

Cheltenham Manor Court Records

English gist of Gloucestershire Archives D855/M8, continued: entries for 1609

Cheltenham. Court baron of William Norwood esq. farmer of the lord king, held there Saturday 7 January 6 James [1609] before suit of court by John Stubbe deputy to Henry Norwood esq. chief steward

Names of free tenants:

William Ligon kt. <i>dead</i>	Edward Dowdeswell alias Wheeler
William Norwood esq. farmer	Humphrey Harris
Giles Grevill gent.	William Gregory
Thomas Machin gent.	Anthony Greeneway
John Roberts gent. com.	Robert Bycke jun.
Richard Pates gent.	William Adams com
Arthur Packer gent. com	Richard Alexander
Thomas Cartwright	William Milton com
William Higges gent. com	Walter Mason
Thomas Higges	William Gale
Robert Packer	William Stowde jun. com
Thomas Parry	John Holdshippe com
Walter Parry	Reginald Milton
Christopher Merrett com	Richard Mathewes essoined
Richard Wyckware com	John Little
Lodovick Packer com	William Boughon gent. com
John Packer com	John Jacksons com
William Combe	John Smyth sick
William Higges	Thomas Humfries alias Major
William Ruggedall	Richard Harnes com
Richard Stowde essoined	John Packwood com
William Stowde sen. essoined	Richard Heyward
Walter French alias Lane com	William Maus essoined
	Thomas George 48 ¹

Names of tenants in base tenure:

Richard Pates gent.	Anthony Greeneway
John Packer com	Robert Bycke jun.
Thomas Cartwright	Richard Rogers
Toby Packer	John Mylles
William Ruggedall	Thomas Kympe com
Samuel Ruggedall sick	Thomas Hilpe com
Edward Horwood	Richard Garne com
Roger Holder	William Welshe
John Currier	Geoffrey Tuffley
Robert Machin essoined	Thomas Jones
John Whithorne	Thomas Barnes com
Richard Whithorne	Robert Hawthorne
Thomas Wager	Giles Mathewes
William Whithorne sen. com	Ludovick Packer com
William Cliveley	Richard Gardiner

¹ Total correct if William Ligon is no longer counted.

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Nicholas Wells	William Whithorne jun.
Richard Stubb com	Walter Shewell com
Walter French alias Lane com	Christopher Merrett com
William Gregory	Thomas Crumpe com
Robert Yarneton	John Holder
John Mason	Robert Collett com dead
Thomas Sturmy	Richard Wills
John Maries jun. essoined	John Buckle
Thomas Hawkins	Thomas Gregory essoined
Thomas Mathewes essoined	Walter Lane
Robert Abraham com	Michael Gooderich
John Powell essoined	
Anthony Higges	55, com 27 ²
Andrew Gale	

Essoins: William Strowde, Thomas Gregory, Thomas Humfries alias Major, John Powell, Thomas Mathewes, John Maries jun., and John Mylles.

Free tenants making default: Giles <4d.> Grevill gent., Thomas <4d.> Machin, Richard <4d.> Pates gent., Thomas <4d.> Cartwright, Humphrey <2d.> Harris and William <2d.> Gale, owe suit of court and are in mercy as shown.

Tenants in base tenure making default: Samuel <4d.> Rudgedale, Anthony <4d.> Higges, William <4d.> Welshe, Robert <4d.> Hawthorne, Richard <2d.> Wills, John <4d.> Buckle, Walter <2d.> Lane and Michael <2d.> Gooderich owe suit of court and are in mercy as shown.

Machin et al. v Wills: continuation of suit between Thomas Machin gent. and others pl. and Richard Wills adjourned as is until next court, because the court wishes to be better informed etc.

View continued: continuation of view between Robert Bycke and Thomas George until next court etc.

View: Thomas Wager, John Currier, Edward Horwood and John Whithorne are appointed and sworn to take a view of the limits and bounds of a certain parcel of meadow of Robert Machin lying in Lylls and arable of Richard Stubbe adjoining it, and ordered to place merestones in the due places and present to next court.

Alienation: William Man comes and shows his deed bearing date 4 Jan. 30 Eliz. By which he bought from Margaret Dowdeswell alias Wheeler and her son Edward Dowdeswell alias Wheeler a close of meadow or pasture with appurtenances in Charlton Kings called Kyte half-acre, rendering customary services when due. Makes fealty.

Cheltenham penalty: ordered that no-one is to allow sheep to roam [circulare] in sown fields unless upon his own land, from next feast of Purification of BVM until feast of St Peter ad vincula (Lammas), upon pain of 3s. 4d. for each offence.

Grant: Richard Gardiner tenant in base tenure personally grants to George Chestrow wheeler all those 4 rooms or spaces of house with garden and backside, now occupied by Chestrow and Joan Tyckle

² Tenant total correct if Collett included; compounders total possibly correct if names occurring in both tables are counted only once.

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widow or others, with free ingress egress and regress to carry water to and from the well in the backside of Richard Gardiner at all times as often as necessary; to hold from Michaelmas last for a term of 12 years;

[f. 37v] and to hold another 2 rooms with backside now occupied by Joan Tyckle from Michaelmas 1612 for a term of 8 years. Rendering yearly to Gardiner 14s. at Lady Day and Michaelmas in equal portions, and paying 1 hen at feast of Circumcision for the first 4 years, and rendering to Gardiner 48s. at the same feast and 2 hens at Circumcision for the remaining 8 years of the term. Agreed by the parties that Chestrow may take, throw down and remove all the 'hovells' by him or his assigns already built or to be built, and not to 'break' any of the 4 rooms or spaces. Further agreed that Chestrow shall make and repair so much of his mound as is between the premises and ground of Toby Packer; and all other hedges to be made and repaired by Gardiner. For enrolment, 4d.

Affeerers: Walter Parry and Anthony Greeneway

Cheltenham. Court of hundred held before John Stubbe deputy to Henry Norwood esq. chief steward and Richard Banaster gent. bailiff, same date

Rogers v Bycke: Robert Bycke jun. def. comes in person at the suit of Richard Rogers pl. in a plea of debt and says that he does not owe Rogers separate sums of 33s. 4d. for a gelding and 13s. 5d. for 7 measures of barley nor some pence as alleged earlier by Rogers in his statement; and now puts himself upon the parish. Bailiff therefore ordered to cause 12 to come etc. etc.

Continuation: Dispute between Thomas Fynche pl. and William Bycke and John Bucke jun. defs to be continued to next court etc.

Kinge v Dennys & Lane: at this court the bailiff Richard Banaster gent. is ordered to cause 12 to come about [erga] the next court etc. to inquire what damage William Kinge sustained by reason of the taking etc. by William Dennys gent. and Walter Lane etc.

Fines and amercements at this court: 4s. 2d.

[f. 38] Cheltenham. Court baron of manor of William Norwood esq. farmer held Saturday 18 March 6 James [1609] before suit of court by John Stubbe deputy to Henry Norwood esq. chief steward

Essoins: John Powell, William Maus, Richard Strowde, Richard Mathewes and Robert Machin.

Free tenants making default: Giles <4d.> Grevill gent., Thomas <4d.> Machin gent., Robert <4d.> Bycke jun., William <2d.> Gale and Thomas <2d.> Humfries alias Major owe suit of court and are in mercy as shown.

Tenants in base tenure making default: Toby <2d.> Packer, John <2d.> Holder, Richard <2d.> Willes, John <2d.> Buckle and Walter <2d.> Lane owe suit of court and are in mercy as shown.

Amercement: memorandum that Richard Gardiner has 'withdrawn' [recessit] his licence 'car/cur', therefore he is in mercy 2d.

Views: Edward Horwood, John Currier, Robert Hawthorne and Richard Whithorne appointed and sworn to take a view of the division of certain parcels of meadow lying in the common fields of

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Charlton Kings in a place called Slad between Roger Holder and Alice Martin widow; also of the division of the said parcels of Alice and the furlong called Prestbury acre shooting upon it, etc. [The same] also to take a view and inquire 'what ways of husbandry or footwayes' Richard Lea alias Mason or others having his status now have in a close called Copsich in Charlton Kings, or previously had, or should have, or are accustomed to, to and from this close or between this close and the king's highway called Greeneway, etc.

Richard Pates gent., Thomas Cartwright, Roger Holder, and John Whithorne to take a view of the metes and bounds of arable land of John Jones occupied by Giles Crumpe and adjacent arable land of Nicholas Wells lying in Ryworth, and to set merestones in the due places, and to present etc.

Edward Horwood, John Currier, Robert Hawthorne and Richard Whithorne appointed and sworn to take a view and diligently inquire if a/the footway leading from the common field called Castlefield in and through a close of widow Beale and John Dowdeswell alias Wheeler previously used to lead from the said close of John into a close of Thomas Lewes and from there to the king's highway, and to present at the next court in which place the said way used to be, etc.

[f. 38v] Anthony Greeneway, Geoffrey Tuffley and Walter Mason appointed and sworn to take a view of the division of a certain capital selion [headland?] of John Milles and the furlong shooting upon it called Sower furlong, in Cheltenham Lower field, etc.

William Strowde sen., John Hall and William Hawker appointed and sworn to take a view of the mounds between closes of John Forty and Thomas Bosly and Thomas Barnes in Cheltenham; also of a hedge between a close of John Ireland and John Clarvo there, etc.

Continuation of view between Thomas George and Robert Bycke, to next court.

Grant: Robert Yarneton and John Mason 2 tenants in base tenure swear that Thomas Mathewes tenant in base tenure granted to John Hicke 1 'rewe' of arable land lying in Alstone in Hilfield, shooting upon land of Thomas Mathewes called Deepe Bennall and a close called Highbreach, to hold from Michaelmas last for a term of 12 years. Rendering nothing because already paid. For enrolment, 4d.

Grant: Richard Rogers and Anthony Greeneway 2 tenants in base tenure swear that Thomas Mathewes tenant in base tenure granted to Robert Eckley a parcel of land with appurtenances called Nyne Lands (4 a.) in Hassolds field in Alstone, to hold from Michaelmas next for a term of 12 years. Rendering nothing because already paid. For enrolment, 4d.

Grant: Geoffrey Tuffley and Richard Rogers 2 tenants in base tenure swear that Edith White widow tenant in base tenure granted to Giles Parry part of a house now occupied by Giles, containing a shop and a warehouse, with a solar over both, to hold from Michaelmas next for a term of 12 years. Rendering nothing because already paid. Parry to repair and maintain the premises during the term, and to leave them in good repair at the end. For enrolment, 4d.

Affeerers: Walter Parry and Anthony Greeneway. Fines and amercements at this court: 3s. 4d. [correct!]

[f. 39] **Cheltenham. Court of hundred held before John Stubbe deputy to Henry Norwood esq. chief steward and Richard Banaster gent. bailiff, same date**

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Return ve fa; withdrawn: At this court the bailiff Richard Banaster returns an order directed at himself to cause 12 to come between Richard pl. and Robert Bycke jun. in a plea of debt in all things served and executed. Upon this, Richard Rogers in court makes it known that he does not wish to proceed further against the said Robert in this plea etc.

Continuation: dispute between Thomas Fynche pl. and William Bycke and Robert Bycke jun. defs., continued to next court.

Return of ve fa to inquire into damages: at this court the bailiff Richard Banaster gent. returns an order directed at himself to cause 12 to come between William King sen. pl. and William Dennys gent. and Walter Lane defs. in a plea of taking etc. in all things served and executed, together with a panel of names of jury/jurati; and now at this court come both William Kinge sen. and William Dennys and Walter Lane in person. And the empanelled jury being exacted comes, namely Nicholas Wells, Edward Church, John Hore, Walter Cherington, Richard Howse, Ralph Philto alias Wheeler, Thomas Ballinger, John Combe, John Maries sen., John Milles, Waler Mason, and William White.

