

Cheltenham Manor Court Records
English gist of Gloucestershire Archives D855/M8, continued – entries for 1611

[f. 87v] **Cheltenham. Court baron of manor of William Norwood esq. farmer, held Friday 25 January 8 James [1611] by John Stubbe understeward**

Essoins: William Gregory, Nicholas Wells, Roger Holder, Walter Parry, John Smythe and William Strowde sen. per Edmund Dennys.

Further day given: at this court a further day is given to the homage until the next court for better inquiring about certain articles etc. and then to present, on pain of 10s. for default.

Tenants making default: William <12d.> Ligon kt, James <12d.> Clifford esq., Giles <4d.> Grevill gent., Thomas <4d.> Machin gent., Robert <2d.> Packer, Robert <2d.> Bycke jun., and Walter <6d.> Mason are free tenants; Thomas <2d.> Horwood, Thomas <died> Hawkins, Thomas <6d.> Mathewes, Richard <3d.> Gardiner, William <2d.> Whithorne jun., Walter <2d.> Pate and George <comp.> Knight are tenants in base tenure; in mercy as shown.

Wills v Packer: Richard Wills alias Willys pl. comes in person; Toby Packer per William Harbert his attorney seeks etc. Therefore the bailiff Richard Banaster is ordered to make come 12 [men] etc.

View presented: the viewers between Thomas Gough and Giles Mathewes present that they have taken a view and placed one marker in the due place according to the evidence given them, but as for the others, they know not, etc.

Grant: Richard Pates gent. and Geoffrey Tuffley 2 tenants in base tenure swear that Thomas Mathewes tenant in base tenure granted to Robert Eckley 4 selions of land shooting on Robert Yarneton's Pittes stile, and 1 rewe shooting on the headland of John Packer which shoots on the previous 4, to hold from Michaelmas next for a term of 12 years. Rendering nothing because already paid. For enrolment, 4d.

Cheltenham. Pleas at hundred court held the same date, before John Stubbe understeward and Richard Banaster gent. chief bailiff

Continuance: Dispute between Robert Gale pl. and John Dowdeswell et al. defs. in a plea of trespass, continued to next court.

Attachment: Robert Mansell alias Alexander pl. v Edward Hall and John Flucke in a plea of trespass. Defs. being lawfully exacted do not come, therefore to be attached, to next [court] etc.

Fines profits and amercements this court: 5s. 2d. Affeerers: Robert Hawthorne and John Mason, sworn.

844 [f. 88] **Court baron of William Norwood esq. farmer held Friday 15 March 8 James [1611]**

Essoins: Roger Holder, John Litle, William Strowde sen., Richard Mathewes and John Maries per Edward Dennys.

Homage: John Packer, Thomas Cartwright, Samuel Ruggedall, ~~John Whithorne~~ <sick>, Robert Machin, William Cliveley, Richard Rogers, Robert Milton, Richard Strawford, Geoffrey Tuffley and Thomas Sturmy, who had this day for better enquiring, being exacted come and say on oath that William <12d.> Ligon kt, James <12d.> Clifford esq., Giles <4d.> Grevill gent., Thomas <4d.> Machin gent. and Robert <4d.> Bycke jun. are free tenants owing suit of court making default, therefore in mercy as shown.

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Tenants in base tenure making default: Thomas <2d.> Horwood, Thomas <died> Hawkins, Thomas <2d.> Jones, Richard <2d.> Gardner, William <2d.> Whithorne jun. and Walter <2d.> Pate owe suit of court and are in mercy as shown.

Death: William Ruggedall who held 3 messuages in Charlton with all their lands in base tenure has died, whereupon a heriot of 3 best beasts, namely 3 oxen price £10 paid to the lord; the premises pass to his wife Margery.

Death: John Mills who held a messuage in base tenure with all its lands in Cheltenham and elsewhere within the manor has died; whereupon a heriot of his best beast, namely an ox price £4 paid to the lord; the premises pass to his wife Elizabeth.

View: Thomas Gregory, Edward Dutson and Richard Rogers ordered to take a view between a close of Thomas Cox burgess at the upper end of Cheltenham and a close of Thomas Cartwright and others at Charlton, and to place markers in due places before next court, on pain of 3s. 4d.

Wills v Packer: on this day the bailiff Richard Banaster gent. returns the order given him to make come a jury of 12 between Richard Wills alias Willys and Toby Packer in a plea of land, executed as appears in a certain schedule annexed to the said order containing the names of those returned by the bailiff for the 12, namely:

Panel:

Samuel Ruggedall	Thomas Sturmy	*John Currier	John Whithorne
Roger Holder	John Maries jun.	Robert Hawthorne	*Andrew Gale
Anthony Greneway	Robert Milton	Robert Machin	William Cliveley
*Giles Mathewe	*John Powell	Robert Yarneton	*Thomas Gregory
Walter French alias Lane	Richard Rogers	John Buckle	*Richard Strawford
*William Gregory	Geoffrey Tuffley	William Welshe	*John Mason

Who being exacted, certain came and certain did not.¹

[f. 88v] [word/abbrev not unresolved] panel: therefore proceedings between the parties to be continued to next court, and let there be distraint? against the panel by next court.

Affeerers: Robert Hawthorne, John Mason, sworn. Fines, profits and amercements this court: £14 3s. 10d., of which heriots £14.

Cheltenham. Hundred court held before John Stubbe understeward and Richard Banaster gent., chief bailiff, on 15 March in the said year [1611]

Alexander v Hall et al.: Robert Alexander alias Mansell pl. v Edward Hall and John Flucke in a plea of trespass. The bailiff returns that Edward is attached for a horse of white colour price 40s., and that John has nothing as security for which he can be attached. Edward being exacted comes in person. Upon this, Robert, through his attorney William Harbert, complains of Edward and John that on 7 Jan. 8 James with force and arms etc. they broke and entered a close of Robert in Charlton called the Hale, flattened and threw down his hedge, and broke the soil with a plough; also they cut down Robert's wood, and took and carried away a cartload of wood found there, to the damage of Robert 20s., therefore this suit; pledges John Do and Richard Ro. Defs. seek licence to imparl at next court, therefore a day is given etc.

¹ Some 8 of these names are clearly marked with a dot, but whether to mark absence or presence is unclear.

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Attached: Richard Mansell alias Alexander pl. v Edward Hewes in a plea of trespass. Def. to be attached.

Attached: Toby Packer pl. v John Ellis and Thomas Roberts in a plea of trespass. Defs. to be attached.

[f. 89] jpg846 **Cheltenham. View of frankpledge held Friday 5 April 9 James by John Stubbe understeward**

Essoins: Walter Parry, Richard Kemys, Giles Parry, Thomas Mason, Thomas Ellys, John Ellys, John Cox, Richard Balinger, Thomas Davison, John Davison, Francis Smyth, Robert White, Robert Bycke, Thomas Milton, John Clerke, John Browne, William Wilcocks, William Wattes, Henry Clerke, William Randle, William Brocke, William Ballinger, William Free, John White, Walter Whithorne, John Cliveley, William Currier, Walter Currier, Arnold Woollary, Richard Rogers, John Bloxham, Richard Smyth, Thomas Tanty and Thomas Elbrowe per Edward Dennys.

Jury for the lord king:

Walter Mason	John Crumpe
Nicholas Wells	Andrew Gale
Thomas Cowles	John Stephens
Thomas Cox	William Brocke
Richard Gardiner	John Hamons
John Mason	Zachary Ireland
Richard Davison	Ed. Gest
John Merrell	sworn

Cheltenham: Thomas Atkins gent. and John Hall constables come and swear they have delivered the said jury presentment; further, that all is well.

Bailiff of the borough: Richard Pates gent. presents that all is well.

Swindon: John Morley constable comes; common fine 2s. Presents that on 10 Dec. last a ewe called a 'shilver hogge', price 2s., came as a stray and remains in the custody of — ; to be proclaimed. Further, that all is well.

Charlton: John Dowdeswell constable comes and says that other than offences already presented, all appears well to him.

Cheltenham: Thomas Faux tithingman comes; common fine 5s. Presents that since last feast of All Saints there came as a stray a gelding colour red price 17s., and remains in the custody of Thomas Hawkins ad proclama. Presents on oath that Edward <2d.> Randle, Nicholas <2d.> Lypiat, John <2d.> Gibbes, Thomas <2d.> Evans, Francis <2d.> Dole, John <2d.> Chappell, William <2d.> Fynche, Thomas <2d.> Hurst, Thomas <2d.> Ward, William Harris, William Warde, Edward Blisse, Edward Tryndall, George Underwood, William Powell, Richard Gregory, Richard Watkins sen., Richard Watkins jun., Thomas Gardiner, Richard Newman and Henry Bowen are residents within the precinct of this view of frankpledge and this day make default, therefore in mercy as shown.

Charlton: Thomas Cartwright tithingman comes; common fine 2s. 6d. Further presents that John <2d.> Dickinson is resident within precinct of this view of frankpledge and this day makes default, therefore in mercy as shown.

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[f. 89v] Bafford: Thomas Whithorne tithingman comes; common fine 3s. 5d. Presents that John <2d.> Whithorne jun. and James <2d.> Randall are residents within precinct of this vfp and this day make default, therefore in mercy as shown.

Ashley: John Buckle tithingman comes; common fine 5s.

Arle: Walter French alias Lane tithingman comes; common fine 3s.

Alstone: Thomas <died> Hawkins tithingman owes common fine of 2s. 3d. but makes default therefore in mercy as shown.²

Westal, Naunton & Sandford: William Wayte tithingman comes; common fine 3s. Presents that on 10 Dec. last a white sheep price 2s. came as a stray; it remains in the custody of Thomas Hawkins.

Bradwell: Nathaniel Goddard tithingman comes; common fine 5s. Presents that Robert <2d.> Holder and Anthony <2d.> Steward are residents within precinct of this vfp and this day make default, therefore in mercy as shown.

Leckhampton: John Crumpe tithingman comes; common fine 3s.

Meat inspectors: William Strowde jun. and James Hawsted present that all is well to their knowledge.

Leather inspectors: Thomas Goodcheape and Thomas Civill present that all is well.

Ale-taster: Richard Hayward ale-taster says that all is well, except for offences otherwise presented. Richard is fined 3s. 4d. because he has been negligent in presenting as pertains to his office.

Water supervisors: John Maries jun., Robert Hawthorne and Nicholas Welles. Nothing presented.

Borough rent collector: Thomas Barnes is chosen for the year.

