

TESTAMENTA EBORACENSIA
Surtees Society Wills and Inventories Registered at York 1316 –1430
Will of the John de Warren the Eighth Earl of Surrey



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WILLS REGISTERED AT YORK

ILLUSTRATIVE OF THE

HISTORY, MANNERS, LANGUAGE, STATISTICS,

&c.

OF THE PROVINCE OF YORK

FROM THE

YEAR MCCC. DOWNWARDS.

PART

LONDON

B. NICHOLS AND SON, PARLIAMENT STREET
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PUBLICATIONS
OF THE
SURTEES SOCIETY

ESTABLISHED IN THE YEAR

MDCCCXXXIV



MDCCCXXXV.

P R E F A C E.

THE publication of a second volume of Wills and Inventories from the Registry of the Diocese of Durham was recommended by Mr. R. H. Allan, one of the twenty members of the Society applied to, in pursuance of the Sixth Rule, to suggest matter for the press for the year 1835-6—and, afterwards, of the votes given by those Members of the Society who, in conformity with the Seventh Rule, expressed their opinion on the subjects submitted to their consideration, Mr. Allan's recommendation received a decided majority. Many of the Members, however, in giving their vote to carry into effect Mr. Allan's recommendation, considering themselves to be acting in full accordance with his wish of bringing to light the historical and other information which documents of this nature afford, directed the attention of the Council to the more important Testamentary Records, which, as it was stated in the Preface to the first part of the Durham Series, were preserved at York. They suggested that the Wills registered at York would probably be found to be extremely numerous during the reigns in which the Durham Series is so greatly deficient; and further, that when the extent of the Province of York and its Prerogative Jurisdiction were taken into account, there must of necessity be a great abundance of matter for selection. The Council, in consequence, having before it

a decided manifestation of the wishes of the Society in the majority of votes for a continuation of the Series of Wills and Inventories, being convinced of the popularity of the subject with the public at large, by many direct proofs, and being itself aware of the additional importance in every point of view of the Testamentary Records preserved at York, came to the resolution prefixed to this volume, giving a preference to the Wills at York, but determining to proceed with the Durham Series if permission could not be obtained for making the necessary transcripts from the York Registers. It will be gratifying to the Members of the Society, and to all who appreciate disinterested liberality where a public purpose is concerned, to be informed, that that permission was no sooner solicited than obtained. The wishes of the Society were instantly complied with, in a manner which enhanced the obligation, and every facility was afforded by the proper officers, even to their own inconvenience, for carrying them into effect. The result is the present volume, selected by the Secretary from not fewer than fourteen Volumes, or Registers, and from such an abundance of important matter that selection became a difficult task. With the utmost carefulness that no record should be transcribed for the press which did not contain information bearing upon one or other of the objects which the Society has in view, still it has not been possible to make the volume extend over a longer period than that of a hundred and twenty years. The present selection commences with the Will of Richard Kellawe, Bishop of Durham, in 1316, the first Will of note registered at York, and terminates with the year 1430.

During this period the references to the history of the kingdom at large are numerous and interesting; the pictures of the domestic life, and economy, and religious feelings of all ranks and professions of men,—of many whose names will be perfectly familiar to those who are acquainted with the History of England, down to the humblest artisan—are numerous and faithfully drawn, and not a few additions are made to our knowledge of the language, and customs, and manners of our ancestors.

At the period at which the volume closes, the great strife between the houses of York and Lancaster was beginning to develope itself and agitate the nation, and in the fearful contest which ensued, during the whole of its continuance, no district in the whole of England was more deeply involved than the province of York. How singularly valuable in an historical point of view, to consider them in no other light, must be the Wills proved and registered at York after the battles of Wakefield in 1460, of Towton, in 1461, and of Hexham, in 1464, in each of which a very considerable number of the leading men of the north of England lost their lives, to say nothing of those of the men of the province who fell in other parts of the kingdom during that bloody and protracted struggle, which only terminated upon the accession of Henry VII., in 1485. The attention of the Society may, probably at no distant period, be called to a further continuation of these authentic sources of the most valuable information, the Wills and Inventories of our ancestors.