Judgement: who being chosen, triati and sworn to tell the truth of the matter, say on oath that William Kinge sen. sustained damages on the occasion of the taking and unlawful detention of his beasts namely 1 cow and 13 sheep of 6d. ultra mis's and costs to do with this suit amounting to 2d. Therefore agreed that Kinge shall recover against Dennys and Lane damages of 6d. and 16s., making a total of 16s. 8d. Dennys and Lane in mercy.

Summons: Richard Pates gent. pl. v William Pates and Morgan Wharton in a plea of waste; defs. being solemnly exacted do not appear, therefore summoned etc.

[f. 39v] **Cheltenham. View of frankpledge held Tuesday 11 April 7 James, 1609; per John Stubbe deputy to Henry Norwood esq. chief steward**

Free tenants [com = compounded]

William Ligon esq.	Ludovic Packer com	William Gale
William Norwood esq.	John Packer com	William Strowde jun. com
John Partridge esq. com	William Combe	John Holdshippe com
4d. Giles Grevill gent.	William Higges	Reginald Milton
4d. Thomas Machin gent.	William Ruggedall	Richard Mathewes
John Roberts gent. com	Richard Strowde	John Litle
Richard Pates gent.	William Strowde sen.	William Boughon gent. com
[—] Packer gent.	Walter French alias Lane com	John Jacksons com
Thomas Cartwright	2d. Edward Dowdeswell	John Smith
William Higges gent. com	Humfrey Harris	Thomas Humfries alias Major
Thomas Higges	William Gregory	Richard Harnes com
Robert Packer	Anthony Greeneway	John Packwood com
Thomas Parry	Robert Bycke jun.	Richard Heyward
Walter Parry	William Adams com	William Maus
Christopher Merrett com	Richard Alexander	Thomas George
Richard Wyckware com	William Milton com	
	Walter Mason	48

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Tenants in base tenure

Richard Pates gent.	Walter French alias Lane com	Richard Garne com
John Packer com	William Gregory	William Welshe
Thomas Cartwright	Robert Yarneton	Geoffrey Tuffley
Toby Packer	John Mason	Thomas Jones
William Ruggedall	Thomas Sturmy	Thomas Barnes com
Samuel Ruggedall	John Maries jun.	Robert Hawthorne
Edward Horwood	Thomas Hawkins	Giles Mathewe
Roger Holder	Thomas Mathewes	Lodovic Packer com
John Currier	Robert Abraham com	Richard Gardiner
Robert Machin	John Powell	William Whithorne jun.
John Whithorne	Anthony Higges com	Walter Shewell com
Richard Whithorne	Andrew Gale	Christopher Merrett com
Thomas Wager	Anthony Greeneway	Thomas Crumpe com
William Whithorne sen. com	Robert Bycke jun.	[—] Collett
William Cliveley	Richard Rogers	Richard Wills
Nicholas Wells	John Milles	John Buckle com
Richard Stubbe com	Thomas Kempe	Thomas Gregory
	Thomas Hilpe com deceased	John Holder
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Burgesses

Thomas Parry	Ralph Jeynes clericus	Robert Bycke jun.
Thomas Gough	William Watts	Walter White jun.
John Mason	Thomas Fynche	Walter Arcoll
John Stile	Richard Davison	Thomas Butler
[—] Osboldeston	Thomas Hiatt	Walter French alias Lane
4d. Michael Wood	Richard Yarneton	Richard Pates
William Gregory	John Hall	John Benfield
[—?] Kemys	Robert Bycke sen.	Richard Fynch
Richard Strowde	Thomas Machin gent.	Nicholas Barnes
William Strowde sen.	Richard Banaster gent.	Thomas Kemys
William Strowde jun.	4d. John Clarvo	William Hawker
Thomas Gregory jun.	Richard Rogers	Walter White sen.
Thomas Humfries alias Major	Robert Cox	Thomas Gregory sen.
John Browne	4d. Thomas Tuffley	4d. Anthony Bycknell
John Bloxham		
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Essoins: Giles Parry, Thomas Harris, Henry Hawling, Peter Marshall per Walter Parry, John Crumpe, William Jefferies, James Bidle, Richard Merrell, Edward Gest, William Dennys gent., Roger Holder, Robert Bycke, William Cliveley, Nicholas Wells, Thomas Kemys, Walter Arcoll, Francis Whitehead and Walter Cherington.

[f. 40] Jury for our lord the King

Walter Parry	Zacharias Ireland
Thomas Major	John Holder

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Thomas Gough	John Mason
William Welshe	John Merrell
Richard Alexander	John Combe
Thomas Cliveley	John Currier
	Giles Hawling sworn

Cheltenham: Toby Packer and John Fowler constables present that all is well. Nicholas Barnes bailiff of the borough presents that all is well.

Charlton Kings, unlawful sports: Robert Hawthorne constable presents that Roger Holder, Richard Strawford, William Crumpe, John Whithorne, Walter Higges, John Jones jun., Philip Crosly, Walter Whithorne, Thomas Cartwright jun., William Cherington, Geoffrey Tanty, Mark Jacksons, John Ven and Richard Kent played unlawful games namely 'stawball and trappe' contrary to statute. Therefore each in mercy 4d.

Blood spilt: he presents that Thomas <3s. 4d.> Cartwright sen. made affray and drew blood upon John Dowdeswell alias Wheeler; and John <3s. 4d.> Jones similarly made affray and drew blood upon John Diggason. Therefore both in mercy as shown.

Leckhampton: Ralph Philto constable presents that all is well.³

Common fines: Walter Wyllis, tithingman of Leckhampton gives 3s.

William Clifford constable of Swindon gives 2s.

Giles Mathewes tithingman of Cheltenham gives 5s.

Edward Goodrich tithingman of Charlton Kings gives 2s. 6d.

William Durham tithingman of Bafford gives 3s. 5d.

Robert Gooderich tithingman of Ashley gives 5s.

Reginald Milton tithingman of Arle gives 3s.

Francis Cliveley tithingman of Alstone gives 2s. 3d.

William Combe tithingman of Westal, Naunton & Sandford gives 3s.

Walter Cooke tithingman of Bradwell gives 5s.

[f. 40v] Penalty for slaughtering calf: Walter Mason and Thomas Ashmead meat inspectors present that Joan ?Comymg? widow slaughtered and sold veal during Lent. Therefore in mercy 3s. 4d.

John Sturmy and Ralph Holdy leather inspectors present that all is well.

Tipplers in mercy: Hugh Griffin chosen at last view of frankpledge as ale-taster now presents that David Powell, William Mayles, Thomas Milton, widow Phelps, Geoffrey Tuffley, widow Baggott,

³ [A Roger Filtoo of Leckhampton left a will, 1552]

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John Holdy under-bailiff and Richard Farre being tipplers sold ale by unlawful measures, breaking the assize. Therefore each in mercy 6d.

Cheltenham: Thomas <2d.> Civill and Richard <4d.> Cox supervisors of the king's highways were not here this day to present as their office should, but make default; therefore each in mercy as shown.

Charlton Kings: Thomas Lewes and Walter Willis supervisors of the king's highways come and present that all is well.

Alstone, Arle, Westal, Naunton & Sandford: Walter Mathewes one of the supervisors of the king's highways comes and presents that all is well. Robert Avery the other supervisor is not here this day as he should be but makes default; therefore in mercy 2d.

Leckhampton: John Tanty and Walter Willis supervisors of the king's highways were not here this day etc., therefore each in mercy 4d.

Swindon: John Merrell one of the supervisors of the king's highways comes and presents that all is well. Richard Hamans the other supervisor makes default; therefore in mercy 2d.

Unlawful sports: Robert Gooderich tithingman of Ashley presents on oath that Roger Holder, Robert Gooderich, John Churches, Richard Churches, Thomas Greene, Philip Crosly, Henry Baylies, Thomas Hewes, George Gooderich, William Ballinger and Robert Alexander have been playing unlawful games, namely trappe, contrary to statute. Therefore each in mercy 4d.

Affirmation of jury: Jury for king swears that all that presented above is true. They further present that John Abington gent., and his sons Edward and William Abington, and John Maries sen. are resident within this view of frankpledge and within the precinct of this leet, and this day make default. Therefore each in mercy 4d.

Unlawful games: They present that Thomas Parry, Henry Mason, Walter Mason, John Merrell, Henry Bowen, Thomas Gough, William Panton clerk, John Dobbins, John Maries sen., John Maries jun., Walter Maries and Richard Alexander have played unlawful games, namely bowling etc., since the last view of frankpledge, contrary to statute; therefore each in mercy 4d.

Ditches and hedges: they present that William Bicke blocked with ditches and hedges a way, being 'the broadmere in Arle feild being the usuall yoakeway that leadeth towards Arle Wood', to the annoyance of his neighbours; therefore in mercy 12d.

[f. 41] Building a cottage; respited: they present that the same William Bycke built a cottage in Westal within this view of frankpledge etc., not until now inhabited. Therefore respited until etc.

They present that Robert Bycke jun. received certain tenants in a house he built at the lower end of Cheltenham, and did not take security to save the parish from any harm that might result from said tenants, against prior order. Therefore forfeits penalty £5, abated by the court's grace to 5s.

They present that Thomas Humfries alias Major settled and willingly let certain subtenants, inmates, live in his house in Cheltenham for the space of 10 years, contrary to statute; therefore in mercy 5s.

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They present that Richard Sandford settled and willingly let a certain George Taylor his subtenant or inmate live in a house situated in Cheltenham for the space of at least the last 3 months, contrary to statute; therefore in mercy 6d.

They present that Thomas Cowles settled and willingly let a certain William Harris live as subtenant or inmate in his house in Cheltenham, for the space of at least 3 months, contrary to statute. Therefore in mercy 12d.

They present that Edith <6d.> White widow settled and willingly let William Gregory, and that Robert <4d.> Farre took in Isaac Davyes, and that Walter <12d.> Arcoll took in John Rogers, Thomas Mappe, [—] Kerby, and Richard [—] hatdresser as subtenants or inmates for the space of at least 3 months, contrary to statute; therefore in mercy as shown.

Ditches not scoured: they present that the king's highway leading from Barbridge to Haydons hill in Arle and the bridge there are now ruinous and in need of repair, creating a common nuisance and a great danger to the king's subjects; and that the ditches by the said road have not been scoured so that water can run, also causing nuisance to the king's subjects, contrary to statute, through the neglect of Thomas <6d.> Ivens, John <6d.> Mason, Joan <6d.> Sherford widow, John <6d.> Packer, William <6d.> Gregory, Thomas <6d.> Mathewes, Walter <6d.> French, Thomas <6d.> Sturmy and John <6d.> Morley; therefore each in mercy as shown.

Failure to pay common fine: they present that Thomas Marden of Westal is resident within this view of frankpledge and by ancient custom should pay this day a certain part of the common fine, the tithing-silver, and fails to pay the lord the common fine, therefore in mercy 6d.

Taking in subtenants: they present that John <12d.> Jones, Edward <12d.> Holder and Thomas <12d.> Marden, each settled and allowed subtenants (inmates) to live in their houses within the precinct of this leet, contrary to statute for the space of at least 3 months. Therefore each in mercy as shown.

[f. 41v] Cheltenham, penalties: they present that metes within the market town of Cheltenham are for want of repair ruinous. Therefore inhabitants of the town are ordered to sufficiently repair the said metes before next feast of Ascension, on pain of 20s.

Firstly ordered that Ralph Churches and his subtenant 'shall make the Chimney where Thomas Currier and John Siveyer do dwell two foote higher then the toppe of the house for the avoiding of the danger of fire' before the feast of St James next, on pain of 3s. 4d.

Ordered that Ralph Taylor is to remove his dungheap, lying in the king's highway opposite his house to the nuisance of the king's subjects passing along that highway, before the feast of St James, on pain of 6d.

Ordered that everyone is to make his hedges and scour his ditches around the Marsh, before 1 May next, on pain of 6s. 8d.