Enrolled in tithing: memorandum that William Ball, William Greene, Edmund Ballinger, John Kent and Thomas Dickinson have sworn allegiance to the lord king.

Affirmation: jury swears that all the preceding is true.

Jurors in mercy: Further, that William <12d.> Hilton gent., and Francis <remitted> Whitehead, subject of a return by the bailiff to inquire for the lord king, made default, therefore each is in mercy as shown.

[f. 90] Resident in mercy: John <2d.> Harber is resident within the tithing of Westal, and this day made default, therefore in mercy as shown.

Unlawful games: John <2s.> Arthur alias Pavior on the --- day of December last kept and permitted unlawful games, namely cards, in his house within the precinct of this view of frankpledge; and John <12d.> Merrell of Cheltenham baker, Thomas <died> Roberts and John <remitted> Compton on the said day of December used cards and played unlawfully against etc., therefore etc.

Refusal to assist bailiff: presented that a certain affray was made at Ch[eltenham] on 28 March last at market time by divers persons unknown, to the great terror of the public and disturbance of the king's peace, and while the bailiff Richard Banaster was making arrest of a person of the affray, he (by

² This seems to suggest he was not able to attend the view, and died shortly after.

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virtue of his office) ordered Thomas Gregory of Cheltenham husbandman being there present to help him to lead the said unknown person making the affray to the stocks, there to remain until etc. The said Thomas <2s.> Gregory is in contempt of the bailiff's order to lead the said person to the stocks and refusing. Also that a certain Thomas <5s.> Howman of Cheltenham weaver on the same date with unlawful words publicly and openly urged Thomas Gregory aforesaid to not help the bailiff to lead the unknown person to the stocks, in contempt of the lord king and setting a bad example to his subjects. Therefore both in mercy as shown.

Hedgebreakers, corporal punishment: presented that the wives of Edward Leech and William Fynche are common hedgebreakers, therefore corporal punishment etc.

Affray: presented that Meredith <3s. 4d.> Jones of 'Twexbury' pedlar on 28 Mar. in Cheltenham [made] affray on and drew blood of a certain unknown woman with 'ulna'³. Meredith for this was apprehended and committed to the king's prison but broke [out] and fled, against etc., therefore etc.

Night walkers: Presented that certain Walter Milton, William Church[es], Richard Forty, Robert Cliveley, Thomas Clarke and Nicholas Lipyat have been roaming around (*perambulaverunt*) at night time, to the great terror and disturbance of the king's people, therefore etc.

Unlawful games: presented that David <12d.> Powell at many dates and times since the last leet kept and maintained unlawful games in his house, namely cards, against statute. Therefore etc.

Tipplers: presented that David Powell, Thomas Milton, Henry Gregory, William Mayles, Thomas Faux, widow Phelpes, John Holdy, Walter Arcoll, Geoffrey Tuffley and widow Baygott are common tipplers of beer, and sold beer in unlawful measures and broke the assize, therefore each in mercy 12d.

Stray: presented that at Michaelmas last there came into the manor as a stray one sow price 5s., remaining in the custody of Robert Rogers of Harters field; to be proclaimed.

[f. 90v] Players of unlawful sports: Presented that Richard Churches, Mark Jacksons, John Hywood, William Ball, John Ven and John Gelss [Gelfs?] played unlawful sports, namely 'trappe', since the last leet etc., against statute, therefore each in mercy 4d.

Unlawful games in house: presented that William <2s. 6d.> Crumpe played unlawful games, namely cards, and permitted and kept them in his house, between All Saints and purification of BVM last, against statute, therefore [in mercy as shown.]

Unlawful games: presented that Thomas <2s. 6d.> Faux a common tippler permitted and kept unlawful games, namely cards, in his house; and that Edward <?12d.?> Leech and Walter Wood played there, contrary to statute. Therefore etc.

Players in mercy:⁴ Presented that as follows in these English words: 'that upon Thursday 17 Jan. last past, Guy Dobbins sounded his drum up and down the town of Cheltenham in the time of market, accompanied with Richard Clerke and divers other young fellows being artificers and labourers, and the said Richard Clerke following the said Dobbins sounding his drum with a truncheon or short staff in the manner of a lieutenant or marshal man in very disorderly and rude manner caused proclamation to be made in divers places of the said town publicly proclaiming, that whosoever would hear a play

³ Either his elbow (but there is no 'sua'); or an ell-wand (stick measuring one ell?)

⁴ This presentment was published in A Douglas and P Greenfield, *Records of Early English Drama: Cumberland, Westmorland and Gloucestershire* (1986), pp. 288-9.

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should come to the sign of the Crown such an hour, where they intended to play. Whereupon the Bailiff of the liberty and town of Cheltenham, taking notice thereof, much disliked thereat, the rather for that the neighbour towns, namely Tredington and Prestbury were then infected with the plague, and the town of Cheltenham itself much suspected and greatly doubted that the infection was there also. And thereupon required the said Dobbins Clerke and the rest that they should desist and forbear to sound the drum and to make any further proclamation. And did also send unto Thomas Milton keeping the sign of the Crown to will him not to suffer the said persons to play there; whereupon the said Clerke, Dobbins and the rest in murmuring manner departed, but not satisfied did endeavour to play notwithstanding at the house of one David Powell a victualler likewise in Cheltenham, and some of them caused the drum to be sounded again about 8 of the clock in the night of the said day, which the Bailiff hearing sent John Holdy under-bailiff there to will them to forbear from playing and drawing company together so contemptuously especially in so dangerous a time, otherwise he the said Bailiff would come himself and suppress them, which message being delivered to the said Clerke and to the rest his consorts, and companions he the said Clerke <20s.>, Dobbins <5s.>, Thomas <5s.> Clerke, Richard <5s.> Fortey, Edmund <5s.> Trinder, Walter <5s.> Milton and Robert <5s.> Cliveley with many others then assembled of their company much insulted and reviled against the said Holdy and also the said chief Bailiff with many railing and opprobrious terms saying that they respected neither of them, both in contempt of all authority and good government, whereupon the said chief Bailiff understanding their insolent course went himself to suppress them and to punish them accordingly, which they understanding departed and went away before the coming of the said Bailiff.' Therefore in mercy etc.

[f. 91] Penalty: ordered with the assent of steward and jury that everyone should scour ditches adjoining the king's highways where necessary, before next feast of St John Baptist, on pain of 12d. for default.

Fines, profits and amercements this court: £3 9s. 8d. Affeerers Robert Hawthorne and John Mason, sworn.

Cheltenham. Court baron of William Norwood esq. farmer held 5 April 5 James [1611], by John Stubbe understeward 850jpg

Essoins: Walter Parry, Richard Kemys, William Wattes, Edward Dutson and Richard Fynch per Edward Dennys.

Homage:

Robert Hawthorne	Richard White
William Welshe	Robert Yarneton
John Currier	John Mason
Anthony Greeneway	George Rogers
John Buckle	Thomas Jones
Richard Strowde	William Strowde jun. <i>sworn</i>

Compounding for suit of court: Walter Lane compounds to pay the lord to be excused suit of court until Michaelmas next, 6d., and similarly annually.

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Warrant of attorney for suit of court: Anthony Partridge gent., free tenant of this manor has made David Williams his attorney for his suit at court baron and hundred whenever Anthony does not appear in person, as appears by his letter of attorney dated this 3 Apr.

Wills v Packer, distraint of panel: parties come; bailiff does not send order. Therefore proceedings to be continued between the parties until next court, and bailiff is ordered as previously, that there be distraint against said panel to next court.

Homager in mercy: Homage swears that Ed. Goodrich tenant in base tenure being lawfully nominated by the bailiff in a return for enquiring for the lord king came late. Therefore in mercy 6d.

[f. 91v] Default for suit of court: William <12d.> Ligon kt, James <12d.> Clifford esq., Giles <4d.> Grevill gent., Thomas <4d.> Machin gent., William <4d.> Hilton gent., and Robert <4d.> Bycke jun. are free tenants; Thomas <died> Hawkins, Thomas <??d.> Mathews, William <2d.> Whithorne jun. and William <2d.> Bycke are tenants in base tenure; Thomas <6d.> Gough, ~~Francis Osbaldston~~, ~~Michael Wood~~, John <6d.> Browne, Ralph <6d.> Jeynes clerk, John <6d.> Clarvo and Thomas <2d.> Butler are burgage tenants; all owing suit of court, making default and in mercy as shown.

Death of burgess: presented that William Barnes who held a quantity of burgage with appurtenances lying next to Day Lane in Cheltenham died many years since. His son William Barnes is heir and is of full age; comes to this court and makes fealty; relief to the lord 4d. For enrolment, 4d.

Grant: Walter Pate tenant in base tenure in person grants to Roger Holder 2 closes of meadow called Ravensgate meade, 3 closes of arable or pasture called Penny breaches, 1 parcel of land called Lylley leyes, and 1 parcel of land called Baffords paddocke, to hold for Walter Pate's lifetime and then a term of 12 years thereafter. Rendering nothing because already paid. Provided that if Richard Rooke and his wife Joan, younger daughter and next heir of Walter pay Walter during his lifetime £10 yearly at Michaelmas and Lady Day in equal portions at the porch of the church or chapel of Charlton Kings, and similarly £5 to Richard Pates gent. yearly during Walter's lifetime; and if Richard and Joan Rooke within 3 months of Walter's death give to (or put up sufficient security for) Eleanor wife of Walter £7 annually during her lifetime, payable in the same way, then the grant becomes void. For enrolment, 4d.

Surrender: Afterwards came the same Walter Pate and his wife Eleanor in person, and surrendered to the use of Joan his younger daughter and heir, now wife of Richard Rooke, all his 2 messuages with all their lands, meadows and pastures etc. in Charlton Kings or elsewhere; whereupon a heriot of best beast falls due, compounded as £6 13s. 4d. Rooke admitted tenant in base tenure.

[f. 92] Entry fine of 22s. 4d., being twice the annual rent. Makes fealty. For enrolment, 4d.

Grant: Richard Rogers and Geoffrey Tuffley 2 tenants in base tenure swear that Thomas Mathewes tenant in base tenure granted to John Mason 2 adjacent closes of pasture in Arle called the Groves and the Laynes (lop and shred sufficient for hedge repair being excepted) to hold from Lady Day next for a term of 12 years; Mathewes to spare Mason all customary dues during the term, within a month of demand being made at the house of Mason in Alstone. Rendering nothing because already paid. For enrolment, 4d.

