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Some Curious Incidents in Bristol History

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SOME CURIOUS INCIDENTS IN BRISTOL HISTORY.

By J. LATIMER.

AMONGST many remarkable documents entered in the Great Red Book of the Corporation of Bristol, at present almost unknown to the public, is an account of an extraordinary occurrence during the reign of Edward IV., which created great excitement at the time, and which gives modern readers a vivid picture of city life in the middle ages, yet which local historians have thought worthy only of the baldest record. The chief actor in the affair was one Thomas Norton, an officer in the Royal Court holding the important post of Customer of Bristol, and the owner and occupier of the Great House in St. Peter's Churchyard, so well known to archæologists. Before narrating his outrageous proceedings, it is requisite to give a short account of that mansion and its previous owners.

The house, or an earlier one on the same site, belonged in 1401 to one John Corne, and it was sold in that year to Thomas Norton, the ancestor of the above Thomas, who had come into a great fortune bequeathed to him by Elias Spelly, mayor of Bristol in 1390-1, and who himself was elected mayor in 1413. (Corne's charter, given at length in *Gentleman's Magazine* for 1852, part ii., p. 274, disposes of the statement in some local works that the Nortons built a dwelling on the site in the 12th century.) In 1435 the house was in possession of the purchaser's sons, Thomas and Walter, who divided it into two dwellings for their independent residences; but the double ownership had come to an end in 1458, when Walter was sole proprietor. That gentleman had two sons, both named Thomas, and two daughters, married to wealthy Bristolians, Robert Strange (thrice mayor) and John Shipward, jun. (mayor 1477-8).

For some unexplained reason, Mr. Norton determined to convey the bulk of his estates to his younger son, then a boy; and by a feoffment, dated October 12th, 1458, he assigned all his real property in Worcestershire and Bristol to his two sons-in-law (Shipward is called Sheppard in the deed, but the same misspelling occurs in other documents) and to Richard Bartfield, described elsewhere as his servant, directing them as feoffees to reconvey the estate, except one moiety of the Great House, to his younger son, "in order that he should not be vexed or troubled by Thomas, his elder brother," who appears to have been the boy's senior by several years. The delay that occurred before this direction was fully carried out is somewhat surprising. It was not until three years later that the feoffees executed two deeds, one of which demised the Worcestershire estates and extensive house property in Bristol (all acquired from Spelly), together with the eastern portion of the Great House and its garden, to Walter Norton and Isabel his wife for life, with remainder to their younger son, Thomas, and his heirs, remainder to their elder son and his heirs, and further remainders to their two daughters in succession. The second instrument demised the western part of the Great House and its garden, after the lives of Walter and his wife, to their elder son, Thomas, with remainder, failing heirs, to Thomas the younger and his two sisters, as in the former deed. Another delay of two years and a half took place before these feoffments were legally completed by the appointment, in October, 1463, of an attorney to take seisin on behalf of Walter and his wife. Finally, two years and a half later still, in June, 1466, Walter, whose wife was then dead, at length brought all the above documents to the Council House, and requested their enrolment according to the custom of the city in order to assure their validity. Not content with this formality, Mr. Norton requested the mayor, sheriff, and other dignitaries to accompany him to St. Peter's Churchyard, which was accordingly done, and there the old gentleman delivered possession of the eastern

end of the mansion to his younger son in the name of all the estate, declaring that he relinquished all title to and interest in the property for evermore, and adding that he had already given up his jewels and household stuff to his youthful son "to make him sure thereof in his life." (These proceedings took place before William Spencer, then mayor, a fact to be borne in mind in connection with subsequent events.) Six days before this singular scene took place Mr. Norton executed his will, by which he left his eldest son only a silver cup, some hangings and cushions in the hall of his dwelling, and "the standing bed in the great chamber with its tester and curtains"; whilst he bequeathed to the boy several pieces of plate (amongst which was a standing cup and cover called "a Grype is Eye"), the stained bed and hangings, some Arras work, cloth, linen, and blankets, "all the steyned cloth of the life of King Robert of Cecyle which hangeth in my parlour," saucers, pottingers, platters, pewter chargers, five brass pots, "and all my fee simple lands in Bristol and elsewhere," the last bequest being probably made in apprehension that something might have been omitted in the feoffments. The remainder of his household goods and chattels, jewels, &c., was also bequeathed to the younger son, to be disposed of for the good of testator's soul.