Ordered that no burgess is to let his pasture in the Marsh to anyone other than a burgess, on pain of 6s. 8d. And that any burgess not having beasts shall be allocated pasture there at the rate (the tacke) in force for this year.

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Charlton Kings, penalties: ordered that ditches from Goldwells greene to William Whithorne's gates where the work was to be scoured before next Pentecost, on pain of 3s. 4d.

No-one is to divert or stop the water in the said ditch called Goldwells greene and create nuisance to the king's highway there, on pain of 3s. 4d.

Whole hundred: Ordered that 'every inhabitant within the hundred, or if the inhabitant be unhable, then every Landlord, shall upon Lawfull warning to be given for the avoiding of the danger of fier, make in his and their howses sufficient Chymneys & defences for their ovens & noasts' on pain of 20s.

Pledge of allegiance: to this court came John Currier, John Whithorne, William Dowdeswell and Thomas Clarke, and swore allegiance to our lord the king.

Hayward: Richard Dingle is chosen for the office of hayward for this year.

Affeerers: Walter Parry and Anthony Greeneway, sworn.

[f. 42] **Cheltenham. Court baron of manor of William Norwood esq. farmer held Tuesday 11 April 7 James 1609, by John Stubbe deputy to Henry Norwood esq. chief steward**

Essoined: William Strowde sen. per William Strowde jun.

Homage:

Walter Mason	William Clyveley
John Buckle	Robert Machin
Anthony Greeneway	John Powell
Richard Rogers	William Milton
Thomas Cartwright	Andrew Gale
Richard Stubbe	Robert Yarneton

Free tenants making default: Giles <4d.> Grevill gent., Thomas <4d.> Machin gent., Humphrey <2d.> Harris and William <2d.> Gale owe suit of court and are in mercy as shown.

Tenants in base tenure making default: Anthony Higges owes suit of court and is in mercy 2d.

Burgesses making default: — <4d.> Osboldeston, Michael <4d.> Wood, John <4d.> Browne, John <4d.> Clarvo, Thomas <4d.> Tuffley and Anthony <4d.> Bycknell owe suit of court and are in mercy as shown.

Compounding for suit of court: John <18d.> Buckle and Anthony <18d.> Higgs tenants in base tenure have compounded to pay the lord sums as shown to be excused suit of court until Michaelmas next, while still liable to appear if specially summoned under penalty.

View: Richard Gardiner, John Powell and John Milles appointed and sworn to take a view between arable land of Toby Packer and Anthony Greeneway lying at the upper end of Cheltenham, etc.

Continuation of view from last court re division of capital selion of John Milles etc., to next court.

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Presentation of view: viewers from last court, namely Edward Horwood, John Currier, Robert Hawthorne and Richard Whithorne present on oath that 'the way of husbandry' for all carriage from the close of Richard Lea alias Mason called Copsich to the king's highway called Greneway leads from the said close into a close of Nicholas Wells [also] called Copsich, and from there through a hedge into another close of Wells called Newland, and through the upper side of the same close to the said highway, and has been used thus continually for 70 years, as appears through evidence given to the viewers and sworn in open court.

[f. 42v] View: John Hall, Robert Eckley, Thomas Sturmy and Giles Mathewe appointed and sworn to take a view of the limits and bounds between demesne land of the lord king occupied by Robert Bycke and land of Thomas George lying in Frogpitts, both in length and width, and also of 'the way of husbandry' leading from Arle to Hill field; also of bounds between the homesteads of said Robert and widow Maus lying in Westal, on Monday after Easter etc., upon pain of 3s. 4d.

View: John Mason, Thomas Major, John Ashmead and William Wattes appointed and sworn to take a view of a hedge between John Ireland and John Clarvo in Cheltenham, and to place merestones, etc.

Alienation: To this court comes Thomas George and shows his indenture bearing date [6 James], by which he bought from Lodovick Packer gent. for £17 a parcel of arable land or pasture with appurtenances (1 a.) lying within the parish of Cheltenham in Frogpitts furlong, shooting E-W, and lying between land of Anthony Greeneway N and land of the late Robert Collett S. Holding from the chief lord etc. Makes fealty.

Grant: Robert Yarneton and Thomas Gregory 2 tenants in base tenure swear that Thomas Mathewes tenant in base tenure granted to William Gregory of Arle a close of arable land called Highcroft in Arle, to hold from Michaelmas 1611 until the end of the term and then for a term of 3 years. Rendering nothing because already paid. For enrolment, 4d.

Grant: Richard Hawkins gent. bailiff of the hundred and manor presents that Thomas Mathewes tenant in base tenure granted to Thomas Hawkins 2 'leynes' in Westal, shooting on Westal Green between land of William Hilton W and certain land of Arnold Ligon kt E, to hold from Lady Day last for the term of Mathewes' natural life, and 12 years thereafter. Rendering annually to Mathewes 6s. 8d. at Lady Day. But if any part of the rent remains unpaid more than 10 days after the due date, the grant will be void, and Mathewes may re-enter upon the premises. For enrolment, 4d.

Continuation of view between Roger Holder and Alice Marton: continued to next court.

[f. 43] Grant: Robert Machin and John Powell 2 tenants in base tenure swear that Thomas Mathewes tenant in base tenure granted to Robert Eckley all his arable land lying in Alstone Sandfield, now in Robert's occupation, to hold from Michaelmas last for a term of 12 years. Rendering nothing because already paid. For enrolment, 4d.

Day given for homage: a day is given to the whole homage to better inquire into certain articles sibi import, also to certify and present everything? not yet executed, to the next court, on pain of 3s. 4d. each.

Cheltenham, penalties: Thomas Cox is ordered to scour and from time to time to keep scoured the watercourse through his close at Cakebridge as often as necessary and opportune, on pain of 3s. 4d.

Cheltenham Manor Court Records
English gist of Gloucestershire Archives D855/M8, continued: entries for 1609

Ordered for the preservation of grain that anyone having or occupying land now in severalty being within the tithing of Cheltenham, called Lammas leasowes or grounds (but excepting land of Edward Badger gent. called Ockleys) may keep in severalty to his own use the said Lammas leasowes or grounds until the end of the harvest; and no-one is to send or willingly put any cattle on such land before the end of harvest, on pain of 20s. for each offence.

Ordered that burgesses may have and retain for their own use the Marsh until the end of harvest, on pain of 20s. for each offence.

Ordered that every burgess must at night until the end of harvest lead away his cattle outside the Marsh, or allow them to be led away, and keep them at home, on pain of 10s. for each offence.

Ordered that no-one shall keep or tether any cattle in the stubbles unless on his own land, until the end of harvest, on pain of 3s. 4d. for each offence.

Ordered that no sheep to be kept in the Lower field on the N side of the way leading from Okeley gate to widow Elizabeth Badger's oak in the Lower field, from 1 Aug. to St Edward's day next, on pain of 40s. for each offence.

Ordered that John Hall shall be allowed to keep in several for his own use land called the Moores, until the end of harvest, rendering therefore to the use of the poor 10s.; and that he should put there no other cattle than his own, on pain of 20s. [margin: '13s. 4d.' and 'to the use of inhabitants of the town' – seemingly additional to the 10s. for the poor]

Similarly ordered for Robert Eckley, rendering 3s. 4d., on same condition and penalty. [margin: '5s.']

[f. 43v] Ordered that Toby Packer may henceforth keep in several the greensward in Broad leasowe and the Langett next to Okeley wood until the end of next harvest, rendering to the churchwardens of Cheltenham for the use of parishioners there on 1 Oct. next 30s.; no-one to infringe this order, on pain of 20s. for each offence.

Election of hayward; penalty for his salary: at this court Richard Deagle is chosen for the office of Hayward for the following year, and it is thereupon ordered that each inhabitant should pay him as salary 1d. per acre sown in the common fields, payable at the feast of St John the Baptist, Michaelmas, Christmas and Lady Day in equal portions, on pain of forfeiting 2d. for every 1d. not paid within a week of the set days when required by Richard or his assigns.

Ordered that Richard Rogers and Walter Lane should make and put sufficient 'rayles' between their houses at the end of the bowling alley before Pentecost next, on pain of 3s. 4d. for default.

Westal, Naunton & Sandford: ordered that no-one is keep sheep, lambs, or other cattle on the N side of the way from Sandfords oakes to the end of the 'Broad Lane ende' from 3 May until the end of harvest, on pain of 3s. 4d.

Ordered that no-one 'shall drive' sheep or cattle from Broad Lane up to the close of John Powell, on pain of 3s. 4d. for each offence.

Ordered that no-one shall keep any sheep or beasts in the Gratton from the hedge of William Gale up to the house of William Milton before the end of harvest, on pain of 3s. 4d. for each offence.

Cheltenham Manor Court Records
English gist of Gloucestershire Archives D855/M8, continued: entries for 1609

Ordered that each is to scour his ditches on both sides of the lane from William Milton's gate up to the upper end of Hoard lane, before feast of birth of St John Baptist, on pain of 6s. 8d.

Arle: ordered that anyone having land between Barbridge and Kingsmeade bridge is to scour his ditches on the S side of the way there, before feast of St Peter ad Vincula, on pain of 3s. 4d. for each default.

Ordered that anyone having land between Kingsmeade bridge and Uckington lane is to scour ditches and sufficiently cut back tree roots, so that water can pass along the ditch, before feast of St Peter, on pain of 3s. 4d. for failure.

Ordered that no-one is to tether any cattle from the end of Hesters Way up to Westbreach until Pentecost, nor to keep any cattle there until the end of harvest, on pain of 3s. 4d. for each offence.

Ordered that no-one is to take or carry away the hedge called 'the pownde hedge', on pain of 10s.

[f. 44] Ordered that William Bycke should remove the ditch and hedge made by him across the way called 'Broadmere, being the usuall yeate waye leading from Arle Itchin into the Hilfield' before 3 May next, on pain of 40s.

Charlton Kings: ordered that each is make a sufficient hedge around Ryworth, and to the upper side of of the Yewen, also to the lower end of Coltham, at or before 24 Apr. next, on pain of 3s. 4d. for each offence.

Ordered that gates to be placed and hung at Ryworth and Milfurlong before this 24 Apr., on pain of 3s. 4d. for those refusing to contribute.

Ordered that no-one is to keep any cattle in Knavenhill field, Benbridge and Lylly field until the end of harvest, on pain of 3s. 4d. for each offence.

Ordered that each is scour ditches and cut or [repair?] hedges on both sides of the lane leading from a close called 'Fillyholts' on the S side and land of Elianor Gooderich widow on the N side, up to land of Thomas Nicholas gent. called Northfield, before 10 May next, on pain of 10s. for any failure.

Affeerers: Walter Parry, Anthony Greeneway sworn.

Cheltenham. Court of hundred held before John Stubbe deputy to Henry Norwood esq. chief steward, and Richard Banaster gent. bailiff, same date.

Richard Pates gent. pl. v William Pates and Morgan Wharton in a plea of waste; being solemnly exacted do not appear. And because it is testified by the bailiff that they were summoned, therefore each in mercy 2d. Bailiff ordered to make another good summons of William and Morgan to appear at next court, etc. Day given to plaintiff etc.

Fines and amercements at this 'view of frankpledge', court baron and hundred: 56s.

Levari fac: at this court came William Kinge pl. v William Dennys gent. and Walter Lane defs. in a plea of taking, and upon judgment for him before now given, seeks execution. Therefore bailiff ordered quod 'levari fac' etc. 16s. 8d. towards next court, ad reddend etc.

[different hand] To be charged in the bailiff's account at next Michaelmas viz 7th James.

Cheltenham Manor Court Records
English gist of Gloucestershire Archives D855/M8, continued: entries for 1609

[f. 44v] **Court baron of manor of William Norwood esq. farmer held Friday 5 May 7 James, before suit of court by John Stubbe deputy to Henry Norwood esq. chief steward**

Essoins: John Mylles, Richard Willes and John Litle per Edward Dennys, Toby Packer, William Welshe per Anthony Greeneway, William Rudgedale and Walter Parry per Thomas Parry.