It may be necessary to state, that during the period over which this volume extends, no Inventories are

PREFACE

registered at York except such as were proved as Testamentary Records,—such, we mean, as were attached to the Will, and were pronounced to be part and parcel of it by the Testator. This circumstance is greatly to be regretted. That such accounts were given into Court by the Executors, in conformity with the laws of probate, is manifest. We may merely refer to the notice appended to the Will of Bishop Skirlaw, N^o. ccxxv., and it would have constituted no unimportant appendage to that most valuable document to have found recorded not only the full amount of his personal estate, but a minute enumeration of the various particulars of which that amount consisted; and to have seen also the mode in which his executors exercised their discretion with reference to that very considerable part of the Bishop's personal property which was left to their disposal. In very many instances the information afforded by the Inventorial schedule would doubtless have been more valuable than that of the Will itself. In a statistical point of view, a series of Inventories with reference to the Wills in this volume, extending from 1316 to 1430, a period during which there is, under this head, a great want of accurate information, incidentally, and therefore the more trustworthily, affording the market price of every article of home produce, and the cost of valuables under whatever head imported from abroad, as they were occasionally mentioned, would literally have been invaluable. The charge against the Prioress of Erden, in the note, p. 284., that she wastefully gave 11d. for a bushel of wheat, when the fair average market price was only 8d., gives the price of corn in the East Riding of Yorkshire in the year 1396.

This information is incidentally afforded in the answers to an enquiry in which the ascertaining of the price of corn was not one of the contemplated objects, and its accuracy is in consequence the more to be relied upon. The Inventories belonging to the Wills which are here made public, would have abounded with information of a more general nature, and of equal credibility.

A Glossary is in preparation, which will contain an account of such words in the Durham and York Wills, &c., as require explanation, and which will be so arranged as to be bound up with the last of the Series.

This volume was transcribed for the press by Mr. Lewis Baker, Alfred Terrace, Upper Holloway, of whose zeal and accuracy the Council expresses its great approbation. Mr. Baker's transcripts were found to require few corrections,—fewer than might have been expected in the case of one unacquainted with the names of men and places in the Northern Counties.

The letters of the alphabet which have been adopted as references to the various Registers from which extracts have been made, are thus explained :—

A. A Book *Sede Vacante*, extending from the year 1285 to 1554, in the Prerogative Court.

B. A Book marked B. y. in the Registry of the Dean and Chapter.

C. *Registrum Antiquum de Testamentis, Sede Vacante*, marked K. *Ibid.*

D. The Register of Archbishop Zouche. Prerogative Court.

E. *Acta Capitularia*, in the Registry of the Dean and Chapter.

- F. Registrum ab. an. 1389 ad an. 1396. Consistory Court.
G. The Register of Archbishop Thorseby. Prerogative Court.
H. The Register of Archbishop Neville. Ibid.
I. The Register of Archbishop Arundell. Ibid.
K. Registrum ab. an. 1398 ad an. 1470. Consistory Court.
L. The Register of Archbishop Waldby. Prerogative Court.
M. Registrum ab. an. 1396 ad an. 1440. Consistory Court.
N. The Register of Archbishop Scrope. Prerogative Court.
O. The Register of Archbishop Bowet. Ibid.

* * In the notes to No. CCLXXVIII., pp. 391-2, a mistake has been made respecting the date of appointment of Chief Justice Haukeford. It appears from the "Proceedings and Ordinances of the Privy Council of England," a publication of extreme utility, highly creditable to the judgment of the present Record Commission, and Sir N. H. Nicolas, its Editor, that Haukeford, (he is there called Hankeford; but who shall decide between the *u* and the *n*?) was in reality in office in 1413. This certainly invalidates the statement of Stow, that Chief Justice Gascoigne presided in the Court of King's Bench for the three first years of Henry V., but it does not affect the other arguments brought forward under his Will to prove that he did not die in 1412, but in 1419.

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**XXXV. C'EST LA TESTAMENT SIRE JOHAN COUNTE DE WARRENNE
DE SURR' ET DE STRATHORNE SEIGNOUR DE BROMFELD,
ET DE YALE.¹**

[D. f. 316·b.]