As in that age men rarely made their wills until they were in dread of imminent death, it may be surmised that Walter Norton was then seriously indisposed. If such were the case, however, he recovered, and with recovery came regret over the relinquishment of all his belongings and a desire to recover them. The next document in the Great Red Book bearing upon the case is of ten months later date—April 2nd, 1467,—and is a declaration by William Canynges, mayor, and John Gaywoode, sheriff, certifying that Thomas Norton, junior, who was still a minor, had come before them and their brethren at the Tolzey, "lamentably declaring" that in spite of the feoffments recited above, under which the complainant had taken the profits of the

estate, his father, by the sinister labour of ill-disposed persons, had published and noised in various countries that he had placed his younger son in possession only for his (Walter's) own use, and that he intended to make a re-foffment of the estate, make void the existing deeds, and disinherit the complainant, "against all right and conscience." The applicant therefore prayed the civic officials to make known what they knew respecting the matter. Thereupon the mayor, the sheriff, with John Shipward, William Spencer, and other members of the Common Council, "inasmuch as it is one of the highest duties of charity to bear witness to the truth and to appease controversies," solemnly affirm that they were witnesses to Walter Norton's demand for the enrolment of the deeds, and to his delivery of seisin to his son in the manner and terms related above. This declaration was then formally engrossed, and the seals of the mayor and the other worshipful witnesses were duly appended, with a view to its production in a judicial court.

There is no evidence that Walter Norton persisted in his threatened measures. The date of his death is not recorded, but the will of 1466 was enrolled in the Great Red Book, and does not appear to have been contested; and there is no mention of further feoffments. But twelve years after the declaration made by Canynges and his brethren, in the third mayoralty of William Spencer, an extraordinary document was entered in the Great Book under the following title:—

"Here followeth a Remembrance never to be put in oblivion, but to put in perpetual memory of all the true burgesses and lovers of the town of Bristol of the Innatural demeaning and the inordinate behaving of Thomas Norton, of Bristol, gentleman, against the noble, famous, and true merchant, William Spencer, being the third time mayor of the town of Bristol aforesaid, that is to wit, in the year beginning at the feast of St. Michael, the eighteenth year of the reign of our most dread sovereign lord King Edward

the Fourth. Gathered and compiled by John Twynyho, the recorder of the said town, Which in the same advised, counselled and assisted the said mayor in his most true and hearty manner."

This portentous Remembrance occupies twenty-nine closely-written folios, and if copied verbatim would extend over about as many pages of this volume; but by eliminating legal tautology, and omitting uninteresting details, all the chief facts may be brought within a reasonable compass. As far as possible, the language of the document has been retained, but it has not been thought necessary to reproduce the eccentricities in orthography.

On Friday, the 12th March, 19 Edward IV. (1479), when the mayor and John Skrevyn, sheriff, were sitting in the Compter, hearing complaints according to old custom, Thomas Norton, gent. and water holder, appeared at five o'clock in the afternoon with William Banner, yeoman, desiring to speak with them secretly; but the mayor stated that the inner chamber was then occupied by divers brethren deliberating on great matters, and desired Norton to sit down by him and state why he came. Having sate down, Norton said secretly, "I must speak heinous words." He then stood up and took out of a box a sealed writing, which he read in as low a voice as he could. The writing began by asserting that he (Norton), one of the King's household, appealed the mayor of high treason for reasons he would declare to the King, protesting that this was not done because of any dispute depending between him and the mayor, but because of the latter's rotten and traitorous heart towards the King. If permitted by the latter, he would make this good upon the mayor's wretched person, or on that of any co-burgess who would offer to defend him. And this to perform, he cast to the mayor a glove attached to the writing, sealed with his arms. To which the mayor answered that the charge was false, as he should prove himself; whereupon Norton gave the appeal to the sheriff, charging him on

the King's behalf with the person of the mayor on pain of 24 marks, and so departed.

