

WILTSHIRE ARCHAEOLOGICAL  
AND  
NATURAL HISTORY SOCIETY

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LIST  
OF  
WILTSHIRE BOROUGH RECORDS  
EARLIER IN DATE  
THAN 1836

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DEVIZES  
1951

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## INTRODUCTION

It is the aim of this Branch to list all the records of Wiltshire municipalities. This pamphlet, which enumerates borough records earlier in date than 1836, is the first stage in that enterprise.

Before trying to draw up a list of the records of all the 'boroughs' within a county it would seem natural, indeed inevitable, to set out what communities in that county were entitled to be so called. This, however, is very difficult. The word 'borough' has been used at different times, and at the same time, of communities very variously constituted and it would probably be true to say that there was no clear agreement upon its meaning until after 1835. In the eleventh, twelfth and thirteenth centuries, if not indeed in earlier ages, the only feature common to towns called 'boroughs' or towns in which 'burgesses' existed was the possession of a market and the enjoyment of tenure in burgage—a tenure which enabled the tenant to hold his property at a low quit rent and to alienate it with relative ease. From the 12th century the sovereigns of England and to a lesser extent mesne lords began to concede to towns of this character charters of privilege, enabling them to hold their lands of the Crown or other overlord at a perpetual fixed money (or 'fee farm') rent, acquitting them of onerous burdens throughout the land, establishing municipal courts or guilds merchant, regulating their constitutions, or in other ways setting them apart from the ordinary system of county government. Such charters continued to be granted throughout the centuries so that eventually no great town was without at least one of them. Nevertheless it was possible to enjoy the style and some at least of the attributes of a 'borough' without the grant of a charter.<sup>1</sup>

In the reign of Edward I two developments occurred which were of great significance in the history of boroughs. In the first place the Crown began in 1294 to levy taxes upon cities or boroughs and the royal demesne at a different rate from that at which it levied them upon the ordinary rural townships. The chief taxers had to decide, with little assistance from the central government, which places, whether royal or seignorial, within their area of responsibility were to be assessed at the borough rate. Secondly in 1275, for the first time so far as is known, the Crown summoned the representatives of cities, boroughs and towns of merchants (*ville mercatorie*) to Parliament, and from 1295 (the 'Model' Parliament) it was the custom whenever the commons was summoned to Parliament to choose two knights

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<sup>1</sup> The history of the medieval borough is best studied in J. Tait, *The Medieval English Borough*.

## INTRODUCTION

of the shire and two burgesses from each city and borough within each shire. Here again it was necessary to decide which of the municipalities in a shire were to come within the borough net and it was long before a convention was established. The numbers went up or down according to the Crown's necessities and the relative prosperity of the boroughs themselves. In Wiltshire, at least, the number of boroughs subject to summons cannot be said to have become fixed until the mid-15th century. The perplexity of the sheriffs of England in deciding which towns were 'boroughs' for Parliamentary purposes may well be imagined. It was partly to help them that there was drawn up in 1316 a return called the *Nomina Villarum*<sup>1</sup> which purports to survey all townships in the kingdom, distinguishing cities and boroughs from others.

As time advanced it came about that no town would commonly reckon itself a borough unless it was summoned to Parliament. This fact tended to obscure the primary characteristics of a borough as a trading community enjoying a certain immunity from outside interference. The result was that a number of municipalities whose progress had been arrested but which none the less received a summons to Parliament, continued to be called 'boroughs', while newer municipalities which had acquired neither a prescriptive nor a chartered title to burghal status were unenfranchised. So far as Parliament was concerned this situation was righted by the Reform Act of 1832. It was left to the Royal Commission on Municipal Corporations of 1835 to enquire into boroughs from another standpoint, i.e. as the leading type of community 'possessing and exercising municipal functions'.<sup>2</sup>

At the time of Domesday Book there were eight places in Wiltshire in which 'burgenses', i.e. tenants in burgage, were to be found. These were: Bedwyn, Bradford, Calne, Cricklade, Malmesbury, Tilshead, Warminster and Wilton.<sup>3</sup> In addition the payment to the Earl of Wessex of the 'third penny' out of the receipts of justice in Salisbury and Marlborough proves those towns to have been of borough status likewise.<sup>4</sup> These ten, therefore, are what are sometimes called the 'Domesday Boroughs' of Wiltshire. Of them, Tilshead and Warminster never developed, so far as is known, any burghal institutions, though the latter was ultimately to become a town of fair size. The progress of Bradford, though it was once summoned to Parliament, was likewise arrested.

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<sup>1</sup> The text is printed in *Feudal Aids*.

<sup>2</sup> Parl. Papers, H.C. 116 (1835), XXIII, XXIV.

<sup>3</sup> A. Ballard, *The Domesday Boroughs*, 9. The author, without citing any authority, identifies Tilshead with Devizes.

<sup>4</sup> Tait, *The Medieval English Borough*, 57.

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In later times there were other towns which were also partly populated by *burgenses* but which were never reckoned as boroughs for other purposes. Thus there were burgesses or burgages at Highworth,<sup>1</sup> Lacock<sup>2</sup> and Trowbridge<sup>3</sup> in the 13th century and at Amesbury in the 14th.<sup>4</sup> Swindon, or a part of it, was called a borough in the 17th century.<sup>5</sup>

In the period 1294 to 1336 taxes on movables were levied ten times upon Wiltshire townships. In 1294 the only town rated at the higher rate was the borough of Marlborough. In 1296 and 1307 only Salisbury, called a borough in the former and a city in the latter year, was so rated. The records are, however, in each of these cases defective. Calne, Cricklade, Downton, Marlborough, Salisbury, Old Salisbury and Wilton were rated as boroughs on each of the other eight occasions, Bedwyn, Chippenham, Devizes and Malmesbury on seven occasions, Ludgershall on six occasions and Rowde and the barton of Marlborough twice. Old Salisbury is four times called a city.<sup>6</sup>

The Wiltshire communities summoned to the Parliament of 1275 included New Salisbury, the boroughs of Downton, Marlborough and Wilton and the 'towns of merchants' of Cricklade and Malmesbury.<sup>7</sup> The summons to the 'Model' Parliament of 1295 included all these (Cricklade and Malmesbury being then styled boroughs) and extended also to Bedwyn, Bradford, Calne, Chippenham, Devizes, Ludgershall and Old Salisbury. To this Parliament more boroughs were summoned from our county than from any other.<sup>8</sup>

Between 1295 and 1377 only two new towns were added to the list. These were Mere, summoned in 1304-5 and 1307, and Highworth, summoned in 1298 and to the first Parliament of 1311. Perhaps the *Nomina Villarum* was influential in achieving this result, for the list of boroughs it contains corresponds (except for the omission of Bradford) with the list of 1295.

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<sup>1</sup> P.R.O., Special Collections, Court Rolls (S.C.2)/208/81 m.2.

<sup>2</sup> *Cat. of Ancient Deeds*, V, A 11183. The date of the deed is c. 1280.

<sup>3</sup> P.R.O., Duchy of Lancaster, Ministers Accounts (D.L.29)/1/1.

<sup>4</sup> *Calendar of Antrobus Deeds*, ed. R. B. Pugh, No. 8 (1314); P.R.O., Special Collections, Rentals and Surveys (D.L.43)/9/25 (1364).

<sup>5</sup> Swindon Court Book, 1640-84, 1743-1860, *penes* Messrs. Townsend & Co. of Swindon.

<sup>6</sup> *Historical Essays in honour of James Tait*, ed. J. G. Edwards, V. H. Galbraith and E. F. Jacob, 435.

<sup>7</sup> *English Historical Review*, XXV, 241-2.

<sup>8</sup> The figures for the Parliaments from 1295 are based upon the 1878 Return (Parl. Papers, H.C. (1878), LXII, Pts. 1-3), admittedly an imperfect compilation. They are sufficiently accurate however to give a reliable picture of the frequency with which writs were issued to particular boroughs.

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The number of boroughs summoned, however, varied very much. In the period 1298 to 1376-7 representatives of Wiltshire boroughs were summoned to 64 Parliaments. Salisbury was summoned to all of them, Wilton to 53, Marlborough to 45, Malmesbury to 32, Devizes to 26, Downton to 22, Cricklade to 12, Chippenham to 11, Ludgershall to 10, Bedwyn to 7, Calne to 6 and Old Salisbury (first summoned since 1295 in 1360-1) to 5. The average number of boroughs summoned is 4.5.

In the period from 1377 to 1449 there were 51 Parliamentary summonses. Salisbury was summoned to all but one, Wilton to all but three, Devizes to all but four, Malmesbury and Marlborough to all but six. Calne was summoned to 34, Cricklade to 32, Bedwyn and Old Salisbury to 31, Chippenham to 27, Ludgershall to 26, Downton to 16, Hindon (first summoned in 1378) to 11, Wootton Bassett (first summoned in 1446-7) to 3, Westbury (first summoned in 1448) to 2 and Heytesbury (first summoned in 1449) to one. The average number summoned is 8.8. We see from these figures that there are one or two additions in the middle 15th century. This agrees with what we know of the history of borough representation generally. A summons to Parliament was by that time beginning to be looked upon as the privilege that it ultimately became rather than as the burden that it had formerly been. Outsiders who were not burgesses were beginning to sit and great men were beginning to control elections.<sup>1</sup>

For Wiltshire the Parliament of 1449 seems to have been regarded as the norm for future summonses. The 16 boroughs of that year were usually summoned thereafter until the Reform Act of 1832. There were only five exceptions. Salisbury, Chippenham, Devizes, Heytesbury and Ludgershall were omitted in 1459 and Devizes and Malmesbury in 1553. To the Parliament of 1552-3 only Salisbury, Marlborough, Old Salisbury, Wilton and Wootton Bassett were summoned and to that of 1654 (an altogether exceptional assembly) only Salisbury, Devizes and Marlborough. The Reform Act disfranchised Bedwyn, Downton, Heytesbury, Hindon, Ludgershall, Old Sarum, Westbury and Wootton Bassett.

Though it has seemed necessary by way of preamble to survey all the Parliamentary boroughs of Wiltshire it will have become apparent that several of them were no better than villages. The Municipal Corporations Commission of 1835, conducting their investigations just after the disfranchisement of several 'rotten' boroughs, considered the borough not as a Parliamentary constituency but as a municipality.<sup>2</sup> Their touchstone of borough status was the charter.

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<sup>1</sup> May McKisack, *The Parliamentary Representation of the English Boroughs during the Middle Ages*, 45-6, 110-1.

<sup>2</sup> Their enquiry was not confined to boroughs but in fact they did not examine any community in Wiltshire that was not a borough.



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The sixteen Parliamentary boroughs of Wiltshire in 1832 fall from the standpoint of chartered privilege into two groups. Bedwyn, Downton, Heytesbury, Hindon, Ludgershall and Westbury are not known to have received charters. Their claim to burghal status rested therefore on prescription alone. Salisbury, Calne, Chippenham, Cricklade, Devizes, Malmesbury, Marlborough, Old Sarum, Wilton and Wootton Bassett could all point or could at one time have pointed to charters of a sort. Calne's position however was equivocal and the Municipal Corporation Commissioners of 1835 were not prepared to acknowledge that its corporate status rested on charter. Cricklade had lost that status and Old Sarum was wholly depopulated. The remaining seven were all accepted by the 1835 Commissioners as suitable objects of scrutiny. Indeed the Commissioners also examined Calne and Westbury.<sup>1</sup> Several of these boroughs however were primitive political organisms of the type often known today as 'manorial boroughs'. One of the surest tests of municipal independence in 1835 was the possession of an independent court presided over by the freely chosen officers of the municipality. There were no such courts at Calne, Chippenham or Wootton Bassett, the Malmesbury Court of Record had fallen into disuse, and the view of frankpledge, leet and law day held annually at Westbury was perhaps no more than the old court of Westbury hundred.

The attitude of the compilers of this list is not unlike that of the Commissioners of 1835. Record-making and record-keeping are sophisticated activities and only those 'boroughs' that survived as organized municipalities are in the nature of things likely to have handed down a body of self-created documents. We shall therefore hardly go wrong in concluding that for the record-making period the only boroughs that deserve serious consideration are Salisbury, Devizes, Marlborough and Wilton, though since there are records of a sort for Calne, Chippenham, Downton, Heytesbury, Malmesbury and Wootton Bassett those boroughs have been noticed also.

For the present purpose it has seemed best to disregard all records relating to the six remaining townships that are hundredal or manorial rather than burghal. Some such records in fact exist. Thus in the 18th century the borough officers of Bedwyn and Calne were respectively elected in the manor court of Bedwyn borough and the hundred court of Calne hundred.<sup>2</sup> The borough officers of Cricklade were in that century elected in the private courts of the lords of that borough and hundred.<sup>3</sup> In Henry VIII's reign

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<sup>1</sup> J. Britton (*Beauties of Wiltshire* (1825), III, 1) said that Highworth had a mayor, alderman and Common Council but there is no other contemporary, nor earlier, evidence of this, and the Commissioners ignored the town.

<sup>2</sup> Great Bedwyn borough court 1732-41; Calne and Calne hundred court papers 1760-1. *Penes Wiltshire County Record Office, Trowbridge.*

<sup>3</sup> *Materials for a History of Cricklade*, ed. T. R. Thomson, cap. V, 2-4.

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the two *prepositi* of Heytesbury borough made presentments at the view of frankpledge of Heytesbury manor side by side with the tithing men of various tithings.<sup>1</sup> Some records of the borough and manor courts of Downton (1630-1) are filed side by side on the same string and comparison shows that the business done in the two courts was very similar.<sup>2</sup> The documents however recording these events belong not to the communities to which they relate but to the lords of the several hundreds and manors. In some cases they are physically inseparable from the rolls and records of other manors owned by those lords. It is unnatural therefore, to say the least of it, to sever them from their contexts. It may be hoped that some day lists of Wiltshire manorial and hundredal records will be issued and these records will find their place in them. The effect of this arrangement is practically to confine the present list to records actually made by the officers of Wiltshire boroughs and to a few other documents that in one way or another have come into the custody of the existing corporations.

An attempt has been made, in the format of the list, to proceed in a systematic way without, however, allowing standardisation to lead to misrepresentation. Thus, while it is hoped that a certain similarity of order will be seen in each section, this does not include the use of identical headings for their own sake. Pieces or bundles have been given a running number within each section and for convenience main headings have been lettered alphabetically. Parentheses have been used throughout to indicate the interpolation of explanatory matter (e.g. years of grace) where square brackets would have seemed more usual; the latter have been used solely to enclose the symbols of a notation known to be in office use at Salisbury and it is felt that this may serve to avoid some possible confusion.

The compilation of the list has called for much co-operation, and the Branch's gratitude must be widely distributed. It is due above all to Mr. M. G. Rathbone, the County Archivist, who has acted as general editor and has himself compiled the lists for Heytesbury, Malmesbury, Marlborough and Wootton Bassett. The Marlborough section has been founded on a list compiled by Mr. A. R. Stedman and Mr. E. G. H. Kempson, for whose advice and assistance Mr. Rathbone expresses his indebtedness. Dr. Albert Hollaender is responsible for Salisbury and Mr. J. P. M. Fowle for Chippenham and Downton. Miss Elizabeth Crittall has prepared the Wilton list, in compiling which she acknowledges her thanks to Councillor G. C. Moody, of Wilton. I compiled the Calne and Devizes lists and the introductory note to the Salisbury list myself. In working on the Devizes and Calne lists I was aided by my uncle, Mr. C. W. Pugh, and by Mr. A. W. Mabbs,

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<sup>1</sup> P.R.O., Special Collections, Court Rolls (S.C.2)/208/64 (1512-13).

<sup>2</sup> P.R.O., Church Commissioners' Court Rolls (Eccl. 1)/88/2.

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respectively. In addition the Branch will wish to record its thanks to the Earl of Radnor, Lord Heytesbury, Mr. W. Trevelyan Clark, High Steward of Malmesbury Old Corporation, Mr. W. Gough, Hon. Secretary of Wootton Bassett Town Trust, and the Town Clerks of Calne, Chippenham, Devizes, Marlborough, Salisbury and Wilton and their assistants, all of whom have made the work possible by so readily granting access to the valuable documents in their charge.

Though efforts have been made to prepare a list which shall be complete and accurate it is not easy in a peripatetic survey, such as this has been, to eliminate errors completely. If such errors are detected the officers of the Branch will welcome the evidence for them and all members may note them for themselves upon the blank pages at the end of the volume.

R. B. PUGH

Hampstead, March 1951.

# LIST OF WILTSHIRE BOROUGH RECORDS EARLIER IN DATE THAN 1836

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## CALNE

CALNE, which was ancient demesne of the Crown, claimed to be a borough by prescription, and sent burgesses to Parliament from 1295. The townsmen evidently possessed some form of 'charter' in 1565 which in 1568 they believed to have been granted in Henry VII's reign. Between 1568 and 1570 money was paid for its amplification and for the grant of letters patent and letters executory. The latter (a recognition that the town was ancient demesne and entitled to the consequent privileges) are enrolled on the Confirmation Roll<sup>1</sup> but no enrolment of a charter of incorporation can be traced at that time. References to the existence of 'charters' (presumably though not certainly charters of incorporation) can be found in the borough records at sundry times before 1674. None of these however appears to have been enrolled. A *quo warranto* information was exhibited against the corporation in Michaelmas term 1684. Judgment went against the officers and chief burgesses by default.<sup>2</sup> They were ousted, and three successive charters of incorporation were granted in March and April 1685<sup>3</sup> and in September 1688.<sup>4</sup> Calne was excepted from the Proclamation of 1688 annulling the obnoxious charters of James II but the effect of the exception seems doubtful. No charters survive in the corporation's custody and the Commissioners of 1835 were not prepared to say more than that the 'Guild Stewards and Burgesses' of the borough claimed at that time to be a body corporate.

There is no clear evidence that the inhabitants of Calne had a court of their own at any time. By 5 Geo. III c. 9 a Court of Requests for the recovery of small debts with jurisdiction over the hundreds of Calne, Chippenham and Damerham North and the liberty of Corsham was established. It sat each week at Calne, Chippenham and Corsham alternately. No records have been traced. At least as early as 1520 the inhabitants owed suit to the court of Ogbourne, until 31 and 32 Hen. VIII parcel of honour

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<sup>1</sup> P.R.O., Chancery, Confirmation Roll (C56)/96 No. 18.

<sup>2</sup> *Ibid.*, King's Bench, Coram Rege Rolls (K.B.27)/2033 m.4.

<sup>3</sup> Neither of these is enrolled, but the text of both is in the records of the Signet Office. P.R.O., Signet Office, King's Bills (S.O.7)/78, 79.

<sup>4</sup> *Ibid.*, Chancery, Patent Roll (C66)/3314 No. 1.

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of Wallingford, and thereafter of Ewelme. Suit of court was still being done as late as 1835.<sup>1</sup> Here newly admitted burgesses were presented. In the 17th and 18th century, and presumably earlier, Calne borough formed a tithing of Calne hundred. A jury for the borough attended the hundred court. Here burgess constables, 'aldermen' and leathersellers for the borough and their deputies were elected and ordinary leet business conducted.

The guild stewards, elected annually by their retiring brethren and by the burgesses, leased and maintained the town lands. Out of the revenues so raised they originally paid the cost of repairs to bridges and fences and equipped the burgesses with armour. By 1835 the revenues were devoted to conviviality.

Of the documents listed below all but **1** are extraneous.

**1** Guild Stewards' Book. 1561-1814. A large register into which the guild stewards' accounts from 1561 were in 1584 copied retrospectively and afterwards contemporaneously. Between 1643 and 1676 there are also some accounts of constables and tithing men. From c. 1600 occasionally and from 1650 regularly the admissions and disburgessings of burgesses are entered and from 1603 the elections of M.P.s. The book also contains the Orders and Constitutions of 1589 of the borough and subsequent amendments thereto, together with the oath of the burgesses. After 1700 the accounts are intermingled with various resolutions, minutes, etc. The book (which is in the Town Clerk's custody) has been extensively used in A. E. W. Marsh's *A History of the Borough and Town of Calne* (Calne etc. n.d.) and an abstract of entries earlier than 1689 is being prepared for issue by the Branch.

**2** and **3** Minute books of Calne Turnpike Trust. 1773-1823 and 1824-1871. These trusts depended upon the Act of 17 Geo. II c. 23 for repairing the road from Cherhill through Calne to Studley Bridge and from Cherhill to the Three Mile Burrough and upon continuing Acts of 13 Geo. III c. 101, 32 Geo. III c. 32 and 53 Geo. III c. cxxviii. The guild stewards and burgesses were named as trustees *ex officio* under the Acts, but it is not clear whether it is for this reason that the volumes are now in the Town Clerk's custody. Extracts are printed in J. H. Blackford's *The Manor and Village of Cherhill* (privately printed 1941).

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<sup>1</sup> The appearance of the burgesses at Ogbourne, or their failure to appear, is noted sporadically in the court rolls from 12 Hen. VIII to 25 Chas. II (P.R.O. Special Collections, Court Rolls (SC2)/212 Nos. 14, 18-20, 24-27, 29-31).

*CALNE*

- 4** Minute book of General Vestries. 1827-51.
- 5** Register of Benefactions to the parish of Calne. Contains copies of deeds relating to various charities dated mainly between 1635 and 1856. A note in the fly leaf reads : 'This book had of Mr. Merewether with four letters. T.B. Sept. 1815. Delivered the same to Mr. George Frayling one of the churchwardens 16th October 1815.'

## CHIPPENHAM

THE borough of Chippenham was a manor on ancient demesne, and clearly, in some sense, an ancient borough by prescription. However, it seems to have lost a great deal of its capacity for corporate unity, and with it all chance of developing its own jurisdiction, when, in the mid-13th century, Henry III divided it between several neighbouring lords, the chief of whom were the Godardvilles (a little later the Gascelyns), lords of Sheldon and of the hundred of Chippenham, and the Husees, lords of Rowden. By the early 15th century both these estates had fallen to Sir Walter Hungerford.

Chippenham remained a market town of little importance throughout the period from the 13th century till the granting of the charter of incorporation in 1554. Although the Gascelyns were granted two fairs annually, the market was under the surveillance of a royally appointed bailiff whose main function was probably to collect the tolls and other market dues for the Crown. Canon J. E. Jackson found evidence<sup>1</sup> of his police duties, which clashed on occasion with those of the sheriff. From 16th century evidence it also appears that the bailiff hired a clerk of the market. As a parliamentary borough Chippenham was represented infrequently from 1295, the date of its first summons, till 1449, but from the figures given in the introduction it can be seen that the borough's importance was increasing in the later period.

Of these activities in the middle ages, no record survives in the borough archives; nothing to indicate that there was a court of pie-powder or any jurisdiction other than those of manor, hundred and royal court. Nor is there any mention of medieval merchant or craft guilds. The borough records begin virtually with its incorporation by Mary on 2 May 1554.

This charter endowed the inhabitants, incorporated in the persons of a bailiff and twelve capital burgesses, with lands forfeited to the Crown on the attainder of Lord Hungerford in 1540, for the purpose of maintaining the town bridge and the road known as Maud Heath's Causeway. The first bailiff and burgesses were nominated in the charter, with the provision that the burgesses were to elect one of their number to be bailiff annually, the burgesses holding office for life unless they forfeited it by misbehaviour or by changing residence to a place outside the confines of the borough. Vacancies were to be filled by co-option. This charter was confirmed by Elizabeth in 1560, and as a result of a suit in Chancery, a decree confirmed by James I in 1604 defined the borough boundaries and set out more clearly the rules by which the borough's common property was to be administered. The charter of James II mainly repeated the substance of the original grant.

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<sup>1</sup> *Wiltshire Archaeological Magazine*, III, 38-40.

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The royal charter of incorporation did not, it is clear, alter the status of Chippenham, which remained a manorial borough. The charters made no mention of a jurisdiction to be exercised by the bailiff and burgesses, and there are no records of a court. It does appear, however, that the corporation was conscious of this deficiency and jealous of the opportunity it gave for interference in borough affairs by the lords of the manors, and a few equivocal entries in the minutes show by what methods it attempted to restrain members of the borough from encouraging manorial jurisdiction. The ordinances of the borough prefaced to the first minute book, for instance, require that disputes arising between citizens shall be referred first to the bailiff and burgesses for arbitration and only taken elsewhere by their licence.<sup>1</sup> The minutes show many cases brought before the bailiff in this way. The corporation had at their disposal an effective penalty against those who infringed their by-laws, for offenders might be excluded for a greater or lesser number of seasons from a share in the common property. In this way was built up a kind of extra-legal jurisdiction, and when it needed reinforcement the bailiff and burgesses ordered that the malefactor be indicted at Quarter Sessions at the expense of the borough.

