear of his life and the mutilation of his members by Roland Tailour

Andrew Gosselyn and William Broune mainprised for Lewis Gryffith that he will behave himself ^well and [?]comport [himself well] in future towards Nicholas Att Wod etc and [?]whenever he [Nicholas] asked him he [Lewis] would make fine^[12] ~~with peace and quietude etc fine to be made at the will etc each of them under penalty of 20s~~ for his trespasses and offences – each of them mainprised under penalty of 20s

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[10] This is quite far from the entry and may not be related to it. The entire line is probably struck through.

[11] It is not completely clear that this entry is struck through, but it probably is.

[12] The interlined words are difficult to read, and there does not seem to be another example with which to compare it. The word that we have translated 'whenever' certainly does not look like

Edmund Edmunds complains against Richard Eynsam concerning a plea of [blank]

R Richard Pere complains against Peter Serle concerning a plea of debt

fol. 6v

Memorandum that I Thomas Smyth ^Bayly of the corte^ have receyvyd the 12th day of May the yere of the Reyne of King Edwarde the IV the 19th of Lybyn Jebaund by the handis of Sampsot servaunt of the said Lybyn – £7 12s after the forme of the reconysaunce of John Brokas etc Acowntynge the said Lybyn to be delyv'id of 25 tune Wyne

Void

~~Memorandum that on the 15th day of May in the 19th year of the reign of Edward IV after the conquest of England there appeared before us the mayor and bailiffs of the town of Southampton Richard Gryme Richard Harewod Richard Hibton and Richard Smyth fellow burgesses of the said town and undertook and each of them undertook under penalty of £21 4s 4d to be discharged and acquit to the said mayor and bailiffs ^and their successor mayor and bailiffs^ of various sums of money received from certain creditors of John Brokas – £14 14s 4d And from a certain Samsot the servant or factor of a certain Libyn Iebawnd £7 12s the form and tenor of a certain recognisance received before the said mayor and bailiffs in the Guildhall of the said town 12d of the said month of May~~

G Lewis Eynes complains against ~~John~~ [blank] Pynhorn concerning a plea of debt

~~Agnes Watson complains~~

Thomas Gryme complains against Agnes Watson concerning a plea of debt upon demand of 9s 8d

fol. 7r

William Nicholl prisoner

There petitioned us Damian de la Poise that whereas the same for his life by Thomas Morter *Maryn[er]* [blank]

There petitioned us Ralf [blank] of Southampton *Bocher* against John Marshe of the same *Bocher*

John [blank]

Let a letter of attorney be made ^in the names of Peter Bole citizen of the city of Winchester^ to Philip Tregas of Southampton *Merchaunt* and Raymond Roberd of the city of Winchester ~~*Vynter*~~ *Vyntener* to receive from Andrew de

---

quandocumque, but it is the best we can do. What does seem reasonably clear is that Andrew and William are going surety for Lewis, rather than being amerced for him, despite the fact that *m* in a loop can stand for either.

la Porte Gascon £6 in which the same Andrew held by various of his bonds of the aforesaid Richard [*sic*] [blank]

G John Langlond complains against William Butler concerning a plea of trespass

The town devised to Andrew Godericke 2 tenements ^with 2 gardens^ together lying and situated in the town of Southampton namely in English Street on the west of the said street that is between the lane which leads ^from the said road^ towards the castle on the north and the tenement of William Waynflete on the south and abuts from the said street from the east towards a certain garden of the castle belonging to the Lord King 33s 4d for 40 years

Sarasin complains against John Co[?uper ?concerning a plea of] trespass[13]

fol. 7v

and on the grounds that you replied that the said J Miryman has no [goods or] chattels within [illegible] to the keepers of the peace there [illegible] has nor is he within [illegible] keepers of the peace there [illegible] Therefore it is considered by the court that it should be done [illegible] against [illegible][14]

pledge

William Mannesbrige[15] petitioned us against John Yvy of Hill[16] next to Southampton concerning threats [blank]

G Thomas Wilson complains against John Harold of Beaulieu concerning a plea of debt

G Thomas Wilson complains against John Haro[?ld blank]

Laurence Bernack of New Alresford in the county of Southampton *merchaunt* is bound to Richard Gryme of Southampton Burgess in 100s to be paid at the feast of the Annunciation of the Blessed Mary[17] And likewise the same Richard is bound to the aforesaid Lawrence in 100s to be paid at the aforesaid feast[18]

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[13] The script here is very faint; it may be continued on the verso.

[14] The whole entry difficult to read; some parts are eaten away.

[15] Mansbridge is now one of the eastern suburbs of the city.

[16] Ekwall lists a Hill near Nursling, but the name seems to have disappeared, or, rather, recycled in various names in the northwest surburbs of Southampton, e.g., Hill Lane, one mile from the centre of the old town.

[17] 25 March. For the likely year, see the introduction to this section.

[18] It seems odd that these two men should oblige themselves to pay exactly the same sum to each other on the same day. Perhaps, however, the obligations are connected with the cryptic entry of an arbitration that follows. The mutual exchange of 100s binds the two of them to abide by the result of the arbitration. We might further speculate that all 200s were to be turned over to the arbitrators, so that there would no difficulty enforcing whatever the award would be.

Memorandum Arbitrators { William Thinglowe and Ralph Bigers of New Alresford } So[19]
that the said ^award^ and arbitration should be done and rendered before the feast of Easter next[20]

∴

F Alice Shephurd executrix of the testament of John Shephurd complains against William Trevet concerning a plea of debt

William Cardy of Coventry *dier* is bound to Surliono ~~Lomely~~ Lomelyne in £7 18s to be paid at the feast of St John the Baptist[21] next

[19] *Ita*, presumably to match *arbitratores* on the other side of the brackets.
[20] If we are correct that the year in question is 1480, this would be 4 April.
[21] 24 June.

PIEPOWDER COURT REGISTER, SC 7/1/8, 10 NOVEMBER 1481 – 22 OCTOBER 1482

SC7/1/8 is a register of 30 folios with a number of inserted documents, bound in paper. The front cover is unfoliated and contains various modern notes.[1]

The recto of most of the main folios has in the lower right hand corner an *n* with trailing loop above it which is crossed. This may be the mark of the clerk who was responsible for the register. The mark does not appear on fols. 1, 8, 15–19, and 25. Some of these folios contain more than usually sloppy entries, and the absence of the mark may mean that they were not the responsibility of the regular clerk (or that he was ashamed of them).

The records are never identified as those of the Piepowder Court, but it seems quite clear that they are. The court sessions, which are given in Table 7, can occur on any day of the week. Adjournments to specific days different from the day from which the adjournment was taken are common. Some appearances and adjournments mention specific hours (fols. 2r, 3v, 9v). Entries are vacated or cancelled because the case is 'in the Common Court' (fols. 4v, 5v, 6r, 8v, 9v, 10r, 16v, 17v (*bis*), 20r, 22v, 23r). There are several pledges for the Common Court (fol. 3v, 11r, 13r, 13v, 19v, 24v). We have seen that this is not necessarily an indication that the record is one of the Piepowder Court, but it certainly is when it says 'Pledge of the Common Court Roger Kelsale therefore void here' (fol. 24v). Issues are taken only twice (fols. 2v, 6v); there are no essoins.

The dating is more complicated. The first date of court session (fol. 1r) records the appearance of a defendant in March; the day is left blank. The second, however, gives us an adjournment from 27 March to Monday after Easter. The year is not mentioned, but fol. 2r records an appearance of a defendant on 1 April in the 22nd year of Edward IV (1482). The dating of both the adjournments and the appearances then proceeds in roughly, though not strictly, chronological order through the months from April through October, with enough references to the 22nd year that we can be confident that we are dealing with 1482 [fols. 3v, 4v, 5r, 6r, 10v, 11r, 12v, 13r (*ter*)].

There is a quire break between fols. 14v and 15r. The dates, however, seem to proceed more or less in chronological order (fol. 15v: adjournment from 28 October and again from 12 November; fol. 17r adjournment from Tuesday after Martimas to Thursday next following). The temptation is strong to think that we are still in 1482, and that when the dates turn to January on fol. 22r we have reached 1483. That temptation should be resisted. Folio 17v tells us that a case was adjourned from 20 November in the 21st year of the reign – a mistake perhaps. But when fol. 23r tells us that a case was adjourned from 2 April in the 22nd year, we cannot ignore the evidence. On fol. 23v we are told that a defendant appeared on 23 January in the 21st year of the king and that

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[1] 'Town Court Book / No date' in 19th/20th century hand in ink, followed by, in pencil and in a more modern hand: '1481–2', '(form slip inserted)', '22 Edward IV'.

judgment was rendered on 24 January of the 21st year. On fol. 23v a case is adjourned from 23 January to Monday, 28 January. 28 January was a Monday in 1482, not 1483. On fol. 28v we are told that the defendant appeared on 5 March in the 22nd year (one day after the regnal year had changed). On fol. 29r and again on fol. 29v the defendant appears on 17 March in the 22nd year, and the regnal year is repeated for the judgment that is rendered on fol. 29r on 13 April. On fol. 30r, the defendant once more appears on 17 March in the 22nd year, the last session date that is mentioned in the register.

Hence, it would seem that what we have is a large portion of the records of the Piepowder Court from the first ten months of what we would call the year 1482 and a few from late in 1481. They were bound, however, by someone who thought of the year (or who knew that medieval people thought of the year) as beginning on 25 March. The result was that records from the first three-quarters of the medieval year of 1482 ended up appearing before the last two quarters of the medieval year of 1481.

[inserted before fol. 1r]

Jury between Robert Elyot and Antony Scapasyn defendant concerning a plea of debt

- Peter ~~Taybys~~ Johnson — sworn
  Thomas Cannys
  Richard Turner
- John Gryme — sworn
  Geoffrey Staveley
- Thomas Botterell — sworn
  Moses Couttryn
  ~~Peryn Pinson~~
  ~~Laurence Gelan~~
  ~~John Anctyll~~
- Roger Brond — sworn
- John Gaer — sworn
  ~~Roger Brond~~
  ~~Peter~~
- John Johnson — sworn
- Adrian Lokier — sworn
- Michael Berebruer — sworn
- William Couper — sworn

10 talesmen

Peter Spryng
John Godfrey

- John Bawyer — sworn
  William Severed
- Thomas West — sworn
  John Musik
- Sayme Haukyn
- Hew Cappcute
- Harmond Johnson

Garard Hatmaker
Phylype Lokyer

fol. 1r

For licence to concord 3d box

R Wright [Hugh Morton complains against William Lathum *Sherman* concerning a plea of trespass on the grounds that the same William on the 15th day of May in the 17th year of the reign of King Edward IV here at the town of Southampton etc entered and broke into the house of the said Hugh and unlawfully seized and took away 11 brass candlesticks price between them 11s one brass basin and one brass laver from the goods and chattels of the said Hugh found then and there and did other enormities to him to damage of the same Hugh and against the peace of the lord king wherefore etc He says that he has been harmed and has damages to a value of 40s The defendant comes into court on the [blank] day of March in the year as above and acknowledges the trespass aforesaid etc And upon this let him be committed to prison until such time etc]

Judgment

in prison 3d Appears

Wright John Walker complains against John Southwode *Weaver* and Emot his wife concerning a plea of debt

Summon Jury 10 talesmen Pledge of jury Seva Caten

Judgment Appoints Roger Ailesby & Guy Shilvyng his attorneys

Wright [Robert James otherwise Eliot complains against Antony Skapesyn concerning a plea of trespass]

Adjourned from 27th day of March in the present year to Monday next after the feast of Easter[2] by pledge of Fulk Shirwyn

For licence to concord 3d box

The officer of the court responded that the said defendant has been attached and because he does not have him therefore he is amerced 3d 6d 12d 2s

Appoints GS his attorney

RW [James Nicholl complains against John Hartfeld of the city of Winchester *merchaunt* concerning a plea of debt]

fol. 1v

Nothing has been done

R Thomas Avan complains against Robert Sadler of Winchester concerning a plea of debt

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[2] 8 April 1482.