Last day given to homage: the whole homage has a last day for better inquiring, also for presenting all matters not yet executed, until the next court, upon pain of 5s. for anyone failing to do duty.

Free tenants making default: Giles <6d.> Grevill gent., Thomas <6d.> Machin gent., Humphrey <2d.> Harris, William <2d.> Gale, Richard <4d.> Hayward and William <2d.> Maus owe suit of court and are in mercy as shown.

Tenants in base tenure making default: Samuel <4d.> Rudgedall, Robert Machin and Thomas <4d.> Mathewes owe suit of court and are in mercy as shown.

Last day given for performing order of last court: at this court ordered that if hedges and ditches on both sides of lane leading from close called Fillyholts on S side and land of Elianor Gooderich widow on the N side up to Northfield are cut back and scoured before 20 May, then no-one shall incur the penalty ordered at the last court. Nevertheless anyone making default on the 20th shall have similar penalty.

Continuation of view: view between Robert Bycke and Thomas George et al. to be continued to next Friday and viewers then all to be ready, on pain of 6s. 8d. for anyone failing to turn up. Viewers then to present to next court, on pain of 3s. 4d. John Benfeld witness on behalf of Robert Bycke, sworn.

Continuation of view: view between Roher Holder and Alice Martin widow continued to 1 p.m. on Friday next; no viewer to default, on pain of 5s. Sworn to give evidence of damages, John Holder and Richard Lea.

Continuation of view: view between John Milles et al. continued to next court, and William Strowde sen. sworn in open court to give evidence of damages; ordered that the view be made before the said court, on pain of 3s. 4d.

Presentation of view: viewers between John Ireland and John Clarvo present that they have taken the view and placed marks in the due places.

Presentation of view: viewers between John Jones and Nicholas Welles present that they have taken the view and have made 'holes' in the due places according to evidence given them by Thomas Stubbe and William Crumpe being sworn in open court; viewers ordered to place merestones in the same places before the next court, on pain of 3s. 4d.

[f. 45] William Wattes, William White and John Forty appointed and sworn to take view of the limits and bounds between the backsides of Thomas Bosly and Thomas ?Barnes?, and present to next court.

Hayward sworn: at this court Richard Deagle previously chosen for office of Hayward of Cheltenham for the year is sworn.

Copy of order ex parte Toby Machyn: at this court the order written below was delivered in these words, namely: Friday 31 March 7 James, between Toby Machin pl. and Izabell Machin widow def.

Cheltenham Manor Court Records
English gist of Gloucestershire Archives D855/M8, continued: entries for 1609

‘Whereas the right honourable the master of the rolls was this day informed by the said plaintiff’s petition that whereas one Anthony Machin the petitioner’s father being about 26 years since seised in base tenure according to the custom of the manor of Cheltenham in the county of Glouc. of an estate of inheritance in fee in certain messuages within the same manor, and intending to marry one Izabell Greaves the now defendant, one Thomas Machin the plaintiff’s uncle took a bond of CCCCLI of the said defendant Izabell before her marriage conditioned that if the said Izabell should survive the said plaintiff’s father, that then within two months after his decease she should for want of heirs of their two bodies inheritable by the custom of that manor surrender the premises to your petitioner, being son and heir of the said Anthony, reserving only to herself for a state for life, and further informeth that the said plaintiff having exhibited his bill as well against his uncle as against his stepmother by her answer confesseth in effect the substance of the said bond and other th’allegations of the plaintiff’s bill, and notwithstanding laboureth to the steward of the said manor to have allowance of a surrender or grant to disinherit your petitioner against her own bond and all equity and good conscience, and therefore desireth that as well the said bailiff and steward of the said manor as the said defendant might be prohibited by order of this court from making taking or allowing of any such surrender or grant of the same premises by the said defendant Izabell, which his Lordship thought reasonable. It is therefore ordered that upon sight of a copy of this order to be delivered to the steward or bailiff they shall forbear to accept of any such surrender or grant of the defendant’s uncle, the cause be determined in this court, or other order shall be taken herein to the contrary. By Richard Edwards jun. one of the clerks of Lawrence Washington esq. registrar.’

Grant: at this court Andrew Gale and Thomas Jones 2 tenants in base tenure swear that Thomas Mathewes tenant in base tenure granted to his brother Walter Mathewes a close of meadow or pasture called the Lower close lying in Alstone, to hold from the feast of Annunc of BVM last for a term of 5 years. Rendering nothing because already paid. For enrolment, 4d.

[f. 45v] Grant: John Maries jun. tenant in base tenure in person grants to John Maries his father all his house called Pyncroft in Alstone, in which John the father now lives, together with all profits and benefits as he now enjoys within the precinct of the land called Pyncrofte, to hold for the lifetime of Juohn jun. and for a term of 12 years thereafter; John sen. to keep the premises in good repair. Provided that if John sen. should grant or assign the said house etc. to any other person or persons during the term, the grant becomes void and of no legal force. Rendering nothing because already paid. For enrolment, 4d.

Grant: Richard Hawkins and Anthony Greeneway, 2 tenants in base tenure, swear that Geoffrey Tuffley tenant in base tenure granted to Thomas Hawkins a messuage with all its lands in Cheltenham or elsewhere within the manor, to hold from the death of Tuffley for a term of 12 years, for the sole and proper use of Agnes Chappell and no other. Rendering nothing because already paid. For enrolment, 4d.

Grant: Thomas Sturmy and John Maries jun. 2 tenants in base tenure swear that Thomas Mathewes tenant in base tenure granted to Thomas Gregory sen. a close called New Leasowe in Alstone with appurtenances (lop and shred excepted) to hold from Michaelmas next for a term of 12 years. Rendering nothing because already paid. Mathewes will excuse the premises from all fees due to the lord during the term, and will find for Gregory sufficient ‘hedgeboote’ for repair of hedges of the close, either within the close, or elsewhere within Arle and Alstone, carrying nothing away, and if Mathewes cuts down any of the hedges of the close during the term, he will repair or replace them over the next 4 years. For enrolment, 4d.

Cheltenham Manor Court Records
English gist of Gloucestershire Archives D855/M8, continued: entries for 1609

Grant: John Maries jun. and Thomas Jones 2 tenants in base tenure swear that Thomas Mathewes tenant in base tenure granted to Thomas Sturmy 2 a. arable land in Alstone Sandfield near the vill there, with appurtenances (except common pasture), to hold

[f. 46] from next Michaelmas for a term of 12 years, rendering nothing because already paid. Mathewes will excuse the premises from all customary dues during the term. For enrolment, 4d.

Grant: Thomas Sturmy and John Maries jun. 2 tenants in base tenure swear that Thomas Mathewes tenant in base tenure granted to John Sturmy 2 'rewes' lying on the hill in Hilfield in Alstone, one of which lies between land of Richard Pates on one side and land of Thomas Sturmy on the other side, and the other lies between land of Thomas Barnes of city of Gloucester on one side and land of John Mason of Arle on the other; also 3 other selions lying in Coversteed in the same field; also 2 other selions called Broadbutts and half an acre lying in Alstone Sandfield near Arle pale (with appurtenances but excepting common pasture), to hold from last Michaelmas for a term of 12 years. Rendering nothing because already paid. Mathewes will excuse the premises from customary dues. For enrolment, 4d.

Grant: Thomas Sturmy and John Maries jun. 2 tenants in base tenure swear that Thomas Mathewes tenant in base tenure granted to John Sturmy 8 selions lying near Noulthey in Haisords field in Alstone (common pasture excepted) to hold from next Michaelmas for a term of 12 years. Rendering nothing because already paid. Mathewes excuses the premises from customary dues during the term. For enrolment, 4d.

Grant: John Maries jun. and Richard Gardiner 2 tenants in base tenure swear that Mary Packer of the parish of St Michael in Bedwardine, Worcs., widow, tenant in base tenure, on 18 Apr. last granted to Robert Morgan gent. and his wife Joyce of the same parish and county 2 messuages or tenements with appurtenances lying in separate vills in Westal, Naunton & Sandford, to hold from that 18 Apr. for a term of 12 years. Rendering nothing because already paid. For enrolment, 4d.

Affeerers: Roger Holder and Thomas Humfries alias Major, sworn. Fines and amercements this court: 5s. 2d.

[f. 46v] **Cheltenham. Court of hundred of William Norwood esq. farmer held Friday 5 May 7 James, before John Stubbe deputy to Henru Norwood esq. chief steward and Richard Banaster gent. bailiff**

Kinge v Dennys: at this court the bailiff Richard Banaster gent. returns an order addressed to himself of Levavi facias of 17s. 8d. from the goods and chattels of William Dennys gent. and Walter Lane recuperat' and by the court adjudged to William Kinge sen. as damages and costs of his plea of taking etc., in all things served and executed, namely that he by virtue of the order 'fieri fecit' made the required money from the goods and chattels of Dennys etc.

Action conceded: William Pates def. at suit of Richard Pates gent. pl. in a plea of waste appears personally and says that he cannot contradict the action of the said pl, nor that he made waste by felling and selling 2 elms of and upon the close of his burgage in Cheltenham, nor that the burgage with all its lands and tenements by reason of waste thus by him made and perpetuated, for lack of male heirs of his body and of his son Walter Pates deceased lawfully begotten, ought to remain to pl. and heirs of his body lawfully begotten; and for lack of such etc., then to the use of the right heirs of himself William etc.

Cheltenham Manor Court Records
English gist of Gloucestershire Archives D855/M8, continued: entries for 1609

[f. 47] Cheltenham. Court baron with hundred of William Norwood esq. farmer held Friday 16 June 7 James by John Stubbe deputy to Henry Norwood esq. chief steward

Essoins: John Mills and William Welshe per Anthony Greenway, Walter Parry per Thomas Parry, Reginald Milton, Thomas Gregory and John Maries jun. per Thomas Sturmy, William Maus, Richard Wills, Richard Gardiner and Richard Mathewes.

Free tenants making default: homage previously empanelled and on this day adjourned upon oath present that Giles <6d.> Grevill gent. and Thomas <6d.> Machin owe suit of court and are in mercy as shown.

Death: they say upon oath that William Ligon kt who held freely of the lord of this manor a capital messuage called Arle Court with diverse lands of meadow pasture and pasture [sic] belonging to it in Arle at an annual rent of 26s. 8d., also certain other lands of arable lying in the common fields of Cheltenham at annual rent of 3s. 4d. has died thus seised, but by which other services the said lands were held they know not; and that William Ligon esq., aged 20 years is his son and next heir. Thereby falls to the lord relief of 30s.

Death: Arthur Packer gent. who held of the lord freely the manor or farm ['firma'] of Ham with appurtenances within this manor in free socage by fealty suit of court and annual rent of 15s. has died thus seised, whereupon there falls to the lord relief of 15s. And Alexander Packer of London gent. is his brother and next heir, and is of full age.

Death: Robert Collet who held of the lord in base tenure a messuage with all its meadows pastures and pastures in Cheltenham has died thus seised, whereupon falls to the lord heriot of best beast, namely a bay horse price £7 to be paid to the lord. And that after his death remainder is due to his wife Elizabeth according to custom of the manor.

Death: Eleanor Milton widow who held of the lord in base tenure a messuage with appurtenances in Westal died since the last court, whereupon falls to the lord heriot of best beast, namely a grey horse £3 13s. 4d. And Robert Milton is the younger son and next heir and is of full age. Upon which proclamation was made and Robert came to make his service.

[f. 47v] Dispensation from penalty, Charlton: at this court ordered that John Whithorne [may] keep his cattle in 2 pieces of his land lying in Lylly field, before the end of harvest, the penalty previously made against this notwithstanding.

Alstone, penalty: ordered that no beast is to be kept or tethered within Alstone meade from feast of St John Baptist next until all the hay has been removed, and no-one is to put any sheep there before All Saints, on pain of 6s. 8d. for each offence.