The main business of the corporation, of which the fine series of minute books is a record, consisted in the appointment of officers and the administration of the borough property, leasing and allotting shares in common lands, mortgaging property to raise funds for the repair of the bridge and policing the borough. It was customary, though no obligation appears in the charters, for the bailiff and burgesses to associate with themselves when making more important decisions, raising a special rate or petitioning the Crown, a (usually unspecified) number of freemen—inhabitants of burgage tenements of which there were 129 in 1604.<sup>2</sup> Thirty-three such attended a meeting in 1786. Lists of freemen were compiled at frequent intervals, for they were entitled to a share in the borough lands, and they also had the franchise. Their number seems to have varied between a hundred and two hundred, in spite of the fixed number of burgage houses. The parliamentary electorate numbered 152 in 1830 and 198 in 1831. The Reform Bill increased the electorate to 302. Though scheduled at first for disfranchisement, the borough successfully appealed against it, and returned two members to Parliament until 1868. Its representation was then reduced to one till the Redistribution of Seats Act of 1885.

The second main record is the series of bailiff's accounts, beginning in 1559 on scraps of paper, usually indented. The record was kept in this way till the Chancery decree of 1604 when the volumes of audited accounts begin. The bailiff rendered his account annually at Michaelmas.

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<sup>1</sup> F. H. Goldney, *Records of Chippenham*, 6-7.

<sup>2</sup> A. Platts, *History of Chippenham*, 17.



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This constitution lasted till the Municipal Reform Act which substituted for the co-opted burgesses a more democratic Council. Improvement Commissioners had been set up in the previous year, and these lasted till 1871. Other changes were the substitution of the name of mayor for that of bailiff for the chief office-holder in the corporation, and the introduction of a new series of ledger accounts in place of the annual summary of the bailiff.

In 1889 F. H. Goldney published his book *Records of Chippenham*. This lists all but a few (sections D, E, J and O) of the records still in custody though there are some errors in his dating, especially of the third and subsequent minute books. The headings given to the sections of his work dealing with these books are difficult to relate to the volumes themselves: there is no minute book commencing in 1800 and lasting till 1817.<sup>1</sup> Goldney also makes lengthy extracts from all classes of documents which illustrate their contents, though serving little other purpose.

The documents are kept in a bank in Chippenham with the exception of a few of the later minutes and accounts which are in an attic in the Town Clerk's office. The papers and deeds are numbered to correspond with the numbering in Goldney's book. These have been checked, and are still in good order.

### A CHARTERS OF INCORPORATION

- 1** 1 Mary (1554);                      **2** 1 Jas. II (1685).

### B OTHER LETTERS PATENT

- 3** 2 Eliz. (1560). Inspeximus. Recites charter of 1 Mary.  
**4** 1 Jas. I (1604). Inspeximus. Recites a decree in Chancery of 1 Jas. I (1604), concerning a dispute over the boundaries of the borough, and setting out rules governing the administration of borough property.  
**5** 5 Jas. I (1607). Grant of leasehold property of the Crown in the Forest of Pewsham, leased to the borough for nine years.

### C MINUTE BOOKS OF THE BAILIFFS AND BURGESSES

- 6** 39 Eliz. (1597)-1684. Contains lists of burgesses, orders, appointments of officers, leases of borough lands, copies of agreements, summaries of accounts, memoranda and records of decisions concerning the raising and spending of money and the sharing of common property.

<sup>1</sup> Goldney, *op. cit.*, 113.

## CHIPPENHAM

Blank leaves at the beginning contain a terrier of lands belonging to the borough (late 16th century), by-laws (1597), an inventory of arms (1636), and copies of the oaths to be administered to officers.

- 7** 1684-1774.
- 8** 1774-1817. Among other memoranda prefaced to this volume is a terrier of 1781, and an inventory of fixtures in the free school. Translations of the charters are included in this and the previous volume.
- 9** 1817-36. Regular entries in this volume ceased in Nov. 1835 when the new book prescribed by the Municipal Reform Act was adopted, but a single entry for July 1836 appears to have been made by mistake in this volume. It was used beyond this date, however, to record the names of 'inhabitants being householders according to their ancience' up to 1856.

### D DRAFT MINUTE BOOKS

- 10** 1765-77. Paper-bound;                      **11** 1777-1800;  
**12** 1800-30;    **13** 1831-35.

These appear to have been the books actually used at the meetings of the bailiff and burgesses and bear autograph signatures which are copied in the volumes of the main series, sometimes with an effort at facsimile.

### E ADMISSIONS OF FREEMEN

- 14** 1797-1815;    **15** 1815-30;  
**16** 1830-94

### F BAILIFF'S ACCOUNTS

- 17** 1559-1603. Bundle of 23 accounts rendered by the bailiff at Michaelmas, on paper, mostly indented.
- 1683-4. Entered at the back of the first volume of minutes (**6**).

### *Registers*

- 18** 1603-82. Begins with a list of 'Inhabitants being Householders' and a list of Benefactors of the Borough;
- 19** 1684-1789;
- 20** 1789-1834.

## WILTSHIRE BOROUGH RECORDS

### G OTHER ACCOUNTS

- 21** 1685. File of accounts of Thomas Webb, bailiff in 1682.
- 22** c. 1780. A sheet of accounts bearing no identification.
- 23** (18th century). Extracts from Register of Bailiffs' Accounts 1614-82, concerning the maintenance of the Guildhall and the town well.

### H RECEIPTS

- 24** 1571-1609. 37 receipts for market rents by the bailiffs of the hundred to the bailiff and burgesses of the borough.
- 25** 1607, 1609. 3 receipts for payments due to the Crown.

### I OTHER FINANCIAL DOCUMENTS

- 26** 1603-1861. 17 documents concerning the borough charities, mainly letters, accounts, receipts and lists of beneficiaries.
- 27** 1624-84. 16 documents concerning loans made by the borough to its members from common funds, mainly bonds, discharges and lists of debtors.

### J MISCELLANEOUS REGISTERS

- 28** 1775-1852. Volume entitled 'Westmead Stock', giving names of holders of borough land in Westmead and stock provided for them by burgesses.
- 29** 1794-1820. Volume entitled 'Account of Free Boys', giving nominations of boys to be educated at the borough's free school, signed by the vicar and the bailiff.

### K PARLIAMENTARY ELECTIONS

- 30** 1562-1868. 48 documents concerning the election of members of Parliament for the borough, mainly returns of the names of elected members, letters of recommendation, precepts to elect, bonds to serve, and lists of electors.

### L DEEDS

- 31** 1568-1865. 60 deeds, being titles of the borough to property in Chippenham, Rowden, Englands, Foxham, Westmead, Pipsmore and elsewhere. Also a (? 17th century) copy of a lease of 1542.

## CHIPPENHAM

- 32** 1556-1889. 84 leases of borough lands, with counterparts and cognate documents, by the bailiff and burgesses to other members of the borough.
- 33** 1570-93. 13 counterparts of leases of shops by the bailiff and burgesses to members of the borough.

### M TERRIERS

- Late 16th century. Entered at the beginning of the first volume of minutes (**6**).
- 34** 1605.
- 35** 1673. 'Lands belonging to the Corporation let at the Improved Rent'.
- 1781. Entered at the beginning of the minutes for 1774-1817 (**8**).

### N LEGAL AND MISCELLANEOUS PAPERS

- 36** c. 1554-soon after 1558. 22 papers in a case concerning the rights in the borough market of Sir Henry Sharrington as lord of the hundred and manor of Chippenham; mainly draft petitions, informations, briefs, memoranda, copies of documents from 1320, list of tithings in the hundred, and judgment.
- 37** c. 1579-1580. 11 papers in a case concerning the claim of Sir Walter Hungerford to borough lands formerly belonging to his family on Rowden Down; draft petition, briefs, appointment of a surveyor to view the lands, and his report (1579).
- 38** 1561-1847. 66 miscellaneous papers; legal documents, letters and orders of Privy Council, Exchequer and Quarter Sessions, memoranda, indentures of apprenticeship (1674-1703), signed repudiations of the Solemn League and Covenant (1679), documents concerning the corporation pew and other matters.

### O MINUTES OF THE IMPROVEMENT COMMISSIONERS

- 39** 1834-59.

### P EXTRANEOUS RECORDS

- 40** 1369-80. 4 leases of land belonging to the chantry of St. Mary. The seals, which are all perfect, are impressions of the design used from the reign of Mary onwards as the seal of the borough.
- 41** c. 1560. Unfinished copy of a judgment in the Exchequer concerning the title of Sir Henry Sharrington to the manor of Lacock. (First folio, or folios missing). May belong to **36**.

## DEVIZES

MAUD, the Empress, granted to the burgesses of Devizes quittance from toll, passage, lastage and custom throughout the land and the sea-ports. This is reckoned the first charter of the borough. It was confirmed by Henry II, John and Henry III. By 1239 the burgesses apparently were farming the borough, by 1255 had return of writs and by 1275 could plead pleas of withernam. By 1330 their autonomy seems to have declined considerably. It was not certainly re-established until 1371, when Edward III granted or confirmed a guild merchant, pleas of withernam and (generally) the liberties enjoyed by Marlborough. In 1381 Richard II granted or confirmed the return of writs, the right to elect a coroner and power to exclude the justices of the peace. These privileges were confirmed by subsequent sovereigns. The constitution of the borough was refashioned by the charter of incorporation of 3 James I (1605),<sup>1</sup> and this, in the amended form set out in the charter of 15 Charles I (1639), remained the 'governing' charter until 1684. The charters were then surrendered and a new charter granted in March 1685. This was set aside by the Proclamation of 1688 and the borough returned to its ancient charters and franchises.

In Henry III's time the principal borough officers were the bailiffs, in Richard II's the mayor and bailiffs. By 1581 the government of the town appears to have reposed in the hands of two bodies: the *majores*, one of them styled the Mayor pre-eminently; and 'the Twelve', not necessarily corresponding numerically to that number. Below these were the inferior burgesses and the lesser officers of the borough. By the opening of James I's reign the body called the *majores* appears to have come to consist of a Mayor and eleven *magni*. Under the charter of 1605 'the Mayor and burgesses of the borough of Devizes' consisted of a mayor, a common clerk, 34 other capital burgesses and an indefinite number of free burgesses. The charter of 1639 substituted a recorder for the common clerk and provided for the appointment of a deputy recorder. The capital burgesses were divided into twelve capital burgesses councillors and twenty-four capital burgesses of the common council. Except during the short period 1685-8 the governing bodies were not again altered until they were reformed. The number of free burgesses however declined; whereas there were 34 in 1688 there were only four in 1828.

The borough presumably maintained a court of its own at least from the time of Richard II's charter. So far as can be judged this dealt with business of all descriptions: pleas of the Crown, civil pleas and administrative regulations. In 1574-6 a court of pie-powder is found. The charter of 1605 established a Court of Record *eo nomine* to be held on Fridays (at weekly, fortnightly or three-weekly intervals or less frequently) before the mayor,

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<sup>1</sup> P.R.O., Chancery, Patent Roll (C66)/1680 m.13.

## DEVIZES

common clerk (or recorder) and capital burgesses councillors. The quorum was four. It could deal with all civil pleas provided the debt or damages in dispute did not exceed 40*l.* By the same charter the mayor, common clerk and one of the capital burgesses councillors were nominated justices of the peace, and separate records of their jurisdiction exist from the Interregnum. The business of the Court of Record had begun to decline very much by about 1775 and by 1835 the court was for all practical purposes in abeyance. A codification of its regulations and practice rules, made 1838, is among the muniments. In 1835 the sessions of the peace were presided over by one of the councillors, styled the 'justice', and the mayor or recorder. Petty sessions were held fortnightly. In practice the county magistrates only acted within the borough under particular statutes, e.g. in licensing public houses. The minute books of the licensing justices from 1790 exist in the borough's custody, the earlier of them forming part of the Borough Quarter Sessions Minute Book. Perhaps the two benches shared the same clerk.

By the time of the Revolution of 1689 the Court of Common Council had become a distinct body, concerned exclusively with government and the election of members of Parliament. By 1727 it had begun to work through committees.

The receipts and issues of the corporation were managed by two chamberlains. Their accounts are entered in the general entry books up to 1681 and thereafter have survived as a separate but much broken series.

A merchant guild was granted by charter in 1371. Three craft guilds existed in 1565. In 1614 their constitutions were completely refashioned and they became the guilds or fraternities of mercers, drapers and leathersellers. Of the fate of the last nothing is certainly known. The other two existed until 1769, when they surrendered their records (with other property) to the corporation.

A body of Improvement Commissioners was set up by an Act of 1780-1 (21 Geo. III c. 36). The mayor was the first chairman. The Commissioners did not prove very effective and in 1825 were replaced by a new body under Stat. 6 Geo. IV c. clxii. The mayor and burgesses and some hundred inhabitants formed the commission, which like its predecessor was authorised to levy a rate to meet the costs of paving, lighting and watching the town.

Soon after the Kennet and Avon Canal was opened to traffic in 1799 a wharf beside the canal was constructed by a private company on land leased from the borough. The proprietors (twelve of them members of the corporation) were required to surrender the buildings after the termination of their 60 years' lease. Presumably they did so, and the records with the land.

## WILTSHIRE BOROUGH RECORDS

Most of the earlier records of the borough have been in the library of the Wiltshire Archaeological Society in Long Street since 1923-24.<sup>1</sup> The Society would appear to be the owner of **13, 298** and **299**. Most of the later records are in two muniment rooms in the Town Hall. The charters hang in glazed frames in the Council Chamber in that building, where the 'skippet' containing the early deeds (**82-106**) is also deposited. No. **286** is in a glazed frame in the Cheese Hall in the same building. A few documents are kept in the Town Clerk's office. These three places of deposit are distinguished below by the letters *T.H.*, *T.C.* and *W.A.S.*

Many of the pre-1836 records have been described in B. H. Cunnington's *Some Annals of the Borough of Devizes*, Vol. I (1555-1791) and Vol. II (1791-1831) (Devizes 1925, 1926). Extracts from the records are also printed in these volumes. The present list corrects some slips in that work and arranges the records systematically. The same author has digested No. **291** in a pamphlet called *Rival Mayors in Devizes* (1934)—a reprint of two articles in the *Wiltshire Gazette* of 1933 and 1934. E. Kite has abstracted Nos. **298** and **299** in *Wiltshire Archaeological Magazine*, Vol. IV, 160 *et seq.*

In the Town Clerk's office is a modern MS. inventory (apparently started shortly before 1902)<sup>2</sup> of the contents of a number of **126-281**. It is arranged by subjects. In the Town Hall is a schedule, prepared in 1890, of Corporation Books in the muniment room.

### A ORIGINAL CHARTERS

<b>1</b>	13 Hen. III (1229);	<b>2</b>	5 Hen. IV (1404);
<b>3</b>	1 Hen. VIII (1509);	<b>4</b>	1 Eliz. (1559);
<b>5</b>	28 Eliz. (1586);	<b>6</b>	3 Jas. I (1605);
<b>7</b>	7 Jas. I (1609);	<b>8</b>	8 Jas. I (1610);
<b>9</b>	15 Chas. I (1639); <sup>3</sup>	<b>10</b>	1 Jas. II (1685). <i>T.H.</i>

### B TRANSLATIONS AND TRANSCRIPTS OF CHARTERS AND BY-LAWS, ETC.

**11** c. 1736. Translations of charters, Maud-Charles I.<sup>4</sup> *W.A.S.*

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<sup>1</sup> *Wiltshire Archaeological Magazine*, XLIII, 214.

<sup>2</sup> Local Records Committee Report (H.C. [Cd. 1335] 1902, XLIX, 54-5).

<sup>3</sup> By a curious error this is enrolled on the Patent Roll for 16 Chas. I (C66)/2887 No. 2.

<sup>4</sup> This was compiled by an order of the corporation of 1736. Cunnington *op. cit.*, I, 209.

## DEVIZES

- 12** Transcript of charter of Charles I, with a list of civil pleas, 1737-42, and quarter sessions business 1763. *W.A.S.*
- 13** 1628. Ledger Book or Register of the Borough, containing transcripts of grants of liberties and lands, and of constitutions, ordinances, etc. Collected by John Kent. *Illuminated*.<sup>1</sup> *W.A.S.*
- 14** Another copy of **13**, but without illuminations. *W.A.S.*
- 15** By-laws made under the charter of Charles I. Signed by the mayor, deputy recorder and chief burgesses. *W.A.S.*
- 16** 1685. Another copy of **15**, formerly belonging to the Drapers' Company. With additions dated 1740. *W.A.S.*

## C GENERAL ENTRY BOOKS

- 17** 1572-1660. A miscellaneous entry-book, called 'Volume B', probably faircopied from original documents. Contains elections of officers and free burgesses, notes of benefactions, taxation assessments, chamberlains' accounts, etc. *W.A.S.*
- 18** 1660-81. A book of similar character, called 'Volume C'. Elections of officers, oaths sworn, copies of accounts, etc. *W.A.S.*

## D COURT BOOKS, GENERAL

- 19.** 1556-7. General procees in the borough court, including civil pleas, presentments, elections of officers. *W.A.S.*
- 20** 1559-60. Ditto. *W.A.S.*
- 21** 1560-1. Ditto. *W.A.S.*
- 22** 1574-6. Courts of pie-powder, pleas of land and withernam, bonds, lists of office-holders. *W.A.S.*<sup>2</sup>
- 23** 1580-2. Similar to **19**. *W.A.S.*
- 24** 1582-4. Ditto. *W.A.S.*
- 25** (1582/3). 25 Eliz.-1621. Ditto, with musters of arms.<sup>3</sup> *W.A.S.*

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<sup>1</sup> Presented to the Society by the Misses Grant-Meek during 1923-24 (*Wiltshire Archaeological Magazine*, XLIII, 41).

<sup>2</sup> It is perhaps doubtful whether this fits into the main series of court books.

<sup>3</sup> Described by Cunnington *op. cit.* as 'Volume A', but not now so lettered. Its original lettering may have perished in rebinding.



WILTSHIRE BOROUGH RECORDS

E MINUTE BOOKS OF THE COURT OF RECORD

- 26** 1653-9. Book of the Court of Record. At the end are rough notes of a day-book (probably of the chamberlains), 1703-15. *W.A.S.*
- 1737-42. *See 12.*
- 27** 1754-75. Book of the Court of Record; with list of wheat prices, 1759-74. *W.A.S.*
- 28** 1775-1813. Book of the Court of Record; with list of wheat prices, 1775. *W.A.S.*
- 29** 1813-33. Ditto; without wheat prices. *T.H.*
- 30** 1833-38. Ditto; ditto. *T.H.*

F MINUTE BOOKS OF SESSIONS OF THE PEACE

- 31** 1657-63. General Sessions of the Peace. *W.A.S.*
- 1763. *See 12.*
- 32** 1790-1819. Sessions of the Peace of the borough. Meetings of licensing justices. *T.H.*

G MINUTE BOOKS OF THE COURT OF COMMON  
COUNCIL AND ITS COMMITTEES

- 33** 1688-1749. 'Volume D'. With admissions of free burgesses, 1765-1835. *W.A.S.*
- 34** 1739-90. 'Volume E'. Entitled 'Votes and Proceedings'. Partially duplicates **33**. *W.A.S.*
- 35** 1790-1826. 'Volume F'. Not entitled as **34**. *W.A.S.*
- 36** 1826-35. Not entitled as **35**. *T.H.*
- 37** 1727-8. Minutes of the Committee for Leasing Town Lands. *T.H.*
- 38** 1778-1807. Ditto. *T.H.*
- 39** 1803-28. Minutes of General and Leasing Committee. *T.H.*
- 40** 1828-35. Minutes of General Committee. *T.H.*
- 41** 1825-6. Minutes of Committee for Paving the Streets. *T.H.*

DEVIZES

H CHAMBERLAINS' ACCOUNTS

— 1572-1681. *See* **17** and **18**.

— 1703-15. *See* **19**.

**42** 1725-8;

**43** 1730-1;

**44** 1737-8;

**45** 1778-82, 'Vol. 6';

**46** 1782-3, 'Vol. 7';

**47** 1785-7;

**48** 1787-91, 'Vol. 17';

**49** 1791-1800;

**50** 1803-15;

**51** 1825-30;

**52** 1785-1835. Abstract;

**53** 1830-5, 1835-8. Abstract.<sup>1</sup>

**49-53** at *T.H.*; others at *W.A.S.*

I TOWN LANDS

*Rentals*

**54, 55** 2 18th century, undated. One much decayed;

**56** to Mic. 1722;

**57** 1787-88;

**58** 1790;

**59** 1799-1800;

**60** 1800-01;

**61** 1802-3;

**62** 1803-4;

**63** 1804-6;

**64** 1807-8;

**65** 1809-11;

**66** 1811-12;

**67** 1815-16;

**68** 1816-17;

**69** 1817-18;

**70** 1818-19;

**71** 1819-20;

**72** 1820-21;

**73** 1821-22;

**74** 1823-24;

**75** 1825-26;

**76** 1826-28;

**77** 1828-29;

**78** 1829-30;

**79** 1830-31;

**80** 1831-32;

**81** 1833-34. *T.H.*

*Conveyances, etc.*

**82-106** Hen. III-1649. 25 deeds in a wooden 'skippet'. 18 are conveyances of lands in Devizes, mostly between individuals, 4 are bonds and 1 a deed of apprenticeship. *T.H.*

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<sup>1</sup> On the cover are the words: 'From these accounts the printed statement was prepared on granting the first Borough Rate'.

WILTSHIRE BOROUGH RECORDS

- 107** 1728-1831. Bundle of deeds and papers about a messuage, etc., in Devizes, called 'The Old Shambles', purchased from George Benger. *T.H.*
- 108-114** *Temp.* James I and Chas. I. Seven bundles of leases. *T.H.*
- 115** 1766-1829. Bundle of Corporation leases. *T.H.*
- 116** *Ante* 1801. Large bundle of Corporation leases, assignments and licences to alienate. *T.H.*
- 117-122** Various dates. Six metal boxes full of leases. Many are tied in packages, labelled with a letter and marked with references to **123-125**. *T.H.*
- 123** Register of abstracts of leases of borough lands, made between 1738 and 1835. *T.H.*
- 124** Ditto of lands belonging to St. John's Church and Parish, made between 1776 and 1835. *T.H.*
- 125** Ditto of lands belonging to almshouses in the borough, made between 1768 and 1832. *T.H.*
- 126-281** 156 bundles of deeds, mostly *post* 1835, packed in envelopes. *T.H.*
- 282** 1810. Lease of messuage in New Park Street to E. Oakford for 99 years. *T.H.*

J OATHS

- 283** 17th century. Forms of oaths to be administered to the mayor, justices of the peace, town clerk, chief burgesses, clerk or steward of the Court of Record, the inferior burgesses, constables, bailiffs and other officers. *W.A.S.*
- 284** 18th century. Forms of oaths of the mayor, constables, bailiffs, chief burgesses, councillors, chief burgesses of the common council, sub-bailiffs, free burgesses. *T.C.*
- 285** 19th century. Forms of oaths of divers officers. *T.H.*
- 286** 1766-1827. Oaths of Allegiance, Abjuration and Supremacy and the Declaration against Transubstantiation sworn and subscribed by borough officers. *T.H.*
- 287** 1781-1830. Ditto, without the Declaration against Transubstantiation.<sup>1</sup> *T.H.*

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<sup>1</sup> **287** and **288** are tied up together.