For licence to concord 3d box

G [John Tall complains against Richard Elisham concerning a plea of debt

For licence to concord 3d box

Wright [Ralf Rafe complains against James Jacson concerning a plea of debt

Nothing has been done

Robert Magson complains against Walter Lewes concerning a plea of trespass

fol. 2r

Appoints R Kelsale his attorney Nothing has been done

R Laurence Barnak complains against Everard Antony concerning a plea of detinue

For licence to concord 3d box

R White [Edmund Gratclyfe complains against Richard Pynhorn concerning a plea of debt

For licence to concord

The king etc complains against Henry Colens concerning a plea of debt

Let it stand Auditors { Vincent Tehy[3] / Thomas Smyth / ~~Vincent Tehy~~ / ~~Giles Palmer~~

R Wright for licence 3d

Adjourned from the 3rd hour after noon on the 27th day of March until the 9th hour before noon on the 28th day of March

Appoints	Pledges Raymond	[blank] Rose 3d in
[blank]	Sugon Ralph Pikart	prison

R Wright [Joan Harres lately wife of William Harres ^and administratrix of the goods of the said William^ complains against Hervey [blank] master of a certain ship called Le Jamys [blank] concerning a plea of account The defendant came into court on the first day of April in the 22nd year of the reign of King Edward IV and confessed that he was accountable to the same administratrix And upon this let him be committed to prison until he shall account And upon this auditors have been assigned to hear and determine between the aforesaid parties a just account

[3] This list of auditors is written in a larger script than the usual case notes but is nonetheless probably related to the case that follows. Whether Giles Palmer and R Wright are to be included in the list is unclear, nor is it clear to what *stet* is to apply. It is hard to imagine that it applies to what seems to be clearly erroneous repetition of Vincent Tehy's name. The entry of the licence and amercement of 3d is also written in larger script, but is probably also related to the following case.

fol. 2v

For licence to concord 3d box
Appoints G Shilvyng his attorney

B [Thomas Payne of Salisbury *merchaunt* complains against John Hill of Romsey concerning a plea of debt

For licence to concord 3d box
Pledge of jury John Dunying
John Marnell

[3]2s
Appoints Gilbert Godefelow his attorney
Adjourned from the 12th day of April in the present year until the feast of Pentecost[4] next following by pledge below written
The officer of the court responded that the said defendant has been attached and because he does not have him therefore he is amerced 3d and already mainprised by William Sulman and because he does not have him therefore he is amerced 6d 12d 2s 4s 8s 16s 32s

White

Issues D[amages] £3 4s
12s 6d because [in][5] the service of the Lord King in packing wool

[Seva Catan complains against William Taverner of Salisbury merchant concerning a plea of debt upon demand of £20 2s 6d The defendant comes into court on the 1st day of July in the present year and denies etc and damages etc & says that he owes nothing etc and upon this he requests a jury And the aforesaid plaintiff likewise Therefore it is ordered [blank]

For licence to concord 3d box

R White [John Estfeld complains against Richard Nutkyn of Andover concerning a plea of debt

For licence to concord 3d box
Appoints Thomas Avenell his attorney

G Gabriel Laurence complains against Stephen de Sevoye concerning a plea of trespass

∴ In prison

G ~~Stephen Marner complains against Richard [blank] servant of this Stephen concerning a plea of [blank]~~

fol. 3r

For licence to concord 3d box
Nothing has been done

[blank] [John Joy complains against Robert [blank] servant of John Bower *Taillour* concerning a plea of trespass

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[4] 26 May 1482.

[5] The manuscript is frayed on the edge at this point; perhaps *remittuntur* 'remitted' is missing. We might imagine that the rather large fine on the mainpernor was partially remitted because either he or the defendant was, for some of the period of default, in the king's service.

Adjourned from 15th March
To be removed by Writ of Error brought into court on Tuesday next after the feast of the Translation of St Swithun[6]

Adjourned 10 talesmen Pledges of jury { Peter Francis Catan / Vincent Spynell

8 talesmen
The officer of the court responded that the said defendant has been attached and mainprised by Antony Spynell and because he does not have him therefore he is amerced 3d
Summon Jury
Appoints J Dunyng & G Godefelowe his attorneys

RW G William Taverner of the city of Salisbury merchant complains against Antony Scapapicino merchant of Genoa concerning a plea of debt upon demand of £20 by one bond of which the date is the 9th day of July in the 21st year of the reign of King Edward IV after the conquest of England

The officer of the court responded that the said defendant has been attached and mainprised by John Knolles and because he does not have him therefore he is amerced 3d & for licence to concord 3d

RW James Marsse complains against George [blank] *Balister*[7] concerning a plea of debt

For licence to concord 3d box R ∴[8]

Summon Jury Pledge of jury prison

R John Sprynge complains against Luke de Lago & Paul Stephan concerning a plea of trespass on the grounds that the same Lago ^Luke & Paul^ on Monday in Easter Week[9] in the 22nd year of the reign of King Edward IV having chased a certain horse of the same John at Southampton ~~fastened to one other horse with chains~~ pasturing there did out of ill will throw the said horse into a certain pit in use as a ditch the said horse being at the same time harnessed to the aforesaid horse ^died^ ~~he killed~~ because of the force of the fall to the plaintiff's damages of 33s 4d The defendant denies therefore to jury

Void because previously and above

R The same John Sprynge complains against Paul Stephen concerning a plea of trespass

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[6] 16 July 1482.
[7] See SC7/1/3, n. 93.
[8] Finding the initial of the sergeant here is quite unusual, and the presence of the triangular symbol as well may give a hint as to what that symbol means. A number of the following entries have this, as well.
[9] 8 April 1482.

Summon Jury 10 talesmen Pledge of jury prison
Appoints Thomas Avenell his attorney
For a bad complaint 3d box

R Gabriel Laurens complains against Luke de Lago and Paul Stephan concerning a plea of trespass The jury say upon their oath that the defendants are not guilty of the trespass aforesaid etc Therefore the party plaintiff amerced 3d

For licence to concord 3d box

R Edmund Gratclif complains against Stephen de Sevoye concerning a plea of covenant broken

fol. 3v

Pledge for the Common Court

G John Lane complains against Nicholas [blank] *Tailour* concerning a plea of trespass

For licence to concord 3d in the hands of the clerk
Adjourned from the 16th day of April for one week by pledge Moses Coutrayn

R Hervy master of a certain ship called Le James complains against Joanes son of a certain joint-master of a galley ~~in a plea~~ called Peter Travesan[10] [blank]

∴

Peter Laurence complains against [blank]
Memorandum that on the 21st day of April in the 22nd year of the reign of King Edward IV John Walton of Millbrook was attached by his body by Robert Wright Sergeant-At-Mace and the officer of the court there ^to the suit of Ralf Symkyn without a complaint being entered^ On the same 21st day at the ninth hour before noon of the same day he appeared in the court aforesaid before the mayor and bailiffs there and because no complaints are made against the aforesaid John therefore the same Ralf amerced 3d And the said John was dismissed[11] from the court

fol. 4r

~~Damian de la Puse complains against Luke Troulet from the galley Capitanea concerning a plea of debt~~

For licence to concord 3d box in the hands of the Sergeant

[blank] Angel Trumbet for licence to concord with Damian de la Poise concerning a plea of debt

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[10] The entry is ambiguous as to whether the galley or the father of Joanes is named 'Peter Travesan', but the appearance later in the book of a defendant named Peter Travistan suggests that it is the latter.

[11] See SC7/1/6 n. 73.

R [Peter Trevison complains against Hervy master of a certain ship called Le James concerning a plea of trespass

in prison

For licence to concord 3d box R ∴

Wright [John Boucher complains against William Frend of Beaulieu concerning a plea of debt

in prison For licence to concord 3d box R ∴

Wright [William Frend of Beaulieu complains against John Boucher of Beaulieu concerning a plea of debt

Nothing has been done

Appoints Thomas Avenell his attorney

G ~~Ralf Lake complains against Laurence Lymyngton *Baker* concerning a plea of debt upon demand of 13s 4d~~

fol. 4v

in Common Court

R ~~Antony Scapacyn otherwise Scapapsyn of Genoa merchant complains against George Ackard of Southampton merchant concerning a plea of debt upon demand of £20~~

For 1 default 3d Appears

Not prosecuted 3d The officer of the court responded that the said defendant has been attached and because he does not have him therefore he is amerced 3d

R Wright [Cestre ^Lomelyn^[12] ~~Compagny~~ complains against Thomas Ditteman debt [*sic*]

For licence to concord 3d R Wright ∴

Summon Jury Pledge of jury Richard Whiskard

R Wright [George Dentyverne complains against Alice Tanner concerning a plea of debt upon demand of £12 out of a lawful account had between themselves here and determined here at Southampton on the 2nd day of August in the 21st year of the reign of King Edward IV before John Ladie & John Gene auditors [to be] in arrears to the aforesaid plaintiff in £12 etc The defendant comes into court on the 25th day of April in the 22nd year of the reign of King Edward IV and says that there was no such account

Withheld to the plaintiff's damages of 100s

Summon Jury 10 talesmen Pledge of jury Richard Watkyns

R Wright withheld to the plaintiff's damages of 20d [Ralf Symkyn complains against John Calton of Millbrook *husbandman* [concerning a plea of] debt

[12] Lomelyn's unusual Christian name gave the Southampton clerks fits (see IPP). It may be a variant of 'Sixtus' rather than a derivation from Latin *castrum*. The surname would seem to be derived from Lomellina, a region in southwestern Lombardy.

For licence to concord 3d box
Summon Jury Pledge of jury Thomas Braynwode

26th day of April — John Gough complains against John Danyell concerning a plea of trespass

fol. 5r

For licence to concord 3d box
Summon Jury 10 talesmen Pledge of jury prison

R Wright — Robert Colman complains against William Wastell concerning a plea of trespass on the grounds that the same William on the 25th day of April in the 22nd year of the reign of King Edward IV here at Southampton broke and entered into the house of the same plaintiff unlawfully and against the peace of the lord king and then and there found and unlawfully took away one mazer[13] chased with silver price 26s 8d three silver spoons price 10s one bow with five arrows price 2s two cheeses price 8d one linen apron price 8d one small piece of tanned leather 6d from the goods and chattels of the same Robert and did other enormities to him to the grave loss of the same Robert and against the peace of the lord king by force etc to the plaintiff's damages of 100 [?s] The defendant comes into court on the 26th day of April and acknowledges everything declared against him but as to the unlawful seizure of the mazer he denies it Therefore to jury

Nothing has been done

R White — ~~Antony Scapasyn otherwise [blank] complains against Robert James otherwise Elyot concerning a plea of detinue~~

Nothing has been done

R — ~~Robert Cley complains against Thomas Walopp concerning a plea of trespass~~

R — ~~James Fynche complains against [blank]~~

fol. 5v

Void because in Common Court

Wright — ~~John Still compains against Thomas Benet mariner in a plea of debt~~

For licence to concord 3d 10 talesmen
Appoints Thomas Avenell his attorney Pledge of jury Jerome Griffith
Summon Jury

R — John Croke of Nursling complains against Hugh Hall concerning a plea of trespass on the grounds that the same defendant on the 22nd day of April in the 22nd year of the reign of King Edward

[13] A 'mazer' or 'maser' is a maple wood bowl. O.E.D. s.v. *mazer* n.[1].

IV broke and entered into the close and house of the same John and seized 26s 8d from the goods etc here at etc to the plaintiff's damages of £4 The defendant etc and said that he was not guilty of the trespass

For licence to concord Pledge of jury Jerome Griffyth
Summon Jury 10 talesmen

R Nicholas Fortune complains against Hugh att Hall & Richard Edward concerning a plea of trespass on the grounds that here at Southampton on the 3rd day of May in the 22nd year of the reign of King Edward IV with force of arms namely with swords cudgels and knives they attacked the same Nicholas and took 10s from the goods and chattels of the same Nicholas to the plaintiff's damages of 10s The defendant comes into court and said that he is in no way guilty of the trespass aforesaid Therefore to jury

For licence to concord and for 2 defaults 12d box
The officer of the court responded that the said defendant has been attached and mainprised by Paul Seple and because he does not have him therefore he is amerced 3d 6d

Wright James Harrison complains against Andrew Trevisan *Galyman* concerning a plea of debt

In prison For licence to concord 6d
The officer of the court responded that the said defendant has been attached and mainprised by John Knolles and because he does not have him therefore he is amerced 3d
He has a day to pay to the next [court]

R Wright William Sulman complains against George ~~de Skolpe~~ Jarre concerning a plea of debt

~~John Spryng complains against John~~

fol. 6r

For licence to concord 3d box
The officer of the court responded that the said defendant has been attached and mainprised by 1 cart and 7 horses 1 default

G Christopher Ambrose complains against William Sellam *Tranter*[14] in a plea of trespass

~~Richard Watkyns complains against Ralf Habstede concerning a plea of trespass~~

Nothing has been done Void because in Common Court
R White George Carvell complains against William Boket of Salisbury *merchaunt* concerning a plea of detinue of 2 cloths called kerseys

[14] *Tranter* – a peddler or someone who sells from a cart. O.E.D. s.v.