Grant: Thomas Sturmy and John Maries 2 tenants in base tenure swear that Thomas Mathewes tenant in base tenure granted to Robert Eckley a parcel of arable land called Nyne Lands, also 7 other selions

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in Alstone Sandfield, now occupied by Eckley, to hold for the lifetime of Mathewes and a term of 12 years thereafter, subject to customary dues and services. For enrolment, 4d.

Grant: Thomas Sturmy and John Maries 2 tenants in base tenure swear that Richard Gardiner tenant in base tenure granted to John Ashemeade 1 a. arable ('a whole rudge acre') in Cheltenham, shooting on a close of Richard Gardiner, to hold from Michaelmas next for a term of 12 years. Rendering nothing because already paid. For enrolment, 4d.

[f. 92v] Alstone: ordered with assent of steward and jury that everyone is make sufficient hedges from the Robert Milton's orchard up to the gate of the common pound in Alstone between fallow (*friscos*) and sown fields, before 12 Apr. next, on pain of 10s.

No-one to put any cattle in Alstone meade from the start of hay harvest until the meadows are cleared, on pain of 3s. 4d.

No-one to keep or tether any cattle in any sown fields unless with the approval of John Packer and John Maries sen., on pain of 3s. 4d.

No sheep to be kept in Rewenfield before the end of 2 weeks after harvest, nor in Hazards field, the woods and Sandfield until the feast of St Edward Confessor, on pain of 3s. 4d. per offence.

Cheltenham: ordered that everyone to make hedges and scour ditches on either side of the way from Oty peece to Marshe gate before 3 May next, on pain of 3s. 4d.

Everyone to make their hedges sufficiently around the Marsh before 3 May next, and to do likewise every year thereafter by the same date, on pain of 3s. 4d.

Everyone to lead their cattle back off the Marsh at night-time, on pain of 3s. 4d.

Everyone to scour ditches from the 'horsepoole heade' to the lower end of town, before feast of St John Baptist next, and to keep them thereafter sufficiently scoured from time to time, on pain of 3s. 4d.

Henry Bowen and all other subsequent occupiers of his mill are from time to time to let water out from the pond as previously accustomed, on pain of 20s.

Arle: everyone to make their hedges between Broademeade and Barbridge field before 16 Apr. next, on pain of 5s.

Everyone make his part of the common pound before feast of St George Martyr, on pain of 20s.

Westal: everyone to make his hedges and scour his ditches from the house of William Milton to Whore hey, before 16 Apr. next, on pain of 3s. 4d.

Inhabitants there to hang a gate at Whore lane before 16 Apr. next, on pain of 3s. 4d.

[f. 93] Westal & Sandford: Inhabitants of Westal to hang a gate at Ridacres Lane end near Bayes hill and at Lypyates, on pain of 20s., before feast of St Mark Evangelist next.

Everyone to make his hedges from the house of Richard Wilcox as far as the lower end of Ridacre before feast of St Mark Evangelist, on pain of 20s.

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No-one to keep any sheep or lambs in Sandford field from Sandford Oaks to Whore Lane end on the N side of the way there, from feast of St Mark Evangelist until 9 days after the end of harvest, on pain of 6s. 8d.

No inhabitant of Sandford to drive or re-drive any animals from Sandford Oaks to Whore Lane end from feast of St Mark Evangelist to the end of harvest, on pain of 3s. 4d.

No-one to keep or tether any animals 'in the bottom of Ridacre' before the end of harvest, on pain of 3s. 4d. No-one allowed to tether any of their own cattle on their own lands there.

Charlton Kings, Ham and Northfield: Everyone to scour their ditches, and any adjacent 'yoake wayes' where carts are accustomed to pass along, within one month of request being made, on pain of 3s. 4d.

Everyone to scour ditches where necessary from Blinde Lane end to Gold Well gate before Pentecost next, on pain of 3s. 4d.

No-one to stop up water in the said ditches; same penalty.

Everyone to scour ditches sufficiently from Walter Pate's furlong to Beache Bridge where necessary, so that the water (which usually flows down through Churchende Street, to the harm of the Hollowey there) can pass through the said ditches; and to keep them thus at all times thereafter; on pain of 3s. 4d.

Everyone within the tithing to make their hedges sufficiently, and keep them thus thereafter, to keep their neighbours from damage, on pain of 20s.

Hundred court held same day and year [5 Apr. 1611] before John Stubbe understeward and Richard Banaster gent. chief bailiff

Dispute between Robert Mansell alias Alexander and Edward Hall in a plea of trespass, to be placed in arbitration.

Richard Mansell alias Alexander has a day for statement at next court, against Edward Hewes in a plea of trespass.

Licence to reach agreement: Toby Packer pl. v John Ellys and Thomas Roberts in a plea of trespass.

Fines, profits and amercements this court: £8 4s. 8d, of which heriots £6 13s. 4d.; fines 22s. 4d.; relief 4d. Affeerers: Robert Hawthorne, John Mason, sworn.

[f. 93v] Free tenants:

William Ligon kt	Lodovic Packer C ⁵	William Strowde jun. C
William Norwood esq. farmer	John Packer	John Holdshippe C
James Clifford esq.	--- Combe	Reginald Milton
Anthony Partridge gent.	William Higgess ess.	Richard Mathewes ess.
Giles Grevill gent.	--- Rudgedall	John Litle
Thomas Machin gent.	Richard Strowde ess.	William Boughan gent. C
John Roberts gent. C	William Strowde sen. ess.	John Jackson C
Richard Pates gent.	Walter French alias Lane C	John Smyth ess.

⁵ C = compounded

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Alexander Packer gent. C	Edward Dowdeswell alias Wheeler	Thomas Humfries alias Major ess.
Thomas Cartwright	Humphrey Harris	Richard Harnes C
William Whithorne	William Gregory	John Packwood C
Thomas Higges gent.	Anthony Greeneway	Richard Hayward ess.
Robert Packer	Robert Bycke jun.	William Man C
Thomas Parry	William Adams C	Thomas George
Walter Parry	Richard Alexander ess.	Henry Collett
Christopher Merrett C	William Milton C	Thomas Cox ess.
Richard Wickware C	Walter Mason	Thomas Lea alias Mason
William Hilton gent.	William Gale C	53

Tenants in base tenure:

Richard Pates gent.	John Maries ess.	Walter Showell C
John Packer	Thomas Hawkins	Christopher Merrett C
Thomas Cartwright ess.	Thomas Mathewes	Thomas Crumpe C
--- Rudgedall	Robert Abraham C	Richard Wills
Samuel Rudgedall	John Powell ess.	John Buckle C
Toby Packer C	Anthony Higges C	Thomas Gregory ess.
Thomas Horwood	Andrew Gale	Robert Milton
Roger Holder ess.	Anthony Greeneway	Richard White
John Currier	Richard Rogers	Walter Lane C
Robert Machin	Thomas Kympe C	Michael Gooderich com ⁶
John Whithorne	Thomas Helpe	Walter Pate
Thomas Wager	Richard Garne C	George Rogers C
William Whithorne sen. C	William Welshe C	Richard Strawford
William Cliveley	Geoffrey Tuffley	Ed. Goodrich
Nicholas Wells	Thomas Jones	George Knight C
Richard Stubbe C	Robert Hawthorne	William Bycke
William French alias Lane C	Thomas Barnes C	William Combe C not paid
William Gregory	Giles Mathewe ess.	Richard Rooke
Robert Yarneton	Lodovic Packer C	
John Mason	Richard Gardiner	
Thomas Sturmy	William Whithorne jun.	59

Burgesses:

Thomas Parry	Ralph Jeynes clerk	Walter White jun.
Thomas Gough	William Wattes	Walter Arcoll
John Mason	Thomas Fynche	Thomas Butler
John Style	Richard Davison	Walter French alias Lane
Francis Osboldston	Thomas Hyett	Richard Pates gent.
Michael Wood	Richard Yarneton	John Benfield
William Gregory	John Hall	Richard Fynch
Richard Kemys	Robert Bycke sen.	Nicholas Barnes
Richard Strowde	Thomas Machin gent.	Thomas Kemys
William Strowde sen.	Richard Banaster gent.	William Hawker
William Strowde jun.	John Clarvo	Walter White sen.

⁶ Annotated 'not paid, surrendered'.

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English gist of Gloucestershire Archives D855/M8, continued – entries for 1611

Thomas Gregory jun.	Richard Rogers	Thomas Barnes
Thomas Humfries alias Major	Robert Cox	Anthony Bycknell C
John Browne	John Cox	William Barne
John Bloxham	Edward Dutson	
	John Ashmeade	45

[f. 94] **Cheltenham. Court baron of William Norwood esq. farmer, held Monday 27 May 9 James [1611] by John Stubbe understeward**

Essoins: Thomas Humfries alias Major, John Litle, Thomas Cartwright, Giles Mathewe, Thomas Gregory and John Powell per Edward Dennys.

Tenants making default: William <12d.> Ligon kt, James <12d.> Clifford esq., Anthony <12d.> Partridge gent., Giles <4d.> Grevill gent., Thomas <4d.> Machin gent., William <4d.> Hilton gent. and Humphrey <2d.> Harris are free tenants; Thomas <2d.> Horwood, William <?4d.> Gregory, Thomas <?2d.> Mathewe, William <2d.> Whithorne jun. and Richard <2d.> White are tenants in base tenure, all owing suit of court and making default this day, therefore in mercy as shown.

Wills v Packer, distraint of panel: parties come; bailiff does not send order. Therefore proceedings to be continued between the parties until next court, and bailiff is ordered as previously, that there be distraint against said panel to next court.

View of way: ordered that 4 or 3 out of Thomas Hawkins, Edward Dowdeswell, Henry Collett, Robert Hawthorne and Nicholas Wells are take a view of the way from Lylly field to Hibreach Lane leading to Hartley hill and put sufficient bounds on the way for driving animals back and forth where it seems most necessary, on pain of 6s. 8d.

Admittance of burgess: Richard Pates gent. bailiff of the borough, with William Strowde sen. and John Benfield burgesses, swear that Alice Wood widow, burgess, granted to her older son Ciprian Wood all her burgage in Cheltenham, with appurtenances, lying between land of Corpus Christi College Oxon now in the occupation of Joan Reynolds E, and a half-burgage of Anne Osboldeston widow W, to hold subject to customary dues and services; relief to the lord of 15d., being the true annual rent. Ciprian makes fealty and is admitted. For enrolment, 15d.

Grant: John Currier and Robert Hawthorne 2 tenants in base tenure swear that William Whithorne tenant in base tenure granted to John Stubbe 2 messuages and all their lands in Charlton Kings, to hold from last Lady Day for a term of 3 years. Rendering nothing because already paid. For enrolment, 4d.