Burgess admitted: Nicholas Barnes bailiff of the borough, with William Strowde sen. and Thomas Humfries alias Major 2 burgesses, swears that William Pates gave granted and surrendered to his brother Richard Pates gent. all that burgage with appurtenances in Cheltenham, with all title and interest etc, to hold for his sole use, holding from the chief lord by customary rent and service. Relief due to the lord 16d., according to the true annual rent. Richard makes fealty and is admitted. For enrolment, 4d.

Cheltenham Manor Court Records
English gist of Gloucestershire Archives D855/M8, continued: entries for 1609

Burgess admitted: Nicholas Barnes bailiff of the borough, with William Strowde sen. and Thomas Humfries alias Major 2 burgesses, swears that Robert Bycke of Cheltenham yeoman in consideration of £30 paid to him by Edward Dutson of Swindon yeoman and Robert Newman of Southam, Glos., yeoman gave granted bargained sold and confirmed to Dutson and Newman all that burgage and half-burgage at the lower end of Cheltenham, S side, now occupied by Thomas Greeneway, Geoffrey Page and others, to hold for their sole use, holding from the chief lord by customary rent and service; relief 2s. 6d. Provided that if Bycke repays to Dutson and Newman the £30 as follows, £16 10s. at All Saints next, and another £16 10s. at All Saints 1610, this grant shall be void. For enrolment, 4d.

Fealty: at this court Richard Pates gent. made fealty to the lord for certain lands called Kinsham, bought by him from John Jacksons. Gives to the lord 4d. relief.

[f. 48] William Gregory and Anthony Greeneway 2 tenants in base tenure present that Thomas Mathewes tenant in base tenure granted to William Gregory of Uckington, Glos., a close called Highcrofte in Arle, together with its common pasture, to hold from Michaelmas next for a term of 12 years. Rendering nothing because already paid. Gregory may take lop and shred for repair of hedges as required. Mathewes to have right of entry at all suitable times to fell and remove 'brakes' [subboscis] and to enclose them for a period of 3 years after this grant, and will bear customary dues during the term. For enrolment, 4d.

View: John Currier, Edward Horwood, Thomas Wager and John Whithorne appointed and sworn to take a view of the limits and bounds between Nicholas Wells and William Ruggedall lying in a place called Wynnyard and to present at next court. Walter White witness for Nicholas Wells, sworn to give evidence.

Reports of views: Viewers between Robert Bycke and Thomas George present that they have taken a view and placed merestones in the due places between the homesteads of Robert and widow Maus in Westal; also that 'the way of husbandry' leading from Arle to Hillfield has been inclosed with ditches and hedges by William Bycke or Robert Bycke. They are therefore ordered to reinstate and make open the said way, before feast of St Andrew apostle next, on pain of 13s. 4d.

Viewers between Jhn Milles and others present that they have taken a view and placed merestones in the due places etc.

Viewers between John Jones and Nicholas Wells present that they have placed merestones in the due places according to the court's order, etc.

Viewers between Thomas Barnes and John Forty present that the mounds in the view were positioned correctly.

View continued: continuation of view between Thomas Barnes until next court etc.

Affeerers: Roger Holder and Thomas Humfries, sworn.

Fines profits and amercements from this court: £13 3s. 6d; of which fines and reliefs 49s. 2d., and heriots paid to the hands of the lord £10 13s. 4d.

[f. 48v] **Cheltenham. Court baron of manor of William Norwood esq. farmer held Friday 14 Aug. 7 James by John Stubbe deputy to Henry Norwood esq. chief steward**

Cheltenham Manor Court Records
English gist of Gloucestershire Archives D855/M8, continued: entries for 1609

Essoins: Richard Alexander per Nicholas Wells, Thomas Higges and Richard Wills per Edward Dennys, Walter Mason and Giles Mathewes per Thomas Parry, William Higges and Roger Holder per John Whithorne, Thomas Gregory per William Gregory.

Free tenants making default: Giles <6d.> Grevill gent., Thomas <6d.> Machin gent., Alexander <6d.> Packer gent. and William <2d.> Gale owe suit of court and are in mercy as shown.

Compounding for suit of court: William Welshe tenant in base tenure and compounds payments to the lord to be excused suit of court until Michaelmas next, 12d., and then 18d. annually thereafter.

Sworn: at this court Alice Ap Ieun is sworn to give evidence to the viewers appointed between Thomas Barnes and Thomas Bosly etc.

View: William Gregory, Robert Bycke, John Milles and Thomas Sturmy appointed and sworn to take a view of a certain hedge between orchard of Anthony Greeneway and demesne land occupied by Thomas Milton called Churchyard close etc.

Admission: Robert Milton younger son and next heir of Elianor Milton widow late tenant in base tenure of a messuage with all its lands lying in Westal Naunton & Sandford and Alstone or elsewhere, comes and seeks admission to the same; granted by the lord by his steward, to hold by customary service and dues. Fine 13s. 10d., being twice the annual rent. Makes fealty and is admitted. [*margin*: fine 13s. 10d. paid to bailiff 5 Jan. 1609/10]

Grant: John Milles and Geoffrey Tuffley 2 tenants in base tenure swear that Thomas Mathewes tenant in base tenure granted to Thomas Hickes a close of pasture called Culverbreach in Arle, to hold from 3 Apr. 1620⁴ for a term of 2 years. Rendering nothing because already paid. For enrolment, 4d.

[f. 49] Grant: Thomas Sturmy and John Maries jun. 2 tenants in base tenure swear that Thomas Mathewes tenant in base tenure granted to John Maries sen. a close of pasture called Pincroft in Alstone (except lop and shred) with appurtenances, to hold from feast of purification of BVM next for a term of 12 years. Mathewes to bear customary services and dues. For enrolment, 4d.

Grant: Thomas Sturmy and John Maries jun. 2 tenants in base tenure swear that Thomas Mathewes tenant in base tenure granted to Robert Eckley a close of pasture with appurtenances called Benhey in Alstone, to hold from annunciation of BVM for a term of 12 years. Rendering nothing because already paid. Robert to have sufficient lop and shred for repair of hedges. For enrolment, 4d.

Affeerers: Roger Holder and Thomas Humfries alias Major, sworn.

Cheltenham. Hundred court of William Norwood esq. held before John Stubbe deputy to Henry Norwood, chief steward and Richard Banaster gent. bailiff, same date

Summons: Thomas Mathewes pl. v Thomas Sturmy in a plea of trespass upon the case. Def. being solemnly exacted does not appear, therefore he is to be attached, etc.

Day given: Thomas Mathewes pl. v Robert Bycke jun. in a plea of debt upon demand £5. Def. being solemnly exacted appears. Pl. has a day for statement till next court; therefore a day is given to def. etc.

⁴ Presumably following on from an existing lease

Cheltenham Manor Court Records
English gist of Gloucestershire Archives D855/M8, continued: entries for 1609

Fines profits and amercements this court: 16s. 6d., of which fines 13s. 10d.

[f. 49v] **Cheltenham. View of frankpledge held Monday 2 October 7 James [1609], before Henry Norwood esq., chief steward**

Essoins: Thomas Mason, John Morley, William Clifford jun., and John Rogers per William Clifford, Francis Whitehead, John Kent, Thomas Whitehead and Christopher Milton per Edward Gooderich, Thomas Hiett, Henry Mason, Thomas Kemys and John Benfield per John Holdy, Thomas Ballinger, Richard Crumpe, William Smyth, Gabriel Newman, John Gooderich and Richard Pritchard per Edward Dennys.

Jury for our lord the King

John Abington gent.	John Mason
Robert Gale	John Holder
Roger Holder	John Crumpe
John Dowdeswell	Edward Dutson
Thomas Parry	Thomas Roberts
Thomas Milton	William Gregory
William Strowde jun.	John Maries sen. sworn
William Holder	

Cheltenham: spilling blood: Toby Packer and John Fowler, constables, present that Geoffrey <3s. 4d.> Tuffley made affray and drew blood upon Richard Holder; also Morgan <3s. 4d.> Wharton made affray and drew blood upon William Fynch; and Thomas <3s. 4d.> Jacksons made affray and drew blood upon Richard Hayward, against the peace etc., therefore each in mercy as shown.

Unlawful games: they present that Toby <16d.> Packer, John <20d.> Merrell, Giles <12d. > Atkins, Henry <16d.> Bowen, William <2s.> Dennys gent. and Henry <12d.> Mayles have played unlawful games namely cards and tables in the house of William <5s.> Mayles within the precinct of this Leet, contrary to statute, and that William <12d.> Powell similarly played unlawful games, namely 'shovelborde', within the precinct of this court, since the last court, contrary to statute; therefore each in mercy as shown.

Nicholas Barnes bailiff of the borough presents that all is well.

Charlton Kings: Robert Hawthorne constable comes and presents that all is well.

Swindon: William Clifford constable comes; common fine 2s.

Leckhampton: Walter Wyllis tithingman comes; common fine 3s.

Cheltenham: Giles Mathewes tithingman comes; common fine 5s.

Charlton Kings: Edward Gooderich tithingman comes; common fine 2s. 6d.

Bafford: William Durham tithingman comes; common fine 3s. 6d.

Ashley: Robert Gooderich tithingman comes; common fine 5s.

[f. 50] Arle: Reginald Milton tithingman comes; common fine 3s.

Cheltenham Manor Court Records
English gist of Gloucestershire Archives D855/M8, continued: entries for 1609

Alstone: Francis Cliveley tithingman comes; common fine 2s. 3d.

Westall Naunton & Sandford: William Combe tithingman comes; common fine 3s.

Bradwell: Walter Cooke tithingman comes; common fine 5s.

Leckhampton: Ralph Philto constable comes and presents that all is well.

Butchers: Walter Mason and Thomas Ashmeade meat inspectors present that Christopher <4d.> Grening, James <4d.> Hawsted, Thomas <4d.> Ashmeade, Joseph <4d.> Eaton, Joan <4d.> Caning widow, Morgan <4d.> Wharton and Walter <4d.> White of Cheltenham, butchers, slaughtered calves under the age of 5 weeks since the last leet, within the precinct of this view of frankpledge, contrary to statute; therefore in mercy as shown.

John Sturmy and Ralph Holdy leather inspectors present that all is well.

Victuallers: Hugh Griffin ale-taster presents that David <2s.> Powell, Thomas <2s.> Milton, Henry <2s.> Gregory, widow <2s.> Phelps, William <2s.> Mayles, Geoffrey <2s.> Tuffley, John <2s.> Holdy, widow <2s.> Baggott, Richard <2s.> Farre, Thomas <2s.> Webbe and John Dole of Cheltenham victuallers sold their ale and beer in unlawful stone pots of less than the royal standard since the last court and within the precinct of this leet, contrary to statute. Therefore each in mercy as shown.

Highways: William Warde and Richard Fynch supervisors of the King's highways in Cheltenham present that Richard <2s. 6d.> Hayward, Richard <6d.> Watkins, Edward <6d.> Leech, Walter <2s.> Fox, John <6d.> Forty, Richard <-> Farre, Geoffrey <4d.> Page and Edward <-> Ladde being inhabitants and not having a plough nor being for any service retained for the year, did not work at the repair of the king's highways on any of the 6 days named and appointed by constable and churchwardens of the parish of Cheltenham in Easter week last, in accordance with statute. Therefore each in mercy as shown.

Highways: Thomas Kematt and Francis Smyth supervisors of the king's highways in Charlton nominated and appointed by the constable and warden in Easter week present on oath that John <2d.> Izard, Thomas <2d.> Jacksons, George <2d.> Byrt, William <2d.> Kings, William <2d.> Adams, William <2d.> Wells, Robert <-> Parcivall, Richard <2d.> Lawrence and Henry <6d.> Baylies are inhabitants not having ploughs etc. but did not work on repair of the king's highways etc. Therefore each in mercy as shown.