And the aforesaid Thomas Broune came into court on the 22nd day of May in the aforesaid 22nd year of the reign of King Edward IV and acknowledged that he had been satisfied in demand — 6 talesmen

Summon — Pledge of jury John Dunnyng

R Wright — Thomas Broune complains against ^Master^ Francis Overfeld concerning a plea of trespass on the grounds that when the plaintiff having in his right eye a certain disease called a pyn & webbe[15] and showing the disease aforesaid to the aforesaid Francis as a doctor entrusting the same to him and asking him to do his utmost to cure the aforesaid defendant of the aforesaid disease and because the same Thomas the plaintiff was to pay to the said Francis for his cure thus had 10s and the aforesaid Francis had promised on the 10th day of May in the 22nd year of the reign of King Edward IV to the aforesaid Thomas the plaintiff the said cure in security and he gave to the aforesaid Francis by way of earnest money[16] 16d The said Francis however put and poured so much infective dust into the eye of the said plaintiff that the said plaintiff lost his eye to the plaintiff's damages of 100s The defendant denies it Therefore to jury

G — ~~Raymond Sigon complains against Richard Kibbell concerning a plea of debt~~

11d ∴ — 1 2 3 4 defaults — The officer of the court responded that the said defendant has been attached and mainprised by 23 pieces of linen cloth and by various chests remaining in the custody of the court

G — Raymond Sigon complains against Richard Kebill concerning a plea of debt upon demand of £15 for 50 linen cloths sold to him at the town of Southampton on the day of St Michael the Archangel in the 19th year of the reign of King Edward IV withheld to the plaintiff's damages of 40s

Assessors Gabriel Hauley John Masele

Nothing has been done

Ric Wright — Joan lately the wife of Cornelius Baudewynson and executrix of the testament of the same Cornelius complains against John Clerke of Andover concerning a plea of debt

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[15] 'Pin and Web' still so called, are two eye diseases *caligo* and *pterygrum*. *Caligo* is a dimness or obscurity of sight resulting from a speck (the pin) upon the cornea. *Pterygrum* is a superficial growth of vascular tissue radiating in a fan-like manner (the web) from the cornea over the surface of the eye. This can be caused by repeated exposure to wind and dust.

[16] 'by way of earnest money': *nomine errarum*. *Erra* (*arrha*) is a payment on account, an earnest payment, an instalment.

fol. 6v

In prison

The officer of the court responded that the said defendant has been attached and mainprised by ~~Peter~~ Alvise Peter Justiane and because he does not have him therefore he is amerced 3d 6d 12d 2s 4s 8s

Summon Jury Appoints Nicholas Exetur his attorney

For licence to concord 16d box

R White [John Faireford of the city of London complains against Damian Sklavyn and Nicholas [blank] of the galley London concerning a plea of trespass Damages 20 marks

For licence to concord

John Fareford of the city of London complains against Luke Sofyna Peter de Lago [blank] and [blank] concerning a plea of trespass

Not prosecuted 3d box

R White [John Loffe complains against David Lambe *Barbour* concerning a plea of debt

For licence to concord 3d in the hands of R

He has a day to the next [court] to pay In prison

[Jotte *Douchwoman* complains against Claise *Ducheman* concerning a plea of debt

Adjourned from the 20th day of May until Tuesday next after the feast of Holy Trinity[17] with the parties at the same stage as now

Summon Jury Pledge of jury William Vengeham

G [William Heckley the elder complains against Richard Marshall *Carter* concerning a plea of debt upon demand of 8s

The officer of the court responded that the said defendant has been attached and because he does not have him therefore he is amerced 3d 6d 12d

Appoints G Godefelowe his attorney

Adjourned For licence to concord 3d box and for issues 21d box

R [Richard Watkyns complains against Ralf Habstede concerning a plea of trespass

fol. 7r

Nothing has been done For licence to concord 3d

G [Peter Spryng complains against William Sellam concerning a plea of trespass

[17] 4 June 1482.

For licence to concord 3d box Nothing has been done
Wright [Richard Orchard complains against Richard Pevesale concerning a plea of debt

Not prosecuted 3d box
R Wr [John Ward complains against Antony Rubin concerning a plea of trespass

Nothing has been done For licence to concord 3d R ∴
R John Romsey esquire complains against John Kymbrigge concerning a plea of trespass

For licence to concord 3d box
Wright [Thomas West complains against George Galiman concerning a plea of trespass

Let it stand For licence to concord 3d box
RW [Peter Laurence complains against [blank]

For licence to concord 3d box
Wright [The king the mayor and bailiffs complain against [blank] Galiman *Shearman* concerning a plea of debt

fol. 7v

Pledge of jury Robert Mill
∴ Summon Jury 10 talesmen Appears in court on the 7th day of June
Appoints R Wright his attorney Nothing has been done For licence to concord 3d box
Wright [Richard Peversale complains against Richard Orchard concerning a plea of debt upon demand of 15s out of the lawful account had between them on the 4th day of May in the 22nd year of the reign of King Edward IV withheld to the plaintiff's damage of 6s 8d

For licence to concord 3d box
R [Joan Poynter complains against George de Jarre concerning a plea of debt

Not prosecuted 3d ∴
The officer of the court responded that the said defendant has been attached and mainprised by Seva Catan and because he does not have him therefore he is amerced 3d
R Wright [George Acard complains against Antony Skapasyn concerning a plea of account

The officer of the court responded that the said defendant has been attached and mainprised by Henry Goldsmyth and because he does not have him therefore he is amerced 3d 6d
R [John Lewes complains against Andrew lately servant of Henry Goldsmyth concerning a plea of debt

fol. 8r

For licence to concord 3d box
Appoints J R his attorney
R W [Richard Thomson complains against Richard Cammesse concerning a plea of debt

Nothing has been done
~~Leonard Toworse complains against Agnes the wife of [blank] concerning a plea of debt upon demand of 2s 1d~~

22nd day of June For licence to concord 3d box
The officer of the court responded that the said defendant has been attached and mainprised by William Mekelowe and because he does not have him therefore he is amerced 3d
Wright [Peter Sprynge complains against Baptist [blank] of Genoa concerning a plea of debt

22nd day of June
R ~~Baptist Mason merchant of Genoa complains against Baptist [blank] concerning a plea of [blank]~~

Not prosecuted
R ~~Joan Doubuldronke complains against Margaret *sengilwoman* concerning a plea of trespass~~

3d R ∴ She has a day to the next [court] to pay For licence to concord
R Joan Graunte complains against Margaret [blank] *sengilwoman* concerning a plea of trespass

fol. 8v

25th day 24th day of June Appraisers [John Marelet
John Rouland]
1 2 3 4 defaults The officer of the court responded that the said defendant has been attached by one pair of *Briganders*[18]
The sergeants were joined with the plaintiff[19]
Wright [Gregory Holmehege complains against James [blank] *Gunner* concerning a plea of debt upon [demand] of 8s 8d For unlawful detention 3d box

25th day of June Nothing has been done Void because in Common Court
R Wright ~~William Asshely complains against Robert Crosse concerning a plea of account~~

---

[18] 'briganders'. 'Brigantine or brigandine' (O.E.D. sv) is body armour made of iron rings sewed on canvas, linen or leather, originally worn in two halves, and also called a corslet. The spelling in our text, which is not recorded in the O.E.D., may be a dialectical variation.

[19] *servien' aggr' sunt cum querente.* This could mean that sergeants joined as parties with the plaintiff, but it probably means that they shared in the award, which may have taken out of the proceeds of the sale of the brigandine.

~~The officer of the court responded that the said defendant has been attached and because he does not have him therefore he is amerced by donation~~ in the custody of Master Mayor

Summon Jury Pledge of the jury [?]distrain

R Plaintiff's damages 100s [William Southmede complains against Sir John Hassarte concerning a plea of trespass

The officer of the court responded that the said defendant has been attached and ^mainprised by ~~Andrew Spynell~~ ^Antony Spynell^ ~~and because he does not have him therefore he is amerced 3d 6d 12d~~ because he appears

Removed by writ returnable in Michelmas term year 22[20]

Summon Jury Pledge of ~~law~~ jury

9th day of June

G Wherefore law Plaintiff's damages 40s Thomas Holman complains against John Andrewe de Vivaldis concerning a plea of ~~account~~ [debt] upon demand of £3 7s 5 ¼d Defendant denies ~~therefore to jury and he is at law himself the 12th hand to the third hour in the afternoon on the same day~~ therefore to jury

fol. 9r

R ~~John Camond complains against William Dauber concerning a plea of trespass~~

Void because in Court of Admiralty[21]

~~William Toustem of Paris *merchaunt* complains against [blank]~~

For licence to concord 6d R White 7d ∴

Adjourned from the 6th day of July in the present year for one week then next following

∴ Amercement 3d

R White [Simon Toustem of Paris *merchaunt* complains against William Toustem of Paris *merchaunt* concerning a plea of debt

For licence to concord 3d box

The officer of the court responded that the said defendant has been attached and because he does not have him therefore he is amerced 3d

R White [John Anketill complains against Nicholas Halere concerning a plea of debt

[20] The feast is on September 29 and the term of Michaelmas follows.

[21] The mayor was also the admiral of the port of Southampton and as such, conducted the Admiralty Court. See the Introduction, at nn. 12–15.

fol. 9v

Pledge of law Peter Francis Catayn
Not prosecuted 3d box

G William Taverner of Salisbury *merchaunt* complains against Seva Catayn ^of Southampton *merchaunt*^ concerning a plea of debt of £21 16s on the grounds that William on the 2nd day of August in the 17th year of the reign of King Edward IV here in Southampton sold to the aforesaid Seva 4 fardels[22] of canvas price in total £20 & 2 yards and ¼ of black velvet price the yard 16s total 36s which all appertain to the sum in demand namely £21 16s The defendant comes into court on the 4th day of July in the present year at the third hour in the afternoon of the same day and says that he owes nothing to the party plaintiff in any manner and form which is brought and alleged against him and concerning this he requests 12 hands[23] at his law to be admitted to the court then next following which is granted to him

Peter Francis Catayn

Void because in Common Court Pledge Sistus Lomelyn

R William Taverner of Salisbury complains against Seva Catayn concerning a plea of account

For licence to concord 3d R ∴ box

R Robert Houlier complains against William Wastell concerning a plea of trespass on the grounds that the same William on the [blank] day of February in the 22nd year of the reign of King Edward IV broke and entered into the house of the same Robert at Southampton aforesaid and then and there seized and took away a robe price 13s of the goods and chattels of the same Robert and [did do] other enormities etc to damages [blank]

fol. 10r

Void because in Common Court

G ~~John Barbery complains against Thomas Skynner concerning a plea of debt~~

16s The officer of the court responded that the said defendant has been attached and mainprised by Antony Spynell and because he does not have him therefore he is amerced 3d 6d 12d 2s 4s 8s

Nothing has been done

R John Leyonard complains against John Sure otherwise Gainner concerning a plea of detinue

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[22] A fardel is a bundle.

[23] That is, he asks for permission to bring 11 men to witness to the truth of his denial. The defendant's hand makes the twelfth.