## DEVIZES

- 288** 1805-36. 8 Commissions to swear justices. *T.H.*  
**289** 1829-37. Declarations by borough officers under Stat. 9 Geo. IV. c. 17. *T.H.*

### K MISCELLANEOUS RECORDS OF THE BOROUGH

- 290** (1706). Brief to show cause why an information should not be granted against certain members of the corporation. *T.H.*  
**291** 1706-9. Bundle of papers concerning a disputed mayoral election.<sup>1</sup> *T.H.*  
**292** c. 1712. Brief in the Queen against Sutton, tried in the Queen's Bench, Hil. 1712.<sup>2</sup> *T.C.*  
**293** 1777-92. The Assize of Bread. Book of printed forms, filled up in MS., giving the weekly price of bread.<sup>3</sup> *W.A.S.*  
**294** 1802. Memorandum of conditions for letting for 7 years by auction the tolls and profits of the corn market and sheep and pig markets and fairs. *T.H.*  
**295** 1803. Report by James Wyatt on the structural condition of the Town Hall. *T.H.*  
**296** c. 1827. Brief in the King against Headley and others, tried in the King's Bench 27th Nov. 1827. *T.C.*  
**297** c. 1835. Particulars of Tolls of Markets and Fairs. *Printed. T.H.*

### L GUILD RECORDS

- 298** 1614. Book of the Constitutions of the Fraternity of Mercers; with additions 1620 and 1740; and deed of surrender to the borough, etc., 1769, and acquittance 1770.<sup>4</sup> *W.A.S.*

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<sup>1</sup> The case is reported in 7 B and C. 496. It was decided in this case that the capital burgesses councillors and the capital burgesses of the common council were not at the time of trial so far distinct bodies that a majority of each must be necessary at a mayoral election, provided that there be a majority of the whole. It does not seem that the bundle originally formed part of the records of the borough—see *Wiltshire Archaeological Magazine*, XLVI, 477, 534.

<sup>2</sup> The case is reported in 10 Mod. 74. It was decided *inter alia* in this case that the office of deputy-recorder is grantable by parole, and therefore that the copy of a written appointment is not evidence, unless it be shown that an original existed and is lost; also that acts done by the mayor and burgesses without the presence of the recorder are good.

<sup>3</sup> The lists at the end of 27 and 28 are perhaps precursors of this volume.

<sup>4</sup> Presented to the Society *ante* 1858 by the Rev. E. J. Phipps, sometime Rector of Devizes.

WILTSHIRE BOROUGH RECORDS

- 299** 1614-1731. Ordinances of the Fraternity of Drapers; with admissions of masters and wardens, bonds of apprentices and accounts.<sup>1</sup> *W.A.S.*
- 300** 1614. Constitutions, statutes, etc. of the same Fraternity; similar to **298** with additions, 1651, 1717 and 1741. *W.A.S.*

M IMPROVEMENT COMMISSIONERS

*Under the Act of 21 Geo. III*

- 301** c. 1781. Copy of Resolution passed by a General Meeting of the Inhabitants to petition Parliament for leave to bring in a Bill concerning cleansing, lighting, paving and watching the town. *T.H.*
- 302** 1781. Copy of petition arising out of the foregoing. *T.H.*
- 303** 1781. Copy of Act of 21 Geo. III. *T.H.*
- 304** 1781-8. Minute book. *T.H.*
- 305** 1788-96. Ditto. *T.H.*  
1790. Agreements for loans secured upon the rates. *T.H.*
- 306** 1803-6. Accounts.<sup>2</sup> *T.H.*
- 307** 1794. Rate book. Shows the names of occupiers, their assessments to lamps and highways and their half-yearly payments. *T.H.*
- 308** 1797. Rate book. Similar to **298**. *T.H.*

*Under the Act of 6 Geo. IV*

- 309** 1825. 3 copies of the Act. *T.H.*
- 310** — Index to the chapters of the Act. *T.H.*
- 311** 1825. List of Commissioners. *T.H.*
- 312** (? later). Ditto. *T.H.*
- 313** 1825-43. Minute book. *T.H.*
- 314** 1826-43. Agreement for loans secured upon the rates. *T.H.*
- 315** 1825-6. Rough minute book. *T.H.*
- 316** 1826-7. Ditto. *T.H.*
- 317** 1826-34. Treasurer's accounts. *T.H.*

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<sup>1</sup> Presented to the Society *ante* 1858 by A. Meek, sometime Town Clerk of Devizes.

<sup>2</sup> A small bundle of loose papers.

DEVIZES

- 318** — Improvement Commissioners' expenses in improving the London-Bath road through Devizes. *T.H.*
- 319** 1825. Estimate of the premises presented by the Trustees as necessary to be removed for improving the entrance into and passage through Devizes. *T.H.*
- 320** — Surrendered mortgages securing loans to the Commissioners. *T.H.*

N PROPRIETORS OF DEVIZES WHARF

- 321** 1808-22. Minute book. *T.H.*
- 322** 1823-42. Ditto. *T.H.*
- 323** 1813-17. Attendance book. Vol. 2. *T.H.*
- 324** 1817-23. Ditto. Vol. 3. *T.H.*
- 325** 1823-42. Ditto. Vol. 4. *T.H.*
- 326** 1808-37. Account of capital expended in forming the wharf, erecting the warehouse and purchasing lands and buildings. *T.H.*
- 327** 1810-37. Account of annual receipts and expenditure. *T.H.*
- 328** 1808-39. Account with Messrs. Tylee, treasurers to the Company. *T.H.*

*Kennet and Avon Canal Company*

PRINTED REPORTS OF COMMITTEE OF MANAGEMENT

- 329** 1809, 2 Jan.;      **330** 1810, 17 July;      **331** 1810, 1 Dec.;
- 332** 1811, 27 Sept.;      **333** 1812, 1 July;      **334** 1813, 11 Jan.
- All *T.H.*

NOTICES OF CALLS ON SHARES

- 335** 1810, 1 Nov.;      **336** 1812, 15 Sept.;      **337** 1813, 1 Sept.;
- 338** 1814, 1 March.
- All *T.H.*

TENDER

- 339** 1828. Tender for water pipes from the Canal to the Market Place, and plans for a cistern in the Market Place. Addressed to the Devizes Water Works Committee. *T.H.*

WILTSHIRE BOROUGH RECORDS

O EXTRANEOUS DOCUMENTS

- 340** Nov. 1654. Informations taken before J.Ps. of the county at the Devizes Petty Sessions. They concern the persecution of Baptists. Four sheets, numbered 12-15, which presumably once formed part of the county records. *T.H.*
- 341** 1784-1810. Devizes Fire Insurance Society. Minute book. *T.H.*
- 342** 1827. Parish of St. John, Devizes. Rate book. *T.H.*
- 343** 1827-34. Devizes Petty Sessional Division. Licensing Justices, under the Act of 9 Geo. IV c. 61. Minute book.<sup>1</sup> With scales for regulating parochial relief according to the price of wheaten bread a gallon. *T.H.*
- 344** 1834-65. Ditto. *T.H.*
- 345** 1819. Agreement between Mr. Woodforde and his creditors. *T.H.*
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<sup>1</sup> For similar records of earlier date see **32**.

## DOWNTON

THROUGHOUT its history Downton has been a manor of the bishops of Winchester, but it was regularly farmed, or leased, by them to families who renewed their lease for long periods. The Lords Farmer obtained in this way all rights of the lord of the manor.

Downton was never incorporated and its status as a borough rested on the presence of burgage tenements which seem to be of some antiquity, since Hoare speaks of the custom of 'borough English' pertaining to some, though Domesday Book classes its inhabitants as villeins and bordars, mentioning only four freeholders. In the late 18th century these burgage tenements were judged to be ninety-nine in number, and the holders paid a quit rent to the lord and owed suit of court. No document appears to survive to tell when the bishop of Winchester created these tenements and the market to whose existence they would seem to bear witness. It was not until 28 Chas. II that the Crown granted to the then lessee the right to hold two fairs annually.

The date at which the market ceased to be held had been forgotten by the time that Hoare wrote his *Modern Wilts*, but further evidence of its previous existence is furnished by the continued appointment of a mayor, formerly, according to Hoare's informant, called Alderman. This humble officer was elected by the leet jury and sworn before the bailiff of the lessee. His sole duty was to administer a jurisdiction over weights and measures.<sup>1</sup>

The borough returned two members to Parliament from 1275 till the Reform Act of 1832, though it was represented in less than half the Parliaments of the middle ages, and its importance, judged by this standard, appears to have declined in the later period. The franchise rested with the holders of the burgage tenements. There were two disputed elections in the mid-17th century, though no record of a decision has been found,<sup>2</sup> but in the late 18th century a situation of some complexity had arisen. In 1695 Sir Charles Duncombe of Barford started buying up the burgages, and by 1742 when his nephew Anthony Duncombe, later Lord Feversham, obtained the lease of the manor, the family had all but two. He died in 1763 without heirs male, sharing his estate between Jacob Bouverie, 2nd Earl of Radnor, the husband of his daughter, and another female relation who had married Robert Shafto of Whitworth, Co. Durham. It was a dispute between these legatees over the settlement which gave rise to protracted litigation in Chancery and provoked a series of contested elections from 1774-1790. In

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<sup>1</sup> Sir R. Colt Hoare, *The History of Modern Wiltshire*, 'Hundred of Downton', 66.

<sup>2</sup> *Ibid.*, 19.



## WILTSHIRE BOROUGH RECORDS

the course of the conflict doubt was thrown upon every aspect of the exercise of the franchise at Downton, and among the voluminous papers belonging to this period at Longford Castle are proceedings of various committees of the Commons which had to determine whether the returning officer was the steward of the bishop of Winchester or the bailiff of the lessee; which were the burgage tenements; and whether owners of the freehold or of the lease of these tenements had the franchise. It was eventually decided that the lessee's bailiff was the returning officer; the burgages were defined; and it was declared that those responsible for paying the quit rent due from the burgages to the lord had the franchise. One of the factors causing confusion had been that these payments had fallen into abeyance, since the bishop's lessee to whom the rents were payable had for many years himself been responsible for making the payments. In 1784, 1790 and 1798 this difficulty was overcome by the reconveyance of the burgages for the purpose of the elections (10), but by 1811 their identity was again in question (see no. 9). Downton lost its representation in 1832, and with it passed all claim to borough status.

The records listed form part of the archives of the present Earl of Radnor at Longford Castle.

### A PAPERS IN LAWSUITS MAINLY CONCERNING PARLIAMENTARY REPRESENTATION

- 1 1774-96. Documents in several suits in Chancery and before committees of the House of Commons concerning a real property dispute over ownership of burgage tenements, and, at the same time concerning electoral practice at Downton: petitions, briefs, draft bills, minutes of proceedings, copies of earlier documents from 1640, and other papers.
- 2 1796. Book of evidence made in a Chancery suit.<sup>1</sup>
- 3 1785-91. 3 large volumes containing minutes of proceedings before a committee of the House of Commons.<sup>1</sup>

### B RETURNS OF ELECTED MEMBERS

- 4 1660-1701. Indentures made between the bailiff and burgesses of the borough and the sheriff, being returns of the names of elected members

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<sup>1</sup> Nos. 2 and 3 seem to contain most of the information set out at length in 1 which comprises a very large number of individual items. Most of the documents which follow were preserved among the same papers owing to their having been produced as evidence.



## HEYTESBURY

HEYTESBURY was one of the Wiltshire boroughs whose claims to that status rested on prescriptive right alone. It was first summoned to send representatives to Parliament in 1449, in which year the list of Wiltshire boroughs so privileged had begun to show a certain degree of uniformity. Members continued to sit for Heytesbury in almost every subsequent Parliament until 1832 when the borough was disfranchised under the terms of the Reform Act.

It had long been identified with the manor of Heytesbury West Court, West Heytesbury or Heytesbury Magna, which was an estate of the Hungerford family from 1382-3 until the attainder of Walter, 1st Baron Hungerford, in 1540, when all the latter's properties were forfeited to the Crown. The manor of Heytesbury, of which Heytesbury West Court now formed part, passed through several hands until in 1641 it was bought by Edward Ashe of Halstead in Kent. In 1705 it passed by marriage to Pierce A'Court of Ivy Church, Wilts., with whose successors it has remained until the present century.<sup>1</sup>

The records listed seem to owe their preservation to litigation in the late 18th century over the ownership of the burgage tenements, the appointment of tenants and hence the franchise of the borough. This was occasioned by the increasing interest of the 4th Duke of Marlborough in the borough representation, which had begun to rival that of the A'Court family. The documents form part of the archives of the present Lord Heytesbury in whose possession they remain. No records of burghal as distinct from manorial administration in Heytesbury other than those listed here have been discovered.

### A VOTERS' LISTS AND PLANS OF BURGAGE HOUSES

- 1 1769. 'A Plan of the Borough of Heytesbury Com. Wilts. 1769 by Mr. Walker'. The 26 burgage houses are marked.
- 2 1769-1827. 15 states or lists of the burgage tenants, chiefly at election dates.
- 3 1770. 'Plan of the Boro' of Heytesbury with References'.
- 4 1772. Survey of the borough including a plan showing the 26 burgage houses and descriptions of each property, lessees, occupiers and quit rents.

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<sup>1</sup> Sir R. Colt Hoare, *The History of Modern Wiltshire*, 'Hundred of Heytesbury 88 *et seq.*

## HEYTESBURY

- 5** 1772. Rough draft of **4**.
- 6** c. 1804-5. 7 lists of 'Borough Mens Names', some with notes *e.g.* 'the Day after the Election is aloud 5 Guineas for the Borowgh Men for a Supper for them Only'.
- 7** *Post* 1810. Incomplete list of voters in 1806.
- 8** 1826. List of voters at election of Edward Henry A'Court and Henry Stafford Northcote.

### B MEMORANDA, ETC., OF RESULTS OF POLL

- 9** 1750. Note of result of poll with bailiff's oath of attestation.
- 10** 1754. Ditto without attestation.
- 11** 1761. Memorandum by the steward of the manor and hundred of Heytesbury of result of poll. Unsigned.
- 12** 1768. Ditto.
- 13** 1774. Ditto. Signed.

### C RETURNS OF MEMBERS ELECTED

- 14** 1780. An indenture between the bailiff and burgesses of the borough of Heytesbury and the sheriff of Wiltshire being a return of two members to serve from 31 Oct. 1780.
- 15** 1781. Ditto of a substitute for a deceased member to serve in the same session.
- 16** 1818. Ditto of two members to serve from 4 Aug. 1818.

### D APPOINTMENTS OF BAILIFF

- 17** 1768;                   **18** 1769;                   **19** 1780;
- 20** 1812;                   **21** 1825. All made by the lord of the manor of Heytesbury 'whereof the Borough of Heytesbury is parcel'.

### E DEEDS OF AND CONCERNING THE BURGAGE HOUSES

- 22** 1744-72. Two bundles of deeds 'from the Duke of Marlborough relating to the agreement between him and Mrs. Ashe'. *See no. 23 below.*

## WILTSHIRE BOROUGH RECORDS

- 23** 1769. Indented agreement between the Duke of Marlborough and Janet A'Court Ashe concerning the ownership of burgage houses.
- 24** 1772. Copy of indented settlement between the Duke of Marlborough and General William A'Court Ashe of disputes in King's Bench and Chancery (*see no. 34 below*), and a surrender by the Duke of several burgage houses in Heytesbury.
- 25** 1772. 19 deeds: a copy of a deed of trust wherein General William A'Court Ashe covenants to lease 18 burgage houses to Lord Charles Spencer and agrees that both his own interests and those of the Duke of Marlborough shall henceforth be pursued in the election of members for Heytesbury; and the counterparts of the 18 leases concerned.
- 26** 1772. Another copy of the deed of trust and the original copies of the leases referred to in no. **25**. Apparently returned from the archives of the Duke of Marlborough.
- 27** 1772. Draft of deed of trust referred to in no. **25**.

### F DOCUMENTS CONCERNING THE TENANCY OF THE BURGAGE HOUSES

- 28** 1772. Order from the Duke of Marlborough and William A'Court Ashe to certain burgage tenants of Heytesbury to attorn tenants of Lord Charles Spencer and Harcourt Powell.
- 29** 1772. Letter of attorney from Lord Charles Spencer and Harcourt Powell to Thomas Walker and Richard Head to receive possession of certain burgage houses.
- 30** 1772. 5 attornments of tenants as ordered by no. **28**.
- 31** 1817. 11 documents: a note of agreement to allow the tenancy of 'Borough House No. 6' and 10 acknowledgments by burgage tenants of their tenancy, rent and liability for removal.

### G PAPERS IN LAW SUITS CONCERNING THE OWNERSHIP OF BURGAGE HOUSES

- 32** 1662-1772. 'Genl. A Court's papers'. A bundle of 9 documents comprising three copies (one very rough) of a 'Case of Genl. A Court' concerning the election of members for Heytesbury and including notes on the history of particular burgage houses, *c.* 1770; a fair copy

## HEYTESBURY

of an answer, 1755, to a bill of complaint; a case concerning the identity of the returning officer for Heytesbury, late 18th century; and four other documents chiefly illustrating the tenancy of a particular burgage house from 1662-1748.

- 33** 1769-76. A bundle of 18 documents chiefly relating to a suit in Chancery by William A'Court Ashe against Janet Ashe otherwise A'Court Ashe.
- 34** 1770. A bundle of 76 legal papers: some in an action in ejectment (from burgage property) brought by Edmund Lambert, Janet Ashe otherwise A'Court Ashe and the Duke of Marlborough against William A'Court Ashe in the King's Bench, Easter term 10 Geo. III (1770), and at the Wiltshire Assizes in 1770; others in suits between the said William A'Court Ashe and (a) the said Janet Ashe and others, and (b) Elizabeth King, the latter in the King's Bench.
- 35** c. 1770. Draft case on the question of the appointment of the bailiff of the borough and on the use of the borough seal (used for the sealing of returns of members); with one other related paper.
- 36** 1817. 'Case for the opinion of Mr. Sergt. Lens'—as to the legality of a certain procedure of tenancing the burgage houses, the legality of a tenant's vote when rates are paid by a landlord, and other questions concerning a hypothetical borough of 'A'.

## MALMESBURY

IN Edward I's time the government of the town and guild of merchants of Malmesbury rested in the hands of an alderman, two guild stewards and an inner community or corporation of whom seventeen were named in a quit claim of the period.<sup>1</sup> By the beginning of the 17th century the number of capital burgesses had been limited to twelve, and new classes had been created, in the 16th century according to one authority,<sup>2</sup> called the 'Twenty-Four' or 'Assistants' and the 'Landholders'. The borough had long held land in common called King's Heath which had traditionally been granted to the burgesses by King Athelstan for their assistance against the Danes. However this may be the corporation enjoyed a prescriptive right to this property, and it seems likely that those disturbers of burgesses' rights against whom an injunction was granted in Chancery in 1608 were lesser privileged commoners demonstrating against the recent innovations.

The King's Heath, or part of it, had been divided up into allotments, the larger of which pertained to the twelve capital burgesses, and the smaller to the twenty-four assistant burgesses and forty-eight (later fifty-five) landholders; the remainder of the land was enjoyed by all the freemen in common. The allotments were scheduled in six 'hundreds' and if a commoner wished to obtain a 'landholder's part' he could enter his name on lists, one for each hundred (see nos. **14-20**), and take his turn as vacancies arose. Once a landholder he had the opportunity of being co-opted to the ranks of the assistants and acquiring another acre, from which privileged position he might be similarly invited to become a capital burgess. The latter enjoyed a plot of from five to sixteen acres but relinquished his earlier holdings. As there were but twelve 'burgess's parts' and the alderman naturally enjoyed one, the twelfth burgess received a money payment in lieu until a vacancy occurred. In 1832 the remainder of King's Heath, the part which had been common of pasture, was enclosed (**30**), fifty acres to be held in trust to provide a regular income and the rest to be divided into 280 allotments to be held in future as 'commoner's parts' by the trustees.

After 1612 the two stewards became four, one for each class of commoner, and minutes from this date bear a reference at their head to the authority of the Chancery decree of 1608 (**5**). Charles I granted a charter of incorporation in 1635 (**1**) which empowered the alderman to sit as a justice and created a new office, that of 'High Steward'. Henceforth this charter is cited instead of the decree. Subsequently the corporation was twice ordered by the Crown to substantiate its authority and failed on the second occasion. Its dissolution followed in 1 James II and a new and less

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<sup>1</sup> *Registrum Malmesburiense* (Rolls Series), II, 153.

<sup>2</sup> Sir Richard H. Luce, in *Wiltshire Archaeological Magazine*, XLVII, 322.

## MALMESBURY

beneficent charter was granted. This, in turn, was annulled and what was to be the governing charter until 1885 was granted by William III in 1696 (2). As will be seen from the list neither of these charters now exists at Malmesbury in the original (Section A). William's charter, in addition to setting out the constitution of alderman, burgesses and assistants, empowered the alderman and high steward and their deputies to sit as justices of the peace for the borough and the alderman to assume the duties of coroner and clerk of the market, and introduced two new offices of serjeants-at-mace.

The corporation survived the investigations of the Commissioners of 1835 and continued to function until 1885 when, under the terms of the Municipal Corporations Act of 1883, a new body assumed municipal responsibility. The 'Old Corporation', as it was later called, was transformed into a charitable foundation whose main function became the administration of King's Heath in the interests of the commoners.

The charter attributed to Athelstan was confirmed by Richard II and Henry IV, and recited by Charles II and William III but Professor F. W. Maitland disposes of it categorically as a forgery which had deceived the Chancery.<sup>1</sup> As regards the ingenious system of land tenure he doubts 'whether any part of it belongs to the middle ages' and ascribes to it a more recent origin.

Presumably under the authority of the charter of 1696 a Court of Quarter Sessions seems to have been conducted during the first half of the 18th century (Section F), but whether or not the absence of later records would indicate that it was discontinued after 1750 is not certain.

Malmesbury was summoned to Parliament in 1275 as a town of merchants and from 1295 as a borough. By 1449 its claim to the privilege had been accepted and it returned members to the subsequent Parliaments almost without exception. The Reform Act of 1832 reduced its representation from two members to one and in 1885, in common with other Wiltshire boroughs, its franchise was merged in that of the county.

The records are in the custody of Mr. W. Trevelyan Clark, solicitor, of Malmesbury, who is the present High Steward of the Old Corporation. An article on no. 5, the earliest extant minute book, by Sir Richard H. Luce, will be found in Vol. XLVII of the *Wiltshire Archaeological Magazine*, 1937, and a description of the system of land tenure by Professor F. W. Maitland, in the *Law Quarterly Review*, Vol. IX, 1893.

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<sup>1</sup> In an article called 'The Survival of Archaic Communities. The Malmesbury Case' in the *Law Quarterly Review*, IX, 1893, 45-48.



## WILTSHIRE BOROUGH RECORDS

### A TRANSLATIONS AND TRANSCRIPTS OF CHARTERS

- 1 1677. Translation of charter of 11 Chas. I (1635).
- 2 1766. Attested copy of charter of 8 Will. III (1696), endorsed: 'Belonging to the Rev. Charles Pitt Malmesbury'.
- 3 Late 18th century. Translation of charter of 8 Will. III (1696). Bound with Act of 2 Geo. II c. 24 (1728-9): 'for the more effectual preventing Bribery and Corruption in the Elections of Members to serve in Parliament'.
- 4 Early 19th century. Another translation of charter of 8 Will. III (1696).

### B COURT BOOKS—GENERAL

- 5 1600-1721. General proceedings in the borough court including accounts of rents due to the burgesses, admittances of brothers or burgesses, orders and elections of officers.<sup>1</sup>
- 6 1722-81. Ditto.
- 7 1793-1868. Ditto.

### C OATHS AND DECLARATIONS

- 8 1736-1940. Oaths of Allegiance, Abjuration and Supremacy, and the Declaration against Transubstantiation sworn and subscribed by borough officers. One roll of 14 membranes.
- 9 1751-65. Ditto.
- 10 1759-1801. Ditto.
- 11 1775-1831. Ditto. This record shows only dates and signatures and has been separated from a sheet setting out the forms of oaths.
- 12 1828-53. Declarations made by persons elected to office pursuant to the Act of 9 Geo. IV c. 17 (1828): 'An Act for repealing so much of several Acts as imposes the necessity of receiving the Sacrament of the Lord's Supper, as a qualification for certain Officers and Employments'.

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<sup>1</sup> An article on this volume by Sir Richard H. Luce appears in *Wiltshire Archaeological Magazine*, XLVII, 1937, 321-6.

## MALMESBURY

### D ADMISSION BOOK

- 13** 1774-1897. 'The Entry of the Admissions of the several Capital Burgesses . . .', 1775-1835. Stamped entries with notes of inspections. In addition, notes of payments made towards the purchase of a fire-engine, and to people to dig for coal on Malmesbury Common, 1731-2, and of changes in lessees of leasehold property. From end of volume : 'The Entries of the Admissions of the Twenty four Assistants . . .', 1774-1833, and a record, 8 June 1897, of a meeting to dispose of the mace, signed by the warden of the 'Old Corporation'.