Burgage grant: Richard Pates gent., bailiff of the borough, with Nicholas Barnes and John Stile burgesses, swear that Thomas Kemys granted to Richard Davison a quantity of burgage in Cheltenham lying between land of Walter Lane W and land of Thomas Barnes E, to hold from Michaelmas last for a term of 12 years. Rendering nothing because already paid. Provided that if Kemys pays Davison £3 at Michaelmas next, the grant is void. For enrolment, 4d.

[f. 94v] Grant: Thomas Sturmy and Geoffrey Tuffley 2 tenants in base tenure swear that Thomas Mathewes tenant in base tenure granted to John Sturmy 8 selions lying next to Nolthey, 1 close called the Old Paddoc, another close called the Leynes, another close called Newleaso, 4 selions lying in Rewenfeild, 2 'rewes' lying on the hill in Hill field, 5 selions lying under the hill, 3 selions lying in

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Sandfield; also all his meadows in Alstone mead (all of which are now in the tenure of Thomas Gregory sen. and John Sturmy), to hold from Michaelmas next for a term of 12 years. Rendering nothing because already paid. Mathewes to find lop and shred for repair of hedges on the premises. For enrolment, 4d.

Grant: Thomas Sturmy and Andrew Gale 2 tenants in base tenure swear that Thomas Mathewes tenant in base tenure granted to Richard Pates gent. and William Jefferies the following parcels of land: 6 selions in Haydon hill, in a furlong next to Heydon gate in the Middle field; 2 selions shooting on Highcrofte; 4 selions at Broadshard, 1 'rewe' shooting on Smalemeade end, another small selion in the same field; in the Hill field 1 selion under Hestowe hedge; 1 'rewe' next to a 'rewe' of Thomas Sturmy; 3 'rewes' 'at the corner of William Gregories Gootheridge breache'; and 2 'rewes' shooting on the grove belonging to Thomas Mathewes; to hold for the natural life of Thomas and for a term of 12 years thereafter. Rendering nothing because already paid. Provided that if Mathewes pays Pates and Jeffereis £22 on 9 May next at Pates' house in Charlton Kings, the grant is void. For enrolment, 4d.

Order: no-one within the town of Cheltenham to place hay or straw in or upon the space of any house where fire is to be made, on pain of 13s. 4d. for default. Also ordered that William Strowde sen. and Richard Rogers should make diligent enquiry each month through the whole town for one year, and report the name of any offender to the next court baron or leet, on pain of 3s. 4d.

Hundred

Dispute between Richard Mansell and Edward Herves to be placed in arbitration.

Petition ex parte Elizabeth Mathewes: Joan Packer widow and Ludvic Packer exhibit a petition ex parte Elizabeth wife of Thomas Mathewes tenant in base tenure, that the lord should not permit any grants henceforth made by Thomas to the defrauding etc., to be enrolled; upon which it is ordered that they should accept no grant from the said Thomas until they have taken advice from the lord on the matter.

Fines, profits and amercements this court: 7s. 9d., of which relief 15d. Affeerers: Roger Holder and Edward Dowdeswell, sworn.

[f. 95] **Court baron of William Norwood esq. farmer held Friday 12 July 9 James [1611] by John Stubbe understeward**

Essoins: William Higges, Richard Alexander and Roger Holder per Edward Dennys.

Homage:

Thomas Cartwright	John Whithorne	Henry Mason
Robert Machin	Richard Strawford	Geoffrey Tuffley
Nicholas Wells	Anthony Greeneway	Thomas Roberts
Walter White	William Strowde sen.	
Edward Dowdeswell	Walter Mason	

Free tenants making default: William <12d.> Ligon kt, James <12d.> Clifford esq., Giles <4d.> Grevill gent., Thomas <4d.> Machin gent., William <4d.> Hilton gent., Humphrey <2d.> Harris, Robert <4d.> Bycke jun., and Thomas <4d.> Cox owe suit of court and are in mercy as shown.

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Tenants in base tenure making default: Samuel <4d.> Rudgedall, Thomas <2d.> Horwood, Richard <2d.> Rogers, Geoffrey <2d.> Tuffley and William <2d.> Whithorne jun. owe suit of court and are in mercy as shown.

Compounding for suit of court: Michael Gooderich per Giles Mathewes his father-in-law (*socer*) and William Combe compound to pay the lord to be excused suit of court for a year; 6d. each.

Wills v Packer, distraint of panel: to this court come the aforesaid parties, and the bailiff does not send an order, therefore the proceedings between the parties to be continued to next court; bailiff further ordered to distrain etc., to next court etc.

View: Richard Rogers, Geoffrey Tuffley and John Powell ordered to take view of bounds between selions of Richard Banaster gent. and of Anthony Greenway in Whaddon, and of another capital/head selion of Richard Banaster, on Wednesday next at 8 a.m. etc., on pain of 3s. 4d.

Grant: Thomas Jones tenant in base tenure in person presents that he has granted to Walter Mathewes a certain parcel of arable land called Hassords peece lying in Hassords field, to hold from 3 May last for a term of 12 years. Rendering nothing because already paid. For enrolment, 4d.

Admittance of burgess: Richard Pates gent. bailiff of the borough, with William Strowde sen. and John Benfeild burgesses, swear that Ciprian Wood burgess granted to his brother Abraham Wood his burgage with appurtenances in Cheltenham, between land of Corpus Christi College Oxon now in the occupation of Joan Reynolds E and a half-burgage of Anne Osboldeston widow W, to hold subject to customary dues and services, whereupon falls due to the lord relief of 15d., according to true annual rent. Abraham makes fealty and is admitted. For enrolment, 4d.

Claim: Thomas Hawthorne per Bartholomew Johnson gent. who is admitted by this court to prosecute on behalf of Thomas as his nearest friend; and he seeks against Robert Hawthorne a messuage, 40 a. land, 10 a. meadow and 20 a. pasture with appurtenances in Charlton Kings and Cheltenham. And he makes protestation to prosecute this claim

[f. 95v] 860.jpg in the form of a royal writ of right [*de recto recte*] at common law according to the custom of the said manor; and he seeks proceedings to be made on his behalf against Robert Hawthorne according to manorial custom. Therefore plaintiff per his nearest friend says that Robert Hawthorne grandfather of the said Thomas was seised in demesne and feoff and by law of the said tenements etc. in base tenure according to manorial custom in the time of the now king's peace, taking therefrom profits to the value etc. And the right to the said tenements descended from the same Robert the grandfather to Thomas, who now seeks, as kin and heir of Robert the grandfather according to manorial custom, i.e. as younger son and heir of Richard Hawthorne the younger son and heir of Robert the grandfather, as is his right. Therefore bailiff of the manor of Cheltenham is ordered that a summons be made to Robert Hawthorne the now tenant by a valid summons, to be at the next court here, etc.

Charlton, stint: ordered by the whole homage (except Walter White) with the agreement of the steward that no-one having common in Charlton Kings is to keep there above the number of 20 sheep, 4 beasts, and 2 horses for every 20 a. in the common fields, and at that rate for a greater or lesser quantity of land. Instead of 20 sheep, there may be kept 5 beasts or 3 horses; in place of 1 beast, 4 sheep; in place of 1 horse, 6 sheep or 2 beasts, and no more. On pain of 12d. for each horse, 6d. for each beast, and 4d. for each sheep [in excess of this].

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Supervisors of fields: For the better overseeing of the stint, Edward Gooderich, Robert Gale, Nicholas Welles, Thomas Clerke, William Whithorne and Richard Strawford are chosen as supervisors of the fields, 'to drive the fields over every quarter at the least', on pain of 5s.

Ordered that no-one is to place any cattle in the stubble-fields before the time appointed by the supervisors, and in accordance with their direction to be published in the church of Charlton Kings, on pain of 5s.

So that it should be more fully apparent to the said supervisors how many acres each person has lying in the common, and how many cattle each such person may keep upon them by this stint, it is ordered with the assent of the steward that his note and schedule should be annexed, with the consent of the major part of the inhabitants there enrolled, with the intention that the supervisors of fields there from time to time chosen should have copies of it, for their better direction in the due execution of the said order. Namely:

Charlton Kings: 'A note what number of acres ev[er]y p[er]son hath lying in common in the fields there, and howe many cattall every one may keepe after the rate of xx^{tie} sheep, fower beasts, and 2 horses for every xx^{tie} acres lying in common, viz.'

	Acres	Sheep	Beasts	Horses
Mistress Grevill	66	66	13	7
Samuel Rudgedall	20	20	4	2
Richard Pates gent.	70	70	14	7
Adrian Clutterbucke	10	10	2	1
Robert Churches	13	13	3	1
[sub-total]	179			
[f. 96] Roger Holder	68	68	13	7
Margery Rudgedall	20	20	4	2
John Whithorne	13	13	3	1
John Currier	15 1 'least land'	13	[3]	2
Robert Machin	42	46	8	4
Thomas Cherington	3	6	0	0
Richard Strawford	12	16	2	1
Katherine Whithorne	30	30	6	3
William Whithorne	20	20	4	2
William Welshe	19	17	4	2
John Buckle	5	5	2	0
Richard Rooke	23	23	5	2
John Stubbe	30	30	6	3
Thomas Wager	13	13	3	1
Robert Gale	22	26	4	2
John Fowler	½	1	0	0
Robert Hawthorne	6	6	2	0
Edward Dowdeswell	5	8	1	0
Edmund Horwood	30	30	6	3
William Whithorne	11	13	2	1
William Higges	20	20	4	2
Nicholas Dowdeswell	5	8	1	0
Henry Collett	10	10	2	1
Robert Alexander	29	27	6	3

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Elizabeth Ballinger	4	6	1	0
Richard Alexander	5	8	1	0
Thomas Clerke	7	7	1	1
Nicholas Wells	22	22	4½	2
Jane Combe	18	18	3	2
Henry Cliveley	5	8	1	0
Edward Hall	11	13	2	1
Richard Mason	4½	5	1	0
Richard Stubbe	29	27	6	3
Walter White	12	12	3	1
Mr Boughon	19	17	4	2
Alice Martin	28	30	6	3
Mistress Badger	47	47	10	5
Alexander Packer gent.	6	6	1	1
Thomas Cartwright	20	20	4	2
Robert Holder	5	8	1	0
Edmund Gooderich	14	16	3	1
Margaret Blycke	2	4	0	0
Thomas Gooderich	1	2	0	0
Humphrey Harris	1	2	0	0
Thomas Elbrowe	4	4	1	0
Frances Smyth	1	2	0	0
Roger Gelfe	1	2	0	0
Robert Coxe	4	4	1	0
Margaret Beale	2	4	0	0
Thomas Cox	2	4	0	0
Thomas Machin gent.	1	2	0	0
<i>[carried forward]</i>	179			
	725			
Total of acres	904			

Nevertheless if any person shall let any inclosures lying in the common, then such person shall keep cattle for their lands thus lying in the common according to the aforesaid stint and not more, on pain aforesaid.