Next day the mayor summoned the sheriff, recorder, and Council to the Council House to state the above facts, and they, knowing the loyalty and virtue of the mayor, marvelled, and discussed the matter long, and gave him much counsel, for which he thanked them, but said he could not remain in office until he had cleared himself of the charge. He then delivered up the sword, charged the sheriff and Council to govern the town well, and gave himself up to the sheriff, requiring him to convey him to Newgate until the King was informed of the case. The Council, approving of this course with weeping eyes and sorrowing hearts, chose eight of their body to be coadjutors in governing the town, which they did most discreetly. The mayor was conveyed by all his brethren through the open Saturday market to gaol. The masters of the various crafts were next summoned, informed of the facts, and enjoined to see that the King's peace was faithfully kept. Next day (Sunday) the sheriff delivered the appeal and glove to Thomas Asshe, yeoman of the King's Chamber and Comptroller of the Port, to be given to the King, which he did at Eltham on Tuesday, accompanying them with a letter from the sheriff. This missive stated that Norton had retained divers riotous and idle persons by oath and otherwise [the hiring of retainers was then a high misdemeanour], and that five of these retainers on the previous Sunday had assaulted the bailiff of Temple fee and left him for dead, whereupon the mayor had ordered the arrest of the rioters, and three of them were committed to gaol. Hearing of this, Norton came to the mayor and recorder, and praised them for their action, renouncing the prisoners as his servants and promising to assist as a good burgess in repressing riots. On the Friday following the prisoners were indicted at the sessions; but in the afternoon Norton, in spite of these promises, came to the Compter and appealed the mayor of treason. The sheriff, in conclusion, asks for the King's pleasure.

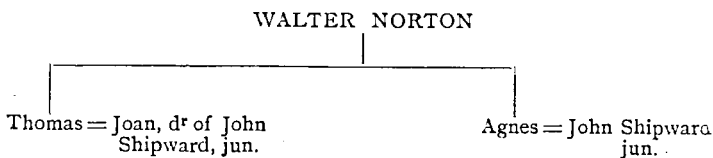
On Monday, the 15th, the sheriff, with John Druetz and Richard Bond, bailiffs, and the rest of the Common Council, forwarded an account of Norton's conduct, sealed with the common seal, to the King and Privy Council. This statement is more lengthy than the sheriff's, but to the same effect. It adds that Spencer was 63 years old, and that Norton had declared before witnesses that his worship was the best mayor Bristol had ever had within living memory, excepting perhaps Canynges. It further states that Spencer had that year prevented a great rise in the price of wheat by his care and diligence; had cherished the suites of the King, Queen, and Prince when resorting to the town; had done many charitable deeds; had new made the quere and body of the Grey Friars' church, and repaired their house and those of divers chantries; revived an almshouse; given large sums weekly to prisoners, bedridden and infirm, and much clothing and blankets; spent much in making bridges and highways, and in fine was God's servant and the King's liege man. The document then proceeds: And since the Council are now driven to open Norton's unlawful and riotous proceedings, which has been long forborne because he is one of the King's household, they now declare that he has retained riotous persons, is a common haunter of taverns, where he drinks and rails with his followers until midnight, not associating with honest company; lies in bed till nine or ten daily, avoiding divine service; spends sermon time in the afternoon at tennis and frivolous sports, and generally promotes mischief. Moreover, for divers years he unnaturally warred with and troubled his father and mother, who often gave him Christ's curse, and he has broken their wills since their death. His father gave divers lands and tenements to his younger brother Thomas, but he put his brother out of the estate, vexed him with many actions, kept him a prisoner in the Savoy, and at last drove him out of the country to Spain, in the voyage to which he was drowned. By the mediation of Sir Richard Chok, justice, and the recorder, he agreed to pay a yearly rent to his