### E HUNDRED COURTS RECORDS

- 14** 1723-1823. 'Burrough of Malmesbury, Wilts., Landholders Davids Loynes Hundred'. Lists drawn up yearly showing landholders of the property called Davids Loynes Hundred, and the commoners and new admittances eventually to succeed them.
- 15** 1825-1948. Ditto.
- 16** 1825-1948. Ditto.—Coxfort Hundred.
- 17** 1825-1948. Ditto.—Fisher's Hundred.
- 18** 1825-1948. Ditto.—Glover's Hundred.
- 19** 1825-1948. Ditto.—Taylor's Hundred.
- 20** 1825-1948. Ditto.—Thornhill Hundred.

### F SESSIONS RECORDS

- 21** 1712-41. Order book of the borough sessions court.
- 22** 1715-43. Precedents and memoranda of oaths taken by magistrates.
- 23** 1718-48. Record of polls taken for electing new magistrates. From end of book : precedents of oaths and account of receipts, 1722-42.
- 24** c. 1750. Case for holding a separate Court of Quarter Sessions.

### G BOROUGH PROPERTIES

#### *Surveys*

- 25** 1719. Survey of the burgesses' lands.
- 26** 1763. Survey of the estates belonging to the alderman and capital burgesses.

WILTSHIRE BOROUGH RECORDS

*Leases*

- 27** 1560-1872. 186 deeds, chiefly leases of borough properties but including one, 1812, granting a right to search for coals on the common. Some of the leases are inscribed with initial letters presumably to facilitate identification, while most of them bear the following endorsements :—

Adjoining St. John's Hospital (1 deed : 1842);  
Alderman's Kitchen (8 : 1659-1866);  
Angel Inn (9 : 1611-1789);  
Barn and Close in the Horse Fair (1 : 1748);  
Beneath the Wall (3 : 1778-1844);  
Boar's Head (4 : 1712-1810);  
Borough Arms Inn, Oxford Street (1 : 1845);  
Bottom of Orchard (1 : 1749);  
Bridge (5 : 1693-1790);  
Buckles Cottage (1 : 1773);  
Burton Hill (1 : 1829);  
Chapel Street, Westport (2 : 1846, 1849);  
Clyetts (7 : 1675-1849);  
Corner House (3 : 1693-1794);  
Dyers Stable (2 : 1764, 1794);  
Foreheath (9 : 1560-1803);  
Foxley (1 : 1835);  
Foxley Road (1 : 1872);  
Holland Chapel (6 : 1662-1842);  
Kembro' Field (13 : 1634-1872);  
Little Burgess Part (1 : 1843);  
Next the Rose and Crown (3 : 1670-1736);  
Old Mills (1 : 1793);  
Over the Guard (3 : 1668-83);  
Perrymans Close, Westport (1 : 1843);  
Player (2 : 1683, 1744);  
Pound House (6 : 1683-1839);  
Round Mead (5 : 1657-1855);  
St. Helen's Chapel (7 : 1668-1808);  
Slaughter-House (etc.) (4 : 1734-96);  
Stable in Blind Lane, Cross Hayes (1 : 1767);  
Westport (10 : 1796-1868);  
Weston Birt (1 : 1773);  
Woolhaus (3 : 1668-1790).

## MALMESBURY

### *Enclosure of King's Heath or Malmesbury Common under the Act of 8 June 1821*

- 28** Early 19th century. Draft award of the Commissioner for enclosing King's Heath.
- 29** 1821. Office copy of the Act for inclosing King's Heath of 8 June 1821.
- 30** 1832. Award of Richard Peers Player, the Commissioner for the inclosure of King's Heath appointed under the Act of 1821. With coloured map dated 1825.

### *Other documents*

- 31** 1799. Certificate of contract for the redemption of land tax on the property called the 'Burgess Parts'.

## H CORONER'S RECORDS

- 32** 1830-54. 75 documents being inquisitions, informations, depositions and ancillary papers of the Malmesbury coroner. 1 bundle.

## I PARLIAMENTARY RECORDS

- 33** 1768-1868. 21 indentures between the sheriff and the corporation being returns of elected Members of Parliament.
- 34** 1817. Record of the result of the election of 1817.
- 1820. The like for 1820. *See no. 41 below.*
- 1830. The like for 1830. *See no. 41 below.*
- 35** 1830-41. 3 affidavits of aldermen that a true return has been made.
- 1831. 1 ditto. *See no. 41 below.*
- 36** 18th-19th centuries. Miscellaneous correspondence and statements concerning elections.

## J MISCELLANEOUS RECORDS

- 37** Early 18th century. 2 papers being a record of Chancery proceedings involving the alderman and capital burgesses.
- 38** Early 18th century. One bundle of papers concerning a bill of complaint by Jos. Hancock *v.* the alderman and capital burgesses.

*WILTSHIRE BOROUGH RECORDS*

- 39** 1766-7. Office copy of Act of 7 Geo. III c. 9 for altering Oaths of Allegiance and Abjuration.
- 40** 18th-19th centuries. 7 papers being extracts of minutes and other papers concerning the constitution of the borough.
- 41** Ditto. A collection of miscellaneous accounts, receipts and other records, including notes of the results of the elections of Members of Parliament in 1820 and 1830, and an alderman's affidavit of 1831 that a true return had been made. *See also 34 and 35 above.*

## MARLBOROUGH

THE borough of Marlborough has a long history of the enjoyment of privileges and immunities. John's charter of 1204 established the right to hold an annual fair and a weekly market on Wednesdays and Saturdays and granted the burgesses a guild merchant. In general the burgesses were to enjoy such franchises as were enjoyed by their fellows of Winchester and Oxford. The borough received authority from Henry III to hold a second fair in 1229 and a third in 1246. Nevertheless in 1239 the freedom from toll which had been enjoyed by the burgesses generally was limited in Southampton to members of the guild merchant only. Charters of confirmation followed from each succeeding monarch, except Edward I, until 1408, when Henry IV granted a quittance from murage, quayage, coverage and chiminage on goods and merchandize. Another series of confirmatory charters followed, until in 1576 the borough was incorporated by Elizabeth. Henceforth the burgesses were to enjoy the services of the mayor and two burgesses as justices of the peace with the same powers as the county justices except the determination of felonies (unless by special licence from the Crown), and the mayor was to act as escheator, coroner and clerk of the market within the borough. The burgesses were empowered to have a town gaol and to make by-laws. (It would seem probable that the roll of orders still extant (39) was begun as a direct result of this charter.) The town was governed under Elizabeth's charter until 1835 except for two periods: in 1657 Cromwell gave the borough a new constitution by charter which was effective until the Restoration; and in 1688 the borough received a charter from James II which, including as it did clauses effectively enabling James to control the personnel of the borough himself, was happily set aside by the proclamation of 1688.

Marlborough was royal demesne from the 12th century. It eventually became the custom to grant the lordship in dower to the Queen Consort for the time being. By the mid-14th century the burgesses were farming some of the issues of the borough for £18 per annum. This fee farm rent was being paid in 1496 to Queen Elizabeth and in 1512 to Queen Katharine. By 1547 the lordship had been granted to Edward Seymour, Duke of Somerset. He and his successors continued to enjoy the rent. For their part the Seymours, and after them the Bruces, leased properties to the corporation until 1835. These properties included part of the Market House, and part of the common lands, the Portfield and the Thorns. There seems some reason to believe that these common lands had been held by the burgesses since the 13th century;<sup>1</sup> in 1830 'Mr. Merriman and Mr. Merriman Junr. the Town Clerk stated that the Corporation was not, and never to their knowledge

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<sup>1</sup> James Waylen, *A history military and municipal of the town . . . of Marlborough . . .*, 1854, 102-3.

## WILTSHIRE BOROUGH RECORDS

had been in possession of any Grant Charter or Conveyance of the Portfield to shew how it had come into the possession of the Corporation and by what right they held it they know not'.<sup>1</sup> The Portfield consisted of about 80 acres of land allotted to the burgesses according to their number; in 1823 it was enclosed. The Thorns, of about equal size, was held for common of pasture.

The fine series of court records show that during the sixteenth century four separate courts were being held in the borough called the Mayor's Court, the Court of Morrow (or Morning) Speech, the Court of Pie Powder and the View of Frankpledge. The Mayor's Court was being held roughly every three weeks, receiving ward presentments and trying civil actions; the Court of Morrow Speech assembled generally four times every year and concerned itself with the election of the mayor, the admission of new burgesses and the proclamation or publishing of conveyances; the Court of Pie Powder met on Saturdays and performed the customary functions associated with such courts elsewhere of settling market disputes; the View of Frankpledge dealt with misdemeanours and nuisances in orthodox manorial fashion. By 1614, however, these four courts were no longer being recorded in a single series of books. An assembly called 'The Court of Three Weeks in Three Weeks with Court of Morrow Speech' was now transacting the business of the earlier Mayor's Court and of the Court of Morrow Speech except for civil pleas. These were being heard in the 'Town Court' or 'King's Court' for which another series of records exists, albeit only from 1641 (Section M). It seems possible that market disputes were now being dealt with by the mayor in a court under his presidency as clerk of the market, but confirmation is difficult as although minutes of such a court are extant they date only from 1785. From this time the View of Frankpledge, probably under the name of Court Leet, gradually became a Court of Quarter Sessions for which there are evidences in a notebook of 1584-1624, sessions papers from 1707 and minutes from 1711. A reference to the separate existence of a Court Leet in 1835 held twice a year<sup>2</sup> does not seriously confound this conjecture as the courts of this borough are notorious for the confusion of their names and it is most likely that the chief attributes of the borough Court Leet had (by 1835) long since passed to Quarter Sessions. Indeed, lists of inhabitants returned by the borough constables to the Court Leet in and before 1739 were, after 1771, being returned to the sessions court. Despite the provisions of Elizabeth's charter, felonies were tried until 1824 when it was discovered that authority had been exceeded. In 1835 the court for civil pleas was continuing to function and also a 'Court of Pie Powder',

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<sup>1</sup> From text of no. 234.

<sup>2</sup> Municipal Corporations (England and Wales), Appendix to 1st Report of Commissioners, 1835.

## MARLBOROUGH

which was presumably the Court of the Clerk of the Market, for which minutes exist to 1851.

The number and functions of the borough officers show a gradual development. There is evidence that the mayor was assisted by two *prepositi* or constables in 1397 and in 1445 by two bailiffs and two sub-bailiffs.<sup>1</sup> In 1515 there were also five aldermen, one for each ward of the borough. These were renamed 'constable' in 1649 in order to conform to common usage elsewhere, and presumably the title of high constable for the superior officers also dates from this time. The five constables, originally elected at the Court of Morrow Speech, were eventually appointed and sworn at the borough sessions. Their office steadily declined in importance until by 1783 they appeared at court by deputy. It is not clear when a town clerk *eo nomine* is first reckoned among the borough officers but Cromwell's charter included this office as well as that of a recorder in 1657. There had certainly been an officer discharging the duties of clerk of the peace since the late 16th century and in the 18th century the two offices are seen combined in one. By 1835 there were also two serjeants-at-mace and a beadle.<sup>2</sup>

There were two chamberlains in charge of the borough treasury until 1592 and one from 1593 to 1835. Their accounts from 1552 are among the more important surviving records of the borough.

During the 16th century the number of burgesses remained between 60 and 80, of which about one third were 'of the Council' including the mayor. A decline set in in the 17th century and by 1705 the number had dropped to 42 including a council of 10. According to Waylen<sup>3</sup> from 1740 the council had become the corporation proper and the numbers of both council and 'undignified', as the other burgesses were now called, diminished rapidly until in 1793 they stood at 6 and 2 respectively, a total of 8 burgesses. The Commissioners of 1835 report that there were 9 burgesses in 1810, 10 in 1820 and 11 in 1830.

Until the Reform Act the predominant interest in the representation of the borough was that of the manorial lords, the families of Seymour and Bruce, challenged, it is believed, in the early years of the 18th century by the Dukes of Marlborough.<sup>4</sup> From 1679 until 1832 the borough endured periodic disputes about particular elections and indeed over the right of election generally. The corporation contended that the right lay in the select body of mayor and sworn burgesses while the objectors claimed that the

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<sup>1</sup> From enrolled deeds of these dates (see Section K).

<sup>2</sup> Mun. Corps., *op. cit.*

<sup>3</sup> Waylen, *op. cit.*, 413.

<sup>4</sup> Waylen, *op. cit.*, 372.



## WILTSHIRE BOROUGH RECORDS

electorate included 'inhabitant householders' or 'the populace paying scot and lot'. There is evidence that on at least two occasions matters were taken to the House of Commons for settlement.

The Grammar School,<sup>1</sup> founded in 1550 by Edward VI, is represented in this list by an account book and a bundle of receipted bills (**226**) which relate to the rebuilding undertaken in the late 18th century. 'Orders for the better government of the Free School' were in custody in 1715<sup>2</sup> but are no longer to be found. It is possible that they were transferred to the Trustees of the Marlborough Municipal Charities in 1835.

Since 1581 Marlborough had endured a succession of calamitous fires, the worst being that of 1653 when over 224 houses were destroyed. A fire in April 1690 resulted in a petition for a bill to prevent the re-thatching of houses in the borough which was enacted in the same year, and in 1747 a number of townsmen formed an association to subscribe for the maintenance of two fire-engines and buckets.

In 1774 an association for the prosecution of felons was formed with the town clerk as secretary.

In the list that follows every effort has been made to arrange miscellaneous documents under the several organs of borough government that created or considered them. For convenience sake, however, it has sometimes been necessary to resort to a topical rather than an organic arrangement. For instance the various records extant concerning market matters have been grouped together under 'The Clerk of the Market' despite the fact that the office of chamberlain is known to have had some connection with weights and measures and that market presentments may very well have been received at the borough sessions or leet court between 1576 and 1785. Known *lacunae* have been chiefly noted in their appropriate sections; others are: a subsidy assessment of 1641 and three articles of agreement concerning the workhouse, 1675 and 1681, and the almshouse, 1678; all recorded as extant in 1715 in no. **278**. All the documents are in the custody of the Town Clerk, the majority in three chests in the Town Hall; the rest, including the charters, are at the Council Offices.

Many extracts from the records have been set out in James Waylen's *A history military and municipal of the town . . . of Marlborough . . .*, 1854. In the years 1928 and 1929 the late B. H. Cunnington examined the borough archives and published the following: extracts from **111** 1, **138** and **204**,

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<sup>1</sup> Its history has been traced by Mr. A. R. Stedman in *A history of Marlborough Grammar School*, reprinted in part from the *Wiltshire Archaeological Magazine*, LI, 41-112.

<sup>2</sup> They are noted in no. **278**.

## MARLBOROUGH

in his *Presentments of the Grand Jury of the Quarter Sessions, Leet & Law Days held at Marlborough 1706 to 1751, and some 18th and early 19th century inquests*, (Devizes, 1929); transcripts of **39** and **91**, in *The orders decrees and ordinances of the borough and town of Marlborough (Wilts)*, (Devizes, 1929); extracts from **273** and a transcript of **195** in the *Wiltshire Archaeological Magazine*, Vol. XLIV, 314-321; and extracts from **205** in the *Marlborough County Paper*, 1929.<sup>1</sup>

### A ORIGINAL CHARTERS

- |          |                     |          |                     |
|----------|---------------------|----------|---------------------|
| <b>1</b> | 2 Hen. V (1414);    | <b>2</b> | 3 Hen. VI (1425);   |
| <b>3</b> | 11 Hen. VII (1496); | <b>4</b> | 3 Hen. VIII (1512); |
| <b>5</b> | 1 Edw. VI (1547);   | <b>6</b> | 4 Jas. II (1688).   |

Nos. **1**, **2** and **5** are confirmatory only; nos. **3** and **4** are precepts to the respective effect that Elizabeth, consort of Henry VII, and Katherine, consort of Henry VIII, shall enjoy certain liberties, franchises and privileges in and from Marlborough as from other boroughs; no. **4** is issued in the Queen's name.

### B TRANSCRIPTS AND TRANSLATIONS OF CHARTERS, ETC.

- 7** c. 1682. Case of the mayor and burgesses against the surrender of their charters.
- 8** c. 1719. Transcript of charter of 18 Eliz. (1576).<sup>2</sup> Attested 30 June 1719-27 March 1827.
- 9** c. 1800. Copy of translation of charter of 30 Eliz. (1588) to City of Winchester.
- 10** c. 1827. Transcript of Chancery enrolment of charter of 6 John (1204). Attested 27 March 1827.
- 11** 1893. 'Translation of the Charter of James II as it appears on the Patent Roll (Chancery) 4 James the Second Part 21. No. 1' (1688).

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<sup>1</sup> A scrapbook of newscuttings of these extracts is in the Town Clerk's custody.

<sup>2</sup> The original of this charter must have disappeared from the borough archives since 1715 as it is listed in no. **278**.

WILTSHIRE BOROUGH RECORDS

C GENERAL ENTRY BOOKS

- |                                   |                      |
|-----------------------------------|----------------------|
| <b>12</b> 1501-2;                 | <b>13</b> 1514;      |
| <b>14</b> 1514-15;                | <b>15</b> 1524-5;    |
| <b>16</b> 1532-3;                 | <b>17</b> 1536-7;    |
| <b>18</b> 1542-3;                 | <b>19</b> 1553-4;    |
| <b>20</b> 1614-36;                | <b>21</b> 1636-46;   |
| <b>22</b> 1646-65;                | <b>23</b> 1666-84;   |
| <b>24</b> 1684-96;                | <b>25</b> 1696-1706; |
| <b>26</b> 1696-1706; <sup>1</sup> | <b>27</b> 1706-13;   |
| <b>28</b> 1713-21;                | <b>29</b> 1721-30;   |
| <b>30</b> 1730-36.                |                      |

From 1501 to 1554 these books record the business of the Mayor's Court, the Court of Morrow (or Morning) Speech, the Court of Pie Powder, and the View of Frankpledge. From 1614 to 1736 entries are confined to those of the business transacted at a court called the Court of Three Weeks in Three Weeks with Court of Morrow Speech (*see* introduction to list para. 3).

D MINUTES OF THE MAYOR'S COURT OR  
THE COURT FROM THREE WEEKS TO THREE  
WEEKS WITH THE MORNING SPEECH COURT

- 1771-89. 'Minute Book', deteriorating into notes of leases entered into. *At end of 205 3 below.*
- 31** 1770-82. Two unnumbered documents 1770-1, and documents nos. 1-11, 13-22, 24-43, 1772-82.
- 32** 1783-98. Ditto 44-5, 47-79, 81-101.
- 33** 1799-1808. Ditto 102-140.
- 34** 1809-24. Ditto 141-204.
- 35** 1825. Document no. 205.

<sup>1</sup> Another copy of **25** in paper instead of in parchment covers.

## MARLBOROUGH

1825-35. 41 unnumbered documents. With paper detailing expenses  
? of town clerk, late 18th century.

- 36** 1824-6. 'Morning Speech Court Book'.

### E COURT OF MORROW (OR MORNING) SPEECH—MISCELLANEOUS DOCUMENTS

- 37** 1727, 1767-72. Notes of the dates for holding the Court of Morrow  
Speech. Two papers, the second bearing yearly corrigenda.
- 38** c. 1750. Form of words used by crier in calling the Mayor's Court  
and Morning Speech Court.

### F BY-LAWS

- 39** (1576)-1690. Roll of orders, decrees and ordinances of the borough  
Parchment roll of 16 membranes ending with signatures of those  
testifying in accordance with the Act declaring the Rights and  
Liberties of the Subject, 1696-1700.
- 40** 1759-73. 'A Book or Entry of Bye-Laws'. Four entries only: 1759,  
1759, 1772, 1773, of particular as well as general concern; one is  
merely a memorandum of a lease.

### G PARLIAMENTARY ELECTIONS

#### *Returns*

- 41** 1774-1868.<sup>1</sup> Counterpart indented returns of the election of members  
of Parliament. 1 bundle of 36 documents.

#### *Other documents*<sup>2</sup>

- 42** c. 1679. 'The Case touching the right of Election of parliament men  
within the Burrough of Marleborough'.
- 43** 1735. 'The Case of Thomas Newnham & Benjamin Hayes Esqs.;  
Petitioners for the Borough of Marlborough . . . '.
- 44** 1735. 'The Case of Edward Lisle and Francis Seymour, Esqs., Sitting-  
Members for the Borough of Marlborough . . .'. Two copies of a  
printed broadsheet.

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<sup>1</sup> Two returns for 1679 and one for 1705 were in existence in 1715—they are noted  
in no. **278**.

<sup>2</sup> A bundle of 35 papers concerning 'the popular election' is noted in **278** but is no  
longer to be found.

## WILTSHIRE BOROUGH RECORDS

- 45** 1735. 'Votes of the House of Commons' 27 & 28 March 1735. Two printed broadsheets referring to an alleged undue election and return for the borough.
- 46** 1741, 1790. Mayor's affidavits as returning officer in Parliamentary elections. 2 documents.
- 1744. Record of mayor's oath for a true return in a Parliamentary election. *In* **81** *below*.
- 1747. Ditto. *In* **82** *below*.
- 1761-81. Note of members for the borough. *See* **57** *below*.
- 47** 1830. Statement of documentary evidence on the part of the corporation in an enquiry to be made before a committee of the House of Commons concerning the right of election of Members of Parliament for the borough.<sup>1</sup> With verbatim report of proceedings in said committee in 2 vols. and c. 70 ff. of loose papers.
- 48** 1832. Correspondence concerning the area and extent of certain boroughs. 'In-letters' addressed to returning officer for the borough. 1 bundle of 9 documents.

### H THE MAYORALTY

#### *Concerning the mayor's feast*

- 49** 1720. Articles of agreement indented between mayor and burgesses and Roger Williams to pay the latter £50 and interest in repayment of a loan made by him to the then mayor to cover cost of feast in 1715.
- 50** c. 1731. Four papers listing names of persons to be invited.
- 51** 1748-51. 3 drafts of letters of invitation.
- 52** 1763. A copy of an invitation.
- 53** 1775. Ditto.

#### *Other records*

- 54** 1714-15. Writ of *quo warranto*, list of jurors and information in a case before King's Bench, *Rex v. Roger Williams*. Williams was charged with assuming the office of mayor without warrant. A verdict that he had not been duly chosen mayor was returned.

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<sup>1</sup> The case for the plaintiffs is in the possession of Dr. W. B. Maurice, who also possesses 10 handbills issued in connection with the elections of 1819, 1820 and 1832. Over 690 documents from the office of John Woodman, solicitor, dealing with the Marlborough elections and subsequent petitions against undue returns of 1826-32 are in the Wiltshire County Record Office at Trowbridge (Accession no. 124).

## MARLBOROUGH

- 55** c. 1750. Form of procedure to be followed by statute should a mayor not hold a court on the right day for electing his successor.
- 56** 1781 and c. 1806. Form of procedure for the swearing in of the mayor at a Morrow Speech Court. 2 documents.
- 57** c. 1782. List of mayors 1700-1782, incomplete. With note of members of Parliament for the borough 1761-81.
- 58** Late 18th century and c. 1806. Form of procedure at election of mayor. 2 documents.
- 59** c. 1805. Form of charges to the mayor elect.

### I BURGESSES

#### *Admissions*

- |                        |                               |
|------------------------|-------------------------------|
| <b>60</b> 1737;        | <b>61</b> 1741 (2 documents); |
| <b>62</b> 1744;        | <b>63</b> 1769. Draft;        |
| <b>64</b> 1772. Draft; | <b>65</b> 1779. Draft.        |

#### *Other records*

- 66** 1770-82. List of burgesses, 1770, with corrigenda to 1782.
- 67** 1783-1804, 1814-33. Book of admissions of burgesses.

### J OATHS, DECLARATIONS AND CERTIFICATES

#### *Oath books and rolls*

- 68** 1604, etc. 'The booke of oathes', setting out the forms of oaths to be sworn and subscribed by borough officers and others under Statutes 1 Eliz. c. 1, 3 Jas. 1, c. 4, an ordinance of 1648, Statute 27 Eliz. c. 12, etc.
- 1610-11. List of persons taking oath of obedience under Stat. 3 Jas. I, c. 4. *See* **107** 4.
- 1696-1700. Roll of oaths of Allegiance and Supremacy sworn as laid down in the Act declaring the Rights and Liberties of the Subject, before Quarter Sessions. *At end of* **39** *above*.
- 69** 1702-8. Roll of oaths of Allegiance, Abjuration and Supremacy, sworn as amended by Stat. 1 Anne (b), c. 16 before Quarter Sessions.