For licence to concord 3d box

R Henry Massie complains against Richard Rixton *Goldsmyth* and John Coperasse *Goldsmyth* concerning a plea of trespass

1 2 3 4 defaults Appraisers Denis Donell & John Smith *Taillour*
The officer of the court responded that the said defendant has been attached and mainprised by 15 pieces kersey

For licence to concord 3d box

R Wright Lewis Eynes complains against Richard Kebill concerning a plea of debt upon demand of £5 14s

fol. 10v

Pledge of jury Peter Basse Thomas Boterell
Summon Jury

R Wright Edward by the grace of God King of England etc complains against Peter Laurans concerning a plea of debt of 15s

For licence to concord 3d box

R Wright Edward by the grace of God King of England and France and Lord of Ireland etc complains against John Everard concerning a plea of debt upon demand of 33s 4d

For licence to concord and for 1 default 6d box
The officer of the court responded that the said defendant has been attached and because he does not have him therefore he is amerced 3d 6d

9d ∴

Wright Edward by the grace of God King of England etc complains against John Estfeld concerning a plea of debt upon demand of 53s 4d

For licence to concord and for 1 default 6d box
The officer of the court responded that the said defendant has been attached and because he does not have him therefore he is amerced 3d 6d

R Wright Edward by the grace of God King of England etc complains against Thomas Bache concerning a plea of debt upon demand of 3s 4d

For licence to concord and for 1 default 6d box
The officer of the court responded that the said defendant has been attached and because he does not have him therefore he is amerced 3d 6d

R Wright Edward by the grace of God King of England etc complains against John Buttelar in plea of debt upon demand of 10s The defendant appeared and confessed to the said sum in demand

For licence to concord and for 1 default 6d box
The officer of the court responded that the said defendant has been attached and because he does not have him therefore he is amerced 3d

R Wright Edward by the grace of God King of England etc complains against Henry Colens in plea of debt upon demand of 13s 4d

For licence to concord 3d box Pledge of R Wright to the next [court]

R Wright ⌈ Edward by the grace of God King of England etc complains against John Leonard in plea of debt upon demand of 6s 8d The defendant came into court on the 15th day of June in the 22nd year of the reign of King Edward IV and acknowledged the sum ⌊ in demand

fol. 11r

4 defaults 12d box Appraisers John Martelet Percival Gomand
The officer of the court responded that the said defendant has been attached by one coverlet of arras[24]

R Wright ⌈ Andrew James complains against Moses Couteren concerning a plea of debt [blank]. The appraisers appraised the said coverlet of ⌊ arras[25] at 23s 4d

For licence to concord 3d box Richard Gryme

[blank] ⌈ Thomas Raynold complains against Simon Grymore concerning a ⌊ plea of debt

He has a day to the next court to pay For licence to concord 3d Pledge of jury prison
Summon Jury

R White ⌈ Antony Clement complains against John Maister concerning a plea of trespass on the grounds that the same defendant on the 4th day of May in the 22nd year of the reign of King Edward IV here in the town of Southampton broke and entered into the house of the same plaintiff and then and there found and unlawfully seized and took away 1 maser price 20s 1 pair of linen sheets price 6s 8d from the goods and chattels of the same plaintiff etc to the grave damage of the same Antony of 100s The defendant comes into court and says that he is in no way guilty of the trespass aforesaid

Summon Jury 10 talesmen Pledge of jury John Maryner

R White John Adams complains against Thomas Dorewell *Tann[er]* concerning a plea of ~~debt~~ detinue of 1½ dickers[26] of leather price ~~13s 4d~~ 10s ^on Thursday next before the feast of the Annunciation of the Blessed Mary the Virgin[27]^ by the hands of John Thomas delivered on the said day and year withheld to the plaintiff's damages of 20s The defendant denies therefore to jury on the grounds that the same John Adams on the eve of the

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[24] 'arras': *arasse*. Derived from the name of a town in the Artois region, which in this period was subject to Burgundy and today is in the *département* of Pas-de-Calais. The town was famous for its production of rich tapestry fabric containing figured scenes woven in colour. The word had probably already become in this period an English common noun for tapestry.

[25] 'arras': *araas*. See n. 24.

[26] See SC7/1/3, n. 63.

[27] 25 March.

Annunciation of the Blessed Virgin Mary in the 22nd year of the reign of King Edward IV here in the town of Southampton ^made and confirmed to the said John a charter [illegible] messuage^ delivered by the hands of the said John Thomas

20d damages
Costs 3s 4d
Damages 3s 4d
Last day of July

Appoints GS his attorney Nothing has been done

G William Spicot complains against Thomas Pole of the city of Winchester *Spicer* concerning a plea of trespass

~~Adjourned from Thursday Martin next~~ For licence to concord 3d paid into the box

Adjourned for one week

Summon Jury

Adjourned until the next court after the feast of All Saints at the parties' request

Pledge of jury and for the Common Court Stephen Maryner

R [William Lange complains against Simon Grymore concerning a plea of debt trespass [*sic*] The defendant comes into court on the 5th day of August in the 22nd year of the reign of King Edward IV and says that ~~he himself on the 8th day of August in the present year~~ he is not guilty and concerning this he requests a jury The trespass was done on the 6th day of August and he [made] him [?] fall from his horse onto the ground to [his] damage of 100s[28]]

fol. 11v

Nothing has been done

Appoints John Mitchell his attorney

Robert Osmond and Isabel his wife complain against Alice Payne lately wife of John Payne concerning a plea of debt upon demand of 4s

For licence to concord 3d box

R [Peter Johnson of Southampton *Tailour* complains against Nicholas Yong concerning a plea of trespass against the form of the statute[29]]

R 2s ∴

The officer of the court responded that the said defendant has been attached and mainprised by Henry Vandreson and because he does not have him therefore he is amerced 3d 6d 12d

R John Lewes complains against ~~Giles~~ Michael Juner concerning a plea of debt

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[28] *et ipsum a equo suo al' ?proietere in ter' ad dampnum C s.* This makes no sense, and no amendment comes immediately to mind. Perhaps this is the gist of the complaint, which is missing above. We could make sense out of it if we read *ipsum* [*querentem*] *ab equo suo fecit proiectari in terram*, etc. But that is not what it says.

[29] For the statute probably referred to, see SC7/1/3, n. 32.

12d by pledge of Lewis Eynes For licence to concord
The officer of the court responded that the said defendant has been attached and committed to prison to John Rose and because he does not have him 3d

6d

G John White complains against [blank] Jon Duchman of Middelburgh[30] concerning a plea of trespass

Nothing has been done

R Leonard Toworse complains against [blank] Thomson lately wife of Richard Thomson *Glover*[31] concerning a plea of debt upon demand of 20d

fol. 12r

~~John White complains against Thomas Colmere labourer concerning a plea of trespass against the form of the Statute~~

For licence to concord 3d box

R White John Broune *maryner* complains against Thomas Laurence concerning a plea of debt

Nothing has been done

G Richard Mannesbrigge complains against John Birtton servant of William Heckley concerning a plea of trespass

For licence to concord 3d box
Appoints [blank] his attorney

R Wright Thomas de Chambre complains against Thomas Palsar of the city of Winchester in the county of Southampton *merchaunt* concerning a plea of debt upon demand of £10 and £9 to be paid at the feast of St Matthew the Apostle[32] by one bond of which the date is Christmas Eve in the 21st year of the reign of King Edward IV

Not prosecuted 6d For licence to concord

R White Oliver Sherd of the city of Winchester *merchaunt* complains against Thomas Palsare and Richard Grigge of the same concerning a plea of debt

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[30] Middelburg, Zeeland, The Netherlands.

[31] There are at least two Richard Thompsons in our records, because another appears very much alive in SC7/1/9 (see IPP). There are probably three, because it seems unlikely that the man described as a hosteler is the same as the men who are variously described as a tailor or a glover. Somewhat arbitrarily we have assumed that the Richard Thompson who appears before SC7/1/8 is Richard (1), and the one who is not the hosteler who appears in /8 and /9 is Richard (2).

[32] 21 September.

fol. 12v

12d ∴ For licence to concord

The officer of the court responded that the said defendant has been attached and mainprised by Richard Andrewe and because he does not have him therefore he is amerced 3d 6d

G [John Aproe of Winchester complains against Joan Doubledronk concerning a plea of trespass

For licence to concord and for 1 default 6d box

Not prosecuted 3d

The officer of the court responded that the said defendant has been attached and mainprised by John Knoll and because he does not have him therefore he is amerced 3d

Appoints GS his attorney

R Wright [Thomas Fesaunt complains against John Palmer son of Giles Palmer concerning a plea of detinue for unlawful detinue of 1 horse price 20s 1 saddle price 5s 1 rein price 16d 1 halter of leather price 6d 1 *fotemantell*[33] price 12d

3d ∴

Pledge of jury prison

The officer of the court responded that the said defendant has been attached and mainprised by Rouland Johnson and because he does not have him therefore he is amerced 3d

Summon jury

Appoints GS his attorney

R Wright [Edward Alrigge and Edith his wife complain against William Barbour otherwise Leche concerning a plea of trespass on the grounds that on the 26th of July in the 22nd year of the reign of King Edward IV Edward agreed with the aforesaid William as a surgeon to cure the said Edith on account of the infirmity of her shin within two weeks then next following for 5s 4d and he took in nine earnest payments from the sum aforesaid 2s 10d from the aforesaid Edward The aforesaid William however has taken care of the said cure so negligently that up until now the said Edith has almost lost her aforesaid shin to damages of the same Edward and Edith of 20 marks And the aforesaid William on the 16th of September in the 22nd year of the reign of King Edward IV [comes into court] and says that he is not guilty of the trespass aforesaid

[33] A foot-mantle (O.E.D. s.v.) is either an overgarment worn when riding, usually by women, or a foot-cloth, 'a large richly-ornamented cloth laid over the back of a horse and hanging down to the ground on each side'.

For licence to concord 3d box
R Wright ⌈ Leonard Toworse complains against Jota *DucheWoman*
⌊ concerning a plea of trespass

Appoints W Lathum and GS his attorneys
R Wright Walter Hayne complains against William Sterne *Boucher* concerning a plea of debt

fol. 13r

For licence to concord 3d box
R White ⌈ John Broune *Shipman* complains against Thomas Laurence
⌊ concerning a plea of debt

Pledge both of jury and of the Common Court and also of the [?]fine[34]
Roger Ailesby Thomas Braynwode
∴ Appoints R Wright his attorney
Summon Jury 10 talesmen 8 talesmen Pledge of jury p[?rison]
R White ⌈ William Bassett complains against William Sterne *Boucher*
⌊ concerning a plea of debt upon demand of 14s from a lawful account ~~Isabel Forster~~

Judgment 22nd October in the 22nd year of the reign of King Edward IV
Appoints J Dunnyng & G Godefelowe his attorneys Nothing has been done
R Thomas Fesaunt complains against John Palmer son of Giles Palmer concerning a plea of detinue of chattels

Summon Appoints John Lanc his attorney
Jury
R Thomas Gryme ^and Isabel his wife^ complain against Isabel Forster *sengilwoman* concerning a plea of trespass

Summon Jury Petitions for 10 talesmen Pledge of jury John Joy
Appoints GS his attorney
R Wright ⌈ John Bigon complains against George Broune concerning a plea of trespass that on the 22nd day of August the same George on the 22nd day of August in ^the 22nd year^ of the reign of King Edward IV here in the town of Southampton he met with John the servant of the same John and then and there solicited the servant from the service of his said master to depart from his labour etc and then and there took away 1 horse of the same John and 4 pieces of *kassez*[35] from the goods and chattels of the same John to the same John's damages of £10 The defendant comes into court on the 6th day of September and says that he is not guilty etc
⌊

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[34] *de fine*. It is unclear what sort of fine this might be. Perhaps we should take it in a general sense, 'pledge of the result', i.e., that the defendant would pay any judgment.

[35] ~~*kasse*~~ *kassez*. The temptation to take this as the modern English 'cases' would seem to be precluded by the preceding *pecia* and the absence of a following *de*. Perhaps this is Dutch (*kaas*) or German (Käse), 'cheese'.