Au noun du Piere et du Filz et del Saint Esprit, Amen.
Le dymenche le xxiiij jour de Juyn l'an del incarnation nostre

¹ John de Warren, the eighth and last Earl of Surrey of his family, married Joan, daughter of Henry, Earl of Barr, by Eleanor, daughter of King Edward I., but left no lawful issue. His illegitimate children are mentioned in his will. For particulars of the Earl of Warren, and his "truly unhappy life," it may be sufficient to refer to Mr Hunter's *SOUTH YORKSHIRE*, I. 108, &c. This Will abounding with the most novel and interesting information, puts a finishing

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Seigneur millessme trecentisme et quarante et septisme. Jeo Johan Counte de Warenne de Surrey et de Strathorne, Seigneur de Bromfeld et de Yal, en bone et sayne memoire facz mon testament en mon Chastel de Conesburgh en cest manere. Primerement jeo devys ma alme a Dieu et a nostre Dame et a touz les Saintz de ciel, et mon corps d'estre enterre en l'esglise Saint Pancratz de Lewes en une arche pres del haut autier a la partie senestre quele jeo ay fait faire. Et jeo devys quatre de mez grauntz chivaux destre armetz de mes armes, les deux pour guerre et les autres deus pour pees, devant mon corps le jour de mon enterrement, dount ceux de guerre soient covertz de fer et que mesmes les deux chivaux demoergent et soient donez a l'esglise de Saint Pantcratz avantnomme ove mes armes dount ceux qui les chivaucheront serront armetz. Jeo devys pour toutes maners des despenses pour mon enterement tout entrement al ordenaunce de mes executours auxibien en aumoignes come en autres choses qui convendront pour mon testament parfournier. Jeo voile que touz les draps d'or et de seye qui serront offortz pour mon corps, et que toute la cire de la herce qui serra faite entour mon corps, demoergent a la dit esglise ou mon corps serra enterretz. Jeo devys as friers Menours de Lewes cynquantz marc'. Et jeo voil que une mesne herce soit faite en lour esglise et q'ils chaudent une messe de Requiem pour ma alme et que toute la cire de la dite herce demoerge devers eux. Je devys cent livres d'argent d'estre especialment donez as povres le jour de mon enterrement. Je devyse a la chapele de nostre Dame de Walsingham mon Egle dez saune les anels que sont mys par constellation. Je devys a la fertre Saint Thomas de Cauntiribirs, a la fertre Saint Richard de Cicester, a la fertre Saint Alban, a fertre Saint Edward et a la fertre Saint Esmon a chescun de eux une Nouche dor. Jeo devys a les esglises parrochieles ou jeo ay mes manoirs et mes demeignes vynt livres a departir entre les persones et les vykers de mesmes les esglises solonc l'ordinaunce de mes executores en recompensacion des dismes si par cas mes ministres ne les eyount mye paietz si bien come ils dusseount et pour prier pour ma alme. Jeo devys a mon seigneur le Roy d'Engleterre ma grande esquele de jaspe garnie d'argent d'or et de perie et deux de mes faucouns meiltz volantz. Et jeo voille que toute le remenaunt de mes faucouns soit departi entre mes fauconers solonc l'ordey-

hand to Mr. Hunter's picture. Mr. Hunter will be delighted to learn that Archbishop Zouch's Register is not lost, as Mr. Watson was informed, and as he himself believed; and he will read with pleasure the whole of an important document, of which he was enabled to lay not more than a dozen short lines before his readers.