*WILTSHIRE BOROUGH RECORDS*

- 70** 1705-15. Roll of Declarations against Transubstantiation, before Quarter Sessions.
- 71** 1710. Roll of subscription of Edward Morris to the 'Thirty-Nine Articles, before Quarter Sessions.
- 72** 1714-15. Roll of oaths of Supremacy only; before Quarter Sessions.
- 73** 1715. Roll of oaths of Allegiance, Abjuration and Supremacy, with Declarations against 'Transubstantiation. Before Quarter Sessions.
- 74** 1715-22. Ditto.
- 75** 1716-29. Roll of oaths of Allegiance, Abjuration and Supremacy only, before Court of Quarter Sessions.
- 76** 1723. As **73**.
- 77** 1723-24. Ditto, but before Court of Morrow Speech as well as before Quarter Sessions.
- 78** 1723-29. Roll of oaths of Allegiance, Abjuration and Supremacy only, before courts of Morrow Speech and Quarter Sessions.
- 79** 1724-31. Roll of oaths of Allegiance, Abjuration and Supremacy, with Declarations against 'Transubstantiation. Before courts of Morrow Speech and Quarter Sessions.
- 80** 1736-39. Ditto.
- 81** 1739-45. Ditto. With record of mayor's oath for a true return in a Parliamentary election, 1744.
- 82** 1745-49. Ditto. Ditto, 1747.
- 83** 1749-54. Ditto, without mayor's oath.
- 84** 1767-80. As **79**.
- 85** 1778. Roll of oaths of Allegiance sworn by papists at Quarter Sessions under Act of 18 Geo. III, c. 60.
- 86** 1780-1819. As **79**.
- 87** 1820-29. Ditto.
- 88** 1828-29. Roll of declarations made at courts of Morrow Speech and Quarter Sessions by officers under Act of 9 Geo. 4, c. 17, in lieu of sacramental test.
- 89** 1830-35. Roll of oaths of Allegiance, Abjuration and Supremacy, with Declarations against Transubstantiation and in lieu of sacramental test. Before courts of Morrow Speech and Quarter Sessions.

MARLBOROUGH

*Sacrament certificates*

- 90** 1715-1827. One file and one bundle.
1. 1715-24, 1730-33, 1736-54, 1775-1819. File;
  2. 1821-27. Bundle.

*Other cognate records*

- 91** 1680. Copy of certificate to the King that corporation officers have taken the sacrament of the Lord's Supper and sworn the statutory oaths.

K ENROLMENT AND DEPOSIT OF DEEDS OF  
GIFT, BARGAIN AND SALE, ETC.<sup>1</sup>

- 92** 1311. Gift.
- 93** 1360. Ditto.
- 94** 1389. Quitclaim. Once sealed with common seal of borough.
- 95** 1390. Gift. Common seal of borough.
- 96** 1397. Gift. Once sealed with common seal of borough.
- 97** 1429. Ditto. Ditto.
- 98** 1445. Ditto. Witnessed by mayor, 2 bailiffs and 2 sub-bailiffs.
- 99** 1478. Quitclaim. Once sealed with common seal of borough.
- 100** 1479. Gift. Common seal of borough—imperfect.
- 101** 1507. Gift. Fragment of common seal of borough.
- 102** 1507. Gift.
- c. 1523. Gift. Published at 3 Morrow Speech Courts, 1523-24. *Filed with bundle of leases (259), 1540-1874.*
- 1529. Gift. Common seal of borough. Published (at 3 Morrow Speech Courts) 1529. *Filed with bundle of leases (259), 1540-1874.*
- 1622. Enrolment of a deed of feoffment of 1621 at a Morrow Speech Court. *Filed with bundle of leases (259), 1540-1874.*
- 103** 1637. Bargain and sale.

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<sup>1</sup> Nos. **92** to **102** of this section, with a lease noted in **259** and nos. **243**, **244** and **246** below, have been mounted and filed in a folder endorsed 'Deeds (Pre Elizabethan)' by Mr. R. W. Merriman, town clerk in the late 19th century.



WILTSHIRE BOROUGH RECORDS

- 104** 1649. Enrolment of 2 deeds of bargain and sale, 1632 and 1649. Published at 3 Morrow Speech Courts in 1649.
- 105** 1650. Ditto of deed of bargain and sale, 1648. Published at 3 Morrow Speech Courts, 1650.
- 106** c. 1651. Ditto of 2 deeds of bargain and sale, 1648 and 1647. Published at 3 Morrow Speech Courts, 1650-51.

L COURT OF QUARTER SESSIONS

*Note and minute books*

- 107** 1585-1624. Volume containing :—
1. 1585-1624. Lists (a) of categories of armour provided by named inhabitants; (b) of men appointed as trained soldiers; (c) of inhabitants subsidizing maintenance of trained soldiers; and (d) of yearly subsidies paid;
  2. 1612. List of freeholders subsidizing the marriage of Princess Elizabeth;
  3. 1612. List of freeholders living outside the borough;
  4. 1610-11. List of persons taking the oath of obedience under Stat. 3 Jas. I, c. 4;
  5. 1613. List of persons subscribing money by order of Privy Council;
  6. Trin. 1598. Transcripts of orders of Star Chamber following Statute of Rogues 39 Eliz. c. 4;
  7. c. 1598. Copies of resolutions and advices concerning the statutes to do with vagabonds and the relief of the poor;
  8. 1598. Copies of orders of Quarter Sessions at Devizes concerning the like;
  9. 1587. Record of the licensing of badgers at Quarter Sessions (under Stat. 5 Eliz. c. 12).

This volume has been classified here for convenience. It is clearly a notebook of the chief executive officer as much in his capacity as town clerk as in that of clerk of the peace but to list it elsewhere would have been to isolate it unnecessarily.

- 108** 1711-20. Sessions of the peace. General entry and minute book.

MARLBOROUGH

**109** 1772-1824. Court of Quarter Sessions, leet or law-day. Rough minutes. 4 bundles.

1. 1772-84;
2. 1785-95;
3. 1796-1807;
4. 1808-24.

**110** 1824-35. Minute or entry book.

*Sessions papers*

**111** 1707-1835. Presentments of the grand jury. 1 volume and 4 bundles.

1. 1707-53. Presentments, mounted in a volume. With transcriptions by B. H. Cunnington;<sup>1</sup>
2. 1737-49. One bundle of loose presentments, once filed;
3. 1771-99. Ditto;
4. 1800-24. Ditto;
5. 1834-35. One bundle of copies of presentments.

**112** 1714-1835. Examinations, informations, memoranda, warrants, writs, recognizances and depositions. 7 bundles.

1. 1714-24. Once filed;
2. 1715-26. Ditto;
3. 1732-1807;
4. 1741-49. Once filed;
5. 1829-34;
6. 1831-33;
7. 1833-35.

**113** 1729-1834. Precepts, orders, warrants, writs and summonses. 2 bundles and 5 items.

1. 1729-33. Bundle of precepts to the bailiffs to proclaim the forthcoming general Quarter Sessions, to summon jurors, etc., and to apprehend certain persons;
2. 1732. Warrant to apprehend vagrants addressed to churchwardens of St. Peter's parish;
3. 1740. Writ to bailiffs to summon inhabitants of St. Mary's parish;
4. 1753. Warrant for the appearance of persons to enter into recognizances;

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<sup>1</sup> Published by B. H. Cunnington as *Presentments of the Grand Jury of the Quarter Sessions, Leet & Law Days held at Marlborough 1706 to 1751 . . .* (Devizes, 1929).

*WILTSHIRE BOROUGH RECORDS*

5. 1774. Copy of order to raise a hue and cry for the robbers of Daniel Lovel;
  6. 1830-38. Bundle of summonses to sessions;
  7. 1834. Summons to appear to answer a charge.
- 114** 1737 etc. Lists of inhabitants by wards returned by constables to Court Leet (to 1739) and Quarter Sessions (1772 *et seq.*). Years represented are 1737-39, 1772-77, 1779, 1781-83, 1785-88, 1790-92, 1794-97 and 1799.
- 115** 1755-56. 5 lists or returns of grand jurors summoned.
- 116** 1792-1833. Bundle of indictments including blank forms.
- 117** 17th-19th centuries. Miscellaneous loose informations, indictments, etc. 11 documents.

*Estreat records*

- 118** 1750. Estreat of fines, issues and amerciaments paid 1749-50.
- 119** 1772-1835. Draft estreats of fines, etc., paid 1772-73, 1794, 1798-1810, 1813-28 and 1830-35. 37 documents.
- 120** 1827-35. Treasury demands for estreats of fines, etc. With blank forms for return. 1 bundle.
- 121** 1830-34. Roll of fines, etc., paid. Roll of 5 membranes.

*Deposited certificates of meeting houses*

- 122** 1721. Certification of a meeting house for protestant dissenters.
- 123** 1727. Ditto.
- 124** 1727. Ditto for Quakers.

*Enrolments of orders for the diversion and  
closure of footpaths*

- 125** 1821. Order for closing footpath from Rawlingswell to Stonebridge Lane.
- 126** 1821. Order for closing 2 footpaths through St. Mary's churchyard.
- 127** 1823. Order re-arranging footpaths from Back Lane to Kingsbury Street.



WILTSHIRE BOROUGH RECORDS

- 141** Late 18th-early 19th centuries. One bundle and 11 items of documents almost entirely precedents, instructions, charges and the like for use at Quarter Sessions, including printed forms used by clerks to justices of Bridport Division of Dorset concerning highway administration.

*Miscellaneous documents*

- 142** 1705. Copy of Privy Council letter addressed to Custodes Rotulorum in England concerning raising recruits for land and marine forces.
- 1705-11, 1720-31. Notes concerning sessions business, chiefly special sessions of justices for the repair of highways. *At end of 165 and 166 below.*
- 143** 1708. Three memoranda and one certificate of the recruitment by justices of volunteers and impressed persons into a regiment of foot.
- 144** 1746-47. An original and draft escape warrant and a letter concerning the escape of two prisoners from the town prison.
- 145** 1748. Draft order of justices for preventing the spreading of distemper in horned cattle.
- 146** 1753. Fair copy and draft of indictment of John Pithouse for refusing to act as overseer of the poor.
- 147** 1756. Copy of notice to churchwardens and overseers of the poor of St. Mary's parish to appear before justices to present their accounts for the year.
- 148** 1757. Duplicate copy of appointment of overseers of the poor for parish of SS. Peter and Paul.
- 149** 1776. Draft summons to the parish officers to swear to their accounts.
- 150** 1777. Copy of order appointing the hayward and regulating the use of the common land.
- 151** 1799-1811. Bundle of letters and informations concerning deserters from military service.
- 152** 1809. Copy of notice of reward of £10 offered for information of the persons who had broken turnpike lamps.
- 153** 1831. Copy of notice to an enrolled man to report for training in the Wiltshire Regiment of Militia.

MARLBOROUGH

M COURT OF CIVIL PLEAS, 'TOWN COURT'  
OR 'KING'S COURT'

*Minute books*

<b>154</b>	1641-42;	<b>155</b>	1651-52;	<b>156</b>	1654-55;
<b>157</b>	1655-56;	<b>158</b>	1656-57;	<b>159</b>	1657-58;
<b>160</b>	1658-59;	<b>161</b>	1659-60;	<b>162</b>	1660-61;
<b>163</b>	1670-71;	<b>164</b>	1689-90;	<b>165</b>	1703-11;
<b>166</b>	1720-32;	<b>167</b>	1732-36;	<b>168</b>	1736-42;
<b>169</b>	1742-54;	<b>170</b>	1780-96;	<b>171</b>	1805-12;
<b>172</b>	1812-19.				

Nos. **165** and **166** contain notes concerning Quarter Sessions business, chiefly special sessions of justices for the repair of highways, 1705-11 and 1720-31; no. **167** a note of victuallers licensed by Quarter Sessions, 1732-33; and no. **171** a list of the 'Clark of the Marketting Jury for 1811', loosely inserted.

*Declarations, pleas and demurrers*

- 173** c. 1490. Declaration in a plea of trespass. Complaint by William Hede the younger of robbery by his servant. Probably submitted to court baron but cognate to this court which probably superseded it.
- 174** 1701-14. 1 file endorsed 'Declaracons 1703'. The declarations earlier in date than 1703 were probably submitted to court in that year.
- 175** 1715-22. 1 file.
- 176** 1722-33. Ditto.
- 177** 1736-43. Ditto.
- 178** 1749-55. Ditto.
- 179** 1818-44. Ditto.

*Notices of declarations*

- 180** 1812-44. 1 bundle.

*Writs*

- 181** 1725-1825. 1 bundle, 1 file and 9 items of writs of inquiry, *venire facias*, *habeas corpus*, etc., precepts and cognate records.

WILTSHIRE BOROUGH RECORDS

*Affidavits of debts*

**182** 1730-54. 10 files or bundles.

- |             |              |
|-------------|--------------|
| 1. 1730-33; | 2. 1736-37;  |
| 3. 1737-38; | 4. 1738-41;  |
| 5. 1741-44; | 6. 1744-47;  |
| 7. 1747;    | 8. 1748-52;  |
| 9. 1752-54; | 10. 1754-57. |

*Bail certificates*

**183** 1706-19. 4 files.

- |            |             |
|------------|-------------|
| 1. 1706-7; | 2. 1707-8;  |
| 3. 1708-9; | 4. 1715-19. |

*Other documents*

**184** 1792. Correspondence, notices and a warrant for the arrest of John Robinson or Robertson, detained on suspicion. Bundle of 10 papers.

— 1792. Two letters, one from Bow Street, and an examination concerning John Robertson or Robinson. *Bundled with 227 below.*

**185** 18th century. Forms of bail and special bail. 2 documents.

**186** Late 18th and early 19th centuries. Precedents and forms for indictments, returns, etc., chiefly for the town court; some used. Bundle of 22 items.

**187** 1823. Printed notice issued by town clerk for a meeting of inhabitants to discuss petitioning Parliament against the Insolvent Debtors Acts.

— 1823. Note of resolutions made by meeting referred to in **187** above. *Filed with 112 5 above.*

N THE CLERK OF THE MARKET

*Minutes of the court*

**188** 1785-1851. Minute books.

- |               |             |             |
|---------------|-------------|-------------|
| 1. 1785-1805; | 2. 1806-33; | 3. 1834-51. |
|---------------|-------------|-------------|

*Weights and measures*

— 1610. Note of weights and measures in the Council House made in 1588. *In 205 2.*

## MARLBOROUGH

- 189** 1670. Counterpart of an indented receipt for standard weights and measures.
- 190** 1700. Ditto.
- 191** 1790. Copy of return of weights and measures used in borough called for by House of Commons. With relevant order and correspondence.
- 192** 1792. Advertisement for the sale of the Winchester Metal Standard Bushel Measure, addressed to borough Corn Inspector.
- 193** 1823-25. Correspondence concerning weights and measures from manufacturers and others. (Act for establishing uniformity of weights and measures, 5 Geo. IV, c. 74, refers.) 7 letters with enclosures, and 4 copies of a cognate notice from the borough of Newbury, Berks.
- 194** 1835. Indented copy of verification of standard weights and measures intended for the use of the borough inspector.

### *Other documents*

- 195** 1634. Papers in a case brought by the bakers of the borough including a copy of a petition to the Privy Council.
- 196** 1727-33. Warrants to summon juries, etc., for bakers' assizes and the assize of weights and measures. Bundle of 6 items.
- 197** 1749. Presentment of the sale of unwholesome beef in the market.
- 198** 1752. Note of the burning of a neck of veal by the mayor.
- 199** 1752. Draft advertisement of the change of date for holding St. Martin's fair to 22 Nov. 1752.
- 200** 1757. Copy of order forbidding buying and selling corn by sample.
- 201** 1787. Draft letter from town clerk to a Mr. Bradford concerning butter short in weight.
- 202** 1800-38. Original and draft appointments of market, setting out disposition of stalls, etc. With cognate plans and papers. 1 bundle.
- 1811. List of the 'Clark of the Marketting Jury for 1811'. *Inserted in 171 above.*

### O CORONER'S RECORDS

- 203** 1727, 1728, 1733. 3 warrants to summon coroner's juries.



WILTSHIRE BOROUGH RECORDS

**204** 1773-1835. Coroner's inquisitions indented, with ancillary orders, lists of witnesses, etc. 4 bundles, the last including precedent and blank papers.

1. 1773-1804;
2. 1805-17;
3. 1817-30;
4. 1832-35.

P THE CHAMBER OF THE BOROUGH

*Accounts*

**205** 1552-1835. General accounts.

1. 1552-53. *In 19 above*;
2. 1572-1727, 1745-71;
3. 1730-46;
4. 1771-1802;
5. 1803-35.

No. 2 contains a note, 1610, of weights and measures in the Council House made in 1588; no. 3 (from end) contains corporation minutes, 1771-89, deteriorating into notes of leases entered into; and in no. 5 there is an account of Mr. T. Merriman, 1800-1, inserted loosely.

**206** 1628. Account of moneys disbursed by mayor and inhabitants for conducting and billeting soldiers. 1 roll of 2 membranes.

**207** 1709-24, 1745-55. Accounts, probably of town clerk's expenses. 2 documents.

**208** 1719-20. Account of moneys disbursed 'on the tol account . . .', probably by bailiffs.

**209** 1721. Account of money paid 'to Mr. Bayly' since 1709.

— 1773. Account of the mayor's expenses allowed 1773. *In 236. See also 216 below.*

**210** 1778-1830. Six miscellaneous papers, chiefly accounts.

**211** 1830. Account of expenses incurred in the improvement of Kingsbury Street.

*Vouchers to accounts: general*

**212** 1773-94, 1799. 23 yearly bundles.

MARLBOROUGH

*Vouchers for particular business*

- 213** 1651. Receipt for £10 due to Edward Ewen from the chamberlain.
- 214** 1678. Receipted bill for money paid 'for releefe poore travellers sense the 18 August 1678.'
- 215** 1678-1835. 4 bundles and three items of receipts and receipted bills for goods and services ordered by the corporation.
- 216** 1679-1772. 3 bundles and 3 items of receipts and receipted bills chiefly for expenses of the mayor and other officers.
- 217** 1745-1835. 41 receipts from the Marquess of Ailesbury to the mayor and burgesses for rents for part of the Market House, Portfield, Thorns and part of the shambles. Apparently incomplete.
- 218** 1746-72. Receipts from the incumbent and churchwardens of the parish of Wylve to the mayor and chamber for £8 annually, the gift of the late Christopher Willoughby. Incomplete series.
1. 1746-71. Bundle of 18 receipts.
  2. 1772. 1 receipt. *Filed with 216 above.*
- 219** 1748-1820. Receipts for fee farm rents paid by the chamberlain for five Crown properties in the borough. 1 bundle—incomplete.
1. 1748-70;
  2. 1748-70;
  3. 1806-20;
  4. 1806;
  5. 1807-20.
- 220** 1751-69. Receipted and other bills chiefly for disbursements of the constable. Bundle of 11 items.
- 221** 1751-69. Receipts and receipted bills chiefly for carriage of materials for highway repairs. Bundle of 5 items.
- 222** 1752-58. Receipted bills for medicine and attendance, chiefly ordered by the officers of St. Peter's parish.
- 223** 1757-71. Receipts from local excise office for duty paid yearly on 100 oz. of silver plate. Bundle of 10 items.
- 224** 1761-62. 3 receipts for land tax paid on unspecified property.
- 225** 1766-70. Receipts for payments to constables and ringers. Bundle of 12 papers.
- 226** 1789-93. Receipted bills and an account book, 1790-92, relating to the rebuilding of the Grammar School. Incomplete. 1 bundle.
- 1800-1. Account of T. Merriman. *Inserted loosely in 205 5 above.*

WILTSHIRE BOROUGH RECORDS

- 227** 1806-32. Received and other bills chiefly for town crier's salary and expenses. Bundle of 20 items.

*Rentals*

- 228** General rent rolls.

- |              |             |
|--------------|-------------|
| 1. 1599;     | 2. 1604;    |
| 3. 1616;     | 4. 1708-9;  |
| 5. 1745;     | 6. 1749-71; |
| 7. 1771;     | 8. 1808;    |
| 9. 1814;     | 10. 1817;   |
| 11. 1819;    | 12. 1820;   |
| 13. 1823-34. |             |

Single rolls except nos. 6 and 13 (of 23 and 12 rolls respectively); no. 7 is a rent roll of arrears only.

- 229** General rent books : ' Corporation Accounts '.

- |               |             |
|---------------|-------------|
| 1. 1771-1801; | 2. 1803-35. |
|---------------|-------------|

- 230** Shambles rent books. 1753-69. 16 books.

- 231** Of langable or chief rents paid to the Marquess of Hertford in pursuance of a covenant of 16 Feb. 1650. 1650.

*Miscellaneous documents*

- 232** 1747-54. Copies of notices of distraint of goods for rent on borough property. Issued by chamberlain. 8 papers.

- 233** 1799. Paper bearing rough calculation of corporation income.

- 234** 1830. Copy of report on examination of chamberlain's accounts from 1771 to 1829.

- 235** 1830-38. Copies of notices to quit borough properties issued by chamberlain, with drafts and blanks. 10 papers.

Q CORPORATION PROPERTIES

*Surveys and inventories*

- 236** 1565-1773. Survey book. Comprises (a) rental of lands belonging once to the late hospital of St. John and now to the Chamber of the

## MARLBOROUGH

borough, 1565; (b) 'rentroll renewed' of borough properties, 1581; (c) list of persons subscribing to the King in response to letters of Privy Council, 4 July 1614, giving amounts subscribed; and (d) mayor's account allowed in 1773.

- 237** 1576-1711. 'Survey Booke'. Comprises (a) survey of properties belonging to the mayor and burgesses, 1576; (b) 'a note of Towne dicke money payed yearly . . .', 1610; (c) records of later leases, 1581-1705; (d) a note of leases in Portfield, 1626-1710; and (e) further records of later leases, 1705-1711.
- 238** 1714-19, 1795. 'The Survey Book'. Entries of leases, 1714-19, and 1795. With copy of printed *Bill for Raising . . . Men for the Service of His Majesty's Navy*, 1795, inserted.
- 239** 1776. List of the cows in Marlborough Common. *In* **119**.
- 240** 1795. 'A Survey of the Estates belonging to the Mayor and Burgesses . . . 1795'.
- 241** 1808. Portfield survey book, giving list of the then 38 pieces, owners, tenants and acreage.
- 242** 19th century. List of properties providing monies for the poor in 1772, copied from 'the Large Survey Book'.

### *Title deeds and papers*

- 243** c. 1281. Gift. Ogbourne Maizey. Most probably to the benefit of the borough although this is not evident.
- 244** 1505. Quitclaim. Marlborough.
- 245** 1519. Probate copy of will of Richard Parson of Shalbourne.
- 246** 1519. Gift. Blind Lane. Proclaimed at 3 Morrow Speech Courts, 1519-20.<sup>1</sup>
- 247** 1540. Probate copy of will of William Seyman.
- 248** 1615. Counterpart of feoffment. Preshute.
- 249** 1618-1829. Bundle of 30. High Street.
- 250** 1652-1804. Bundle of 12. Chiefly Oxford Street.
- 251** 1653. Copy of letters testimonial exemplifying the probate, 1615, of the will of Thomas Raye of New Salisbury, 1615. *See also* **272**.
- 252** 1654. Bargain and sale to trustees. High Street.

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<sup>1</sup> See note to section K above.

WILTSHIRE BOROUGH RECORDS

- 253** 17th century. Copies of and extracts from the wills of Robert Ely, 1627, 'Mr. Bigges', William Benet, 1608, and Henry Cusse, all bequeathing charitable gifts to the borough. Numbered 2-5.
- 254** 1719. Counterpart of articles of agreement indented between the mayor and burgesses and Samuell Hawkes and Nathaniel Merriman for the distribution to the poor of monies arising from the loan of a pall.
- 1726. Two copies of counterpart of gift from mayor and burgesses of the workhouse in St. Peter's parish and the almshouse in St. Mary's parish to the respective parish churchwardens and overseers. *Filed with bundle of leases 259, 1640-1784.*
- 1733/4. Lease by Lord Bruce to mayor and burgesses of part of the 'New Markett House' for 99 years or three lives. *Filed with bundle of leases 259, 1640-1784.*
- 255** 1809-23. Bundle of 5. Oxford Street.
- 256** 1828. Conveyance of a Crown rent to the borough.
- 257** 1835. 3 schedules of title deeds to corporation property in mortgage.
- 258** 19th century. Copy of part of will of Richard Dickens, 1553.