[f. 50v] John Hickes and Zacharias Ireland supervisors of king's highway in Alston, Arle, Westal, Naunton & Sandford being exacted came but present [that] defaults have already been presented to the jury.

Nathaniel Gooddard one of the supervisors of king's highways in the parish of Leckhampton comes and says that all defaults there have [already] been presented to the jury.

Thomas Roberts and Thomas Clifford supervisors of king's highways in Swindon come and present that all is well.

Affirmation of jury: the jury come and swear that all the preceding presentments are true; further, that William <2d.> Smyth, Walter <2d.> Brocke, John <2d.> Barnes, Richard <2d.> Browne, Henry

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<4d.> Lane, William <4d.> Fox, Edward <4d.> Browne, John <2d.> Venne, William <2d.> Ryddall, Thomas <3d.> Strowde, John <4d.> Butler, Walter <4d.> Maries, Anthony <4d.> Sturmy, Thomas <2d.> Jaynes, Robert <2d.> Joanes, Edward <2d.> Cull, Edward <2d.> Butwell and Thomas <2d.> Butwell are residents within the precinct of this view of frankpledge and this day made default. Therefore each in mercy as shown.

Pledge: they present that John Reeve, William Fox, John Jones, John Arthur, Richard Keene, John Churches, Thomas Greene, Roger Gelfe, Thomas Dickason, Robert Percivall, Richard Hale tailor, James Hickes, Richard Strowde, Thomas Strowde, John Wylkes, Henry Bycke, Walter Maries, Anthony Sturmy jun., Richard Jeynes, Thomas Jeynes, Edward Jones, Robert Jones, John Trotman, Walter Mathewe, Edward Cull, Geoffrey Mathewe, Edward Butwell, Thomas Butwell, Henry Mason, Richard Robins, William Hicks and Walter Powell have lived within the precinct of this view of frankpledge for the space of a year and a day and more and have not sworn allegiance to the lord king, therefore each in mercy 12d.

Unlawful games, Charlton: they present that Roger <6d.> Holder, Robert <6d.> Hawthorne, Robert <6d.> Gooderich, Edward <6d.> Wells, James <6d.> Hickes, Gracian <6d.> Gale, Philip <6d.> Crosley, Stephen <6d.> Crosley, Richard <6d.> Keene, John <6d.> Churches, Richard <6d.> Churches, Thomas <6d.> Hewes, Mark <6d.> Jacksons, John <6d.> Hywood, Robert <6d.> Grindle, William <6d.> Wells, William <6d.> Whithorne, William <6d.> Cliveley, John <6d.> Cliveley, John <6d.> Holder, John <6d.> Gale, Thomas <6d.> Arthur, Richard <6d.> Alexander, John <6d.> Batten, Walter <6d.> Whithorne, Walter <6d.> Higges, Thomas <6d.> Cartwright jun., William <6d.> Crumpe, Edward <6d.> Ballinger, William <6d.> Ballinger, Richard <6d.> Strawford, Thomas <6d.> Crumpe, William <6d.> Fowler, Robert <6d.> Mansell, John <6d.> Taylor, John <6d.> Evans, William <6d.> Cherington, William <6d.> Diggason, George <6d.> Gooderich and John

[f. 51] Kente played unlawful games, namely 'staball', 'trappe', 'coits', cards and tables or others similar within the jurisdiction of this view of frankpledge since the last leet, contrary to statute; therefore each in mercy as shown.

Hedge-breaking, Charlton: They present that Thomas <6s. 8d.> Freame, William <6s. 8d.> Weare and John <6s. 8d.> Gooderich of Charlton Kings within the jurisdiction of this leet yeomen [*agricol*'] are common hedge-breakers, causing nuisance to their neighbours; therefore each in mercy as shown.

Similar, Cheltenham: they present that John <12d.> Pavier, John <2d.> Izack, Alice Clifford wife of John <4d.> Clifford, [—]wife of Edward <4d.> Leech (later 1 w/m) and Joan Abraham are common hedge-breakers; therefore in mercy as shown.

Drawing blood, armed force?: they present that Richard <3s. 4d.> weaver made affray upon John Hibberd with a 'sheppicke'⁵ price 6d. forfeit to the lord and drew blood, against the peace etc.; therefore in mercy.

Default of residents: they present that Arnold <4d.> Wollary, Henry <4d.> Bycke and John <4d.> Wylkes are residents at Alstone within the jurisdiction of this court and this day made default; therefore each in mercy as shown.

⁵ sheppeck, -ick: a pitchfork (OED)

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Affray: they present that John <12d.> Stephens made affray upon Agnes Reeves and beat her etc., against the king's peace; therefore in mercy as shown.

Failure to swear allegiance: they present that Giles Parry, John Okey, and John Beale lived within the precinct of this leet for a space of a year and a day and more and did not swear allegiance to the king; therefore each in mercy 12d.

Stray: they present that one sheep with a lamb came within this manor as a stray, namely in Bafford tithing about the feast of annunciation of BVM last, and it was proclaimed according to statute, and remains in the custody of the lord's bailiff, until etc.

Stray: they present that another sheep came within the tithing of Bafford on – day last, and was proclaimed according to statute and remains in the custody of the lord of the manor's officers until etc.

Unlicensed victuallers: they present that widow <12d.> Baggott, widow <12d.> Phelpes, Walter <12d.> Arcoll and David <12d.> Powell are common tipplers and sold ale without licence contrary to statute within the precinct of this court; therefore each in mercy as shown.

Scold: they present that Elizabeth wife of Hugh Griffin is a common scold and disturbed the peace of her neighbours; therefore in mercy 12d.

[f. 51v] Bowls: they present that Henry <6d.> Bowen, Thomas <6d.> Parry, Walter <6d.> Parry, Walter <6d.> Mason, William <6d.> Panton clerk, Thomas <6d.> Sturmy, John <6d.> Maries sen., John <6d.> Maries jun., Edward <6d.> Budding, Thomas <6d.> Cliveley, John <6d.> Dobbins, William <6d.> Dennys gent., Samuel <6d.> Rudgedall, John <6d.> Edwards, Giles <6d.> Atkins, Thomas <6d.> Higgs, Thomas <6d.> Hawkins and William <6d.> Hilton unlawfully and openly, not within a certain garden or orchard, played unlawful games since the last view of frankpledge contrary to statute, namely bowls; therefore each in mercy as shown.

Road repairs: they present that John Ligon esq., Thomas <12d.> Mathewes, John <12d.> Combe, Thomas <12d.> Hawkins and Anthony <12d.> Higgs are inhabitants within the parish of Cheltenham, and did not put ploughs [sic, but 'carts' intended] carts or work for the repair of the king's highways there but made default for all 6 days appointed for that purpose according to statute; and that Richard <6d.> Robins worked [only] 1 day, John <2s.> Stephens 2 days and Thomas <12d.> Hikes 3 days on road repair and for the rest of the 6 days appointed by the constable and [church]warden made default; therefore in mercy as shown.

Archery: they present that William <12d.> Dennys, Richard <12d.> Howse, Nathaniel <12d.> Gooddard, William <12d.> Kinge, John <4d.> Tanty, John <4d.> Hore, Stephen <4d.> Smart, Robert Briter, Robert Rudgedall, Ralph <12d.> Randle, Walter <12d.> Cooke and Richard <—> Flucke of Leckhampton within the jurisdiction of this view of frankpledge being subjects of the king aged over 17 and under 60 years, not being lame, decrepit or of any other legal impediment did not practise and use bows and arrows ('shooting in long bowes') according to the statute; therefore each in mercy as shown.

Day given for inquiry: Jury, constables, tithingmen and supervisors of highways, and all other officers had at 2 p.m. on Wednesday 4 October next following to better inquire into all and singular the articles imposed upon them, and then and there to return their verdict, upon pain of 10s. for default.

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At which day and hour the jury being exacted came and said that Thomas <3s. 4d.> Cartwright made affray and drew blood upon William Weald with a certain bill, price 4d. forfeit to the lord; therefore in mercy as shown.

Building a cottage: they present that Edward <12d.> Hewes of Charlton Kings within this view of frankpledge tailor built a certain cottage in Charlton Kings as a dwelling, and now dwells in it, where in truth the said Edward did not assign or put for the said cottage 4 a. of land according to the order for measuring land, computing from the free[hold] of Edward held lying near the said cottage, and he continues to occupy said cottage contrary to statute; therefore in mercy as shown.

Arle, dungheap: they present that Richard <12d.> Smyth set up a dungheap in the king's highway, creating a public nuisance. Therefore in mercy, and ordered to remove it and carry away before feast of St Thomas next, on pain of 3s. 4d.

[f. 52] Encroachment: they present that Richard <12d.> Smyth encroached on the king's highway for the length of 6 ft., creating nuisance. Therefore in mercy as shown, and ordered to take down the encroachment before feast of St Thomas next, on pain of 3s. 4d.

Penalty: they present that Thomas Sturmy did not scour his ditch in Kingsmeade Lane according to earlier order, therefore forfeits penalty 3s. 4d.

Penalty: they present that Thomas Ivery did not scour his ditch according to earlier order, therefore forfeits penalty 3s. 4d.

Penalty: they present that Thomas Bycke did not scour his ditch, against same order, therefore forfeits penalty 3s. 4d.

Penalty: they present that Thomas <3s. 4d.> Bycke tenant of Thomas Mathewes and Walter <3s. 4d.> Lane did not scour their ditches according to earlier order; therefore each in mercy as shown.

Leckhampton: flooded ditches: they present that Ralph <5s.> Jeynes clerk has a certain ditch next to the way leading from Leckhampton to Cheltenham, for a length of 5 perches, is unscoured and flooded, causing nuisance to neighbours and the public passing by there; therefore in mercy, and ordered to scour or clean before next feast of St Andrew, on pain of 3s. 4d.

Likewise: they present that a certain ditch next to the way leading from Grovende to the house of Hugh Griffin, being the way from Leckhampton to the city of Gloucester, for a length of 30 perches, is unscoured and flooded, through the fault of William <10s.> Dennys of Leckhampton gent., creating nuisance etc; therefore in mercy as shown, and ordered to scour or clean before the feast of St Andrew next, on pain of 3s. 4d.

Likewise: they present that another ditch next to the same way is unscoured for a length of 5 perches, through the fault of John <5s.> Hore, creating nuisance etc.; therefore in mercy as shown, and ordered to clean by same feast, on similar pain, 3s. 4d.

Likewise: they present that another ditch, 4 perches in length, next to the same way near the house of Hugh Griffin, is unscoured, through the fault of Hugh, creating nuisance etc., therefore in mercy, and ordered to mend before the same feast, on pain of 3s. 4d.

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Likewise: they present that a ditch at the end of the close Edward <2s.> Church next to the same way, for a length of 2 perches, is flooded, through the fault of Edward, creating nuisance etc.; therefore in mercy, and ordered to scour before the same feast, on pain of 3s.

Likewise: they present that a ditch of 2 perches next to the way leading from Cheltenham to Gloucester, near the house of Agnes Crumpe widow, is flooded through her fault, creating nuisance etc., therefore in mercy, and ordered to scour before the same feast, on pain of 2s.

[f. 52v] Westal, Naunton & Sandford, unscoured ditches: they present that a certain ditch of 4 perches on the W side of the way leading from Leckhampton to Cheltenham is unscoured and flooded through the fault of Roger <6d.> Gelfe and John <6d.> Lewes, creating nuisance etc., therefore each in mercy as shown, and ordered to mend and scour before feast of All Saints next, on pain of 3s. 4d.

Likewise: they present that ditches on both sides of the way at Old Meade leading between the settlements of Charlton and Leckhampton, for a length of 6 perches, through the fault of Walter <6d.> Higgess, creating nuisance etc., therefore in mercy, and ordered to scour them before feast of All Saints next, on pain of 3s. 4d.