[f. 96v] Charlton Kings: ordered that no-one is to keep or drive any cattle in sown fields until the end of harvest in each field, except oxen, horses or other cattle sufficiently tethered, on pain of 3s. 4d. per horse or beast and 12d. per sheep, for each offence.

No-one is to allow pigs to go in the fields unless sufficiently tended, before the end of harvest, on pain of 12d. per pig per offence; and such pigs to be ringed and tethered.

Cheltenham, orders lasting for 1 year: Anyone allowing his pigs to go forth before the end of harvest is under penalty of 3s. 4d. for each offence.

No-one to keep any cattle, sheep or lambs on the N side of the field from Bownzers Lane to the lower end of Mardens Leasowe, from the feast of St Peter ad Vincula to Michaelmas, on pain of 40s. for him who first willingly violates this order; subsequent offenders will not be penalised

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Everyone is to keep to the stint, namely for each 20 a. [held], to keep 8 beasts or horses and 30 sheep, and in default of a beast then 4 sheep, and vice versa. And for each whole burgage [held], to keep 2 beasts and 2 horses, and in proportion for a half-burgage. No-one to let his common out other than to a neighbour from Cheltenham.

Court to be advised: At this court Thomas Mathewes present in person desires to grant to John Hicks certain parcels of land, and to Thomas Sturmy other parcels, but because at the last court a petition was shown to the lord by Joan Packer widow and Lodovic Packer ex parte Elizabeth the wife of the said Thomas Mathewes 'etc.'. Therefore the court wishes to be advised of and about the said grant at the next court.

Hundred of Cheltenham. Plea held before Richard Banaster gent. bailiff and John Stubbe understeward at court of hundred held 12 July 9 James

Attached: Nicholas Wells pl. v William Weare alias Pyper in a plea of trespass. Pledges found, John Do and Richard Ro. Def. being solemnly exacted does not appear; therefore he is to be attached.

William Strowde sen. pl. v Thomas Roberts in a plea of trespass.

John Abington gent., pl. v Edward Hewes in a plea of trespass.

Fines profits and amercements this court: 6s. 9d., of which relief 15d.

Affeerers: Roger Holder and Edward Dowdeswell, sworn.

[f.97] Cheltenham. Court baron of William Norwood esq., held Friday 2 August 9 James [1611] before Henry Norwood esq. chief steward

Essoins: Richard Strowde, William Strowde sen., Richard Mathewes, Richard Heyward, Thomas Cox, Roger Holder and Richard Rooke, per Edward Dennys.

Tenants making default: William <12d.> Ligon kt, James <12d.> Clifford esq., Giles <4d.> Grevill gent., Thomas <4d.> Machin gent., Walter <4d.> Mason, and William <4d.> Hilton gent. are free tenants; Thomas <2d.> Horwood, Robert <2d.> Hawthorne, William <2d.> Whithorne jun. and William <2d.> Bycke are tenants in base tenure, all owing suit of court and in mercy as shown.

Hawthorne v Hawthorne: Thomas Hawthorne per Bartholomew Johnson gent. puts himself against Robert Hawthorne in a plea of land. Robert does not appear and is to be summoned. Bailiff is ordered to summons Robert with a good summons to be at the next court.

Wills v Packer: Richard [Wills] appears in person, and Toby [Packer] appears by his attorney, and the empanelled jury (Anthony Greeneway, Thomas Sturmy, John Maries jun., Robert Milton, John Powell, Richard Rogers, Geoffrey Tuffley, John Currier, Robert Yarneton, John Whithorne, Andrew Gale and Thomas Gregory) being exacted come, to pronounce as to the truth of the premises etc. as they had been charged to do by the court, and having come to agreement among themselves come back to the bar to return their verdict, that Richard has not proceeded with his plea. Therefore both he and his pledges for the prosecution are in mercy, etc, And Toby goes sine die, etc.

Admission: at this court the lord and his steward grant to Thomas Norwood gent., brother and next heir of the late Maurice Norwood (lately tenant in base tenure of 1 messuage with appurtenances lying

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in Cheltenham) all that messuage and its lands, to hold according to custom, rendering fine of double the annual rent [unstated].

Grant: Samuel Rudgetale and Robert Milton, 2 tenants in base tenure, swear that Thomas Hawkins deceased, late tenant in base tenure while still living granted to Michael Pomfrey, Francis Cleveley, Thomas Hawkins and John Hawkins 3 messuages and all their lands, to hold for a term of 12 years after his death, for the following uses, namely first to pay all his debts, and then for the rest of the term for the use of his daughter Margaret and his sons Richard sen., William, James, David, Richard jun., and Daniel

[f. 97v] in equal portions, Margaret's portion to be paid first, the rest one by one, eldest first. If any should die before receiving their portion, it is to go to the survivors. Rendering nothing because already paid. For enrolment, 4d.

View: Richard Pates gent., John Packer and Anthony Greeneway are appointed and sworn to take a view by which way William Mayles should cross with his hay and other carts from Lords mead, and to present to next court, on pain of 3s. 4d.

View: Thomas Jones, Thomas Sturny and Andrew Gale are appointed and sworn to take a view of a hedge and tree in dispute between George Rogers and the heirs of Thomas Hawkins at Dicks breach and Nolthey, and to present to next court, on pain of 3s. 4d.

View: viewers from the last court between Richard Banaster and Anthony Greeneway being sworn at this court are ordered to present at the next, on pain of 3s. 4d.

Total of all fines profits and amercements of all leets and courts for the whole year beginning 5 Oct. 8 James and ending 4 Oct. 9 James: £39 15s. 9d. Of which: heriots £21 14s. 4d., reliefs 9s. 9d., fines of land £2 11s. 6d., other perquisites of the court £15 1s. 2d. [adds up correctly]

Hundred: Nicholas Wells pl. v William Weare alias Piper in a plea of trespass.

William Strowde pl. v Thomas Roberts in a plea of trespass.

John Abington gent. pl. v Edward Hewes in a plea of trespass.

Walter White pl. v Thomas Greninge in a plea of trespass.

Compounding for suit of court from Michaelmas last for 1 year, ending Michaelmas 9 James: Walter <18d.; died> French alias Lane, Richard <16d.> Stubbe, William <18d.> Milton, John <6d.> Packwood, John <16d.> Roberts gent., Lodovic <12d.; non-resident> Packer, William <16d.> Baoughon gent., Richard <6d.> Harnes, John <8d.; died> 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, Chrisopher <2s.> Merrett, Richard <16d.; died> Wickware, Giles <12d.> Crumpe, John <18d.> Buckle, Anthony <18d.> Higgess, John <8d.> Holdshippe, William <6d.> Adams, William <18d.> Welshe, Alexander <16d.> Packer gent., William <4d.> Man, Anthony <8d.> Bycknell, George <16d.> Rogers, Toby <16d.> Packer, George <16d.> Knight – 5 Apr. 9 James; Walter <16d.> Lane 12 July 9 James; Michael <6d.> Gooderich and William <6d.> Combe give to the lord as shown to compound to be excused suit of court until Michaelmas next, and similarly each year etc.

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Fines, profits and amercements this court: 41s. 2d. Affeerers: Roger Holder, Edward Dowdeswell, sworn.

[f. 98] Cheltenham. View of frankpledge held 4 October 9 James [1611] before John Stubbe understeward

Essoins: Thomas Cowles, Richard Kemys, John Ellys, John Cox, John Benfield, Thomas Milton, Walter Arcoll, John Clerke, Henry Clerke, Richard Jennynge, Thomas Hiett, Richard White, Francis Dole, Richard Ballinger and Thomas Clerke, per Edward Dennys.

Jury for the lord king:

Thomas Higges gent.	Thomas Merrell
Walter Parry	John Maries
Henry Mason	John Mason
Walter Coole	Walter Cliveley
Edward Dowdeswell	Edmund Gooderich
Thomas Roberts	Walter Higges
John Ashmeade	

Thomas Atkins and John Hall constables of Cheltenham present that all is well.

Richard Pates gent. bailiff of the borough presents that all is well.

John Dowdeswell constable of Charlton presents that William <4d.> Danford and Mark <4d.> Jackson have played unlawful games, namely cards; John <gone away> Venne, John <gone away> Jelfe, William <4d.> Ball, Richard <4d.> Churches and John <4d.> Hiwood played 'trappe', and William <4d.> Gabbe, George <4d.> Flucke and Morgan <gone away> Meredith played 'coits' within the precinct of this view of frankpledge against statute, therefore in mercy as shown.

Also presents that William <2s.> Crumpe a common tippler of ale played unlawful games namely cards, and permitted and kept up the same in his house, contrary to statute, therefore in mercy as shown.

Swindon: John Morley constable and tithingman, common fine 2s.

Fine: he presents that Edward Dutson is resident within Swindon and was chosen for the office of constable and tithingman there, and did not come to make his oath for carrying out this office, but in contempt of the court makes default. Therefore fined 20s., but abated by the court's grace to 3s. 4d.

Residents in mercy: He presents that Edward <2d.> Browne, John <2d.> Hamans, Edmund <2d.> G[ui?]st, John <2d.> Keane, William <2d.> Fox, Thomas <2d.> Stephens and Edward <2d.> Hanpen are residents within the precinct of this leet, and this day make default, therefore in mercy as shown.

[f. 98v] Cheltenham: Thomas Faux tithingman, common fine 5s.

Residents in mercy: he presents that Nicholas Lippyat, Richard Farrender, Walter Arcoll jun., John Wattis, William Cartwright, William Harris, Thomas Ashmeade, Thomas Thayer and Robert Clerke are residents within the precinct of this leet, and this day make default, therefore each in mercy 2d.

Charlton: Thomas Cartwright tithingman, common fine 2s. 6d.

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Residents in mercy: he presents that William Riddall, Christopher Milton, Francis Wheeler, William Gabbe, Giles Thomas, William Danford, John Diggason and Robert Holder are residents within the precinct of this leet, and this day make default, therefore each in mercy 2d.