*Leases*

- 259** 16th-19th centuries. About 700 counterparts of leases of borough properties and cognate documents. The earliest, 1505, is filed with nos. **92** to **102** above.<sup>1</sup> The majority are in 33 bundles of from 2 to 93 items which probably represented originally separate properties in each ward but this is not invariably so now. In 2 instances these bundles are themselves in larger bundles, 7 in one, 6 in another. The latter is endorsed 'Baily Ward Leases' and this larger bundling may have consistently followed ward divisions originally.

31 leases are of the Guildhall, market tolls and shambles stalls; of the rest nearly a third relate to Portfield acres, and another third to properties in Kingsbury Street, High Street, Barn Street, Manton, Rawlins Well Lane, near Cow Bridge and in Blowhorn Street; the remainder are smaller groups concerning more than 25 other places, chiefly within the borough.

*Miscellaneous documents*

- 260** 1635. Warrant of attorney of mayor and burgesses to enter the newly erected market house.

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<sup>1</sup> See note to section K above.

## MARLBOROUGH

- 261** 18th century. Note of order for appointing a piece of corporation property.
- 262** 1746, 1754, 1829. Two draft leases and draft licence to assign.
- 263** 1773. Instructions for filling up the leases of Portfield acres.
- 264** 1773. Copies of instruction that digging gravel on the cow common is forbidden except with the mayor's permission.
- 265** 1832. Policy of insurance with the Sun Fire Office against loss of or damage to borough properties by fire. With extracts from similar policies of 1802 and 1828 and particulars of said properties. One bundle.

## R TAXATION

- 266** c. 1804-1809. Chiefly assessments of property taxes on Portfield acres. 7 papers.

## S MISCELLANEOUS BOROUGH RECORDS

- 267** 1614. Writ to secure payment of arrears of rent on property near Oxford Street.
- 268** 1625. Copy of articles of agreement between the Earl of Hertford and the mayor and burgesses as to their respective rights in Marlborough.
- 269** 1630, 1648. Two orders of county Quarter Sessions, one for the erection of a house of correction at Marlborough, the other that the borough shall make use of it and contribute towards its maintenance.
- 270** 1645-46. Accounts of a rate made for covering expenses on impressed soldiers and on commodities for people visited with the plague. Bundle of 5 items.
- 271** 1665. Two letters, one from Whitehall, to the mayor concerning the payment of a fee of homage due following His Majesty's passing through the borough.
- 272** 1670. Form of receipt from the mayor and justices for £8 for poor clothiers, the gift of the late Thomas Raye of Salisbury, deceased. *See also* **251**.
- 273** 1679. Accounts of goods lost by inhabitants in the fire of 9 April 1679. 8 documents.

WILTSHIRE BOROUGH RECORDS

- 274** 1679. Order by Assizes at Salisbury that the mayor refund £5 for one Richard Browne.
- 275** 1690. Office copy of Act of 2 Will. & Mary 'to Prohibit the Covering of Houses and other Buildings with Thatch or Straw, in the Town of Marlborough . . . '.
- 276** 1690. Copy of letter from the Bishop of Salisbury to the clergy in his diocese authorising them to raise charities to aid those in Marlborough in want owing to ' the late dreadfull fire '.
- 277** 1693. Letter of attorney to distrain arrears of rent due out of Moore House, Wanborough, the bequest of Thomas Haines, late of Aldbourne.
- 278** 1715. Roll, being 'A True and perfect schedule of all the deeds, writings, papers . . . belonging to the Corporacon of Marleborough . . . delivered . . . to Humphrey Wall . . . one of the Masters extraordinary of the Court of Chancery the [ ] day of Aprill 1715 . . .' by order of the Court of Chancery. Endorsed with additions to 1718. With affidavit of compilers sworn 12 & 13 May 1715.
- 279** 1715. Another copy of **278**, without affidavit or endorsements, but with receipt for the 'Books' etc. signed 'H. Wall', dated 12 May 1715.
- 280** 1748-53. Three letters, two being copies, concerning payment of quit rents.
- 281** 1752-56. Assizes of bread and cognate papers and letters. 7 items.
- 282** 1756. Letter to mayor from 'Squire Hungerford' concerning John Plummer.
- 283** *Post* 1759. Memorandum of amount of quit rent payable from Allen's Farm at East Kennet subsequent to its sale by the corporation.
- 284** *c.* 1765, 1779. 'Tables of fees to be taken by justices' clerks in Wiltshire
- 285** 1771. Copy of appointment of John Sweeper as chamberlain. With security bond
- 286** 1771-mid-19th century. Four papers, all listing certain borough records, three referring to abstractions from them.
- 287** 1787. Printed copy of *A Proclamation for the Encouragement of Piety and Virtue . . .*

## MARLBOROUGH

- 288** 19th century. Alphabetical index to the personal names contained in an unidentified record.
- 289** 1806. Letter received by town clerk concerning the payment of tithes for Marlborough Common.
- 1811. Award of compensation to the inhabitants of Marlborough to be made by the Company of Proprietors of the Kennet and Avon Canal in view of loss sustained and to be sustained by the canal not passing through Marlborough. *Filed with bundle of leases (259), 1714-1876.*
- 290** 1816-21. Calendars of prisoners in the county gaol and in Devizes and Marlborough bridewells. For county sessions.
- 291** c. 1825. Copy of petition from the borough to the House of Commons against a bill for the repair of the road from Swindon to Marlborough. Endorsed 'not presented'.
- 292** 1826. Printed notice for public meeting to discuss bill referred to above in **291**.
- 293** 1829. Copy of notes on a 'Bill for the better execution of the office of a Justice of the Peace . . .' by the clerk to the justices of Cheadle, Staffs.
- 294** (1829). Three petitions, one from each of the boroughs of Great Bedwyn, Chippenham and Cricklade, praying for the enactment of a bill before the House of Lords for lighting and watching parishes in England and Wales (11 Geo. IV & 1 Will. IV, c. 27).
- 295** 1830-47. Copies of Parliamentary returns and correspondence. Two bundles.

## T                      EXTRANEEOUS RECORDS

### *Fire engines*

- 296** 1747-63. Agreement, 1747, of the subscribers for the maintenance of two fire engines and buckets for Marlborough. With list of names of managers and directors appointed, extended by memoranda of subsequent appointments, 1756 and 1763. 2 rolls.

### *Marlborough Association for the Prosecution of Felons*

- 297** 1774-1834. Bundle of letters, draft minutes, notices, etc. The town clerk was secretary.



WILTSHIRE BOROUGH RECORDS

*Miscellaneous*

- 298** 1654. Left and right hand indentures of fine. Nine tofts in Marlborough.
- 299** 1682. Cutting from *London Gazette* recording presentation of an address from the borough to Charles II giving thanks for his deliverance from a treasonable conspiracy. Received *post* 1900.
- 300** 18th century. Brief for the prosecution in a suit *Rex v. Michael Noble* at county sessions, for stealing corn.
- 301** 1708. Lease of property at Eisey.
- 302** 1730. Left hand indenture of fine. Ogbourne St. George.
- 303** 1740. Copy of court roll of manor of Mildenhall recording a surrender and an admission. Received, 1941, by the mayor from a former inhabitant.
- 304** 1745-9. Papers in a case of ejectment in the Court of King's Bench. One bundle.
- 305** 1756. Licence from Baron Bruce to William May to assign property in Preshute.
- 306** ? 1776. Letter from Joseph and E. Mayres to their father on private matters.
- 307** 1786. Left hand indenture of fine. Marlborough property.

## NEW SALISBURY

OLD SALISBURY, a Domesday borough, has only a nominal connexion with the city of New Salisbury, artificially planted in the Avon valley in the second and third decades of the 13th century. Nor, so far as is known, do any of its records survive.

The antiquity of New Salisbury is not certainly established but it is convenient to trace its history from 1225 when its citizens received their first charter from the bishop. This conveyed to the citizens the right to hold tenements of a specified size at a fixed rent. Freedom of alienation, except to men of religion, was granted. Two years later Henry III in a charter in favour of the bishop and canons declared the city to be a *libera civitas* and gave it the customs of Winchester. The bishop was licensed to tallage his men whenever the Crown tallaged its demesne tenants. A fair was granted by this charter and a second by another charter in 1270. A mayor existed as early as 1261, two *prepositi* and a coroner by 1290 and 2 coroners by 1303.

In 1302 the citizens contested the bishop's right to tallage them. The dispute was settled by the King in council in 1305 in favour of the bishop, who was declared to have an unfettered right to the tallage in dispute. As to the future, the citizens were given the option of continuing to submit to the bishop's right to tallage or of renouncing their civic privileges including the election of a mayor. They chose renunciation. Next year however they rescinded this decision and drew up an agreement with the bishop (147) for the government of their future relations. This agreement was confirmed by Edward II and every sovereign up to and including Edward IV. It may be regarded as the city's main charter of liberties during the middle ages.

The agreement shows that the city already possessed a mayor and *prepositi* and an unspecified number of aldermen and *servitores*. The number of aldermen however can be deduced from the existence of 4 aldermanries. The agreement provided that the mayor should continue to be elected by the citizens but should thenceforward be sworn and admitted before the bishop's bailiff as his subordinate. The citizens were also declared to owe suit to the bishop's court. The tenacity with which the bishops retained their jurisdiction sufficiently explains the absence of any early borough court rolls among the muniments. On the other hand the city was not without records of its own even in these early days. The agreement speaks of the city's 'Domesday' as a thing already existing. There is still a series of civic records bearing that title, though the first surviving volume (*liber tercius*) (145 1) is of later date. A calendar prefixed to the third surviving volume in this series (145 3) suggests that originally 'Domesday Book' was a register of all important city documents. The volumes however still available for study are a register of wills proved and deeds acknowledged in the court of the subdean.

## WILTSHIRE BOROUGH RECORDS

As has been shown conveyances of property in the city to men of religion were forbidden by the earliest charter and the agreement of 1306 extended the prohibition to all conveyances in mortmain. The city having no court of its own conveyances must needs be effected in one of the ecclesiastical courts, but the citizens no doubt needed a record of these conveyances, if only to prove that the prohibition against alienation in mortmain had not been violated. This is the best explanation that can at present be given of the presence of these volumes.

By the opening years of the 15th century, when information about the constitution again becomes available, the government of the city was vested in a 'convocation', consisting of two groups called the Twenty-Four and the Forty-Eight. In this assembly the mayor, 2 *prepositi*, 4 aldermen, and 2 serjeants-at-mace were annually elected. Elections of *prepositi* are not recorded after 1474. The Forty-Eight appear to have been chosen from such citizens as were free of the Guild Merchant or Guild of St. George into which the Guild Merchant seems to have merged. The Twenty-Four were chosen from among the Forty-Eight. Besides elections, whether of city officers or of burgesses in Parliament, the convocation dealt with the management of corporation property, the defence of the city and the regulation of its trade and industry. The business of the convocation is deducible from the series of Ledger Books (19 *et seq.*) which until 1687 are the *principalia recorda* of the city. For the period before *c.* 1500 they consist of fair copies of a great variety of documents,—minutes, letters in and out, oaths and accounts—the originals of which have perished.

In 1408-9 a decision was taken to appoint chamberlains—financial officers of the city—and such were apparently elected for the first time in 1419-20. A quarter of a century later their accounts begin. In 1421-2 four auditors were elected. By charter of 1462 the bishop was empowered to constitute a commission of the peace for the city and to appoint coroners, one for the city and one for his own lordship.

The agreement of 1306 naturally did not put an end to strife between the bishops and citizens. It was apparently in connexion with one such conflict that a fine of 3000 marks was imposed, and subsequently remitted, by the Crown (see 5). A more acute conflict arose in Bishop Beauchamp's time, when the citizens sought to secure freedom from episcopal superiority. In 1465 they petitioned the Crown to grant them leave to hold the city in fee farm from the bishop, leaving the bishop only the control of the Close. The bishop took strong exception to this request and the disputants were summoned before the Council. Item 151 may be a copy of some evidences compiled at this time. The dispute was protracted, but in 1471 the Crown decided broadly in favour of the bishop. It is indeed true that it was

## NEW SALISBURY

arranged in 1472 that the mayor should swear, before the bishop in person, an oath which acknowledged the superiority of King and bishop alike. This however did not prove a lasting arrangement. By charter of 1472 the bishop's authority was reimposed. He was empowered to make ordinances for the city and to set up a city gaol. In 1474 the citizens submitted absolutely to the bishop and the mayor took his customary oath to him alone.

This signal failure deterred the citizens for some time from further onslaughts upon their lord. The succeeding decades however marked an increase in the powers of the city's officers and a decline in the authority of the bishop's bailiff. The latter began to be effectively replaced by an under-bailiff, a minor official. A controversy with Bishop Shaxton, 1537-9, ended with the balance of advantage in favour of the city. In ensuing years the citizens took any available opportunity of denying that the mayor was the bishop's officer. The Reformation had shaken episcopal authority and such denials were beginning to correspond with reality. In 1593 a further dispute began with Bishop Coldwell over the oath and continued into the time of Bishop Cotton, elected 1598. Cotton was a compliant prelate and it was during his episcopacy that the appeal to the Crown for a new charter incorporating the city and ridding it of episcopal control was granted. By this charter of 1612 the government of the city was vested in a mayor, recorder, 24 aldermen, 2 chamberlains, 48 assistants, 4 high constables and sundry lesser officials. The corporation were to elect the bishop's bailiff as Bailiff of the City. A separate commission of the peace was established, the members of which were not subject to episcopal nomination. The bishop's courts however were preserved, and by a separate charter of the same date a liberty of the Close, with its own commission of the peace, was created, which lasted until the 19th century. By the charter to the city the corporation was fully empowered to regulate traders within the city and the existing guilds were forthwith formed into livery companies, to whose members citizenship was in 1628 confined. Subsequently gentlemen not practising any trade within the city were made free of these companies. Later charters of 1631, 1656 (surrendered 1660), 1675, 1688 (surrendered 1707) and 1707 did not alter the constitution substantially. The charter of 1612 is regarded as the governing charter.

The minutes of the City Council continued to be kept in the Ledgers until 1687. Thereafter there is a separate set of Minute Books. In the 18th and 19th centuries the Ledgers degenerate into collections of rough minutes. The corporation seems to have begun to act through committees as early as 1663—see **27**. Items **28-30** suggest that in the 18th century an effort was made to institute a Court of Aldermen, the justices sometimes sitting with them. No completely separate court however in fact emerged.

## WILTSHIRE BOROUGH RECORDS

In the 1820s or 1830s, the Treasurer, for some years a subordinate officer, replaces the Chamberlains as the chief finance officer of the corporation.

The separate commission of the peace for the city which had existed since the charter of 1462 had been nominated by the bishop. The mayor had been a member from the first and by 1540 others of the corporation. The charter of 1612, as has been shown, removed the bishop's authority in appointing justices. No records of the sessions earlier than 1612 are naturally to be expected among the city muniments. Actually, however, the series barely starts until the mid-18th century.

Besides the ancient City Court, which eventually became known as the Court of Record, the bishop's officers were holding, from at least the 16th century, a Court Leet and Court Baron. The Court of Record had in practice ceased to sit by 1835. Some vestiges of the records of these jurisdictions (except the Court Leet) remain in the city's custody, but, since the city never seems to have enjoyed the profits of the courts except between 1656 and 1660, it is not at present clear why this should be so. It has on balance seemed best to regard these as extraneous records.

In the 17th century the justices undertook, in special sessions, the maintenance of the highways. In 1737 this function was transferred to a separate body of Directors and Trustees consisting of the mayor, recorder, justices and inhabitants, who by Private Act of Parliament were authorized to undertake the paving, cleansing, lighting and watching of the streets. The powers of this body were extended by a new Private Act of 1815 (55 Geo. III. c. xxiii).

It seems that a city workhouse of some sort, under the superintendence of some prominent (unsalaried) inhabitant, had been established by 1618. In 1623 ordinances for the workhouse were made, with one of the justices of the peace as governor, and, under a treasurer, a master of the works and a steward to provide for the food and clothing of the inmates and the cleanliness of the house. At the same time it was decided to build a common brewhouse at the cost of the chamber, the profits of which were to be devoted to the relief of the poor. Later in the same year orders were given for the erection of a house at Bugmore for the reception of the poor and infirm. In 1636 the corporation acquired a new workhouse, a portion of the former house of Lord Castlehaven, in Crane Street. In 1649 further measures were taken towards poor relief: a 'storehouse' for their better supply was for a second time established and a new master of the workhouse appointed who should teach the poor to spin. Similar orders for establishing a workhouse were given in 1727. In 1732 £100 was voted out of the receipts from Joan Popley's charity towards the costs of building a new workhouse. These

## NEW SALISBURY

repeated orders are not at present explicable, but it may be presumed that varying administrative measures were needed as destitution waxed and waned.

In 1770 a Local Act of Parliament similar to others passed for the benefit of adjacent parishes elsewhere, authorised the union of the three parishes within the city for the purposes of Poor Law administration. The management of the workhouse seems to have passed to the committee of churchwardens and overseers appointed under this Act.

In 1818 a meeting was held for the purpose of establishing a Society for the Suppression of Mendicity. This body had an official complexion and its minute books (**102**) are among the city muniments.

In c. 1829 the parish officers instigated a movement to limit the number of small cottages then being erected in the city, the weekly tenants of which were able to evade their poor-rate contributions. The owners of the cottages thereupon formed an organization to defend their rights. The presence of their records in the city muniments (**185**) is unexplained.

The city and the parishes were mutually implicated in poor relief and the records of their several functions cannot at the moment be easily unravelled.

In 1894 the parish of Fisherton Anger which lay outside the city was brought within its boundaries and the records of the parish transferred with it.

It is not known how the guild records came into the city's custody. A few of them, however, appear to have been presented early in the present century<sup>1</sup> by the legal representatives of the dissolved companies through the instrumentality of Alderman Haskins.

The corporation's muniments are housed in the basement of the Council House, Bourne Hill. They are contained in five presses, two muniment chests, an iron safe, a wooden deed cabinet and several tin boxes. Items **1** to **12** and item **14** are kept in glazed frames. Item **175 1** is exhibited in the Salisbury, South Wiltshire and Blackmore Museum, St. Ann Street.

There is a late 17th century inventory of the muniments preserved among the muniments themselves (**73**). T. H. Baker, Hon. Curator of the Muniments (*ob.* 1914), whose notebooks survive among the records, did some sorting and calendaring and transcribed and indexed item **146**. Some numbering of boxes and of the individual items in them was done at this

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<sup>1</sup> C. Haskins, *The Ancient Trade Guilds . . . of Salisbury*, xxvii.

## WILTSHIRE BOROUGH RECORDS

time. In 1907 the accumulation was reported upon by the Historical Manuscripts Commission. In 1949 Dr. A. E. J. Hollaender, F.S.A., completely listed and numbered the whole accumulation. The figures he has assigned are given in the list below in square brackets. The numbers in round brackets are notional. Dr. Hollaender has also constructed a shelf list which incidentally serves as a key to Baker's numeration, so far as that went.

Some extracts from the records are printed in the appendices to H. Benson and R. Hatcher, *History of Old and New Sarum* (1843), in 55 articles by H. J. F. Swayne that appeared in the *Salisbury and Winchester Journal*, 25 Nov. 1882-7 May 1887, in the Historical Manuscripts Commission's *Report*<sup>1</sup> and in C. Haskins, *The Ancient Trade Guilds . . . of Salisbury* (privately printed 1912). In the first of these mainly charters have been published. The contents of several charters have also been exposed in *The Charter of Henry III . . . [and] a Summary of Nine Other Charters* (privately printed 1927) and the charter of 1656 in Royal Historical Society, *Camden Miscellany* III (1907). Swayne also concerned himself with the charters and with account rolls. A set of his proofs, pasted into an album, is kept in the Muniment Room. The Historical Manuscripts Commission's *Report* mainly prints extracts from the Ledgers. A careful account of the early constitutional history of the city will be found in an article by Miss Fanny Street, *The Relations of the Bishops and Citizens of Salisbury . . .* in *Wiltshire Archaeological Magazine* (1916), Vol. XXXIX.

### A ORIGINAL CHARTERS

- |  |   |
|--|---|
| <p><b>1</b> 2 Hen. III (1227) [A/1];</p> <p><b>3</b> 13 Ed. I (1285) [A/3];</p> <p><b>5</b> 30 Ed. III (1356) [A/5];</p> <p><b>7</b> 1 Ric. II (1377) [A/7];</p> <p><b>9</b> 2 Chas. I (1627) [A/9];</p> <p><b>11</b> 27 Chas. II (1675) [A/11];</p> | <p><b>2</b> 54 Hen. III (1270) [A/2];</p> <p><b>4</b> 9 Ed. II (1315) [A/4];</p> <p><b>6</b> 46 Ed. III (1372) [A/6];</p> <p><b>8</b> 9 Jas. I (1612) [A/8];</p> <p><b>10</b> 6 Chas. I (1630) [A/10];</p> <p><b>12</b> 6 Anne (1707) [A/12].</p> |
|--|---|

No. **5** is a release by the Crown of a fine of 3000 marks. No. **9** is a commission concerning a loan to the Crown from the city.

### B COPIES OF SURRENDERED CHARTERS

- 13** 1656 [A1/16];

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<sup>1</sup> Historical Manuscripts Commission, *Report on Manuscripts in Various Collections*, Vol. IV, 191-254.

NEW SALISBURY

- 14** 4 Jas. II (1688), surrendered 1707. Translation [A1/17].

C TRANSCRIPTS AND TRANSLATIONS  
OF CHARTERS

- 15** 18th century. Volume containing transcripts and translations, much corrected, of the charters of Jas. I, Chas. II and Anne [B/18].
- 16** 1740. Volume containing corrected copies of the charters [B/19].
- 17** c. 1758. Volume containing fair copies of **19**, with list of mayors, 1339-1758, continued in later hands to 1836 [B/20].

D BY-LAWS

- 18** 1719. For better governing the city and corporation and for the preservation of order and decency [C/21].

E GENERAL ENTRY BOOKS CALLED LEDGERS

- 19** A. 1387-1456<sup>1</sup> [D/32]; **20** B. 1452-1564 [D/33];
- 21** C. 1571-1640 [D/34]; **22** D. 1640-1723 [D/35];
- 23** E. 1724-86 [D/36]; **24** F. 1785-1812 [D/37];
- 25** G. 1812-29 [D/38]; **26** H. 1829-36 [D/39].

F MISCELLANEOUS MINUTE BOOKS

- 27** 1663-1724. Committee minute book; chiefly of the Revenues Committee [E/40].
- 28** 1725-94. Ditto. Meetings of mayors, aldermen and justices [E/41].
- 29** 1794-1833. Ditto. Ditto [E/42].
- 30** 1809-35. Ditto. Meetings of mayors and aldermen [E/43].

G CITY COUNCIL MINUTE BOOKS

- 31** 1683-1708 [F/44]; **32** 1724-52 [F/45];
- 33** 1752-70 [F/46]; **34** 1770-84 [F/47];
- 35** 1784-95 [F/48]; **36** 1795-1805 [F/49];
- 37** 1805-22 [F/50]; **38** 1822-33. Rough [F1/51];
- 39** 1833-7. Rough [F1/52].

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<sup>1</sup> Much mutilated by water used in 1780 to extinguish a fire that irreparably damaged the Council House. Little is legible before c. 1406.



WILTSHIRE BOROUGH RECORDS

H            MARKETS AND FAIRS COMMITTEE

Account books

- 40** 1797-1802            [J1/83];            **41** 1797-1815            [J1/84].  
**42** 1827-34. Petty cash [J1/85].  
**43** 1796-1815. Day book [J2/86].  
**44** 1809-19. Register of market standings [J2/87].  
**45** Market tolls account books [J2/88]  
          1. 1814-17;                            2. 1817-18.  
**46** 1815-18. Sheep and cheese toll account [J2/88a].

I    MISCELLANEOUS COMMITTEES MINUTE BOOK

- 47** 1817-49. Free Grammar School, Court of Justices, Improvement, Toll and Turnpike Bill (1819-21), Removal of Corn Market Report (1825), Market Granary (1827-34) and Fisherton Hatches (1829) Committees [L/91].