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naunce de mes executours. Jeo devys a ma 'dame' la 'Royne Phelipp mon saler d'argent dorre taille come une olifaunt. Jeo devys a mon Seigneur le Prince ma coupe de jaspe. Jeo devise a Sire Esmon de Langele son friere un godet de cristal garni d'argent dorre ove un treper. Jeo devise a l'arcevesque de Canterbirs j crotz d'argent dorre et emaille ove trois corals a les corners. Et les quinze anels d'or mys par constellation queux jeo ay meismes porte. Jeo devys a dame Maude de Holande iiij jumentz de mon haratz de Sussex. Jeo devys a Monsire Robert de Holande les quissers ove le picer de quir qui sont pour mon destrer. Jeo devys a Monsire Otes de Holande les coverturs burnutz de plate qui sont pour mon destrer. Jeo devys a Monsieur William de Warenne mon filz cent marcs, ma hure d'argent dorre pour Strathorne ove la cercle d'argent dorre pour ycel deus taches et le latz d'argent dorretz pour le mauntel et tout mon hernoys pour le jouter. Et a ma fille sa compaigne j nouche d'or. Jeo devys a Edward de Warenne mon filz vynt¹. Jeo devys a Johanne de Basyngg ma fille une coupe d'argent pleyne. Jeo devys a Katerine ma fille dys marc. Jeo devys a Isabell ma fille Noneyn de Sempyngham vynt¹. Jeo devys a Daunz William de Warenne mon filz ma bible que j'ai fait faire en Fraunceys et qele demoerge en la meson ou il serra priour apres son decesse en perpetuel memoire de moy. Jeo devys a Sire Thomas Beron dosze esqueles xij saucers vj hanaps platz j coupe pleyne ij bacyns et ij chargeors d'argent, mon viel lit d rouge worstede et le drap d'une robe partie de velvet raie et de velvet rouge ove le mantel de velvet rouge pour un vestment a sa eglise. Jeo devys a frere William Bugaleys mon confesseur dys livres. Et a son compaignoun qi qil soit pour le temps cynk marc'. Jeo devys as chanoinges de Regate les vestementz de ma chapele qui sont comunement usetz ove le chaliz et lattir pour l'autier. Jeo devys a la Priorie de Duresme mon chaliz d'or garnie de perie de chauntier al hautier Saint Cuthbert.¹ Jeo devys as freres prechours de Thefford vynt¹. Et a les freres Menours de Graham vynt¹. Et les moignes de Modenham xl¹. si mes executours veyent q'ils le porunt faire. Jeo devys a Monsire Johanne de Eland cent marc'. Jeo devys a Johan Dynleye vynt¹. Jeo devys a Monsire William de Friskeneye deus botels d'argent ove escuchounz des armes Monsire Joham de Breouse. Jeo devys a Maistre Thomas de Upton le drap d'un robe de velvet partie d'une velvet raie et d'un velvet vert pour un vestement a sa esglise. Jeo devise a Maistre Johan de la Gote xx¹. Jeo devys a Sire Johanne de Walford dys marc.' et le drap

¹ See WILLS and INVENTORIES, 1835, (the Durham Series), p. 26, for a notice of this splendid bequest.

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d'une de mes robes de seye pour un vestement a sa esglise. Jeo devys a Sire Johan de Staunford dys¹. Jeo devys a Henri Hop dys¹. et le drap d'un de mes robes de seye pour un vestement a sa esglise. Jeo devys a William Mauduyt vynt marc. Jeo devys a Bette Bygot et a Johan de Reym a chescun de eux dys marc'. Jeo devys a Thomas de Jardyn a Johan de Pulesdon et a Johan de Ratheby a Johan mon barbour a Johan de Ernole a Robert Fourbour a Johan Chaundeler a Henri Lardiner et a Richard Bour' a chescun de eux cent soudz. Jeo devys a Johan le Gayte Huchoune de Gretewell Martyn Baker Rogier le Palefreyour et a Johan de Seleby a chescun de eux lx soudz. Jeo devys a Johan le Ferour a Robert le Ferour et a Piers Politer a chescun de eux xl^s. Jeo devys as clerks de ma chapele xl^s. a departir entre eux solonc l'ordenance de mes executours. Jeo devys quaraunte¹. d'estre partiz entre mes autres gentz de mestier garzouns et pages de mon houstel selonc chescuny condicion et le temps q'il m'ad servys selonc l'ordenance de mez executours. Jeo devys deux centz marcs de ordeyner deus Chapeleyns chauntantz pour moy en divers lieux selonc l'ordenance de mes executours, issint que les centz marc soient soulement ordeignez de chaunter messes de nostre Dame. Et si mes biens purront outre estendre jeo voile que plus soit faite. Jeo devys a Isabelle de Holand ma compaignie mon anel d'or ove le bone rubye les quinze anels d'or mys per constellation qui sont en mon Egle d'or ensi q'ele mette autres anels en lour lieux tiels come lui plerra les principals vestementz entiers pour ma chapele ove l'entier attire pour l'autier mon ensencer d'argent dorre et emaille, ma coupe d'or ove un petit Ewer d'argent dorre toutz mez litz grauntz et petitz horspris ceux que jeo ay devise as autres la graunde esquele le pot d'argent pour aumoyne trois plates pour especerie toute ma vessel d'argent pleyne come en esquesles sauters bacyns lavours chargeours coupes et hanaps, horspris ceux que jeo ay devise as autres en cest testament. Et la moyte de mon estor come en boefs vaches jumentz poleyns berbitz et autres bestz. Et apres ceo que mes dettes et mon devys serront faictz, jeo devys a ma dite compaignie toute la residue de touz mes biens et chateux en quicunque chose que soit trove. Et jeo voile et devys que a toutz les foitz que nul de mes executours travaillera pour l'execucion de mon dict testament qu'il eit sufficiaument des despens et q'il soit regarde pour son travaille solonc l'ordenance de mes executours. Et jeo voil et ordeigne que trestout les gentz que jeo ay divide en cest testament et quicunque jeo dey as divers creaunsours, soit leve et paie a mes ditz creaunsours et legataries de mes chivaux poleyns jumentz boefs vaches et veals berbitz