Bafford: Thomas Whithorne tithingman, common fine 3s. 5d.

Residents in mercy: he presents that Edmund <6d.> Horwood, John <2d.> Whithorne jun., and Thomas <2d.> Gooderich jun. are residents within the precinct of this leet, and this day make default, therefore in mercy as shown.

Ashley: John Buckle tithingman, common fine 5s.

Residents in mercy: he presents that William Ball, William Cliveley sen., Thomas Pates, Richard Churches, Philip Crasley, Gabriel Pomfrey, Thomas Cliveley, Samuel Deinton, Edward Hall, William Tytchett, William Ballinger, William Free, Richard Hale sen., and Thomas Hewes are residents within the precinct of this leet, and this day make default, therefore each in mercy 2d.

Concerning the fine of Ed[mund] Ballinger because he told a lie in open court, ridiculously saying that his brother William Ballinger was present when he was absent, setting a bad example to others: fined 2s., but abated to 12d.

Arle: Walter French alias Lane tithingman, common fine 3s.

Residents in mercy: he presents that Thomas Ivory, William Smyth, Gabriel Newman, John Barnes, Walter Milton, Ralph Corke and Walter Smyth are residents within the precinct of this leet, and this day make default, therefore each in mercy 2d.

Strays: He presents that around the feast of All Saints last, there came within the manor as a stray one sow, price 5s., which remains in the keeping of Robert Rogers, and that it has been proclaimed according to statute. Also, around the feast of St Andrew the apostle, there came within the manor as a stray a mother sheep, a 'chilver hogge', price 2s., which remains in the keeping of the executors of the late Thomas Hawkins, and that it has been proclaimed according to statute.

Stray: it was presented at the last leet by the tithingman of Cheltenham that around the feast of All Saints, there came a horse of red colour, price 17s., which remains in the keeping of Thomas Hawkins etc.

At the same leet it was presented by the tithingman of Westal that on 10 Dec. last, there came a white sheep, price 2s. 6d., which remains in the keeping of Thomas Hawkins, etc.

[f. 99] Alstone: Richard Robins deputy for the late Thomas Hawkins lately tithingman, common fine 2s. 3d.

Westal, Naunton & Sandford: William Wait tithingman, common fine 3s.

Residents in mercy: William <4d.> Hilton gent., David <2d.> Weaver, Richard <2d.> Greeneway, John <2d.> lane, Thomas <2d.> Greening and John <??> Harber are residents etc., and this day make default, therefore in mercy as shown.

Bradwell: Nathaniel Goddard tithingman, common fine 5s.

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Leckhampton: John Crumpe tithingman, common fine 3s. Edward Church constable presents that all is well.

Tipplers: Richard Hayward ale-taster swears that David Powell, Henry Gregory, widow Phelps, Thomas Faux, John <friend of the court> Holdy, Walter Arcoll, widow Baggott, Richard Farre sen., widow Cliveley and Thomas Webbe sold ale in jars of less than the royal standard and broke the assize since the last court, against statute. Therefore in mercy as shown.

He also presents that they sold ale before it had been tasted by him. Therefore each in mercy 6d.

Butchers: William Strowde jun. and James Hawsted meat inspectors swear that James Hawsted himself, Thomas Ashemeade William Reade, John Eadon and Walter White slaughtered calves under the age of 5 weeks, contrary to statute. Therefore each in mercy 6d.

Thomas Goodcheape and Thomas Civill inspectors of hides present that all is well.

John Maries jun., Robert Hawthorne and Nicholas Welles under-conservators of waters present that all is well.

Road repair: Richard Gardner and Thomas Howman supervisors of the king's highways in Cheltenham present that Richard <pcat??> Banaster gent. did not send a cart or work at highway repair, and that John <pcat??> Holdy, Robert Gregory, Robert Currier, John Tyson and Thomas Cox weaver did not work on the 6 days set by the constable and [church]warden for highway repair, according to statute, but made default, therefore in mercy 4d.

[f. 99v] Road repair: Andrew Gale and John Smyth supervisors of the king's highways in Arle, Alstone, and Westal, Naunton & Sandford swear that John <3s. 4d.> Ligon esq., John <3s. 4d.> Packer and Robert <3s. 4d.> Bycke are inhabitants within the parish of Cheltenham and did not send a cart or do work on any of the 6 days set for highway repair; and William <2s. 6d.> Gregory only did so on one day; therefore in mercy as shown.

Likewise: Edward Dowdeswell and Robert Gooderich supervisors of the king's highways in Charlton Kings present Nicholas <18d.> Wells, Walter <18d.> White, Richard <18d.> Cartwright likewise for 4 days, and Roger <6d.> Holder and Samuel <6d.> Rudgedall likewise for 2 days; in mercy as shown.

Likewise they present that John Abington gent., Richard Gooderich, Edward Kematt, Gratian Gale, John Jones sen., John Jones jun., George Byrte, George Ballinger, Richard Stephens, Thomas Jacksons, Mark Jacksons, Robert Hawthorne and Henry Lane did not work on highway repair for any of the 6 days, and Richard Hale did not work on 5 of them; therefore each in mercy 6d.

Jury affirmation: the jury swear to the truth of the foregoing. They say further that Thomas <3s. 4d.> Mathewes of Alstone yeoman on ---day last made an affray and drew blood upon Joan the wife of William Leech with a stick of no value, against the peace; therefore in mercy as shown.

Unlawful games: David Powell, Geoffrey Tuffley and widow Baggott permitted and kept unlawful games namely ---- in their houses, against etc. Therefore each in mercy 12d.

Selling ale without licence: Henry Gregory, widow Phelps, Thomas Faux, Walter Arcoll, widow Cliveley, Richard Farre and Thomas Webbe sold ale without licence, against etc. Therefore each in mercy 12d.

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Illegal recovery: a certain Robert Alexander on ---day last took [blank] and a certain Giles Crumpe and Thomas Crumpe made an illegal recovery upon the said Robert. Therefore in mercy 6d. each.

Hedge-breaking: [blank] the wife of Edward <3s. 4d.> Leech is a common hedge-breaker; in mercy as shown.

Defective tumbrel: they present that a ‘tumbrell’ for the execution of justice in the town of Cheltenham is out of order. Town therefore in mercy 3s. 4d.

Butchers: since the last leet Walter <6d.> Wyllis of Charlton Kings butcher slaughtered calves under the age of 5 weeks, against statute. In mercy as shown.

[f. 100] Edward <2s.> Hewes of Charlton, tailor, kept a certain cottage for habitation, against statute; therefore in mercy as shown.

Orders, Cheltenham: ordered with the assent of the steward by all the jury that the newly-chosen constables, John Sturmy and William Reade, should survey the armour there, and make a schedule containing the particulars, and present any defects at the next leet, on pain of forfeit to the lord 40s.

Similarly ordered by assent that every inhabitant there is to pay and contribute by buying and providing ‘bucketts’ and ‘hookes’ and other things necessary for avoiding fire danger, according to the rate and proportion set by the men nominated for this purpose by the king’s justice, on pain of forfeit to the lord 6s. 8d.

Tithing of Cheltenham: ordered that whereas John Clerke sub-tenant of George Knight has been chosen and sworn to the office of tithingman there, in the place of George, then George is to pay John Clerke 3s. 4d., which money the said John (at his own suggestion and that of others) is entitled to in the collection of rents belonging to that office, on pain of 3s. 4d.

Officers chosen and sworn:

John Sturmy and William Reade	Constables of Cheltenham
Thomas Barnes	Bailiff of the borough
Edmund Gooderich	Constable of Charlton
Thomas Roberts	Constable and tithingman, Swindon
John Clerke	Tithingman, Cheltenham
Thomas Cartwright	Tithingman, Charlton
Roger Holder	Tithingman, Bafford
Walter White	Tithingman, Ashley
William Gregory	Tithingman, Arle
William Butwell ⁷	Tithingman, Alstone sworn 15 Apr 1612
William Waite	Tithingman, Westal, Naunton & Sandford
William Kinge	Tithingman, Bradwell
Nicholas Barnes	Ale-taster
	Meat inspectors
	Hide inspectors

Fines, profits and amercements this court: £3 15s. Affeerers: Roger Holder, Edward Dowdeswell, sworn.

⁷ Name and date of oath added in a different hand

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[f. 100v] **Cheltenham. Court baron of William Norwood esq. held 4 October 9 James by John Stubbe understeward**

Essoins: nil.

Homage:

Roger Holder	Thomas Fynche
John Whithorne	Richard Mathewes
William Whithorne	Thomas Mathewe
Nicholas Welles	John Powell
Richard Rogers	Robert Milton
Giles Mathewe	John Maries jun.
John Mason	

Free tenants making default: the homage presents that William <12d.> lignon kt, James <12d.> Clyfford esq., Anthony <12d.> Partridge gent., Giles <6d.> Grevill gent., Thomas <4d.> Machin gent., William <4d.> Hilton gent., Humphrey <2d.> Harris and John <2d.> Smyth owe suit of court; in mercy as shown.

Tenants in base tenure making default: Thomas <6d.> Norwood gent., Thomas <2d.> Horwood, William <2d.> Whithorne jun., Thomas <2d.> Jones, Richard <2d.> Gardner and William <2d.> Bycke owe suit of court; in mercy as shown.

Burgesses making default: Thomas <6d.> gough, Abraham <6d.> Wood, John <6d.> Browne, Ralph <6d.> Joynes clerk, John <6d.> Clarvo, Edward <6d.> Dutson and William <6d.> Hawker owe suit of court; in mercy as shown.

Death of tenant: George Rogers who held in base tenure a messuage in Alstone and all its lands has died since the last court; thereupon falls due to the lord a heriot of best beast, namely a black cow price 53s. 4d.; after his death, remainder to his wife Isabel. She too has died since the last court, seised of the premises; heriot of best beast, namely a brown bay cow, price 53s. 4d.

Death of free tenant: William Rudgedall who held as a free tenant a close of land called Burtons breach has died, and in his will dated [blank] left the premises to his wife Margery for her lifetime, with remainder to his son Samuel Rudgedall for his lifetime, and his heirs if any, and if none, then to Jane a daughter of William and Margery and heirs; if none, then to Dorothy a second daughter and heirs; if none, then to Judith a third daughter; and if none, to the right heirs of William.

[f. 101] Death of free tenant: William Combe who held as a free tenant certain lands within the manor has died, and by his will dated [blank] he left the premises to his wife Jane for her lifetime, and after her death to his nephew William Combe and heirs. Bailiff is therefore ordered to require the attendance of Samuel Deighton who is betrothed to the said Jane to make fealty and suit of court.