J                            MAYORALTY

- 48** 1649-59. Mayors' Day Book. Contains also miscellaneous entries and accounts of subscriptions to the Avon Navigation Scheme, 1675 [N/98].  
**49** 1672-1779. Mayoralty Expense and General Account Book [N/99].  
**50** 1715-17. Rota Book of Aldermen and Assistants attending the Mayor to the Cathedral on Sundays [N/102].  
**51** 1590-1702. Calendar of mayors, 1339-1702, interspersed with notes of memorable events [Z/235].  
**52** 17th century. The like, 1342-1604, with notes of events occurring mainly in the Interregnum [Z/236].  
**53** 17th-18th centuries. The like, 1339-1784, with notes of local events [Z/237].  
**54** Mid-18th century. The like, 1350-1754 [Z/234].  
— c. 1758 and later. List of mayors, 1339-1836. *See* **17**.

NEW SALISBURY

K CHAMBERLAIN AND TREASURER

**55** Account rolls [O/103]

- |              |             |             |
|--------------|-------------|-------------|
| 1. 1444-5;   | 2. 1449-50; | 3. 1453-4;  |
| 4. 1469-70;  | 5. 1473-4;  | 6. 1484-5;  |
| 7. 1498-9;   | 8. 1508-9;  | 9. 1509-10; |
| 10. 1512-13; | 11. 1526-7. |             |

**56** Rough accounts (on sheets) [O/104]

- |            |   |
|------------|---|
| 1. 1570-1; | 2. 1617-18;   |
| 3. 1631-8; | 4. 1651-2;  |
| 5. 1652-3; | 6. 1656. Chamberlain's account of expenses<br>connected with the new charter. |

**57** Account rolls [O/105]

- |              |             |                |              |
|--------------|-------------|----------------|--------------|
| 1. 1660-1;   | 2. 1661-2;  | 3. 1662-3;     | 4. 1663-4;   |
| 5. 1664-5;   | 6. 1665-6;  | 7. 1666-7;     | 8. 1667-8;   |
| 9. 1669-70;  | 10. 1670-1; | 11. 1671-2;    | 12. 1672-3;  |
| 13. 1673-4;  | 14. 1674-5; | 15. 1675-6;    | 16. 1676-7;  |
| 17. 1677-8;  | 18. 1678-9; | 19. 1679-80;   | 20. 1680-1;  |
| 21. 1681-2;  | 22. 1682-3; | 23. 1683-4;    | 24. 1684-5;  |
| 25. 1685-6;  | 26. 1686-7; | 27. 1687-8;    | 28. 1688-9;  |
| 29. 1689-90; | 30. 1690-1; | 31. 1691-2;    | 32. 1692-3;  |
| 33. 1693-4;  | 34. 1694-5; | 35. 1695-6;    | 36. 1696-7;  |
| 37. 1697-8;  | 38. 1698-9; | 39. 1699-1700; | 40. 1700-1;  |
| 41. 1701-2;  | 42. 1702-3; | 43. 1703-4;    | 44. 1705-6;  |
| 45. 1706-7;  | 46. 1707-8; | 47. 1709-10;   | 48. 1710-11; |
| 49. 1711-12. |             |                |              |

**58** Chamberlains' account books [O/106]

- |  |               |
|--|---------------|
| 1. 1714-43;                                      | 2. 1743-76;   |
| 3. 1777-1810 (Engrossment, audited, of 4 below); |               |
| 4. 1782-1802;                                    | 5. 1797-1815; |
| 6. 1707-1814 (General Statements, examined).     |               |

*WILTSHIRE BOROUGH RECORDS*

- 59** Chamberlains' rough account books [O/108]
1. 1804-5;
  2. 1805-6;
  3. 1807;
  4. 1807-8;
  5. 1808-9;
  6. 1810-11;
  7. 1811-12;
  8. 1812-13;
  9. 1813-14;
  10. 1814-15.
- 60** 1810-1814. Rough account book [O/107a].
- 61** Chamberlains' ledgers [O/108]
1. 1784-1816;
  2. 1816-26;
  3. 1826-35.
- 62** Chamberlains' cash books [O/109]
1. 1782-96;
  2. 1826-36.
- 63** City bond books [O/110]
1. 1659;
  2. 1660;
  3. 1661-2;
  4. 1662-3;
  5. 1664;
  6. 1665;
  7. 1666;
  8. 1667;
  9. 1667;
  10. 1668;
  11. 1668;
  12. 1669;
  13. 1669;
  14. 1669;
  15. 1670-1;
  16. 1672;
  17. 1674-5;
  18. 1675;
  19. 1676;
  20. 1677;
  21. 1678-9;
  22. 1679;
  23. 1680-1;
  24. 1680-1;
  25. 1681-2;
  26. 1682;
  27. 1683-4;
  28. 1683-4;
  29. 1684;
  30. 1685;
  31. 1687;
  32. 1688;
  33. 1689-90;
  34. 1692;
  35. 1693-4;
  36. 1694-5;
  37. 1696;
  38. 1697;
  39. 1698-9;
  40. 1705;
  41. 1705-6;
  42. 1726-7;
  43. 1727-8;
  44. 1729-30;
  45. 1730-1;
  46. 1731-2;
  47. 1733;
  48. 1733-4;
  49. 1735;
  50. 1736;
  51. 1737;
  52. 1738;
  53. 1739;
  54. 1740;
  55. 1741;
  56. 1742;
  57. 1743.
- 64** 1614-18. Seven bonds by innholders not to dress flesh in Lent. 1 bundle [O/110a].
- 65** 1626-1712. Miscellaneous city bonds. 14 bundles [O/110b].

NEW SALISBURY

- 66 1724-70. Bonds of indemnity to the three ancient parish churches [O/110c].
- 67 1732-3. Chamberlains' vouchers and receipts. 1 sheaf [O/111].
- 68 1811-35. Chamberlains' vouchers and receipts. 12 bundles [O/111a].
- 69 1813-35. Treasurers' miscellaneous account book [O/112].

L CITY LANDS

- 70 Rent rolls [O/116]
  - 1. 1565;                    2. 1624;                    3. 1635;
  - 4. 1635. Rough;       5. 1639. Joan Popley's lands;
  - 6. 1732-3;                7. 1733-4;                8. 1734-5;
  - 9. 1735-6;               10. 1736-7;               11. 1737;
  - 12. 1737-8;              13. 1738-9;              14. 1739-40;
  - 15. 1740-1;              16. 1741-2;              17. 1742-3.
- 71 *Temp.* Ed. IV. Register of leases [Z/240].
- 72 Surveys, terriers and rentals [O/117]
  - 1. Survey and terrier of corporation lands, with abstract of titles, interspersed with rentals. Commenced c. 1611 and continued to 1676, with corrections to 1715.
  - 2. 1631. Rental of corporation lands and tenements.
  - 3. 1705. Rental of corporation lands.
  - 4. 1672-1716. Corporation terrier.
  - 5. 1715. View of the city lands. Rough draft.
  - 6. 1780. Rental of corporation lands.
  - 7. c. 1780. Corporation terrier.
  - 8. 1783-1835. Ditto.
  - 9. 1805-15. Rental of corporation lands.
  - 10. 1816-22. Ditto.
  - 11. 1822-36. Rent account.
  - 12. 1820. Ditto.

WILTSHIRE BOROUGH RECORDS

13. 1694. A rental of the lands belonging to the Chamber of the City, with arrears of rents to be collected by Thomas Abbott, Chamberlain.
  14. Mic. 1749. Rent roll of the rates and payments due to the bishop of Salisbury from the city, with an account of arrears due before the said date.
- 73** *c.* 1720. Rental and terrier. Also contains an inventory of city muniments (late 17th century) [Z/233].

M DEEDS

- 74** 1270-1830. Miscellaneous deeds relating to various properties within the city. Kept in deed cabinet and filed chronologically in drawers A to Z (about fifteen deeds to a drawer) [W/205].
- 75** 1663-1904. 506 leases and other deeds of property relating to the city lands surrendered to the mayor and commonalty. 45 bundles. Kept in ancient chest [W/205a].

N LAND TAX AND WINDOW TAX  
(WARD ASSESSMENTS)

For land tax commissioners' minutes—*see* **159**

- 76** Sarum. 1649-1789. 71 bundles [X/206].
- 77** Cathedral Close. 1705-33. 1 bundle [X/207].
- 78** Clarendon Park. 1705-37. 1 bundle [X/208].

O SESSIONS OF THE PEACE

- 79** Sessions books [Q/126]
1. 1797-1800;
  2. 1800-6;
  3. 1813-20;
  4. 1821-9;
  5. 1832.
- 80** Rough minute books [Q/127]
1. 1747-60;
  2. 1762-3 (fragment);
  3. 1800-3;
  4. 1804-18;
  5. 1826-31;
  6. 1831-5.
- 81** 1763-69. Volume containing recognizances and sessions minutes [Q/128].

## NEW SALISBURY

- 82** 1710-63. Convictions book [Q/129].
- 83** Justices' minute books [Q/130]
1. 1783-4;
  2. 1785-8;
  3. 1791-5;
  4. 1802-14;
  5. 1809-35;
  6. 1819-23;
  7. 1823-35.
- Vol. 5 is a justices' order book. Vol. 6 also contains minutes of Petty Sessions. Vol. 7 also contains summonses 1820-2.
- 84** Chairmen's or Recorders' minute books [Q/132]
1. 1800-13;
  2. 1814-19;
  3. 1820-7;
  4. 1828-36.
- 85** 1761-1944. Sessions rolls (approximately 700 bundles)—with papers relating to appeals [Q/136].
- 86** 1598-1810. Miscellaneous sessions papers. 2 boxes [Q/136b].
- 87** 1558. Indictments. 1 sheaf, kept with **86**, Box 1 [Q/136c].
- 88** 1828-38. Returns of fines and fees [Q/137].

## P

## HIGHWAYS

### *Under the administration of Quarter Sessions*

- 89** 1647. Pavement Loan Book, enumerating those who lent money to the city 'towards the paving for the purchase made of the royalties and privileges thereof' [R/151].
- 90** 1670-93. Sessions orders relating to the maintenance of the highways [R/139].
- 91** 1692-1744. Special sessions for the repair of the highways. Entry book. This volume also contains a list (1665) of subscribers to the Declaration against the Scottish Covenant [R/150].
- 92** 1672-1737. Appointments and returns of surveyors, presentments, etc. [R/140].

### *Under the Acts of 1737 and 1815*

- 93** Minute books [R/141]
1. 1737-72;
  2. 1781-96;
  3. 1797-1813;
  4. 1813-15;
  5. 1815-27;
  6. 1827-43.
- 94** 1780-1815. Pavement Ledger [R/145].
- 95** 1815-48. Account book. General [R/142].

*WILTSHIRE BOROUGH RECORDS*

- 96** 1824-26. Account book. Sundries [R/143].
- 97** 1815-23. Cash book [R/144].
- 98** 1815-47. Account of bonds and interest due to the city from the Directors and Trustees [R/146].
- 99** 1832-52. Vouchers, receipts and miscellaneous papers [R/149].
- 100** 1673-1851. Three ancient parishes and Fisherton Anger. Rates for repair of the highways, assessed parochially. 34 bundles and 59 vols. [R/152].

**Q** POOR RELIEF AND CORPORATION  
WORKHOUSE

- 101** 1669-1740. Poor rate, assessed parochially (17 bundles) [S/173].
- 102** Mendicity Society minute books [S/173a]  
1. 1818-24; 2. 1825-45.
- 103** 1700-42. Alphabetical list of constables and overseers [S/174].
- 104** 1770-1822. Overseers' oath book [S/175].
- 105** Settlements (*i.e.* paupers' examinations) [S/176]  
1. 1766-81; 2. 1791-9; 3. 1803-14;  
4. 1814-18; 5. 1817-21; 6. 1822-39.  
Vol. 2 contains applications in bastardy.
- 106** Applications in bastardy [S/177]  
1. 1800-10; 2. 1810-33; 3. 1826-44.
- 107** Strangers' books [S/178]  
1. 1631-1735; 2. 1741-43; 3. 1752-55.
- 108** 1587-1663. Names of poor who were given gowns by the Chamber.  
1706-10. Register of passports issued for the removal of vagrants, idle and undesirable persons.  
1706-10. Overseers' account of St. Martin's parish [Z/225].
- 109** 1639. Workhouse ordinances (confirmed 1657). Corrected draft [S/153].
- 110** 1639. Ditto. Fair copy in libel form upon submission to Sessions of the Peace [S/154].

## NEW SALISBURY

- 111** 1638. Two title deeds and a schedule of property of the New Workhouse in Crane Street [S/156].
- 112** 1638-77. Volume of memoranda [S/157].
- 113** 1673-8. Steward's account roll. Mutilated [S/158].
- 114** 1712-59. Steward's account book [S/159].
- 115** 1709-28. General account book, containing also appointments of overseers of the poor for the city, 1759-64 [S/160].
- 116** 1678-81. Minute book of monthly meetings between the mayor, justices, wardens and overseers of the city parishes touching the workhouse and poor law questions.

### R CORPORATION BREWHOUSE

- 117** 1623-5. Minutes, orders and miscellaneous accounts [S/179].
- 118** Stock books [S/180]
  - 1. 1625-8;            2. 1631-6;            3. 1636-46.
- 119** Debtors' books [S/181]
  - 1. 1626-31;                            2. 1631-44.
- 120** 1625-35. Brewing and Tunning Account Book [S/182].
- 1635-42. *See* **126**.
- 121** 1634-7. Maintenance and Wages Account Book [S/183].

### S PARISHES OF ST. EDMUND, ST. MARTIN AND ST. THOMAS

- 122** 1599-1625. Accounts of the churchwardens' and overseers' of the three ancient parishes; also constables' and overseers' Plague Account 1604 [S/161].
- 123** 1629-94. Minutes and accounts of the overseers of the three ancient parishes [S/162].
- 124** 1666-1739. Alms book (clothes distribution), with memoranda relating to the House of Correction account, 1602-12 [S/163].
- 125** 1740-1820. Poores' garments distribution book [S/164].



## WILTSHIRE BOROUGH RECORDS

- 126** 1705-56. Overseers' Nomination and Account Book, containing *inter alia* sundry memoranda relating to Poor and Strangers. At the back are entered brewing and tunning accounts of the Brewhouse 1635-42 [S/165].
- 127** 1722. Overseers' poor lists. 1 bundle [S/166].
- 128** 1757. Relief Register, recording names of poor and the places of abode, numbers in family, and dates of delivery for the first half of the year [S/167].
- 129** 1817-18. Minute book of the Churchwardens' and Overseers' Committee of the united parishes of St. Thomas and St. Edmund [Z/232].

### T PARISH OF FISHERTON ANGER

- 130** 1705-14. Churchwardens' accounts.  
1705-62. Overseers' accounts [S/168].
- 131** 1715-83. Weekly Poor Account [S/169].
- 132** 1736-96. Churchwardens' accounts of weekly gifts to the poor, vestry minutes and rate assessments [S/170].
- 133** 1820-57. Poor accounts with rate assessments [S/170a].

### U CHARITIES AND CHARITABLE FOUNDATIONS

- 134** 1810-15. General Charity Account Book [Y/208].
- 135** 1725-36. Charity School Account Book [Y/209].
- 136** 1612-40. Account book relating to the money issuing from lands in Bassishaw Ward, London, given to Salisbury by Joan Popley (1570), 1612-20, with rental and rent account of these lands, 1612-40 [Y/210].
- 137** Duke of Somerset's Charity (1674) [Y/211]  
1. 1786-1815. Account book.  
2. 1686-1774. Apprenticeship indentures (65 bundles).
- 138** 1611-1838. Edward Rhodes' Charity (1611). A volume containing the names of persons receiving charitable gifts under Edward Rhodes' will [Y/212].

NEW SALISBURY

**139** Charity accounts [Y/213]

1. Edward Baker's Charity (1796). Account. 1798-1813.
2. Christopher Eyre's Charity (1617). Hospital Steward's account. 1809-32.
3. Trinity Hospital. Steward's account. 1812-55. Cf. **143** 1.
4. Thomas Taylor's Charity (1695). Steward's account. 1820-32. Cf. **143** 1.
5. Thomas Brickett's Charity (1534). Hospital Steward's account. 1827-33. Cf. **143** 1.
6. William Hussey's Charity (1794). Lands and almshouse. Steward's account. 1821-33.
7. Joan Popley's Charity (1570). Sundry accounts. 1827-55.
8. John Fricker's Charity (1696). Steward's account. 1832-33.

**140** 1735-9. Miscellaneous apprenticeship indentures. 8 bundles [Y/214].

**141** Various reports [Y/215]

1. 1832. Report to the Charity Commissioners of the Committee appointed to supply information respecting charities.
2. 1832. Report of the Charity Commissioners.
3. 1836. Draft Report appointing new Trustees.

**142** 1628-39. Storehouse Account Book, containing also entries of releases to the mayor and commonalty by the wardens of several companies, according to Walter Swainson's Legacy (1660) [Y/216].

**143** 1300-1826. Hospitals [Z/231]

1. Trinity Hospital. Deeds, 1300-1826 (45 membranes in 7 files); inventories, 1419 and 1436 (3 membranes in 1 file); account roll of John Raynold, under-steward, 1523-4; rent roll, c. 1730; volume containing stewards' accounts of Trinity Hospital, 1728-1818, of Taylor's Hospital, 1788, and of Brickett's and Sutton's Hospital, 1785-1814. Cf. **139** 3-5.
2. Small-pox Hospital. Book of memoranda and accounts, 1766-97, minute book, 1765-7, containing *inter alia* minutes relating to recruiting, 1779, and memoranda relating to the administration of Joan Popley's charity, 1767-8. Cf. **139** 7.

WILTSHIRE BOROUGH RECORDS

- 144** 1575-1631. Salisbury Grammar School. Title deeds relating to the foundation. 10 items in 1 bundle [Z/231a].

V MISCELLANEOUS CITY RECORDS

- 145** Domesday Books [Z/217]
1. 1357-68, with list of conveyances from 1317;
  2. 1396-1413;      3. 1413-33;<sup>1</sup>      4. 1459-79.
- 146** Bond Books, each inscribed 'Liber Statutorum Recognitorum' [Z/218]
1. 1516-69;<sup>2</sup>    2. 1569-98;    3. 1599-1624;    4. 1624-83.
- 147** 1306. Agreement between the mayor and commonalty of the city and the bishop of Salisbury relating to the tenure of burgages, the appointment and duties of officers, the administration of justice, the assessment of taxation and the regulation of trade [Z/219].
- 148** 1593-1637. Legal documents touching the dispute between the city and the bishop. 1 bundle [Z/220].
- 149** c. 1510-c. 1670. Documents touching the bishop's dispute with the city and the liberties and jurisdiction of the city. 1 bundle<sup>3</sup> [Z/221].
- 150** c. 1600-c. 1612. Legal documents touching the charter of 1612 [Z/222].
- 151** 16th century. Roll of transcripts of royal and episcopal charters (1367-1466) touching the controversies between the citizens and the bishop [Z/223].
- 152** 1629-82. Petitions to mayor and council. 1 box [N/100].
- 153** 1569-1692. Official correspondence, chiefly with Privy Council. 2 bundles in 1 box. Contains, *inter alia*, correspondence relating to Sessions of the Peace, militia and recruiting before the Civil War, and the original reports of the deputation sent to Whitehall to negotiate the grant of the charter of 1612 [N/101].
- 154** 1661. List of subscribers to a present for the King [Z/228].
- 155** 1835-47. Ward lists. 1 vol. [Z/229].

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<sup>1</sup> The enrolments are preceded by a calendar of charters and memoranda 'in the Book called Domesday' from 11 Ed. II (1317-18) to 1413.

<sup>2</sup> The entries from 21 Feb. 1537 to 11 Dec. 1547 are missing

<sup>3</sup> Deposited by the Diocesan Registrar.

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- 156** 1787-96. Accounts relating to the removal of the tenants and buildings in the Guildhall Chequer [Z/230].
- 157** 1612. Catalogue of free citizens, arranged by guilds. Indexed [I/252].
- 158** 1626-1743. Swearing-in book of searchers and sealers of leather and of carners. This volume also contains (a) memoranda, recognizances, elections of justices of the peace and Council minutes, and (b) shoemakers', curriers' and lastmakers' ordinances ratified 1631 [I/253].
- 159** 1692-3. List of persons who took the Oath of Allegiance;  
1702-80. Land tax commissioners' minutes [Z/224].
- 160** Books of declarations made by mayors, aldermen, assistants, councillors, auditors and assessors upon acceptance of office
1. 1835-9 [Z/227/1];      2. 1829-54 [Z/227/1a].
- The two volumes partially duplicate one another.
- 161** 1717-55. Freedom Admission Certificates. 1 bundle [Z/242a].
- 162** Freedom Admission Books [Z/242]
1. 1755-99;      2. 1814-34.
- 163** Late 15th century roll of contributors' names with the sums contributed. 1 roll [Z/238].
- 164** 1677. Inventory of the chattels of Maurice Green, late of Salisbury. 1 roll [Z/239].

W      EXTRANEIOUS RECORDS—JUDICIAL

*Bishop's or City Court for Civil Pleas*

- 165** 1600-1. Record of proceedings [P/121].
- 166** 1612-14. Ditto [P/122].
- 167** 1627-8. Ditto [P/123].
- 168** 1705-9. Ditto [P/124].
- 169** 1585, 1611-12. Calendar of pleas. 2 rolls [P/125a].
- 170** 1597-8. Rule book [P/119].
- 171** Early 17th century. Ditto [P/120].

WILTSHIRE BOROUGH RECORDS

- 172** Royal precepts for the determination in the court of the Dean and Chapter, *sede vacante*, of cases tried before the bishop's bailiff, 1590-1 [P/118].

*Court Baron*

- 173** 1565-81. Record of proceedings [P/125].

*Liberty of the Close: Sessions of the Peace*

- 174** 1789-1820. Miscellaneous informations and affidavits. 1 file [Q/136a].

X           EXTRANEOUS RECORDS—GUILDS

- 175** Original charters [I/243]

1. Tailors' Guild. Charter of Incorporation. 1461.
2. Ditto. Charter of Incorporation. 1553.
3. Ditto. Inspeximus of charter. 1558.
4. Weavers' Guild. Charter of Incorporation. 1590.

- 176** Ordinance books [I/244]

1. Early 17th century. A volume containing copies of company by-laws :—
  - (a) Merchant-merciers, grocers, apothecaries, goldsmiths, linen-drapers, upholsterers and embroiderers, ratified by the Court of Common Council 1612;
  - (b) Smiths, armourers, cutlers, pewterers, braziers, bell-founders, ironmongers, plumbers, saddlers, wire-drawers, playing card makers and pinmakers, ratified 1613;
  - (c) Glovers, parchment-makers and collar-makers, ratified 1613;
  - (d) Shoemakers, curriers and last-makers, ratified 1612;
  - (e) Butchers, ratified 1613;
  - (f) Clothworkers, ratified 1613;
  - (g) Bakers, ratified 1613;
  - (h) Joiners, coopers, wheelers, painters, instrument-makers, box-makers, turners, seaviers, billow-makers, ratified 1613;
  - (i) Barber-surgeons, ratified 1614.

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2. Early 17th century. A volume containing copies of the following ordinances :—

- (a) Smiths, armourers, cutlers, pewterers, braziers, bell-founders, ironmonger, plumbers, saddlers, wire-drawers, playing card-makers and pinmakers, ratified 1613 (*see* **176** 1 (b) );
- (b) Barber-surgeons, ratified 1614 ;
- (c) Bakers, ratified 1613 ;
- (d) Joiners, wheelers, worsted-makers, bookbinders, carpenters, millwrights, coopers, freemasons, roughmasons, painters, instrument-makers, ropers, turners, seaviers and billow-makers, ratified 1617 ;
- (e) Cooks, ratified 1620 ;
- (f) Clothworkers, ratified 1613 ;
- (g) Butchers, ratified 1613 ;
- (h) Merchant-merciers, grocers, apothecaries, goldsmiths, linen-drapers, upholsterers and embroiderers, ratified 1612 (*see* **176** 1 (a) ) ;
- (i) Shoemakers, curriers and last-makers, ratified 1631 (extended ordinances).