[36]R Wright Thomas Marmore otherwise Obray complains against John Broune *Cordwainer* concerning a plea of trespass that on the first day of September in the 22nd year of the now king the same John with other unknown persons etc broke and entered the house of this Tomas at Southampton and assaulted Matilda the wife of this Thomas then there and incited Matilda herself to withdraw from the house of T[homas] her husband and thus she left on the third day of September with with 400 pounds of [illegible] and 100 pounds etc The defendant comes into court on the 10th day of September ^[?]officer arrested^ and says that he is not guilty etc

fol. 13v

Pledge both of jury and of the Common Court and also of the fine[37]
Roger Ailesby Thomas Braynwode

Summon jury — 10 talesmen — Pledge of jury — For licence to concord 3d box

R ⌈⌊ Fulk Shirewyn complains against William Sterne *Boucher* concerning a plea of debt upon demand of 21s 6d The defendant comes into court on the 10th day of September and denies it

Appoints GS his attorney

R ~~John William complains against William Sterne Boucher concerning a plea of debt~~

For licence to concord 3d box

R ⌈⌊ John Willyams of Merdon in the county of Surrey complains against William Sterne lately of Deptford in the county of Kent concerning a plea of debt upon demand of £5 to be paid at the feast of the Annunciation of the Blessed Mary the Virgin[38] by one bond of which the date is the 6th day of December in the 21st year of the reign of King Edward IV The defendant comes into court on the 11th day of September in the present year and acknowledges out of the said sum in demand 13s 4d

R Lewis Eynes complains against William Sterne *Boucher* concerning a plea of debt upon demand of 25s

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[36] Written at the bottom of the page, this entry is more than usually sloppy, and the translation is problematical. Entries concerning this case are also found in SC7/1/9. This is the best that we can do on a transcription:

R Wright. Thomas Marmore alias Ovray queritur versus Johannem Broune *Cordoner* in placito transgressionis de eo quod idem Johannes cum certis ignotis personis etc. primo die mensis septembris anno xxij Regis nunc domum ipsius Thome apud Suthamton' fregit et intravit et Matildam uxorem ipsius Thome adtunc etc. insultum fecit et ipsam Matildam solicitavit recedere a domo ipsius T[home] viri et sic recessit tercio die Septembris cum cccc libris ?c'mgre [blank] / ?depuit que et e c libras etc defendens venit in curiam decimo ^?min'^ die ^cat^ septembris et dicit quod ipse quod non est culpabilis etc.

[37] See n. 34.

[38] 25 March.

~~William~~ N[ote] ^3d^ ~~For licence to concord~~ paid into the box
Summon Jury Pledge of jury { Roger Alesby / Thomas Braynwode as above }

R [Peter Johnson complains against William Sterne *Boucher* concerning a plea of debt upon demand of 13s 4d

Summon Jury Note 3d paid[39] into ^court^ ∞ 10 talesmen

R [John Gough complains against William Sterne *Boucher* concerning a plea of debt upon demand of 13s 4d

fol. 14r

Memorandum paid [illegible]
Appoints GS his attorney Distrain Pledge of jury prison
Summon Jury in prison

R White William Vengham complains against John Robert concerning a plea of trespass [40]The plaintiff says that on the 28th day of July by force of arms the defendant entered and broke into the house of the same plaintiff and seized 220s in money found there [illegible line] price 16s 2 rings of gold price 10s and 2 rings of silver price 5s [illegible line] to damages [blank] The defendant says that he is not guilty and requests a jury ~~pledge~~ and the aforesaid plaintiff likewise

~~For licence to concord 3d at request of John Rose~~ has a day against the next [court]
For licence to concord 3d at [?]request of John Rose ~~against the next~~[41]
Nothing has been done in prison

R John Sprynge complains against James [blank] *Lockyer* concerning a plea of [blank]

Roger Kelsale complains against Roger Baron *joyner* concerning a plea of debt

∴

To the next [court] For licence to concord 3d in the hands of John Rose

R Wright Ralf Calton complains against John Lynakers [blank] concerning a plea of trespass

Summon Jury Previously[42] Summon Jury Pledge of jury Geoffrey Attwode
Appoints GS & Thomas Avenell his attorneys

R Richard Bele complains against James Harvie *laborer* concerning a plea of debt upon demand of 10s for 1 cow sold to him on the 8th

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[39] This could be *cul'* for *culpa*, some kind of fault committed in court, but the phrase occurs again on fol. 14r of 7/1/9, where it is clearly *sol'* 'paid'.

[40] What follows is written in a different hand.

[41] The word translated 'request' is unclear, but in both places it could be *prece*. In the next entry John Rose, who seems to be the officer of the court, is said to have the 3d for licence to concord 'in his hands'.

[42] The word we translate here as 'previously' may be *aliter*, 'otherwise'.

of May in the 19th year of the reign of King Edward IV withheld to the plaintiff's damages of 5s The defendant comes into court on the Tuesday[43] next after the feast of St Michael the Archangel and denies the charge which etc and confesses that he owes for the cow aforesaid 6s 8d which he paid into the court and as for the residue he denies it Therefore to jury

For licence to concord 3d box

Rose Robert Knolman complains against Philip Repose concerning a plea of trespass

fol. 14v

RW ~~Roger Kensall complains against John Adene concerning a plea of debt upon demand of £20~~

Pledge S & R[44] For licence to concord 3d

G [John White complains against William Couper servant of Nicholas Cheseman concerning a plea of trespass

For licence to concord Nothing has been done

G John White complains against [blank] servant of Nicholas de Prece concerning a plea of trespass

Note 3d Pledge of [?jury] prison in prison

R Joan Burnell complains against John Robert concerning a plea of trespass

Not prosecuted 3d box

R [William Tredgold complains against Richard Bechewell otherwise Boucher concerning a plea of debt

fol. 15r

For licence to concord and for 1 default 6d box
The officer of the court responded that the said defendant has been attached and mainprised by Henry Goldsmith & Peter Sprynge and because they do not have him therefore he is amerced 3d

Wright [John Walker complains against Roger Bronde concerning a plea of
~~Wright~~ [debt

For licence to concord 3d box
Appoints GS his attorney

R White [Robert Spencer complains against John Spryng *mariner* concerning a plea of ~~debt upon demand~~ detinue

---

[43] 1 October.

[44] 'R' is probably John Rose; 'S' may be Guy Shilvyng, though he is usually referred to as 'G' or 'GS'. See Introduction at nn. 132–133.

For licence to concord

12d

Wright [John Avan ^of Chichester^ complains against John Hertfeld
[concerning a plea of debt

Judgment has been given For licence to concord

Summon GG[45] In Pledge of jury Richard
Jury default Thomson *hostellar*

Wright [Elizabeth Austell complains against Robert Willyngham
[concerning a plea of debt upon demand of £6

For licence to concord
Pledge of jury Richard Lichefild

Appoints G S his attorney

Summon Jury Rose in prison[46]

Wryght William Mershe complains against Richard Bechewell *Boucher* concerning a plea of debt upon demand of 8s on the grounds that on the 12th day of August in the 21st year of the reign of King Edward IV the same went pledge for the aforesaid Richard for the sum in demand The defendant comes into court and

Judgment acknowledges the sum in demand and for costs outgoings and expenses 3s 4d and let the party defendant be committed to prison until he shall pay

fol. 15v

Adjourned from the 28th day of October for the 2 weeks then next [following]

For licence to concord The officer of the court responded that the said defendant has been attached and mainprised by John Maryner and because he does not have him therefore he is amerced 3d 6d

Adjourned from the 12th day of November in the present year until the feast of Christmas by pledge above-written

12d ∴ Appoints T Avenell his attorney

G [William Wyker of Chale in the Isle of Wight *Fermor* complains against William Boucher of Totton within the parish of Eling in the county of Southampton *Boucher* concerning a plea of debt upon demand of 31s 8d

For licence to concord 3d box

G John Spryng *mariner* complains against Thomas lately servant of
RW Ralf Calton[47] concerning a plea of debt

---

[45] 'GG' may be Elizabeth's attorney, though the note does not say this.

[46] As the main entry makes clear it is not the sergeant, John Rose, who is in prison but the defendant. Rose was probably being made responsible for seeing to it that the defendant was put there.

[47] *In placito* is found under Ralf's name at the end of the line. It is then struck out and repeated at the beginning of the next line.

For licence to concord pardoned in prison

R William Sterne *Boucher* complains against Brother John of the city of Winchester[48] concerning a plea of trespass

fol. 16r

Amercement 2s box

The officer of the court responded that the said defendant has been attached and mainprised by John Dimmyngh' and because he does not have him therefore he is amerced 3d 6d 12d

For licence to concord 3d box

R Stephen de Michaell of the galley Capitanea of Venice complains against Luke Tramontan' of the same galley concerning a plea of debt upon demand

For licence to concord 3d box

The officer of the court responded that the said defendant has been attached and because he does not have him therefore he is amerced 3d

R Wright William Mecklowe complains against [blank] Calefato concerning a plea of debt

[blank] Thomas Spencer [is a] vagabond and on account of this has been put into prison until he has been sworn to our lord the king that he will well [blank]

Summon jury ~~Pledge of jury~~

[blank] John Petvynt master of a certain ship of Brittany called Le Bastian has reached agreement with [blank] *pigman* of Havant[49] for all his offences committed and perpetrated against the same John Petvynt

∴ ∴

For licence to concord 3d paid into the box

Summon Jury Pledge of jury prison

Wright Nicholas Hannyng complains against William Wodeland *paten maker*[50] concerning a plea of debt upon demand of 3s 7d for a service supplied to him

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[48] *fratrem Johannem de civitate Wint'* – certainly looks as if he were a religious. In addition to the cathedral priory there were in Winchester in this period houses of Franciscan, Dominican, Carmelite and Austin friars, and a secular hospital. Any of these could have had a 'Brother John' associated with them.

[49] Havant is 20 miles southeast of Southampton.

[50] Pattens are overshoes made on a wooden sole with an iron ring for raising up the wearer's own shoes.

fol. 16v

~~For licence to concord 3d box~~
~~For licence to concord 3d box~~

1 2 3 defaults — The officer of the court responded that the said defendant has been attached by 1 kersey

For 1 default and for licence to concord ~~3d box~~ 5d box

G [R[51] complains against Stephen Poter' concerning a plea of debt upon demand

Void because in Common Court

1 default — The officer of the court responded that the said defendant has been attached by 1 kersey

G ~~John Bourer complains against Stephen Poter' concerning a plea of debt upon demand of 46s 8d~~

1 default — The officer of the court responded that the said defendant has been attached by 1 kersey

G ~~John Frenche complains against Stephen Poter' concerning a plea of debt~~

For licence to concord 3d box in prison

~~Wright~~ R [John Rouland complains against John Cuttellar concerning a plea of debt

For licence to concord 3d box Nothing has been done

Wright [William Blith complains against Stephen Poter' concerning a plea of debt

For licence to concord 3d ∴
Summon Jury Pledge of jury William Broune *Barbour*

G [Thomas Everard and Alice his wife lately wife of John Canterton complain against Henry Hobbs concerning a plea of debt upon demand of 12s for rent owed to them withheld to the plaintiffs' damages of 10s The defendant comes into court himself in person and says that he owes nothing and concerning this he requests a jury and the aforesaid plaintiffs likewise

fol. 17r

Nothing has been done

G Thomas Everard and Alice his wife lately wife of John Canterton complain against William Coke concerning a plea of debt

---

[51] There is no blank space here, as there normally is when the clerk needs to fill in a name. That suggests that this 'R' is the sergeant-at-mace, John Rose. See Introduction at n. 132.

For licence to concord 3d box
Adjourned from the Tuesday after the feast of St Martin[52] until the Thursday then next following by pledge of John Avan

Wright [Elizabeth Austell complains against John Cappelyn concerning a plea of debt

For licence to concord
Thomas Brice and John Brice son of the same Thomas complain against William Walker of Chale in the Isle of Wight concerning a plea of trespass

For licence to concord 3d box Nothing has been done

RW [Richard Welle complains against Laurence Lymington *Baker* concerning a plea of debt upon demand of 6s 8d

For licence to concord 3d box

Wright [William ^de Russet^ otherwise Gadian de Galea[53] complains against Gerrade de Coleyn concerning a plea of debt

∴ For licence to concord and for 1 default 6d box
The officer of the court responded that the said defendant has been attached and mainprised by William Heckley merchant and because he does not have him therefore he is amerced 3d

Wright [John Gough complains against Francis ^de Raguse^ *Galyman* concerning a plea of ~~debt~~ trespass

fol. 17v

Void because in Common Court By pledge of John Day

Wright ~~William Mershe complains against Richard Swayn *Boucher* concerning a plea of debt~~

[Void] because in Common Court

RW ~~John Ward complains against Stephen Pot[er]un concerning a plea of debt~~

For licence to concord 3d box

RW [William Spershot complains against [blank] *Balastroer* from a certain carrack of Genoa concerning a plea of covenant broken

For licence to concord ∴
Adjourned from the 20th November in the 21st[54] year of the reign of King Edward IV for one week by pledge of court

RW Stephen Poterum complains against George Brown concerning a plea of detinue

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[52] 11 November. But see Cheney, *Handbook of Dates*, p 78. Tuesday is the 12th and Thursday the 14th.

[53] The clerk identified Gadien as a galleyman, but that may not have been his name. For 'Gadian', compare 'Gaddian' (Punjabi), 'Gadi' (Hebrew, Arabic).

[54] See the introduction to this section.