Death of tenant: Thomas Hawkins who held in base tenure 3 messuages and all their lands has died since the last court; thereupon falls due to the lord 3 heriots, namely 2 cows and 1 bed (*lectu*'). Robert Hawkins is his younger son and next heir according to custom, and is 14 years of age.

Alienation: John Partridge esq. who held as free tenant certain lands in Leckhampton at a yearly rent of 4s. 4d. by his deed dated [blank] granted and sold all the premises to his brother Anthony Partridge gent.; whereupon falls due to the lord heriot of best beast, namely [blank]; relief 4s. 4d.

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Death of free tenant: Thomas Humfries alias Major who held as free tenant 2½ a. land at yearly rent of 6d. has died, and by his will dated [blank] left the premises to Henry Humfries alias Major. Relief 6d.

Death of burgess: Thomas Humfries alias Major who held by right of his wife Joan a half-burgage lying between land of Richard Gregory E and land of Thomas Gregory W has died since the last court, and Richard the son of Thomas and his wife Joan is next heir. Richard comes and makes fealty; relief 9d. For enrolment, 4d.

Penalty: John Abington gent. allowed 2 pigs to go in the fields without sufficient minding before the end of harvest, against prior order; similarly Edward Hughes 2 pigs, Thomas Wager 2 pigs, and Robert Hawthorne one sow. Therefore each forfeits 12d. per pig.

[f. 101v] Penalty: Walter son of Walter White kept a pair of his oxen in the sown fields before the end of harvest, contrary to earlier order; therefore forfeits 3s. 4d. per ox, 6s. 8d., but reduced to [few words illegible]

Charlton: Also Walter White kept 2 beasts and a horse in the common fields there more than his stint, against earlier order, therefore forfeits 6d. per beast and 12d. for the horse, in all 2s., but reduced to 8d.

Similarly Edward Hall, 1 horse, 12d., reduced to 4d.

Ordered by the homage with the assent of the steward that everyone is to make his hedge around Lylly field, and to hang a gate (at the expense of all inhabitants there) before the feast of St Luke next, on pain of 3s. 4d.

Cheltenham: ordered that after the 20th of this month until the end of harvest no-one is to allow pigs to go in the fields, unless minded.

Alstone: everyone to make his hedge from John Stephens' house to the top (verticem) of Hibreach, between the newly-broken/fallow (frisc') fields and the fields sown with wheat, before the feast of St Andrew, on pain of 10s. per offence.

View: Richard Pates, Thomas Cartwright and Edward Dowdeswell appointed to take a view of a hedge between lands of Alexander Packer gent. and Thomas Parry called Great Cow leaze and the Sladde, also of a hedge between land of the same Thomas Parry and Thomas Gregory, and to place markers in the due places and present to the next court, on pain of 3s. 4d. Sworn.

View: John Hall and William Dowdeswell sen. ordered to take a view of the boundary between the burgages of Thomas Gough and Thomas Barnes etc., on pain of 3s. 4d. Sworn.

Hawthorne v Hawthorne: At this court Thomas Hawthorne (per Bartholomew Johnson etc.) places himself against Robert Hawthorne in a plea of land. Robert comes in person, and seeks licence to imparl until next court. Therefore a day is given.

Grant: Thomas Crumpe tenant in base tenure in person grants to John Edwards gent. a messuage with all its lands in Alstone and elsewhere, together with waste, to hold for the life of Thomas and 12 years thereafter, rendering customary services etc. and nothing else because already paid. For enrolment, 4d.

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[f. 102] Surrender: afterwards Thomas Crumpe comes and surrenders for the use of his younger son and heir Giles his messuage with all lands in Alstone and elsewhere, whereupon there falls to the lord a heriot of best beast, in place of which he gives the lord 20s. Giles is duly admitted a tenant in base tenure, and gives fine of 6s. 3d., being twice the yearly rent. For enrolment, 4d.

Re-grant: Whereas Thomas Crumpe earlier at this court granted to John Edwards gent. a messuage [etc., as above], and then surrendered the same to Giles Crumpe, as more fully enrolled above, now at this same court John Edwards in person comes and re-grants and assigns to Thomas Crumpe the same messuage, with all title and interest in the premises, together with a copy by/for the same John. For enrolment, 4d.

Admittance of burgess: Richard Pates gent. bailiff of the borough, with William Strowde sen. and Nicholas Barnes burgesses, swears that Anne Osbaldeston widow, burgess, granted to her son Francis Osbaldeston of London gent. a half-burgage in Cheltenham lying between the burgages of John Style W and of Abraham Wood E, to hold from the lord by customary rent and service. Relief 7½d. Francis makes fealty and is admitted. For enrolment, 4d.

[f. 102v] Admittance of burgess: Richard Pates gent. bailiff of the borough, with William Strowde sen. and Nicholas Barnes burgesses, swears that Francis Osbaldeston of London gent. burgess granted to Richard Davison [the same half-burgage], to hold from the lord by customary rent and service. Relief 7½d. Davison makes fealty and is admitted. For enrolment, 4d.

Grant to sub-tenant: Ralph Randle in person grants to Henry Mayles a messuage with all its lands (which Ralph had by grant from Robert Norwood gent.), to hold for the life of Robert Norwood and a term of 10 years thereafter; rendering yearly to Ralph £12 at Lady Day and Michaelmas in equal portions, and all customary dues. For enrolment, 4d.

Grant to sub-tenant: Ralph Randle in person grants to Thomas Norwood gent. a messuage with all its lands (which messuage and other premises had by grant from Robert Norwood gent.), to hold from 10 years after the death of Robert, for a term of 2 years, paying customary dues. Rendering nothing because already paid. For enrolment, 4d.

Burgage grant: Richard Pates gent., bailiff of the borough, with Richard Fynch and John Ashemeade burgesses, swears that William Barney burgess granted to John Milton a parcel of a quantity of burgage in Cheltenham, between a burgage of Richard Fynch E, and a house and land of Barnes himself W, with the street N, and Barney's orchard S, 45ft long, 14ft wide at the N end, and 18ft wide at the S end, with free ingress and egress from this parcel to Day Lane through the backside of Barnes, to hold subject to customary dues and services, at annual rent 2d. Relief 2d. John makes fealty and is admitted. For enrolment, 4d.

[f. 103] Burgage grant: Richard Pates gent. bailiff of the borough, with William Strowde sen. and Richard Fynch burgesses, swears that William Hawker burgess granted to John Clifford and his wife Alice, the daughter of William Hawker, his house in Cheltenham, being now in the occupation of Clifford, being a parcel of William Hawker's burgage; also the backside extending south from the said house or tenement to a house now in the occupation of Roger Davis, 8 ft in width; together with a lower chamber lately occupied by Sybil Bolde (reserving to William Hawker a 'great Apletree' growing in the backside, together with free passage to the same); rendering to Hawker during his lifetime 16s. yearly at the 2 usual feasts, holding from the chief lord at a rent of 1d. and customary

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services. Relief 1d. Clifford admitted as burgess and makes fealty. Clifford and heirs to be responsible for upkeep of the hedge on the E side of the backside. For enrolment, 4d.

Admittance of burgess: Richard Pates gent. bailiff of the borough, with William Strowde sen. and Richard Fynch burgesses, swears that William Hawker burgess in consideration of a certain money sum paid him by John Smyth, and for other considerations specially moving him, granted to Smyth and his wife Margaret his house and tenement with its backside now in the occupation of William Boulton extending lengthwise S from the said house, and breadthwise from the house of Thomas Gough to marker-stones recently placed there, being a parcel of William Hawker's burgage in Cheltenham, lately occupied by a certain Richard Willes (reserving for Hawker a lower chamber adjacent to the house of John Clifford); in default of heirs of the body of John and Margaret Smyth, remainder to right heirs of William Hawker; to hold of the chief lord at annual rent of 1d. and customary services. Relief 1d. John Smyth makes fealty and is admitted as burgess. For enrolment, 4d.

Burgage grant: Richard Pates gent. bailiff of the borough, with John Benfield and Thomas Barnes burgesses, swears that Thomas Kemys burgess granted to Richard Davison all that quantity of

[f. 103v] burgage in Cheltenham between land of Walter French W and land of Thomas Barnes E, to hold from Michaelmas next for a term of 12 years; rendering to the lord all rents due during the term. Provided nevertheless that if Kemys pays Davison £5 at or before the said feast, this grant to be void. For enrolment, 4d.

Day given to homage: homage given day at next court, for better enquiring etc. [subject not stated].

Hundred: Walter White pl. v Thomas <licence to agree> Grening in a plea of trespass.

Affeerers: Roger Holder, Edward Dowdeswell, sworn. Fines, profits and amercements this court: £8 0s. 9d.; of which reliefs 7s. 2d., fines of land, 6s. 3d., heriots £6 6s. 8d. From Thomas Hawkins for 3 heriots: [blank]; from John Partridge esq. for 1 heriot: [blank].

[f. 104] **Cheltenham. Court baron of William Norwood esq. held Friday 22 November 9 James [1611] before suit court, by John Stubbe understeward.**

Essoins: William Strowde sen. and John Lytle per William Strowde jun.

Homage given further day: Homage to have a further day at next court for better enquiring etc.

Tenants making default: William <12d.> Ligon kt, James <12d.> Clifford esq., Anthony <12d.> Partridge gent., Giles <6d.> Grevill gent., Thomas <4d.> Machin gent., William <4d.> Hilton gent., Humphrey <2d.> Harris and Henry <2d.> Humfries alias Major are free tenants; Thomas <6d.> Norwood gent., Samuel <2d.> Rudgedall, Thomas <2d.> Howrood, Robert <2d.> Machin, William <2d.> Whithorne jun., Thomas <2d.> Mathewe, Thomas <2d.> Jones, William <2d.> Bycke and Richard <2d.> Rooke are tenants in base tenure, all owing suit of court and making default, therefore in mercy as shown.

Compounding: Walter Mason free tenant compounds to pay to be excused suit of court until next Michaelmas – 2s.

View presented: Richard Rogers, Geoffrey Tuffley and John Powell viewers appointed re certain land of Richard Gardner then in the tenure of Richard Banaster gent, and Anthony Greeneway lying in

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Whaddon present that they have placed markers in the due places in accordance with evidence given them by Richard Gregory, Thomas Cox and Richard Whooper and sworn in court.

View presented: viewers between Alexander Packer gent. and Thomas Parry and Thomas Gregory present that they have taken the view etc.