brother's widow, and to provide a living for his nephew Richard; yet by his might and strength he has withdrawn from this undertaking and not paid the rent. He has one sister, a good and worshipful gentlewoman, but he unnaturally hates her, and forbids her from his presence; and had, moreover, greatly troubled a worthy merchant, John Shipward, deceased, who was father unto his wife,¹ inasmuch as, when, after Tewkesbury fight, the King ordered him to seize the lands of the Earl of Warwick in Somerset, he, by colour thereof, alleged he had authority to smite off Shipward's head, his father-in-law, and threatened so to do unless Shipward would deliver up the deeds relating to his younger brother's lands; in dread whereof Shipward consented, and in his trouble died soon after. The letter concludes by praying the King that directions may be taken so that the common policy and sad rule of the town be not overthrown by the malice of Norton and his adherents. The town is not only the King's own, but is also the Chamber of the Queen, and the inhabitants are most faithful subjects.

The record goes on to state that on Sunday, the 14th, Norton, perceiving the mayor's discreet demeanour, took horse in haste to lay his charges before the King; yet he did not reach the Court, at Sheen, until Thursday, the 18th. Asshe, with the town's deputies, had preceded him there, and had laid their case before the King and Privy Council, and when Norton appeared the King's look was so estranged from him that he at once departed to "Braneford," the whole Court having him in such loathing that no creature made him any cheer.

On the 19th the sheriff and recorder held a session at

¹ The relationship between the two families was somewhat peculiar, and will be best explained as follows:—



Bristol (the mayor being still in ward), and eighty-six of the most notable burgesses from the five great wards being assembled, four several juries were sworn, and Norton was indicted for having illegally kept thirty retainers for eighteen months and more. According to which charge, if Norton were found guilty, he would forfeit £5 a month for each retainer, or £2,900 in all.

And although Norton appeared before the King on the 18th, yet he did not on the 19th appear again to maintain his appeal. Whereupon the town deputies prayed the King that Norton should be commanded to appear, which was done. So on the 20th Norton came before the King and Privy Council, when he was asked to show the speciality of the mayor's treasons. And God, the searcher of hearts, made him so feel his own untruth that he could unnethe [neither] look, speak, nor keep his countenance, but deemed [demeaned?] himself as a person ronne in to fronsy, as the King afterwards said to the recorder. And as he could allege no special treason against the mayor, nor yet any offence, the King, after good deliberation with the Privy Council, like a right wise sovereign, dismissed the mayor of all accusations, and held him as a true subject, commanding the sheriff to set him at liberty. The royal letters to that effect—one to the sheriff, another to the mayor, and a third to the sheriff and commonalty—were brought to Bristol by the deputies on the 24th, when a Common Council was at once held, and the whole municipal body, with thousands of people, joyfully went to the gaol, delivered the mayor, gave him the sword, and with great gladness brought him to the Guildhall. There the King's comfortable letters were read by the recorder to the great consolation of the multitude. (The documents are then given verbatim. In that directed to the sheriff, the King directs that officer to send up to Court one William Wilkyns, upon whom Norton "groundeth the matter of his accusation.")