Discontinued 3d He has died
Summon Jury Pledge of George Cockes
The officer of the court responded that the said defendant has been attached and mainprised by George Cockes and because he does not have him 3d box

RW [Stephen Poterum complains against Richard Weddell concerning a plea of trespass against the form of the statute

fol. 18r

For licence to concord 3d paid into the box

R [John Rouland complains against John Cuttellar concerning a plea of trespass

For licence to concord 3d box
The officer of the court responded that the said defendant has been attached and mainprised by [blank]

R [John Camount complains against [blank]

For licence to concord 3d box
Appoints R White his attorney

RW [Robert Dente complains against [blank]

RW [Dominic de Albaneys complains against James de [blank]

For licence to concord 3d box
Summon Jury Pledge of jury John Godfray
Appoints Thomas Avenell his attorney

RW [Thomas Dorset perpetual vicar of the parish church of St Michael in the town of Southampton complains against Thomas Chilkombe concerning a plea of debt upon demand of 15s for 5,000 tiles bought from him here at the town of Southampton on the 1st day of May that is on the feast of the apostles Philip and James in the 21st year of the reign of King Edward IV to be paid at the feast of St Peter called in Chains[55] at which feast the said defendant claims another time from which to pay the same said sum to the plaintiff he unlawfully withholds to the plaintiff's damages of 10s [Therefore he requests a jury] And the aforesaid Thomas likewise Therefore it is ordered etc to summon a jury etc

fol. 18v

For licence to concord 3d and for 1 default 3d box
The officer of the court responded that the said defendant has been attached and mainprised by Paul Teple and because he does not have him therefore he is amerced 3d

R Wright [Allegrete de Gatro complains against Peter Travistan concerning a plea of detinue

[55] 1 August.

Appraisers Thomas Wilson Denis Donell
1 2 3 4 defaults The officer of the court responded that the said defendant has been attached by 3 bales of canvas in the custody of the court

R Henry Collins complains against John Richard of Portsmouth concerning a plea of debt

10 talesmen The officer of the court responded that the said defendant has been attached and because he does not have him therefore he [is] amerced

amerced Pledge of jury Walter Feteplace
3d

Appoints GS his attorney Appoints Robert Bluet his attorney

R Wright / Judgment — John Walker complains against John Clyffe perpetual vicar of the parish church of Holy Rood within the town of Southampton concerning a plea of debt upon demand of £4 13s 4d by a writing completed in his hand and received in court

∴ For licence to concord 3d box

R Wright — Henry Sherman complains against Thomas Boterell concerning a plea of debt

Summon Distrain
Jury

Appoints J Rose his attorney Pledge of jury prison

R Edmund Edmond and Thomasina his wife complain against Richard Thomson of the town of Southampton *Tailour* concerning a plea of detinue of 1 gold ring price 26s 8d withheld to the plaintiff's damages of 20s The defendant denies therefore to jury

fol. 19r

For licence to concord
The officer of the court responded that the said defendant has been attached and mainprised by the officer of the court and because he does not have him therefore he is amerced 3d 6d

Summon Jury Pledge of jury G Shilvyng John Rose

R Wright — Nodal de Pasterwiche complains against John Rouland concerning a plea of debt upon demand of 3 crowns which he unlawfully withholds from him The defendant comes into court and denies it therefore to jury

For licence to concord 3d box

R Wright — Robert Hill *Barbour* complains against George Galyman concerning a plea of debt

For licence to concord 3d box
Adjourned from the 23rd day of November to Monday next after the Epiphany of the Lord[56] by pledge of Richard Ludlowe & Walter Fetteplace

R Wright [Thomas Dymock complains against [blank] Rouse of Salisbury concerning a plea of debt

On the pillory

R [John Everard complains against Richard [blank] *Hostellar*

For licence to concord 3d paid into the box
mainprised by John Gryme

R [John Gryme complains against John Carter concerning a plea of trespass

fol. 19v

For licence to concord On the pillory

R [John Everard complains against John [blank] *Hostellar* concerning a plea of trespass

Nothing has been done

R Wright ~~Peter Galyman complains against Peter Johnson *Taillour* concerning a plea of trespass~~

2s ∴ For licence to concord
The officer of the court responded that the said defendant has been attached and mainprised by John Mariner and because he does not have him therefore he is amerced 3d 6d 12d

G Shilvyng [John Crouc[er]e ^otherwise Sepper^ complains against John Godeere concerning a plea of debt upon demand

For licence to concord 12d box
The officer of the court responded that the said defendant has been attached and mainprised by John Sandreson because he does not have him therefore he is amerced 3d 6d

[blank] [Laurence Crosy complains against Gaston PerDranke concerning a plea of [blank]

Pledge Richard Underwode 3d box
Pledge of the Common Court Richard Underwode
Void here because later
Appoints J Rose Walter William his attorneys

~~William Coupeland complains against John Smythe *Fisshmonger* concerning a plea of debt upon demand~~

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[56] 6 January. The Monday next was the 7th in 1482.

[inserted between fols. 19v and 20r][57]

The 22nd day of M'ch last past 6 burdens[58] *lyng*[59] *p's — £3*

It'm millewell[60] *& leng 6 burdens at 9s 6d the burden — 57s*

It'm millewell and lyng 8 burdens at 9s 2d — £3 13s 4d

S'ma To' £9 10s 4d

Ress' in p'ty of payment in money — £3

It'm in [?]*Clowis*[61] *2 lb — 5s 4d*

Rest £6 5s

fol. 20r

Adjourned from the 11th day of November in the present year until the day after the Epiphany of the Lord[62] by pledge

in prison

R William Coupeland complains against Richard Thomson of Southampton *Taylour* concerning a plea of debt

Summon Jury 10 talesmen Pledge of jury prison
Appoints ~~GS~~ J Rose his attorney

R William Capelond and Walter Wyllyam complain against Richard Thomson of Southampton *Taylour* concerning a plea of debt upon demand of £20 by his bond of which the date [blank]

Judgment He successfully made[63] his law Therefore the same Giles amerced 3d box
Pledge of law Roger Kelsall

R White Giles Palmar complains against Richard Kente of Oxford concerning a plea of debt of £6 5s for certain catfish sold to him withheld to the plaintiff's damages of 5 marks The defendant comes into court on the 10th day of November in the present year and denies the charge which etc and damages etc and says that he owes him nothing and he is at law of the 12th hand against the next court

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[57] If this document is related to the court records, it was probably used to support an action of debt or of account. It would seem to total the amount still owed by the buyer of a large quantity of fish.

[58] For this meaning of 'burden' see O.E.D. s.v.[3]

[59] 'lyng' – 'a long slender gadoid fish'. O.E.D. s.v. *ling* n.[1].

[60] 'millewell' – a name for cod. O.E.D. s.v. *milwell.*

[61] 'Clowis' – a spelling and meaning recorded in 1419 for 'nails'. O.E.D. s.v. *clow* n.[2].

[62] Monday, 7 January, in 1482.

[63] *perfecit.*

Because he retracted 3d box

R Wright [Allegrete de Gatro complains against Peter Travistan concerning a plea of detinue

For licence to concord 3d box

Adjourned from the 11th day of November in the present year until the feast of Christmas and in the Common Court

The officer of the court responded that the said defendant has been attached and because he does not have him therefore he is amerced 3d 6d 12d

Appoints G Shilvynge his attorney

Wright Richard Undirwode complains against Richard Kibbell concerning a plea of debt upon demand

Because in Admiralty Court

~~Christian Praunce master of a certain ship [blank]~~

fol. 20v

For licence to concord 3d box

Appoints GS his attorney

RW [Laurence Bardiche complains against William Sellam concerning a plea of trespass

Nothing has been done

William Vengeham complains against John Arnold *husbond*[man] concerning a plea of trespass

3d ∴ For licence to concord Pledge of jury Ita Ango

Summon Jury

R [Margaret Riche complains against William Hemmyng of the town of Southampton *Barbour* concerning a plea of debt

For licence to concord 3d paid into the box

prison

GS [William Sterne *Boucher* complains against John lately servant of the same William concerning a plea of debt

fol. 21r

For licence to concord 3d in the hands of the sergeant 3d box

Summon Jury Pledge of jury Thomas Braynwode

Appoints GS his attorney

RW [Moses Couteryn complains against Francis of the Galley *London* [concerning a plea of] trespass

RW Ralf Boucher complains against [blank]

For licence to concord 3d box

G [Paules de Bemes complains against Peter Marond concerning a plea of debt

For licence to concord 6d box
The officer of the court responded that the said defendant has been attached and mainprised by William Sulman and because he does not have him therefore he is amerced 3d 6d

R Wright ⌈ Constantine Kamynar complains against George Decena
⌊ concerning a plea of debt

For licence to concord
Adjourned until the arrival of the Master of the Hospital of St Julian[64] of the town of Southampton

The officer of the court responded that the said defendant has been attached and mainprised by Richard Folouer and because he does not have him therefore he is amerced 6d 12d

G ⌈ 12d ∴ Thomas Blake complains against Hugh Carpenter concerning a
⌊ plea of trespass

fol. 21v

RW ~~Moses Couteryn complains against [blank] concerning a plea of [blank]~~

RW ~~John Vandreson complains against [blank] concerning a plea of [blank]~~

For licence to concord 3d box
∴ Summon Jury Pledge of jury William Eynes
Appoints G S her attorney

R Wright ⌈ Joan Ludlowe complains against William Kilford ^Welford^ and
⌊ Joan his wife concerning a plea of detinue

For licence to concord and for 1 default 6d in the hands of the bailiff
The officer of the court responded that the said defendant has been attached and mainprised by Francis Mountesorell and because he does not have him therefore he is in his own person
amerced 3d

R ⌈ William Thohyn master of a certain ship from Brittany called St Yves de Kenket complains against Palmer Florentyne concerning a plea of debt upon demand of 400 skuts for carriage by boat and freight of the ship aforesaid burthened and laden and with wines oil sugar and fruit ^to be carried [?] from 'Tavyll'^ in Fishbourne[65] as far as the port of the town of Southampton 6 skuts to be taken for each tun ^reckoning for each tun 30 pieces^ which

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[64] St Julian's Hospital, also called God's House, is an alms house, which is still extant. For the definitive explanation see Davies, *A History of Southampton*, pp. 450–63. The master at the time was probably Henry Boost, who is recorded as such in 1483. *Ibid.*, p. 463.

[65] '*Tavyll in Fissheborn*'. The reading of the first name is unclear, and we have been unable to identify it. Fishbourne is either the port 4 miles west of Chichester or the port in the north of the Isle of Wight.

with carriage of the same makes up to the sum in demand And although etc but he withholds etc to the plaintiff's damages of £20 as is more fully contained in a certain indenture made thereof

in prison

The officer of the court responded that the said defendant has been attached and because he does not etc therefore he is amerced 3d

R John Withepole complains against Antony Skapesyn concerning a plea of debt

[inserted between fols. 21v and 22r]

[66] Edward by the grace of God King of England and France and Lord of Ireland to the mayor and bailiffs of his town of Southampton greetings Although on the basis of a certain writ addressed to you you sent to us in our Chancery on a certain day contained in our writ a case of arrest distraint or attachment of the goods and chattels of Cebe Catteyne merchant of Genoa and of Angel Catteyne merchant of Genoa recently made as was said by you or any one of you at the suit of John Bowerer nonetheless for certain reasons moving us we remit the aforesaid case to you ordering that you proceed in that case with as much speed as possible by right and by the law and custom of aforesaid town the said writ of ours addressed to you as set forth above notwithstanding Witness myself at Westminster on the 10th day of February in the 21st year of our reign Morton

[inserted between fols. 21v and 22r]

Mem[orand]um. This be the goodes of franchys Catan presyd be the ha[n]dys of Joh[ann]es Marcelet and Denysse Doniell p[ray]s[ed] xxv day of January xiiii pec[es] of Byth Strayt p[ray]s[ed] the pece iiij s.

Summa 56s. 29th day of January.[67]

fol. 22r

~~in prison~~ Nothing has been done

R John Stenden of Dorchester[68] complains against John Smyht of Millbrook concerning a plea of detinue

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[66] This writ and memorandum of appraisal that are attached to fol. 22r concern the case that is in the second entry on that folio. Curiously, the record of that case makes no reference to the writ *de procedendo* attached here.

[67] Centred at the bottom of the document.

[68] 'Dorchester': *Dorchestre.* Dorchester is either the county town of Dorset or a small town in Oxfordshire.