agnels leynes et rentes que me sont duez, et de mon autre estor et moebles que j'ay en Surry Sussex Wiltshire Gales Norfolk et aillours, et que mes executours mez ditz biens et estor vendent a tiels gentz qui plus paier proufrount et voillout paier pour yceux en temps q'il achater out mon dit estor et mes autres biens susditz. Et pour mesme la cause jeo voile et ordeigne que mes executours ne vendent null maner d'estor ne des autres biens surnomez que les meens serront au temps que Dieu fra son comaundement de moy a nul homme de quel condicion q'il soit de mon saunk ou estraunger que ascun maner de droit cleyme en la Counte de Warrenne ou en ascune partie des terres que jeo tient apres mon deceste ou puisse clamer par voie de succession ou par ascun autre colour de leye ou title, si noun ceo soit par le bone gree et assent de touz mez executours, et que les ditz biens soient venduz a tiel pour auxi haut pris come autres bones gentz du pays en faires et marches profrount et donout pour tiel maner d'estor et autres biens achatez. Et jeo voil que en tiel cas que le pris a convenaunce devaunt la mayn soit paie a mes ditz executours devant ascun manere deliveraunce des ditz biens. Et s'il aviegne que nul de mes ditz successors encoutre ceste ma volunte rien preigne ou occupe de mon dit estor ou biens et chateux avant ditz pour lui ou ascuns des soens, jeo face protestacion devant Dieu et tout le monde que ceo serra fait tout outre encoutre ma volunte. Et jeo voile que tiele occupours de mes ditz biens pour eux ou pour autres nul droit ni colour de droit par voie de tiel occupacion eyent en la retencion d'yceux, mes q'ils soient obligez devant Dieu solonc toute manere rigour de ley et des constitutions tanque ils eyent fait plener restitution et gree a mez ditz executours. Et en tiel cas si mes ditz executours soient distourber d'acomplir ma dite volunte par tiels violences et occupacions de mes ditz biens, jeo voil q'ils soient quitz et assouz devant Dieu et tout le mounde et les ditz occupours charges par toutes les peynes et voie de leye avant ditz. Et jeo facez et ordeigne mes executours d'acomplir cest ma volunte Sire Johan de Stratford ercevesque de Cantirbirs Dame Maude de Hollande Monsire Thomas de Holand Monsire Johan de Eland Sir Thomas Bertram Mestre Johan de la Gote Johan de Dynleye Thomas de Weyvill Sire Rauf Bygot William Mauduyt et Johan Plescy. En tesmoignance de quele chose a cest testament jeo ay mys mon seal. Donne a mon Chastell de Conesburgh le jour et l'an susditz. [Prob. xxvj. Julii. mcccxlviij, in manerio de Scroby.]

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* The twelve Vice-Presidents so marked were added to the list in 1836, after due notice.

† Appointed at the Anniversary in 1836.

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* He appears to have been maker, not of earthenware, but of iron pots and kettles.

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ERRATA.

- p. 127, in title, for DR, read DE.
p. 362, l. 5, for CIIII. read XIII.

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