Likewise: they present that the ditch of Anne <3s. 4d.> Grevill widow, 17 perches in length, is flooded and unscoured through her fault, creating nuisance etc., therefore in mercy, and ordered to scour before feast of St Andrew next, on pain of 3s. 4d.

Charlton: ordered with the agreement of all jurors that each is to scour his ditch on both sides of the way leading from Lords Laynes stile to the lower end of the Greeneway before the feast of St Thomas next, on pain of 6s. 8d.

Ordered that James Hickes is to scour his ditch next to the way at Coxhorne before the feast of All Saints next, on pain of 3s. 4d.

Ordered that Thomas Clerke is to scour his ditch from the upper end of Goldwell to Barretts close before the feast of St Thomas next, on pain of 3s. 4d.

Swindon: ordered that William Clifford is to remake and put a sufficient bridge on his land called Lott meade, before feast of St Luke Evangelist next, on pain of 3s. 4d.

Ordered that each is to scour his ditches from the pond of Francis Cliveley to Whitecroft, before feast of All Saints next, on pain of 3s. 4d.

Ordered that John Combe is to scour his ditch from Alstone pound to the Rewen field, before feast of All Saints next, on pain of 3s. 4d.

Cheltenham: ordered that no tanner is to set forth any hide in Cheltenham before 11 a.m., on pain of 3s. 4d. for each offence.

Leckhampton: they present that Ralph Tanty, Ralph Crumpe, William Jefferies, Thomas Ballinger, William Philto, James Bedell, Michael Pomfrey and Ralph Philto did not practise and use 'shooting in longe bowes' according to statute; therefore each in mercy as shown. [no sums shown; entry is struck through]

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Oath of allegiance: To this court came William Abington and Giles Thomas, and swore pledge of allegiance to the king.

[f. 53] Officers for the next year chosen and sworn:

William Strowde jun. and Thomas Coales, constables of Cheltenham
Thomas Parry, bailiff of the borough
John Whithorne, constable of Charlton
Giles Hawling, constable of Swindon
Edward Lyppyat, tithingman for Cheltenham
John Blycke, tithingman for Charlton
William Durham, tithingman for Bafford
John Abington, tithingman for Ashley
Robert Yarneton, tithingman for Arle
Thomas Mathewes, tithingman for Alstone
Richard Pates gent., tithingman for Westal, Naunton & Sandford
Richard Howse, tithingman for Bradwell
Toby Packer and John Eaton, meat inspectors
Thomas Civill and John Bloxham, leather inspectors
Thomas Major, ale-taster
John Maries, water-keeper in Alstone
Robert Hawthorne and Nicholas Welles, water-keepers in Charlton Kings

Affeerers: Roger Holder and Thomas Milton, sworn.

Fines profits and amercements at this court according to extract made and delivered to bailiff: £10 2s. 3d.

Whereof estreated to the constables of Leckhampton and Charlton according to the form of the statute for the highways, 58s. 4d, viz Leckhampton 48s., Charlton 10s. 4d.

Remainder to be accounted: £7 3s. 11d.

[f 53v] **Cheltenham. Court baron of manor of William Norwood esq. farmer, held Monday 2 October 7 James before Henry Norwood esq. chief steward**

Essoins: no-one.

Homage:

John Milles*	William Milton
Thomas Major	Thomas Sturmy
John Ashmead	John Mason of Arle
Richard Davison	Thomas Gregory
Robert Maching	John Stephens
William Welshe	Thomas Jones
Thomas Wager	<i>sworn</i>

* In mercy 6s. 8d. because [indistinct, but words to the effect that he refused to serve on the homage when so ordered.]

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Free tenants making default: Giles <6d.> Grevill gent., Thomas <6d.> Machin gent., Alexander <6d.> Packer gent., and William <compounded> Gale owe suit of court and are in mercy as shown.

Tenants in base tenure making default: Thomas <4d.> Hawkins and William <2d.> Whithorne owe suit of court and are in mercy as shown.

Burgesses making default: Thomas <6d.> Gough, Francis <6d.> Osboldeston, Nicholas <6d.> Wood, John <6d.> Browne, Ralph <6d.> Jeynes clerk, Thomas <antea> Machin gent., John <6d.> Clarvo, Thomas <6d.> Tuffley, Thomas <2d.> Butler, Thomas <2d.> Gregory sen., and Anthony <6d.> Bycknell owe suit of court and are in mercy as shown.

View: Walter Mason and Robert Bycke jun. appointed and sworn to take a view of bounds between arable land of Ludovic Packer occupied by William Hawker and arable land of William Strowde sen. lying at the end of his close in the Lower Field, and present to next court.

Grant: Thomas Mathewe tenant in base tenure personally grants to William Gregory of Cheltenham shoemaker 2 selions of land shooting upon Westall greene lying on the E side of the house of William Milton, to hold for Thomas's life and 12 years after; rendering to Mathewes 2 hens at Christmas at his house in Alstone during the term. With proviso that the grant is void if the hens are more than 1 week late.

[f. 54] Grant: Anthony Greeneway and Geoffrey Tuffley 2 tenants in base tenure swear that Thomas Mathewes tenant in base tenure granted to Robert Eckley 6 selions of arable land lying in Alstone field in Banfurlong, lately occupied by Mathewes; to hold (except for the common pasture) for a term of 12 years from Michaelmas last. Rendering nothing because already paid. Mathewes to bear all customary services and dues during the term. For enrolment, 4d.

Grant: Nicholas Welles and Geoffrey Tuffley 2 tenants in base tenure swear that Thomas Mathewes tenant in base tenure granted to Thomas Gregory of Cheltenham sen. 1 close lying in Hazords field between [sic] a close in Alstone of Thomas Barnes of the city of Gloucester deceased, to hold for a term of 12 years from Michaelmas last. Rendering nothing because already paid. Mathewes to bear all customary services and dues during the term, and not to cut the hedge of the said close without Gregory's agreement. For enrolment, 4d.

Burgage grant: Richard Yarneton burgess personally grants to Nicholas Barnes bailiff of the borough a half-burgage with appurtenances in Cheltenham, between land of John Hall E and land of Corpus Christi College Oxon. In the occupation of Robert White E, to the use of Yarneton himself and his wife Alice, and then to the longer liver of them, and then Yarneton's heirs. Relief 6d., for enrolment 4d.

Petition: to the right venerable William Norwood esq. lord of the manor of Cheltenham. Humbly your orators Thomas Machin of Cheltenham gent., and Toby Packer of the same gent., younger son and customary heir of Thomas Packer of Ham in the said manor gent. lately deceased, show to your worship that whereas TP in his lifetime on 12 Mar. 21 Elizabeth [1579] was seised according to the custom of the manor of 1 messuage and 3 a. land with appurtenances in Cheltenham, a certain John Wills late of Cheltenham husbandman deceased in the name of John Willys pretending right and title to the said premises on 12 Mar. 21 Elizabeth raised his dispute in the manor court of Cheltenham at Cheltenham against the said TP and TM in the form of a writ de ingressu in le quibus and prosecuted

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[f. 54v] his suit against Packer and Mason as far as judgement, judgement being given for said John Wills against Packer and Mason on the following 18 Sept. And because in the record and process, and in the rendering of the judgment, and in the adjudication of the execution of the judgement there entered manifest error, to the not inconsiderable damage and injury of your said orators; and because the said premises etc. have descended to a certain Richard Wills or Willys son and heir of said John now deceased. And your orators have no ordinary remedy through the due course of the common law of England to recover the said messuage etc. but by petition to you, made in your worship's court and in your merciful consideration of your orators being humble petitioners of your worship, to direct your warrant to your steward to examine any errors. Upon errors being found, to proceed to the reversing of the said judgement according to law and equity. And that then the said Toby Packer be admitted tenant to the messuage etc. by true and lawful title, according to the custom of the manor. And your orators daily pray God almighty for the prosperity and long life of your worship etc.

To this court came William Norwood lord of the said manor upon the said petition to him in the said form exhibited by his said orators and ordered a warrant to his steward in these words viz.

Warrant: To the right worshipful man Henry Norwood esq chief steward of my manor of Cheltenham Glos.

Whereas it is clear to me by the petition of Thomas Machin of Cheltenham gent. and Toby Packer of the same gent. younger son of and heir according to the custom of manor of Thomas Packer of Ham in the said parish gent. deceased, that in a certain suit previously begun and had in my manor court of Cheltenham by a certain John Wills in the name John Willys pl. recently deceased v the said Thomas Packer father of Toby and Thomas Machin for 1 messuage and 3 a. land with appurtenances in Cheltenham; and because into the record of the process, judgement and adjudication of execution there came manifest error, as it is said, to the not inconsiderable damage and injury of Machin and Packer, as by the inspection of the petition more fully appears. Therefore I will and require you that at the next court and then from court to court to diligently examine the record of process judgment and adjudication of execution, and if you find any manifest error, then proceed from court to court to reverse the prior judgement and process according to law and equity, and to do all else that should be done by law and custom of the manor. And this shall be sufficient warrant to you for this purpose. Given at Cheltenham under my hand and seal 1 Oct. 7 James.

Assignment of error: Upon this, the said supplicants in person say that in the record and process, and in the rendering of the said judgement, and in the adjudication of execution of judgement there is manifest error,

1. in that in the suit and statement, the said John Wills proceeded his suit against Machin and Packer in the name John Willys, as by the record of the court fully appears

[f. 55]

2. There is error in that in the record and process no issue was noted between the said John Wills pl. and Thomas Machin and Thomas Packer defs.
3. There is error in that the jury for trying the issue (as it is supposed) between the parties, in that it was not empanelled and returned lawfully and according to law nor does it say by which court it was dealt, nor does it appear by the rolls of the court before which justice or other officers sworn for that purpose.

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4. There is error in that judgement of the suit is imperfect, because does not have these words in the judgement 'and said defendants are in mercy'

Upon which supplicants seek process and that is conceded to them etc. And said Richard Wills alias Willys being present in court being exacted to hear the error etc. came in person and sought a copy of the petition warrant and assignment of error, and a day at next court, namely 23 Oct. next at Cheltenham, and this is conceded to him etc. Therefore a day etc.

Day for homage: The whole homage had a day at 2 p.m. this 4 Oct. to give their verdict, at which time certain of them came and certain did not. Therefore they have a further day at the next court, 23 Oct., on pain of amercement for any default.

Affeerers Roger Holder and Thomas Milton sworn.

Cheltenham. Hundred court of William Norwood esq. held the same 2 October before Henry Norwood esq. steward and Richard Banaster bailiff

Statement: Thomas Sturmy def. at the suit of Thomas Mathewes pl. in a plea of trespass upon the case appears; pl. seeks a day for statement at next court; a day is given.

Amercement: Thomas <2d.> Mathewes had a day for statement v Robert Bycke jun. in a plea of debt upon demand £5, and now at this court does not proceed with his plea. Therefore in mercy.

Summons: Ann Grevill widow pl. v Samuel Mansell and John Higgin in plea of taking and unjustly detaining animals namely 3 black oxen price £15, pledge for process, and for return of animals if so judged. Summoned to next court etc.

Fines profits and amercements this court: 13s. 10d., of which relief 6d.

[f. 56: to be rechecked before any formal publication]

[f. 56v] Grant: Edward Horwood previously at this court granted to Richard Pates gent. and Thomas Cartwright 3 messuages and their lands in Charlton Kings for the term of his life and 12 years thereafter, without impeachment of waste, and afterwards at the same court surrendered the premises into the hands of the lord for the use of his son and heir Thomas Horwood, as by the enrolment plainly appears. Now to this same court come Pates and Cartwright in person and in open court re-grant and assign to Edward Horwood the said premises etc. without impeachment of waste and all their title and term of years etc. For enrolment, 4d.

Grant: Thomas Mathewes and John Maries jun. 2 tenants in base tenure swear that Thomas Jones tenant in base tenure granted to Geoffrey Tuffley 1 a. arable land called Ballacre in Cheltenham with appurtenances (but excepting lop and shred) to hold from last Michaelmas for a term of 11 years. Rendering nothing because already paid. Mathewes to bear all customary dues during the term. For enrolment, 4d.