Last day of January[69]

Removed by writ of the lord king received the day after the Purification[70]

The officer of the court responded that the said defendant has been attached by 14 dozen straits[71] white in colour

Adjourned until the 21st day of January

Appraisers ~~John Smyth *Taylour*~~ Denis Donell
~~John Smyth~~ John Martelet *Taillour*
1 2 3 4 defaults

G John Bowrer complains against Angel Catayn concerning a plea of debt ~~upon demand~~ upon demand

damages ~~The same John Stenden complains against~~
∴ 20s 55s for the dyeing of various woollen cloths[72]

RW ~~John Samond complains against~~

For licence to concord 3d box ~~in the hands of R~~

R Wright [Richard Gryme complains against Richard Smyth lately of Hursley *Smyth* concerning a plea of debt upon demand of 23s 4d

RW Robert Douce complains against [blank]

For licence [to concord]
Nothing has been done

R William Mersshe complains against Christian Praunce master of a hulk concerning a plea of [blank]

For licence to concord 3d box
Adjourned from the 12th of January until the Feast of the Purification of the Blessed Virgin Mary

[blank] [John Poyntell complains against Walter Colvile concerning a plea of detinue

fol. 22v

RW ~~Agnes Druet complains against~~

For licence to concord 3d box ∴

RW [Peter Russell complains against [blank] Saundres *Barbour* concerning a plea of covenant broken

For licence to concord 3d box

RW [Laurence Bardiche complains against [blank]

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[69] This note is quite far from the main entry and may refer to more than the main entry.

[70] The feast is on 2 February.

[71] A strait is a narrow cloth of single width.

[72] It is not entirely clear what goes with what here. That the damages go with the 55s is clear, because a line connects them. The whole line probably goes with *Bowrer* v. *Catayn*, bypassing the aborted entry concerning Stenden. Perhaps it was added after the court received the writ *de procedendo*.

[Void] because in Common Court
in prison

Wright Ralf Calton complains against William Spigot concerning a plea of debt

fol. 23r

Adjourned from the 2nd day of April in the 22nd year of the reign of King Edward IV until Hockday[73]
The officer of the court responded that the said defendant has been attached and because he does not have him therefore he is amerced 3d 6d

Nothing has been done

Wright [Ralf Calton complains against Richard Pynhorne of Nursling
[concerning a plea of debt

Nothing has been done Because in Common Court

Wright ~~Ralf Calton complains against John Davey *Sawyer* concerning a plea of debt~~

Summon

Wright ~~Ralf Calton complains against John Conley concerning a plea of debt~~

Not prosecuted 3d box
Adjourned from the 5th of February in the present year until Sunday next after the feast of Ash Wednesday[74] by pledge of John Brede ∴ not paid and because not etc 3d

R Wright [William Wavull complains against Thomas Edyngton concerning
[a plea of debt

For licence to concord 3d box

R White [John Cole master complains against [blank] from a certain ship of
[Spain concerning a plea of trespass

~~For licence~~ Pledge of jury Reginald Jacob
Removed by writ
Summon Jury

R White Thomas Watkis complains against Sir John ~~clerk~~ ^*Clerke* chaplain^ concerning a plea of debt upon demand of 8s on the grounds that the said Thomas laboured on a certain day and year for the said John in the court of the Lord Archbishop of Canterbury to have citation outside the court of the said Lord Archbishop against certain persons at the aforesaid court to be summoned and there reply And he has etc but withholds etc to damages [blank] The defendant comes in his own person and denies the charge which etc & damages etc and says that he owes nothing and concerning this he requests a jury and the aforesaid plaintiff likewise

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[73] The second Tuesday after Easter, i.e., 16 April 1482.
[74] Ash Wednesday: 20 February 1482; the Sunday next was 24 February.

fol. 23v

Summon Jury 10 talesmen Pledge of jury prison

G Margaret Luke lately wife of Michael Luke and executrix of the testament of the same Michael complains against Richard Thomson ^in prison^ *Tailour* concerning a plea of debt upon demand of £5 18s 9d Thereto the party defendant appeared
Judgment on the 23rd day of January in the 21st year of the reign of King Edward IV and acknowledged out of the [sum] in demand £3 13s 4d whereof it was considered by the court on the 24th day of January in the 21st year of the reign of King Edward IV that the party plaintiff should receive out of the sum in demand £3 13s 4d and as to the residue he denies it therefore to jury and on this let him be committed to prison until he make satisfaction

∴

Wright ~~William Keve complains against Isabel lately wife of Matthew Goldsmyth concerning a plea of covenant broken~~

For licence to concord

The officer of the court responded that the said defendant has been attached and mainprised by Thomas Bronchall and because he does not have him therefore he is amerced 3d 6d 12d 2s 4s

Rose Lewis Eynes mayor of the town of Southampton and Christopher Ambrose and John Pesson ^Bailiffs of the same^ and also John Bouer *Tailour* and Thomas Kendal Master of the Tailors Company complain against Peter Taillour ^Breton^ concerning a plea of debt

R John Marynere complains against William Grene concerning a plea of debt

For licence to concord 3d box

Adjourned from the 23rd of January in the present year until Monday 28th in the same month of January by pledge below written

The officer of the court responded that the said defendant has been attached and mainprised by Richard Foloer and because he does not have him therefore he is amerced 3d

G John Heckley & Joan his wife complain against William Boucher of Totton concerning a plea of debt

Adjourned from the 28th of March by compromise

Thomas Raynold & John Dunnyng to adjudicate within one week then next following

Adjourned from the 30th of January until the feast of the Annunciation of Blessed Mary the Virgin

The officer of the court responded that the said defendant has been attached and because he does not have him therefore he is amerced 3d 6d 12d 2s

For licence to concord 3d box

R Wright Richard Watkyns complains against Edward Allerigge concerning a plea of detinue of goods

For licence to concord 3d box

R White Christopher Ambrose complains against John Rogers of Ringwood concerning a plea of debt

fol. 24r

Wright For licence to concord 3d box

Thomas Payne complains against Lambert Smething *Goldsmyth* concerning a plea of debt

[blank] For licence to concord 3d box

Robert Magson complains against Walter [blank] concerning a plea of trespass

Nothing has been done

G ~~Thomas Holman complains against Robert Trace concerning a plea of trespass~~

The which appraisers namely John Sprynge Thomas Braynwode appraised the said piece of tin on the 2nd of February at 25s 6d the C[75]

Appraisers John Sprynge Thomas Braynwode

The officer of the court responded that the said defendant has been attached by one piece of tin retained by the officer of the same

3 defaults

R Wright Giles Palmer complains against ~~Gabriel de Vise &~~ Lewis Couteryn ^and Gabriel de Vise^ merchants of Venice

Removed by writ concerning a plea of debt

~~Lewis Eynes~~

RW ~~John Somer complains against John Elyn master of a certain ship from Dunkirk in Flanders concerning a plea of trespass~~

RW ~~The same John Somer complains against Skipper Jose of Brinewe in Zeeland[76] concerning a plea of trespass~~

[75] A 'piece' is a measure which varied according to commodity, e.g., a piece of tin could weigh between 1 ½ to 2 ½ Cwt. There are 20 Cwt. or 'hundredweights' to 1 ton; each Cwt equals 112 lbs.

[76] Zeeland, The Netherlands. The only town in modern Zeeland that is suggested by the spelling here is Bruinisse. It is also odd to find a Dutchman in this period with a surname that is normally a Spanish Christian name.

fol. 24v

Pledge of jury Richard Foloer

The officer of the court responded that the said defendant has been attached and because he does not have him therefore he is amerced 3d

Summon Jury

R Wright Geoffrey Attwode complains against William Harles concerning a plea of debt upon demand of 5s for his bed and board for 4 weeks taken by the week 16d withheld to the plaintiff's damages The plaintiff comes into court on the 5th of February in the present year and says that he owes him nothing and concerning this he requests a jury

For licence to concord

Appoints GS his attorney

The officer of the court responded that the said defendant has been attached and because he does not have him therefore he is amerced 3d

R Master Thomas Dorset clerk complains against Robert Hill *Barboure* concerning a plea of debt

Pledge of the Common Court Roger Kelsale therefore void here

The officer of the court responded that the said defendant has been attached and because he does not have him therefore he is amerced 3d

Appoints T Avonell his attorney

Wright ~~John Waller complains against Agnes Druett lately wife of John Druett concerning a plea of debt and administration of the goods and chattels of the same John Druett concerning a plea of debt~~

∴ Appoints T Avonell his attorney

Wright Master John Pesson Warden of the Hospital of St Julian complains against the same Agnes concerning a plea of debt

fol. 25r

11d ∴ The officer of the court responded that the said defendant has been attached by 1 pipe of oil in the custody of the court

1 2 3 4 defaults Appraisers John Burghbrig John Estfeld

RW Christopher Ambrose complains against Palmer Alta Vite concerning a plea of debt upon demand of £3 4s for the Bailiff of Customs of the lord king 36s and for 10 pieces of fruit figs 27s 4d ~~for detinue~~ withheld to the plaintiff's damages of 20s

For licence to concord 3d

Nothing has been done

R Wright [Thomas Wilson complains against William Justice concerning a plea of debt

John Saundres complains against John Grigges concerning a plea of trespass

For licence to concord 3d box
The officer of the court responded that the said defendant has been attached and mainprised by Thomas Ederiche and because he does not have him therefore he is amerced 3d
Adjourned until the feast of the Annunciation of Blessed Mary the Virgin
Appoints Thomas Avenell his attorney

R [Walter William complains against John Alecliff farmer of Townehill[77] in a plea of debt

For licence to concord and for 1 default 6d box
Pledge of jury Peter Basse 10 talesmen
Summon Jury The officer of the court responded that the said defendant has been attached and mainprised by Peter Basse and because he does not have him therefore he is amerced 3d

6d Appoints G G his attorney

R White Joan Poynteter complains against Druett Hibbard concerning a plea of account The defendant appears in court on the 12th day of January in the present year and says that in no way is he accountable ~~and in no account was he accountable~~ ^in the manner and form [?]above submitted and alleged against him^ and concerning this he puts himself on the jury and the aforesaid plaintiff likewise

fol. 25v

32s ∴ For licence to concord amercement [?]for Richard Bluett
The officer of the court responded that the said defendant has been attached and because he does not have him therefore he is amerced 3d 6d 12d 2s 4s 8s 16s
She appears on the 25th of June Let her be committed to prison[78]

Appoints Robert Bluett his attorney appears by pledge of Ric Bluett

R Wright Richard Budrewode complains against Robinetta ^appears^ ^Daudele wife of ~~John~~ ^William^ Daudele^ concerning a plea of trespass

For licence to concord 3d however pardoned ^because^ at the suit of the lord king
The officer of the court responded that the said defendant has been attached and because he does not have him therefore he is amerced 3d 6d

Gye [Edward by the grace of God King of England and France and Lord of Ireland complains against Ralf Calton concerning a plea of debt

---

[77] Townhill Farm lies to the east of Southampton and is now divided between Southampton and Eastleigh.

[78] These notes stream down the left-hand side of the entry and ultimately end up in the gutter. It is not completely clear that Robinetta was committed to prison, but it looks as if she was. The note at the top is odd in that seems to speak of an amercement *per Ricardum Bluett*, but it probably means 'for' him, in the sense that he is one amerced.