On the 27th the sheriff, bailiffs, and Common Council drew up a paper directed to the Privy Council, which was sent

up by two deputies, to whom was also committed the prisoner, John Wilkins, butcher. After returning thanks for the King's gracious treatment of the mayor, the writers state that the prisoner's Christian name is John, not William, and that he is the terror of the King's subjects, a night walker, a breaker of the peace, always ready for commotion and rebellion, and, according to report, a man queller (murderer) in Wales, for which he came to dwell in Bristol. Six cases are cited to prove his riotous and murderous disposition, a man being slain in one outrage, and twice the bailiffs were in danger of death. In the previous October, when in gaol for one of these crimes, he had threatened to accuse the mayor of having £400 of the goods of the Duke of Clarence [attainted in 1478, when he held the Somerset estates of his father-in-law, the King-maker] and £300 of the goods of the Earl of Warwick [the King-maker himself, killed in 1471]. Wilkins afterwards confessed on oath that these charges were false, but was kept in goal for want of sureties to keep the peace. On the day after Norton had appealed the mayor, Norton made great efforts to speak with Wilkins, sending the gaoler his signet, and desiring that the prisoner be brought to his house secretly by night. The gaoler refusing, Norton sent divers messages by Wilkins's wife. Then, as though he were capital governor of the town, having authority surmounting the justices, Norton ordered the gaoler, on pain of 500 marks, to take off Wilkins's irons, though in fact Wilkins wore no irons until he committed an outrageous assault upon another prisoner a few days before. The King's consideration of these facts is therefore prayed.

In addition to the above letter, the sheriff and Common Council addressed others to the Marquis of Dorset, Lord Rivers, my Lord Richard the Queen's son, the Bishop of Worcester, and Lord Dacre, praying for the continuance of their favour. Armed with these documents (and probably furnished with pecuniary means to gratify the cupidity of underlings), the deputies carried up Wilkins to Court, and the prisoner was no sooner brought before the King in

Council than he confessed the falseness of his accusations. Norton was also examined, and could allege nothing against the mayor, whereupon three more royal letters were sent down to the same effect as the previous ones, and Wilkins was sent back to gaol.

Norton, however, was not yet silenced. In a "Bill" presented to the King, in which he styled himself Customer of Bristol, he complained that the mayor, to avenge his old malice against the writer, had caused him and other lovers of the King to be "indicted of retainours," although this charge had been already heard and dismissed. He (Norton) by virtue of his office had appointed two men to search all cloths carried by land out of the town uncustomed, which was never done before his time, to the great loss of the Crown. These searchers seized nine cloths belonging to the mayor that were being secretly conveyed away, and when Norton refused a hogshead of wine proffered as a bribe by the mayor, the latter took a malice against the searchers, and indicted them for wearing Norton's livery, though he had merely given them two gowns for their wages. Wherefore he prayed that justice should be done. He further alleged that, owing to the tides of the sea at Bristol, ships came up every hour of the night as well as by day, taking advantage of which the merchants craftily shipped off much goods uncustomed, having wild and unruly seamen to help them; that Norton had sought to prevent this by getting other lovers of the King to help him; and that thereupon the subtle mayor had indicted him and the said King's lovers for illegal night watching. Taking advantage, too, of a simple night affray in the fee of St. John [Temple Street], by which the bailiff there and another man got broken heads, the mayor had gone with great power into the fee, taken the innocent lovers of the King out of their beds, haled them to prison, and had now indicted them for riot. Their discharge from this malice is also prayed for.

Hearing of this charge, the recorder journeyed to Windsor, and found the King good and gracious, and

taking no consideration of Norton, but ordered that the grudges should be appeased. On May 21st the recorder returned to Bristol, bearing a letter from the King to the mayor, stating that, by the advice of his Council, he had dismissed Norton's accusations and retained the mayor in his good will, but required the grudges to cease—all which he had showed at length to the recorder, who was also "general attorney to our dear son the Prince," and whom he appointed to sit in his name for a final conclusion of the matter. Norton, it was added, had received a similar command, and if he or any other, "boldly by cover of our service," hereafter offended against the laudable laws of Bristol, the mayor and his successors were directed to proceed to their lawful punishment without delay.

Nevertheless, says the civic record, though the mayor was ready to comply with the King's request, and the recorder gave due attendance to carry it out, Thomas Norton, drowned in presumptuous obstinacy, set aside the King's commandment, and came not to Bristol until the following Michaelmas, of which the recorder informed the King, "and it is like that convenient remedy will thereupon be purveyed."