Grant: John Mason tenant in base tenure in person grants to Thomas Kendall a house and garden with an adjacent selion of arable land, in Arle (excepting the lop of 3 elms and 1 maple tree at the N end of the said selion and all fruit trees), to hold for a term of 12 years. Rendering to Mason yearly 13s. 4d. at annunciation of BVM and Michaelmas. Kendall to keep the walls and roof of the said house in good repair during the term, at his own expense. For enrolment, 4d.

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Licence to build penthouse: at this court the lord by his steward gave licence to Thomas Barnes of Cheltenham to build a penthouse in the street against his house, 20 ft long and 5 ft wide, so as to be no nuisance to the public passing by. For enrolment, 4d.

Compounding for suit of court: William Gale a free tenant compounds to be excused suit of court up to Michaelmas next; 12d.

View: Thomas Cartwright, Nicholas Wells, John Whithorne and Walter White appointed and sworn to take a view of the bounds of an acre and a 'ferundell' of John Holder in Ryworth between land of Robert Gale and William Maus; ordered to place markers in the due places, and present to next court, on pain of 12d. for default.

View: Richard Pates gent., William Whithorne and Edward Dowdeswell appointed and sworn to take a view of a hedge between a close of John Jones and William Hewes in Charlton, and to place merestones in the due places, and present to next court, on pain of 12d. for default. The viewers do not know.

[f. 57] Fine: Nicholas Wells fined because he uttered sundry quarrelsome and insulting words, in contempt of court, 12d.

Machin et al. v Wills: To this court came Thomas Machin gent. and Toby Packer gent. in person and appear in court against the said Richard Wills alias Willys of the said dispute, and Richard comes in person and seeks a last day at the next court; therefore a day is given to the parties etc.

Affeerers: Roger Holder and Thomas Humfries alias Major, sworn.

Cheltenham. Hundred court of William Norwood esq. held 23 October same year before Henry Norwood esq. chief steward and Richard Banaster bailiff

Mercy: Thomas Mathewes had a day for statement v Thomas Sturmy in a plea of trespass upon the case at this court, and now does not take proceed with his plea; therefore in mercy 2d.

Grevill v Mansell et al.: statement: Samuel Mansell and John Higgen appear in person to respond to Ann Grevill widow in a plea that they took animals of Ann and unlawfully detained them against pledges etc., whereupon Ann by her attorney William Harb[er]te complains that Samuel and John on 12 Sept. 7 James at Charlton Kings at a place called Hale in Houlbedge field took animals, namely 3 oxen of Ann's, and unlawfully detained them against pledges. Ann states that she has suffered and has damages to value of 30s., and therefore pursues her suit etc. Defs. have until next court for reply.

Attachment: William Mayles pl. v John Gregory in a plea of trespass. Def. attached to next court etc.

Fines profits and amercements at this court: £18 3s. 1d., of which heriot £13 and fines £3 3s. 7d.

[f. 57v] Cheltenham. Court baron of manor of William Norwood esq. farmer, held Friday 15 December 7 James before suit of court by John Stubbe understeward

Essoins: John Powell, Robert Bycke jun., Henry Collett, Walter Mason and Thomas Jones.

Homage:

Richard Pates gent.	Anthony Greeneway	Andrew Gale
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Cheltenham Manor Court Records
English gist of Gloucestershire Archives D855/M8, continued: entries for 1609

John Whithorne	Richard Rogers	Richard Gardiner
Robert Hawthorne	Thomas Mathewes	Thomas Sturmy
John Currier	Robert Yarneton	John Mason

Free tenants making default: William <6d.> Ligon esq., Giles <6d.> Grevill gent., Thomas <6d.> Machin, Alexander <6d.> Packer, Thomas <6d.> Cartwright and Richard <4d.> Mathewes owe suit of court and make default as shown.

Tenants in base tenure making default: Samuel <4d.> Rudgedall, Thomas <4d.> Horwood, Thomas <4d.> Hawkins, Giles <4d.> Mathewes, Richard <4d.> White, Walter <2d.> Lane, Michael <2d.> Gooderich owe suit of court and make default as shown.

Compounding for suit of court: Walter <18d.> French alias Lane, Richard <18d.> Stubbe, John <2s.> Packer, William <23d?> Milton, John <6d.> Packwood, John <16d.> Partridge esq., John <16d.> Roberts gent., Lodovick <12d.> Packer, William <16d.> Boughon gent., Richard <6d.> Harnes, John <13d?> Jacksons, William <4d.> Strowde jun., William <16d.> Whithorne sen., Robert <16d.> Abraham, Thomas <12d.> Kempe, Thomas <16d.> Hilpe, Richard <16d.> Garne, Thomas <16d.> Barnes, Walter <16d.> Shewell, Christopher <2s.> Merrell, Richard <16d.> Wyckware, Thomas <12d.> Crumpe, William <2s.> Higges gent., John <16d.> Buckle, Anthony <18d.> Higges, John <8d.> Holdship, William <6d.> Adams, William <12d.> Welshe owed as shown at last Michaelmas; thenceforth 18d. annually.

Newly compounding: William <12d.> Gale and William <4d.> Maus compound to pay annually as shown to excuse suit of court.

Death: presented that Richard Whithorne who held in base tenure 2 messuages and a half-messuage with appurtenances has died since the last court; therefore heriot due to the lord of 3 best beasts, namely 2 oxen and 1 cow price £10; remainder to his wife Katherine according to manorial custom.

Death: presented that Joan Pate widow relict of John Pate deceased, late tenant in base tenure of 2 messuages with appurtenances and lands in Charlton Kings, has died since last court, therefore heriot due to the lord of 2 best beasts, and in default of animals, her best goods, for which £4 in lieu to be paid to the lord; Walter Pate, of full age, is son and customary heir of John and Joan.

Charlton, penalty: ordered by assent of the whole homage that all are to make sufficient hedges around 'le breach' and Ryworth and sufficient gates at Ryworth, to be made by those who previously used to make gates, before this 23 Dec., on pain of 3s. 4d. for default.

Admission: Walter Pate son and heir of John Pate deceased and his wife Joan seeks to be admitted tenant to 2 messuages etc. in Charlton Kings; granted by the steward, to hold in accordance with custom and services etc. Fine 22s. 4d., being twice the annual rent. Walter makes fealty and is admitted. For enrolment, 4d.

[f. 58] Walter Pates tenant in base tenure in person grants to John [or Joan] Coxed a tenement with garden, orchard and adjacent backside, and 1 acre of arable land divided into 2 selions, of which one lies in Benbridge and the other shoots upon 'le frische', to hold for 3 years after the death of his mother Joan Pate, and then a term of 12 years. Rendering nothing because already paid. For enrolment, 4d.

Cheltenham Manor Court Records
English gist of Gloucestershire Archives D855/M8, continued: entries for 1609

Machin et al. v Wills: Thomas Machin gent. and Toby Packer come in person and appear in court against Richard Wills alias Willys in the said dispute; and Richard in person comes, and seeks a last day at the next court; and a day is given etc.

View: William Gregory and Thomas Sturmy appointed and sworn to take a view of bounds between arable land of Robert Packer in the occupation of William Bycke and land of Thomas Jones lying in Alstone Sandfield. Ordered to take said view upon request made to them, and to place markers, and present to next court on pain of 3s. 4d. for default.

View: Richard Rogers and John Milles appointed and sworn to take view of markers and bounds between lands of Ralph Norwood gent. occupied by William Rayles and land of Alice Collett occupied by Richard Gregory lying in Whaddon field. Ordered to take said view upon request of eisdem fiend, and to place markers, and present to next court on pain of 3s. 4d. for default.

Grant: Robert Machin and Geoffrey Tuffley 2 tenants in base tenure swear that on 8 [rest of date blurred] Robert Bycke tenant in base tenure granted to Edward Dutson a messuage or tenement in Cheltenham now occupied by John Hawkins, together with all its lands, to hold from Michaelmas 1614 for a term of 12 years. Rendering yearly 1d. at Easter upon lawful demand being made. Provided that if Robert indemnifies Dutson against all persons to whom he is bound by any bond bearing the date of these presents, or later or earlier, then the grant is void. For enrolment, 4d.

Grant: John Whithorne sen. tenant in base tenure in person grants to Richard Pates all those separate closes of meadow or pasture called Overcombe and Lowercombe now in occupation of Richard, lying in Charlton Kings (except lop and shred sufficient for hedge repair), to hold from feast of St Matthew for a term of 12 years. Rendering nothing because already paid. John to bear customary dues etc. For enrolment, 4d.

Grant: John Maries jun. and Geoffrey Tuffley 2 tenants in base tenure swear that Thomas Jones tenant in base tenure granted to Robert Eckley 2½ a. of arable land in Alstone Sandfield, shooting upon Carfourd (common pasture, lop and shred excepted), to hold from last Michaelmas for a term of 12 years. Rendering nothing because already paid. Thomas to bear customary dues etc. For enrolment, 4d.

[f. 58v] Grant: John Whithorne tenant in base tenure in person grants to John Tytchett a close of pasture called 'the hither Thrift', another close of arable land called Highbreach, a close of pasture called Lylly, and another close of arable or pasture called Humbly How with appurtenances but excepting all woods and underwoods thereon, other than what is sufficient for hedge repair, to hold from 8 Apr. next for a term of 12 years. Rendering nothing because already paid. Provided that if Tytchet is able to quietly and peacefully have and enjoy a close of meadow called Nifnage and a close of arable land called Ravensyate, during the whole tenure of the premises, then and for as long as the aforesaid John can enjoy the last-mentioned premises, then this present grant is void. For enrolment, 4d.

Grant: Robert Yarneton and John Mason 2 tenants in base tenure swear that Thomas Mathewes tenant in base tenure granted to William Gregory of Arle 4 selions of land lying in Barbridge field now occupied by Thomas Gregory, to hold from Michaelmas 1615 for a term of 6 years. Rendering nothing because already paid. For enrolment, 4d.

Cheltenham Manor Court Records
English gist of Gloucestershire Archives D855/M8, continued: entries for 1609

Penalty: John Hall is ordered to remove his dungheap lying opposite the house of William Strowde sen. in Cheltenham, before Christmas, so that it is not a nuisance to William, on pain of 3s. 4d.

Affeerers: Roger Holder, Thomas Humfries alias Major, sworn.

Fines profits and amercements at this court: £15 9s. 6d.; composition for missing suit of court, 33s. 10d. Of which, heriots £14, and fines 22s. 4d.

[f. 59] Cheltenham. Hundred court held before John Stubbe understeward and Richard Stubbe gent. bailiff, 15 December 7 James [1609]

Gregory appears at suit of Mayles: At this court Richard Banaster gent. bailiff is ordered that John Gregory be attached by the pledge of John Do and Richard Ro to the reply? of William Mayles in the said plea. Mayles being exacted appears in person; said William seeks a day for statement at next court; a day is given etc.

Attached: James Hawsted pl. v Robert Bycke jun. in a plea of trespass; def. being exacted does not appear. Is therefore attached etc. Pledge of John D and Richard R.

Li com: James Hawsted pl. v William Hawkes in a plea of trespass. Def. appears in person, has li com to next court etc, pledges John D and Richard R.

Attached: James Hawsted pl. v Thomas Kemett in a plea of trespass; def. being exacted does not appear, therefore attached etc. Pledges John D and Richard R.

Attached: James Hawsted pl. v Anthony Greenway in a plea of trespass, pledges John D and Richard R.

Robert Bycke jun. pl. v Thomas Roberts in a plea of trespass

Grevill v Mansell et al.: Samuel Mansell and John Higgen in person came etc. et ut John Stubbe and his wife Jane writ of cogn of taking said animals in the said place etc and unlawfully etc. because they say that the said place in which etc. is and at the time of the taking ... the close contains 4 a. meadow