For licence to concord 3d box
in prison

Wright [William Mersshe complains against William Gire concerning a plea of debt

For licence to concord 3d box
~~in prison~~

R White Richard Thomson complains against Thomas Water lately servant of the same Richard concerning a plea of trespass

fol. 26r

The officer of the court responded that the said defendant has been attached and because he does not have him therefore he is amerced 3d 6d

Not prosecuted ~~12d~~ 9d box

R Wright [Thomas Pope complains against Lambert Wikes otherwise Pavier concerning a plea of debt upon demand of 31s

For licence to concord 3d box

Nothing has been done

[blank] [Laurence William complains against John Laplace concerning a plea of trespass

For licence to concord 3d box

R Wright [Richard Nutkyns complains against William Bitewell *Carter* concerning a plea of account

R Wright [For licence to concord 3d box

John Samo' complains against Sir John Chake' concerning a plea of trespass

fol. 26v

For licence to concord 3d box

R Wright [Roger Brond *Goldsmyth* complains against Arnold lately servant of the same Roger concerning a plea of covenant broken

For licence to concord 3d box

G [William Boket of Salisbury *merchaunt* complains against Richard Denys of the city of Winchester ^*Fishmonger*^ concerning a plea of debt upon demand of £8

Adjourned from the 26th day of February for one week by pledge of prison in prison

G ~~Robert Busshop *Capper* complains against John [blank] lately servant of Richard Sevayn concerning a plea of trespass~~

Nothing has been done in prison

Wright John Berebruer complains against John of London concerning a plea of trespass

[inserted between fols. 26v and 27r]

Jury between John Rowlond and Cestre Lomelyn[79] defendant concerning a plea of debt

John Smyth *taylor* in the service of the lord king
- William Rage sworn
- Thomas Norfoke younger sworn
- Nycholas Deppres sworn
- Thomas Smyth *taylyor* sworn
- Thomas Did *helyar*[80] sworn
- Hary Wanderson sworn

Adryan Lokyer otherwise sworn
Markett Gryll
John Gover otherwise sworn
Roger Brond otherwise sworn
John Anctyll

10 talesmen

- Thomas Bromall sworn
- Robert Senlawe sworn
- Thomas Cannys sworn
- John Joye sworn
- Hary Goldsmyth sworn

Moyses Cuntryn
Lawrans Gelam
Jorge Acard

- Lambert Goldsmyth sworn

Peryn Pynson

The which jury on the 26th of April in the 22nd year of the reign of King Edward IV William Rage [and his brethren] say on bodily oath that the said Cestre went pledge for the said John Cuttelar to the same John Rouland in manner and form which he submits and alleges against him and for costs outgoings and expenses for the court assessed at 6s 8d Damages 20d and for costs outgoings and expenses 5s and the party defendant amerced 3d

[79] This is the same case as that reported in the first entry of fol. 27r, and we have expanded the abbreviated name of the defendant to correspond to the fuller one given in that entry. For Lomelyn's unusual Christian name, see n. 12.

[80] A dialectical word for a slater or tiler, O.E.D. s.v. *hellier*.

fol. 27r

3d ∴ Pledge of jury Richard Undrewod
10 talesmen
The officer of the court responded that the said defendant has been attached
2d box
Summon Jury

Wright [John Rouland complains against Cestre Lomelyn concerning a plea of debt upon demand of 8s on the grounds that the same Cestre on the 10th day of December in the present year from here etc went pledge for John Cuttelar for as much money as the same John Cuttelar was indebted to the aforesaid John Rouland etc and although etc he withholds etc to the plaintiff's damages of 5s The defendant comes into court and says that he never went surety for the same John Rouland for the said money and concerning which he requests a jury The which jury namely William Rage and his brethren say upon the oath of their bodies that the said Cestre Lomelyn went surety for the aforesaid pledge for the said John Cuttelar in manner and form which he brings and alleges against him above and for costs outgoings and expenses for the court assessed at ~~6s 8d~~5s Damages 20d and the party defendant amerced 3d

Nothing has been done

[blank] ~~John Curbervile esquire complains against Thomas Norys concerning a plea of trespass~~

R ∴ He has a day to pay until the next court 3d box
in prison

R [Thomas Bromhall complains against [blank] Bromhill concerning a plea of trespass

For licence to concord 3d and for 1 default 3d box
The officer of the court responded that the said defendant has been attached and mainprised by William Severet and Peter Spryng and because they do not have him therefore he is amerced 3d

Not prosecuted ∴

R [George Aguard complains against Antony Skepesyn concerning a plea of debt

fol. 27v

R [Thomas Dymmock complains against John Clere concerning a plea of trespass on the grounds that on the 24th day of May in the 21st year of the reign of King Edward IV after the conquest of England by force of arms namely with swords and cudgels the same John broke and entered into the house of the same

Thomas at Southampton and then and there assaulted a certain Joan Whore servant of the same Thomas then in his service and ill-treated her so that her life was despaired of and then and there knew her carnally and did other enormities upon her to
~~3s~~ the grave damage of the same Thomas and against the king's peace Now wherefore the same Thomas the plaintiff says that he has been harmed and has damages to a value of 40s And whereof he produces his suit if etc And the aforesaid John the defendant comes in his own person into the court on the 27th day of February in the present year and acknowledges the aforesaid trespass in manner and form which is brought and alleged against him above by the aforesaid Thomas

Nothing has been done

R Wright Richard Tirry and Martin White complain against Oliver Shard and Thomas Balteser of the city of Winchester *merchaunt* concerning a plea of debt

For licence to concord 3d box

Executor of the testament of Joan Saundres

R John Saundres complains against Thomas ^Hart^ *laborer* concerning a plea of debt upon demand of 3s 4d loaned to him on a certain day and year etc The defendant [comes into court] on the 28th day of February in the present year and acknowledges the sum in demand whereof it was considered by the court that the party defendant should receive the sum in demand and for costs outgoings and expenses for the court assessed at 20d and that the party defendant should be committed to prison until he has made satisfaction

fol. 28r

Appoints Gilbert Godefelowe to win or to lose[81]

Not prosecuted 3d box

RW John Marnell complains against James Aven otherwise [?]Wigat concerning a plea of covenant broken

He has a day to pay 12d to the next court

For licence to concord paid [blank] into the box

R Leonard ~~de~~ Toworse lately of Lewes *Berebruer* complains against John Boucher ^in prison^ lately of Howse *Boucher* concerning a plea of debt

~~John Bord complains against John Boucher lately servant of Richard Swayn *Boucher* concerning a plea of debt~~

[81] 'to win or to lose': *ad lucrandum vel perdendum* – a phrase for the appointment of an attorney, who acted as his client's personal substitute.

For licence to concord

R Wright ~~Roland Johnson complains against John Smyth *Fishemong[er]e* concerning a plea of debt~~

void here because previously

~~John Maryn' complains against~~

fol. 28v

For licence to concord 3d box Pledge of jury prison
Summon Jury

R James Johnson *Boucher* complains against William Capper concerning a plea of debt upon demand of 40s out of a lawful account had between them here etc withheld to the plaintiff's damages of [blank] The defendant comes into court on the 5th day of March in the 22nd year of the reign of King Edward IV and acknowledges in court 7s out of the sum in demand and as for the rest he denies it And for the confessed sum let the defendant be sent to prison etc

Discontinued because he has died
For licence to concord
Summon Jury Pledge of jury prison
∴ He puts in his place G Shilvyng

G ~~Richard Thomas Glover and Joan his wife complain against Thomas Wat[er]man concerning a plea of trespass~~

For licence to concord 3d box
Summon Jury Pledge of jury
Appoints GS his attorney

RW John Bowrer complains against John Fivemarke ^of Totton in the county of Southampton *gentilman*^ concerning a plea of covenant broken on the grounds that the same John Fivemark [blank]

Not prosecuted 3d

R Wright Thomas Gryme complains against William Frie concerning a plea of debt

Summon Jury Pledge of jury William Mecklowe

R John Porte complains against William Thomas concerning a plea of debt

fol. 29r

For licence to concord 3d box

[blank] George A Quard complains against Antony Skapesyn concerning a plea of debt

Pardoned because a pauper
The officer of the court responded that the said defendant has been attached ~~and because he does~~

~~not have her therefore he is amerced 3d 6d~~

R [~~William Earl of Arundel complains against Margaret Stannford [concerning a plea of] debt~~

Pledges of jury Richard Gryme Robert Senlowe

Summon Jury 10 talesmen Pledge of jury prison in prison

R [Alice Eames complains against George Dentyvere concerning a plea of debt upon demand of 66 crowns owed to her and given on loan and payable to her at any time upon request and although etc but he withholds etc to the plaintiff's damages of 100s And whereof she produces her suit if etc The defendant comes into court on the 17th day of March in the 22nd year of the reign of King Edward IV and denies [the charge] Therefore to jury But the same defendant comes into court on the 28th day of March and acknowledges 30 crowns out of the sum in demand It was considered by the court on the 13th day of April

Judgment in the 22nd year of the reign of King Edward IV that the party plaintiff should recover against the aforesaid George the said 30 crowns and for costs outgoings and expenses assessed by the court 6s 7d Let there be execution [of the judgment]

For licence to concord 3d box in prison

R Thomas Dun *helyer* complains against Thomas [blank] lately servant of the same Thomas Dun concerning a plea of debt

Appoints GS his attorney Because later

~~William Taverner of Salisbury *merchaunt* complains against Antony Skapsyn of Genoa merchant concerning a plea of debt~~

For licence to concord 2s box

The officer of the court responded that the said defendant has been attached and mainprised by George Cockes and because he does not have him therefore he is amerced 3d 6d 12d

R Wright [William Keve complains against George Broune *hosier* concerning a plea of trespass

fol. 29v

For licence to concord and for his default 2s 1½d box

The officer of the court responded that the said defendant has been attached and mainprised by John de Porche and because he does not have him therefore he is amerced 3d 6d 12d

Judgment

[Joan Poynteter complains against William [blank] concerning a plea of debt upon demand of 5s 4d The defendant comes into court on the 17th day of March in the 22nd year of the reign of King Edward IV and acknowledges the sum in demand and

for costs outgoings and expenses 16d and upon this let him be committed to prison until etc

Void because previously R ∴
in prison 3d

The officer of the court responded that the said defendant ~~has been attached~~ and mainprised by John de Porche and because he does not have him therefore he is amerced 3d 6d

G Joan Poynteter complains against George Dentyvere concerning a plea of debt

For licence to concord 3d box
Summon Jury Pledge of jury ~~prison~~ ^Thomas Bromhall^

[blank] Antony Scaphacyn complains against Robert James of Burghford on the Wold concerning a plea of detinue of 2 woollen cloths ^price in total £5 10s^ delivered to him here at Southampton on the 10th day of March in the 22nd year of the reign of King Edward IV by the hands of John Priour to be handed back to him at the wish of the same Antony although etc but he withholds etc to the plaintiff's damages of 10 marks

fol. 30r

For a bad complaint 3d box
Appoints GS his attorney

[blank] Thomas Holme complains against Antony Skapasyn concerning a plea of debt upon demand of 50s for certain cloths sold to him at Witney[82] outside the jurisdiction of this court on a certain day and year etc withheld to damages of 20s And because the plea is [in]sufficient in law for this reason the party defendant[83] is dismissed from the court and the party plaintiff will receive nothing for his complaint but is amerced for his bad complaint 3d[84]

∴ Not prosecuted

Thomas Holme complains against Antony Skapasyn concerning a plea of debt upon demand of 50s

Not prosecuted 3d box

G William Rodrigo complains against Abraham Garnet *Boucher* concerning a plea of covenant broken

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[82] Witney, 10 miles west of Oxford.

[83] *et ea de causa quia placitum sufficiens est in lege ~~quod Ea de causa~~ pars defendens etc.* The easiest amendment to make is to supply *non* before *sufficiens*.

[84] See SC7/1/6 n. 73.

For licence to concord 3d box

G Richard Dehy complains against John Delyn *Cartere* concerning a plea of covenant broken on the grounds that the same Richard on the 5th day of February in the 20th year of the reign of King Edward IV here at the town of Southampton covenanted with the aforesaid John because the same was delivering to the aforesaid Richard here at the town of Southampton on the 10th of March then next following 15 quarters of oats price the quarter 16d
On which 10th day of March the said John did not fulfil the said agreement at all but broke it to the plaintiff's damages of 20s
The defendant comes into court on the 17th day of March in the 22nd year of the reign of King Edward IV in his own person and acknowledges the aforesaid covenant and that he had completely broken his covenant

fol. 30v

Not prosecuted 3d box

R Edmund Carter of North Stoneham[85] complains against Nicholas Beyer concerning a plea of debt upon demand of 4s out of a lawful account had between them and withheld to the plaintiff's damages
[blank]

R Roger Gosse complains against John Dudy of Colchester *Smyth* concerning a plea of debt It has now been delivered to him from a captain belowwritten by virtue of a commission of our lord the king shown to the mayor and bailiffs

He has been delivered to a captain of our Lord the King called William Smyth

Hugh Lancastre imprisoned at the command of ~~our lord the~~ Master Mayor detained in prison for certain causes was delivered to William Smyth captain of a certain ship of our Lord the King called the Marie de Cales [Calais]

Appoints G S his attorney Nothing has been done

R Thomas Robys prior of the [religious] house of the place and of the church of St Denys near to Southampton and Guy Somerset fellow canon of the same house complain against John Hardie concerning a plea of debt

[85] North Stoneham, 4 miles northeast of Southampton.