Hawthorne v Hawthorne: Robert Hawthorne tenant at the suit of Thomas Hawthorne pe...[edge of page] in a plea of land had a licence to imparl at this court. Robert in person comes and defends his right when etc., and the whole etc., and anyone etc., and greatly from the said tenement and appurtenances etc. And he says that he Robert has the greater right to hold the said tenement according to manorial custom [etc., as in previous submissions]; and Thomas being solemnly exacted does not come, but by the court's grace continues as before to the next court.

Grant: Richard Pates gent. and John Maries jun. 2 tenants in base tenure swear that Robert Machin tenant in base tenure granted to Francis Smyth all that close of meadow or pasture called Younging Hill lying in Charlton Kings (lop and shred excepted), to hold from feast of St Mark next for a term of 6 years. Rendering nothing because already paid. For enrolment, 4d.

[f. 104v] Grant: Richard Rogers tenant in base tenure in person grants to John Ashemeade 1 a. arable land shooting upon the Marsh (lop and shred excepted), to hold from last Michaelmas for a term of 12 years. Rendering nothing because already paid. For enrolment, 4d.

Admittance of burgess: Thomas Barnes bailiff of the borough, with Thomas Fynch and William Hawker burgesses, swears that Richard Kemys burgess granted to Francis Williams a half-burgage in Cheltenham lying between land of Thomas Butler E and land of Walter Arkill W, to hold of the chief lord by rent and customary service. Relief 14d. Francis makes fealty and is admitted burgess. For enrolment, 4d.

Admittance of burgess: Thomas Barnes bailiff of the borough, with William Hawker and Thomas Fynch burgesses, swears that William Barney burgess granted to Richard Fynch jun. all that quantity of burgage lying in Cheltenham between Day Lane W and land of Richard Fynch and a certain John Milton E, having the Street N and land of Richard Fynch S, holding from the chief lord by rent and customary service. Relief 2d. Richard makes fealty and is admitted burgess. For enrolment, 4d.

Burgage grant: Afterwards comes the said Richard Fynch jun. in person, and grants to William Barney the same quantity of burgage (except for a certain parcel of land lying between the 'sweeting tree' there and land of Richard's), to hold for Barney's lifetime. Rendering nothing because already paid. Possession delivered to William Barney by Richard Fynch in the presence of Thomas Barnes, William Hawker and Thomas Fynch burgesses. For enrolment, 4d.

Grant: Anthony Greeneway and Goeffrey Tuffley 2 tenants in base tenure swear that Richard Gardner tenant in base tenure granted to Richard Banaster gent. all his arable lands lying dispersed in the common fields of Cheltenham, namely 1 a. shooting on Wymons brook, 1 a. lying in Leechcroft, 1 a. extending across Swindon way, and 3 a. shooting on the way leading to Gloucester (all in the tenure of Banaster), to hold from Michaelmas last for a term of 12 years. Rendering nothing because already paid. For enrolment, 4d.

[f. 105] Grant: Richard Gardner tenant in base tenure in person grants to John Ashemeade 2 selions of arable land (1 a.) in Cheltenham Over field, shooting on Kinsham. To hold from last Michaelmas for a term of 7 years. Rendering nothing because already paid. For enrolment, 4d.

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Grant: Richard Pates gent. and John Currier 2 tenants in base tenure swear that the late Katherine Whithorne widow, lately tenant in base tenure when still alive granted to her son Thomas Whithorne all her messuage in Naunton, with all its lands, woods and underwoods, except for sufficient to repair hedges, to hold from Katherine's death for a term of 12 years. Rendering nothing because already paid. For enrolment, 4d.

Grant: Richard Pates gent. and John Currier 2 tenants in base tenure swear that [the same] Katherine Whithorne granted to her offspring (*prolibus*) Thomas, John, Alice, Anne and Joyce all her messuage with all its lands in Charlton Kings, to hold from the time of her death for a term of 12 years, rendering customary dues and services; provided nevertheless that if her younger son Walter Whithorne, customary heir, pays within 2 years of her death £40 to Thomas Whithorne and £30 each to Alice, Anne and Joyce in full satisfaction of the legacy given them by their late father Richard Whithorne, and finds sufficient security to pay £3 yearly to John Whithorne for the lifetime of Walter and 12 years after, then this grant becomes void. For enrolment, 4d.

Burgage grant: Thomas Barnes bailiff of the borough, with Thomas Fynch and John Ashemeade burgesses, swears that Richard Humfries alias Major burgess granted to Joan Humfries widow all his houses with garden and backside, parcel of a half-burgage from the Street to the Cowhouse, lying in Cheltenham, between land of Richard Gregory E and land of Thomas Gregory W, to hold during her widowhood. Rendering yearly to Richard Humfries 33s. 4d. at Lady Day and Michaelmas in equal portions. Provided that if the rent or any part of it is more than 20 days late, the grant is void. Joan agrees that she and her assigns will keep the premises

[f. 105v] repaired as necessary, and not let to any person other than Richard's brother, and to allow all other tenants of the half-burgage free access to and use of the well, and access to and from the street at all reasonable times. For enrolment, 4d.

Hundred

Attached: Nicholas Welles pl. v William Weare alias Piper in a plea of trespass. Def. being solemnly exacted does not come, therefore to be attached, etc.

Fines, profits and amercements this court: 9s. 6d. Affeerers: Lodovick Packer and William Gregory, sworn.

[f. 106] **Cheltenham. Court baron of William Norwood esq. held 13 December 9 James [1611] by John Stubbe understeward**

Essoins: Walter Parry, Richard Strowde, William Strowde, Richard Hayward, Robert Machin, Richard Wills and Thomas Gregory per William Gregory.

Tenants in mercy: William <12d.> Ligon kt, James <12d.> Clifford esq., Anthony <12d.> Partridge gent., Giles <6d.> Grevill gent., Thomas <4d.> Machin gent., William <4d.> Hilton gent., and Humphrey <2d.> Harris are free tenants; Thomas <6d.> Norwood gent., Samuel <2d.> Rudgedall, Thomas <2d.> Horwood, William <2d.> Whithorne jun., Thomas <2d.> Mathewe and William <2d.> Bycke are tenants in base tenure, all owing suit of court and making default as shown.

Thomas Hawthorne pl. v Robert Hawthorne: And the said pl. similarly; and upon this to be continued as previously to the next court, etc.

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Claim: John Holder in person seeks against Mary Morgan alias Packer 2 messuages, 40 a. land, 10 a. meadow and 20 a. pasture in Alstone and Westal, Naunton & Sandford, and makes protestation in prosecution of this plea as follows in a royal writ *de rect' recti* at common law according to the custom of the manor. Pledges John Do and Richard Ro. And seeks proceedings to be made against the said Mary according to the custom of the manor. It is therefore ordered that the bailiff should summon Mary with a good summons to be here at the next court etc., and the said John [?placed his attorney?] against Mary in the said plea.

Views: Thomas Higges gent., Thomas Parry and John Packer are ordered to take a view of a bound between land of Thomas Clarke and Henry Gregory in Cheltenham, etc., on pain of 3s. 4d.

William Gregory, Adrew Gale, Robert Milton and Anthony Greeneway odered to take a view of a marker between land of John Packer and Robert Packer at Footbridge Close in Alstone; on pain of 3s. 4d.

Rober Milton, Robert Yarenton, Giles Mathewe and John Maries jun. ordered to take a view on the last day of this December of Westhedge in Alstone, between land of Thomas Packer and Thomas Barnes; on pain of 3s. 4d.

Death of tenant: the homage had this day for better enquiring, and now come and swear that Katherine Whithorne relict of Richard Whithorne, who held in base tenure 2½ messuages in this manor, died since the last court seised of the same. Therefore heriot to the lord of 2 oxen and 1 cow, price £9. Walter Whithorne is her younger son and next heir.

[f. 106v] Burgage grant: Thomas Barnes bailiff of the borough, with Thomas Fynch and John Ashmeade burgesses, swears that Richard Humfries alias Major burgess granted to William Powell tailor all that house and garden now occupied by Powell, next to the end of his half-burgage close in Cheltenham, and parcel of that burgage, together with use of the well there, and free passage to it and beyond the end of the close and to the street, to hold from next Michaelmas for a term of 30 years, rendering 10s. yearly to Humfries at Lady Day and Michaelmas in equal portions; Powell to keep the premises in good repair and return them in good order at the end of the term. Provided that if the rent is more than 20 days late, the grant is void. For enrolment, 4d.

Burgage grant: Thomas Barnes bailiff of the borough, with Thomas Fynch and John Ashmeade burgesses, swears that Richard Humfries alias Major burgess granted to his brother Thomas Humfries alias Major all that house garden and backside, being parcel of his half-burgage in Cheltenham, from the Street to the Cowhouse, now in the occupation of Joan Major alias Humfries widow for the duration of her widowhood (as is made more clear in a grant made by Richard to Joan); Thomas to hold from the time of death or marriage or forfeit of the said Joan for his lifetime, rendering yearly to Richard 33s. 4d. at Lady Day and Michaelmas in equal portions or within 20 days thereof, and keeping to the conditions agreed in the grant to Joan. For enrolment, 4d.

Burgage grant: Thomas Barnes bailiff of the borough, with Thomas Fynch and John Ashmeade burgesses, swears that Richard Humfries alias Major burgess granted to Henry Humfries alias Major all those houses being parcel of his half-burgage in Cheltenham, namely the barn, the cowhouse and a hovel, together with use of the well there, and free passage to it and beyond the end of the close and to the Street, to hold for his lifetime. Rendering 13s. 4d. yearly to Richard at Lady Day and Michaelmas in equal portions. Henery agrees to keep the premises in good repair and not to let to anyone else

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without his brother's permission during the term. If the rent is more than 20 days late, the grant is void. For enrolment, 4d.

[f. 107] Burgage grant: Thomas Barnes bailiff of the borough, with Thomas Fynch and John Ashmeade burgesses, swears that Richard Humfries alias Major burgess granted to his brother William Humfries a house and garden being parcel of his half-burgage in Cheltenham, lying next to the house of William Powell, together with passage both to the end of the close and to the Street, and free use of the well, to hold for William's lifetime. Rendering 8s. yearly to Richard at Lady Day and Michaelmas (or within 20 days thereof) in equal portions; William to keep the premises in good repair and not let to anyone other than his brothers. For enrolment, 4d.

Fines profits and amercements this court: £9 7s., of which heriots £9. Affeerers: Lodovick Packer and William Gregory, sworn.

[continues to 1612]