The "Remembrance" thus closes, somewhat abruptly, and no further mention of Thomas Norton is to be found in the city records. Possibly some reference to him may turn up in the State Papers of the period, but they are still uncalendared. It may be surmised that he retained the valuable office of Customer and his place at Court, as his dismissal would scarcely have failed to be noted by the civic scribes. William Spencer lived in high honour and respect for several years after his persecution, and one of his last acts of liberality, long cherished by civic dignitaries, is also recorded in the Great Red Book. At a meeting of the Common Council on October 5th, 1492, "the right worshipful William Spencer, merchant, remembering the great charges borne by the mayor and bailiffs in their offices," gave the

Corporation the sum of £87 6s. 8d. (equivalent to about £1000 in modern currency), £20 of which were to be delivered to every mayor, and £67 6s. 8d. to the bailiffs upon their entering office, on their giving good security for the repayment of the loan on the following Michaelmas Eve. In consideration of this boon, the bailiffs were required to pay two shillings weekly to the chaplain of St. George's Chapel in the Guildhall, which he was to distribute amongst the poor.

Almost contemporary with the proceedings of Thomas Norton, another event occurred in the city of a sensational character. Early in the century, a youth, named William Bird (often spelt Byrde and Brydd), migrated from a parish near Gloucester to Bristol, and having in the course of a few years become a prosperous merchant, he was elected a member of the Common Council. In 1463 he was chosen one of the bailiffs, a post, as has been seen, involving considerable personal outlay; in 1469 he was appointed sheriff; and in 1475 he was elevated to the chief magistracy. But in the closing months of 1481, whilst living in the enjoyment of general esteem and respect, the citizens were astounded by the announcement that he had been, or was about to be, claimed as a "villein" by Lord de la Warre, who threatened to recover him by action, like a runaway beast, and who, if the claim could be established, would be entitled to take possession of his property, and degrade his wife and children into serfs. Measures, however, were speedily taken by the worthy merchant and his friends to disprove the allegations of the great landowner's agents, and on the 18th March, 22nd Edward IV. (1482), another remarkable entry was made in the Great Red Book. In substance, it reads as follows:—

A Remembrance never to be put in oblivion, but to be had in perpetual memory for a president (*sic*) to all slanderous persons having their tongues more prompter to speak wickedly than to say truth. Some such have maliciously of late

slandered the worshipful person William Byrde, merchant, alleging him to be a bondman born, and of bond birth (extraction) and by descent a natifis (*nativus*) of Lord de la Warre as of one of his manors in Gloucestershire, to the shameful vilipendie of the said worshipful man. Howbeit the contrary is evidently proved by the testimonial sent to Bristol by certain kinsmen, lovers, and friends of Byrde, which was read this day in the Compter before the mayor (John Forster) and his brethren.

The "testimonial" referred to is dated December 16th, 1481, but the collection of the signatures doubtless occupied several subsequent weeks. It bore the autographs of Sir Simon Mountford, William Berkeley, Esq., William Byrmyngham, Esq., lord of Byrmyngham, twelve other esquires, five yeomen of the Crown, the master of the guild of Byrmyngham, and other residents there, and a number of persons living in Worcester, Coventry, and other places. The signatories certify that Phelepott Byrde, grandfather of William, was born in Birmingham, and had a free place in the same town by lineal inheritance of his ancestors; that Phelepott in his youth, having committed a certain offence, fled to Bridleyp (Birdlip), Gloucestershire, in the days of Richard II., and there wedded, and had divers children; but that the other Byrdes remained at Birmingham, and had done so time out of mind, as free men.

The threatened action was never raised. Mr. Bird died in 1484, and was interred in the crypt of St. Nicholas, to which church he bequeathed a rich cloth of gold; and twenty-one priests, with twenty-four men in frieze coats, bearing torches, attended his funeral. He left a considerable estate to his family, including a very large quantity of woad, then a valuable article of commerce, and much silver plate.