3. Copies of ordinances on paper sheaves :—

- (a) Joiners, wheelers, worsted-makers, bookbinders, carpenters, millwrights, coopers, freemasons, roughmasons, painters, instrument-makers, ropers, turners, seaviers and billow-makers, ratified 1617 ;
- (b) Smiths, armourers, cutlers, pewterers, braziers, bell-founders, ironmongers, watchmakers, wire-drawers, saddlers, cordmakers and pinmakers, ratified 1676 ;
- (c) Shoemakers, curriers, lastmakers, tanners, coachmakers, bridlemakers and flaxdressers, ratified 1675 ;
- (d) Glovers, parchment-makers, collar-makers, shirt-makers (seathmakers), ratified 1676 ;
- (e) Joiners, wheelers, worsted-makers, bookbinders, carpenters, millwrights, coopers, freemasons and roughmasons, bricklayers, painters, instrument-makers, ropers, turners, seaviers, billowmakers and plumbers, ratified 1675 ;

WILTSHIRE BOROUGH RECORDS

- (f) Engrossed copy of (e), 1713;
  - (g) Butchers, ratified 1613;
  - (h) Glovers, parchment-makers and collar-makers, ratified 1613;
  - (i) Shoemakers, curriers and lastmakers, ratified 1612;
  - (j) Bakers, ratified 1675;
  - (k) Merchant-merciers, grocers, apothecaries, goldsmiths, linen-drapers, milliners, vintners and embroiderers, ratified 1675;
  - (l) Barber-surgeons and silk-weavers, ratified 1676;
  - (m) Clothworkers—2 ratifications
    - 1. 1675;
    - 2. 1686.
- 177** Tailors' Guild. Act and Memoranda Book, containing ordinances, formulae of oaths, admissions of freemen, apprenticeship indentures and miscellaneous memoranda, begun 1444, and continued to 1838 [I/245].
- 178** Tailors' Guild. 1517-1735. Assembly Books [I/246]
- 1. 1517-75, the assembly minutes preceded by a copy of ordinances ratified 1443, list of visitors and wardens (15th century) and various memoranda;
  - 2. 1575-98 (decayed);
  - 3. 1597-1631;
  - 4. 1631-1735.
- 179** Tailors' Guild. 1607-1808. Bond Book [I/247].
- 180** Tailors' Guild. Bede Roll of the guild, *c.* 1444, with additions and alterations *temp.* Hen. VIII [I/248].
- 181** Tailors' Guild. Deeds and miscellaneous documents. 142 deeds relating to properties of the guild and the members thereof, 1307-1815. Also abstracts of various acts and ordinances relating to the incorporation and constitution of the guild, and papers relating to the winding-up of the guild, with relevant chamberlains' accounts, *c.* 1834-1880 [I/249].

*NEW SALISBURY*

- 182** Joiners' Company (and others) [I/250]
1. 1701. Agreement to share money;
  2. 1828. Agreement to sell hall.
- 183** Shoemakers' Company. *c.* 1675. Note of suggested revision of ordinances [I/251].

Y EXTRANEOUS RECORDS—MISCELLANEOUS

- 184** 1763. By-laws of the Friendly Society of 'Tradesmen, then constituted at the Angel Inn, Winchester Street [I/253a].
- 185** 1829-30. Minutes and papers of the Committee of Cottage Owners. 1 bundle [I/241].



## WILTON

HENRY I gave the borough its first known charter. In it the 'Burgesses of the Guild Merchant and the Community of Wilton' are granted the same franchises and liberties, and the same exemptions from toll and custom as were enjoyed by the burgesses of London and Winchester. Similar charters were granted by Henry II and John and these early charters were confirmed by Henry III, Edward I, Richard II, Henry IV, Henry V and Henry VI. In 1363 the borough obtained an exemplification of its exemption from foreign pleas and, in the same year, of the privileges which it shared with London. The borough surrendered its charters *c.* 1684 and was granted a new one in May 1685. This was the first charter to indicate any form of constitution. Under the Proclamation of 1688 the borough returned to its ancient charters and franchises.

In 1433 Henry VI granted the right to hold a weekly market and the two annual fairs of St. George and St. Giles. In 1667, when the prosperity of the borough was declining, the two fairs were confirmed by a charter of Charles II, which also acknowledged the borough's right to hold a court of pie-powder on these occasions.

By the middle of the 15th century the government of the borough was in the hands of the mayor and an unspecified number of burgesses. As has already been remarked, the charter of Henry I is addressed to the 'Burgesses of the Guild Merchant and the Community of Wilton'. Whether the guild merchant originally was the governing body of the borough and if so, for how long, has yet to be determined. It may be observed here that from the accounts of the guild merchant it appears that the salary and expenses of the mayor were items of expenditure to be accounted for by the guild steward.

No medieval records of any craft guild have been found at Wilton but a Fellowship of Clothiers and Weavers was incorporated in 1699.<sup>1</sup> Admissions to this exist for the period 1699 to 1775.

The meetings of the mayor and burgesses recorded in the General Entry Book gradually become distinguished by a name. Sometimes they are called a 'Convocatio', sometimes an 'Assembly'. By the beginning of the 17th century they are consistently called 'An Assembly of the Mayor and Burgesses'. At the end of that century meetings of a 'Common Council' as well as the 'Assembly' are recorded. From the study so far made of these records it seems that these are merely alternative names for the same body. All burgesses living within the borough were given 24 hours' notice of any meeting of the common council and failure to attend was punished by a fine of one shilling. At least 16 burgesses had to be present to form a

<sup>1</sup> P.R.O., Chancery, Patent Roll (C66)/3413 No. 12. The charter of incorporation is printed in *Wiltshire Archaeological Magazine*, XXVI, 246.

## WILTON

common council. By 1720 the two bodies, if they ever had been distinct, were merged, for from then onwards meetings are called the 'Assembly or Common Council of the Mayor and Burgesses'. For the period when the terms 'Assembly' and 'Common Council' are used on separate occasions no particular relegation of business to one or other body has been noticed.

From 1703 meetings of magistrates are also recorded. The magistrates met once a year only and their sole function was the nomination of three burgesses, one of whom was then elected in the assembly of mayor and burgesses to be mayor for the coming year. The outgoing mayor was always one of the magistrates and there were usually six others. Although 1703 is the first recorded entry of a meeting of magistrates, the meeting is then said to be convened in accordance with custom.

The charter of James II restricted the number of burgesses to 34 including the mayor. At the same time the Crown reserved the right to remove burgesses from office by Order in Council. Two examples of the exercise of this authority are to be found among the borough records.

From the end of the 17th century there is a series of indentures for the election of burgesses to Parliament. Wilton sent burgesses to the first Parliament for which returns survive (1275), and from 1449, with one exception, the Wilton burgesses were summoned regularly until the disfranchisement of the borough in 1880. Of particular note is a warrant by a coroner for the election of members for the borough to the Parliament of 1688-89.

The borough court originally dealt with both leet business and civil pleas, but after the beginning of the 17th century very little leet business is recorded. In the form in which it survived the court dealt with all kinds of civil pleas. In personal actions its jurisdiction was not limited by any set amount of debt or damages. The mayor was the presiding judge and in the earlier records presentments were made by the aldermen of the 5 wards viz. East Street, South Street, West Street, Minster Street and Kingsbury. In the early records the court is said to be held before the mayor but later the aldermen appear to have acted as judges as well. Hence it is sometimes called the 'Court of Aldermen' although its commoner name is 'Court of Pleas' or (later) 'Court of Record'. From the middle of the 15th century to the middle of the 16th century it is sometimes called 'Curia Comburgensium'.

The surviving medieval accounts of the borough are those of the steward of the guild merchant. A series of audited accounts of the borough's receipts and issues begins in 1563. The auditors, two in number, are originally called auditors for 'The Company of Masters and Burgesses of the Borough' and from the 17th century onwards for the 'Chamber of the Borough'

## WILTSHIRE BOROUGH RECORDS

From 1640 the audited accounts of St. Giles' Hospital are entered in the borough account books.

St. Giles' Hospital was founded by Adela, second wife of Henry I, for the maintenance of lepers and other poor sick persons living under the supervision of a prior. It came early into the patronage and under the management of the corporation. It survived the Dissolution and exists today in the form of five almshouses still administered by the corporation. Some records of St. John's Hospital are also included among the borough records. This hospital was founded at the end of the 12th century for two poor men and two poor women. Unlike St. Giles' it did not come under the management of the borough.

The Free School was founded in 1714 for the education of 20 poor boys of the parish. The mayor and burgesses and the rector and churchwardens of Wilton were the governors and trustees of the school. Robert Sumption, an attested copy of whose will is included in the collection, was one of the school's benefactors. By his will he bequeathed £1,000 to be invested for increasing the salary of the master and for better clothing, educating and apprenticing the boys. The school was closed in 1923. Items **236-238** are lists of pupils.

The charters are and have long been kept in glazed frames in the Old Town Hall. The remainder of the records are in the Municipal Offices, Kingsbury Square. When the first inspection was made early in 1949 they were not classified in any way and had not been examined for a considerable time. They were then in two large oak chests and two small wooden hutches. Each piece has now been labelled and numbered. Whenever possible the original bundling has been preserved. This was done with special care in the case of the leases, in the belief that it might represent some consistent arrangement in accordance with the location of the lands.

In October 1950 two chests containing parish records, and a third containing records of the Free School, together with a few hitherto unnoticed borough records, came to light. The records of the Free School and the additional borough records have been added to this list but the parish records are too numerous to be dealt with in this volume. The latter include: registers of elections of churchwardens (1606-1705); accounts of churchwardens (1721-1811), surveyors of highways (1806-28), and overseers of the poor (1686-1783); poor rate books (1770-1827 broken series); church rate books (1740-69, 1828-32, broken series); examinations and orders (1743-79); apprenticeship indentures (1694-1789); vouchers to accounts (1632-1764). The records of the Free School have not been labelled or numbered.

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The category called 'In-Letters', a somewhat arbitrary one, is designed to include documents, whether directly addressed to the borough officers or not, which came into the borough from outside and were intended to authorise the borough officers to take or to impede them from taking particular courses of action. The category called 'Extraneous Documents' includes certain documents that may well have always formed a proper part of the borough records but which on the face of it do not show any obvious connexion with the borough.

Few of the Wilton borough records have been printed. The *Journal of the British Archaeological Association*, (Original Series) Vol. XVII, contains transcriptions of numbers **1, 2, 3, 165, 220** and **221** in this list. The same volume also contains transcriptions of the following documents seen at Wilton in 1859 but apparently not now to be found among the borough records: charters of Henry II and John to St. Giles' Hospital confirming Adela's gift; letters patent of 1344 from Edward III presenting John of Tamworth as Prior of St. Giles'; a will dated 1348 of John Fromond and the appointment by Geoffrey, Prior of St. John's Hospital, of John Budel as a chaplain in 1395. Number **165** in this list has been printed in the *Transactions of the Salisbury Field Club*, Vol. II, and the confirmatory charters of Henry II and John to St. Giles' Hospital, not now to be found at Wilton, are also printed there.

Finally, in Volume XLII of the *Wiltshire Archaeological Magazine* (page 367) notice is taken of the 'discovery' in 1923 among the borough's archives of an early fourteenth century commonplace book of the mayor of Wilton. A brief description of this is given in the *Magazine*, and it is reported that the finders, Mrs. Norah Richardson and the late Rev. P. R. Barrington Brown, hoped to make a transcription of their find. This book does not appear to be among the borough records today and so far its whereabouts has not been traced.

### A

### THE CHARTERS

<b>1</b>	Hen. I	(? 1121); <sup>1</sup>	<b>2</b>	Hen. II	(? 1155); <sup>2</sup>
<b>3</b>	5 John	(1204);	<b>4</b>	13 Hen. III	(1229);
<b>5</b>	2 Ed. I	(1274);	<b>6</b>	37 Ed. III	(1363);
<b>7</b>	5 Ric. II	(1381);	<b>8</b>	1 Hen. IV	(1400);
<b>9</b>	1 Hen. V	(1413);	<b>10</b>	1 Hen. VI	(1422);
<b>11</b>	11 Hen. VI	(1433);	<b>12</b>	11 Hen. VI	(1433); <sup>3</sup>
<b>13</b>	19 Chas. II	(1667);	<b>14</b>	1 Jas. II	(1685).

<sup>1</sup> Mr. Charles Johnson conjectures this date. The limits of possibility are 1121-1133.

<sup>2</sup> Eyton, *Court, Household & Itinerary of Henry II*, 12.

<sup>3</sup> A grant of a weekly market and the two annual fairs of St. George and St. Giles.

## WILTSHIRE BOROUGH RECORDS

### *Documents supplementary to the charters*

- 15** 37 Ed. III (1363). Exemplification, under the Great Seal, at the request of the Burgesses of Wilton, of the privileges of London as set forth in the record of a plea before the justices at the Tower 14 Ed. II (1320-1). Endorsed 'Magna Carta de exemplificacione super statu London'.
- 16** Copy of charter of Henry VI (**12** *above*).
1811. List of charters Henry III-Henry VI.
1816. Copy of observations on the charters sent to Lord P(embroke).
- 1684-5. Notes on the charters extracted from the Common Entry Book.
- Ante* 1780. 2 copies of existing orders, by-laws, customs and usages.
- 17** 1684. Petition for a new charter.
- 1615 and 1618. Lists of borough muniments.
- ? 19th century. List of borough charters.
1886. Letter from Messrs. Shaw & Son, Fetter Lane, London, about recutting borough seal.
- 18** 18th century. Memoranda, extracts and correspondence about a new charter.
- 19** 1584-1768. Forms of resignations of burgesses—extracted 1812.
- Translation of charter of James II.
- 1 George III. Drafts for a charter and petition therefor.<sup>1</sup>
1674. Copies of charter as proposed by the Crown.
- 6 Anne. Copy of New Sarum Charter.
- Translation of charter of James II.

## B GENERAL COURT ROLLS

- 20** 8 & 9 Hen. VIII. Court called 'Curia Legalis' and 'Curia Communis'. Leet business and election of the mayor. *See* **26**.

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<sup>1</sup> No such charter is enrolled.

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C GENERAL ENTRY BOOK

- 21** 1454-1705. This is primarily a record of the election of borough officers and of burgesses. In the 15th and 16th centuries, however, it was also used as the place for noting any matter of borough business, e.g. the texts of letters, elections of burgesses to Parliament, leases granted, gifts received, recognizances, or appointments of sub-collectors of subsidies. Ordinances made by the corporation are commonly entered here, some even as late as the end of the 17th century. Proceedings in the court of pleas from 1483 to 1547 are here noted. Elections of burgesses 1694-1705 are entered on loose sheets, which lie between the leaves or are pinned into the volume.

D CORPORATION MINUTE BOOKS

- 22** 1705-1838. Minute book of the Common Council, Assembly of Mayor and Burgesses, and Meeting of the Magistrates. *See also* **177**.
- 23** *See footnote <sup>1</sup> below.*
- 24** Abstract of first Corporation minute book. *See* **22**.

E CORPORATION ORDER BOOK

- 25** 1620-93. Burgesses Order Book.

F COURT OF PLEAS, LATER CALLED  
COURT OF RECORD

*Minute books*

- 26** 1569-85. Mayor's Court. Civil pleas and leet business. *See* **20**.
- 27** 1592-1604. Ditto but with little leet business from early 17th century.
- 28** 1620-30. Ditto.
- 29** 1641-54. Ditto but no leet business after 1653.
- 30** 1654-68. Ditto with many licences for ale-house keepers, 1665-7.
- 31** 1668-70. Civil pleas with a brief recurrence of leet business.
- 32** 1670-73. Ditto but without leet business.
- 33** 1673-76. Ditto.

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<sup>1</sup> **23** is a corporation minute book later in date than the limit of this list. It covers the years 1839-85.

## WILTSHIRE BOROUGH RECORDS

- 34** 1677-1730. Ditto with a table of fees and entries of corrections for various misdemeanours for 1667-79 and 1699.
- 35** 1730-85. Civil pleas. Appointments of attorneys 1775-9. Undated table of fees. List of sessions of the court for 1761-9.
- 36** 1 & 2 Philip & Mary. 8 Elizabeth, 1647 and undated. Fragments of court books and presentments by aldermen.

### *Calendar*

- 37** 1691-1743. Calendar of Court Sessions.

### *Court proceedings*

- 38—49** 16th and 17th centuries. Pleadings in the Court of Pleas. Five original files of paper and one original file of parchment. With the six remaining bundles have been placed (perhaps wrongly) bills of costs.
- 50—56** 17th and 18th centuries. The like. 7 bundles in confusion. They include declarations in ejectment, writs of attachment, exhibits and affidavits. Bundles **52** and **53** were wrapped in **234** and **235**.
- 57** 35 Eliz. Account of legal costs.
- 58** *Temp.* Geo. I. Ejectment proceedings.
- 59** *Temp.* Hen. VIII and Eliz. Writs of *certiorari*, error, etc., and precept from the mayor to the sergeant at mace to empanel a jury. Original file.
- 60—66** *Temp.* c. Eliz. to c. Interregnum. Mesne process. Writs (Writs of *capias* for bails and *venire facias juratores*). On these files are some bills of costs.
- 67** *Temp.* Eliz. and Philip & Mary. Precepts from mayor to bailiff of Wilton in the nature of writs of *capias ad satisfaciendum venire facias juratores*.
- 68** *Temp.* Eliz. Ditto. Original file. Two precepts issued in the name of the Earl of Pembroke.
- 69 & 70** Two loose writs.
- 71** 20 Geo. II. Affidavits of service of process.

## G ADMISSIONS OF BURGESSES

- 72** 1706-38.

## WILTON

- 73** 1738-1806. Each certificate signed by mayor and recorder and sometimes by others of the corporation. Note on cover '4 July 1804 File was inspected'.

### H ELECTION OF BURGESSES IN PARLIAMENT

- 74** *Temp.* Eliz.-Chas. I. Original file of writs for the election of members of Parliament and indentures between burgesses and members.
- 75** 1698. Poll for election of 2 burgesses in Parliament.
- 76** 1678, 1727-1807. Indentures of election of burgesses to Parliament. Included in this bundle are (a) declarations 1772, 1774, 1775, 1788, 1807 and 1812 by returning officers that they have received no bribes and will make a just return; and (b) 1713, indenture for the election of Knights of the Shire.
- 77** 1812-1831. Indentures of election of burgesses to Parliament with declarations 1830 and 1831 by returning officers as in **76** above.

### I ORIGINAL IN-LETTERS

- 78** 1610. Precept from the Bishop of Salisbury, William Eyre and G(iles) Tooker to the mayor and burgesses as patrons of St. Giles Hospital to attend at Lackham an inquisition upon the hospital lands.
- 79** 1623. Summons to the mayor of Wilton to attend the Herald's visitation for Wiltshire at Salisbury with the corporation seal.
- 80** 1636-37. Petition by the inhabitants of Branch & Dole hundred to the justices of assize in Wiltshire that the county treasurer be required to take order for the repair of Burton Ball Bridge. Endorsed with order accordingly.
- 81** 1665. Copy of mandate under the signet to the sheriff of Wiltshire not to remove the County Court from Wilton to Devizes.
- 1676-77. Original mandate. Contents as above.
- 1678-79. Ditto, prohibiting its removal to Warminster.
- 82** 1688-9. Warrant by a coroner for the election of members for the borough to Parliament of 1688-9.
- 83 & 84** 1688. Two copies of an Order in Council and Proclamation for restoring the corporation to their ancient charters, liberties and franchises.



WILTSHIRE BOROUGH RECORDS

- 85** 1688. Petition of the Lords Spiritual and Temporal for calling a free Parliament with the King's answer thereto. *Printed.*
- 86** 1688. Two Orders in Council for the removal of burgesses.
- 87** 1701. Writ issuing out of the King's Bench for the restitution of William Cowdry to his position as a burgesse.

J

ACCOUNTS

*Guild Steward*

- 88** Accounts of the steward of the guild merchant
- 14-15 Ed. III (1340-41),
  - 11-13 Hen. IV (1410-12),
  - 7-8 Hen. VI (1428-9),
  - 15-16 Hen. VI (1436-7),
  - 17-18 Hen. VI (1438-9),
  - 19-23 Hen. VI (1440-44),
  - 25-26 Hen. VI (1446-7),
  - 30-38 Hen. VI (1451-9),
  - 39 Hen. VI-1 Ed. IV (1460-61),
  - 5-7 Ed. IV (1465-7),
  - 9-13 Ed. IV (1469-73),
  - 14-15 Ed. IV (1474-5),
  - 21-22 Ed. IV (1481-2),
  - 10-11 Hen. VII (1494-5),
  - 12-13 Hen. VII (1496-7).
- 89** Accounts of the steward of the guild merchant 1429-75. These are made up into a roll but form part of the series in **88**.
- 8-10 Hen. VI (1429-31),
  - 12-15 Hen. VI (1433-6),
  - 16-17 Hen. VI (1437-8),
  - 18-19 Hen. VI (1439-40),

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1-3 Ed. IV (1461-3),  
13-14 Ed. IV (1473-4).

- 90** Fragment of a 16th century account, presumably of the steward of the guild merchant.

*Chamber of the borough*

- 91** 1565-1616. Accounts of the Company of Masters and Burgesses of the Borough declared before the auditors. The accounts are very rough and at times consist mainly of notes of leases entered into and debts due. A rough rental for 1571-1601 is included. *See also* **108**, **156** and **157**.
- 92** 1640-1721. Ditto. The audit of the accounts of St. Giles' Hospital for the same period are included in the same volume.
- 93** 1722-1811. Accounts of the Chamber of the Borough declared before the auditors. Audit of accounts of St. Giles' Hospital for same period.
- 93A** 1811-83. Ditto for the Chamber of the Borough.  
1811-1907. Ditto for St. Giles' Hospital.
- 94** 1672-3. Mayor's account with vouchers annexed.
- 95** 17th century. Rough accounts of the Chamber and vouchers thereto. Unbroken file.
- 96** 16th and 17th centuries and some *temp.* Hen. VIII. A small collection of loose accounts and vouchers.
- 97** 1602, 1623 and 1678. Accounts with vouchers.
- 98** 1621-3 and 1635. Ditto.
- 99** 1629, 1635, 1677 and 1679. Ditto.
- 100** 1651, 1657, 1671, 1674-7. Accounts without vouchers.
- 101** 1656, 1661, 1665-9. Ditto.
- 102** 1669-73. Ditto.
- 103** 1662-71. Ditto.

VOUCHERS TO ACCOUNTS

- 104** 1585. Voucher to a ? Chamber account.
- 105** ? 16th century. 4 receipts.

WILTSHIRE BOROUGH RECORDS

- 106** 1624, 1672-4. File of bills and undated receipts. Includes a bond between members of Parliament for the borough and the mayor and burgesses that the former will save the latter harmless.
- 107** ? 17th century. Part of a list of Chamber receipts with a note of those who ' have not paid to the highways '.
- 108** Mainly 18th century. File of bills. ? Vouchers to accounts. Very disorderly. Includes rent roll for the Chamber. *See also* **91**, **156** and **157**.
- 109** 1738-77. Vouchers to Chamber accounts.
- 110** 1777-90. Ditto.
- 111** 1791-1816. Ditto.
- 112** 1817-25. Ditto.
- 113** 1826-30. Ditto.

*Fairs*

- 114** 1756. Accounts of fairs.
- 115** 1760. Ditto.
- 116** 1762-90. Ditto. In 1790 the fairs were let to Henry Ford for a term of seven years.
- 117** 1763-90. Virtual duplicate of **116**.

VOUCHERS TO ACCOUNTS

- 118** 1761-77.
- 119** 1778-86, 1790.

*Rebuilding of Town Hall*

- 120** 1736. Accounts for rebuilding town hall and adjoining houses.

K TAXATION

- 121** 1624. A roll or rate for collecting the fifteenth; based upon the assessment of 1598, arranged by wards etc.
- 122** 38 Geo. III. Assessed Tax Act. Minute book of Assistant Commissioners and notices of meetings.
- 123** 1798-1817. Land taxes. Miscellaneous papers regarding assessment and redemption.

WILTON

L GUILD RECORDS

- 124** 1699-1723. Admissions to Fellowship of Clothiers and Weavers. Original file.
- 125** 1699-1700 and 1775. Ditto but broken file.
- 125A** 1725-1809. Ditto. 1 bundle.

M CORPORATION LANDS

*Grants to the borough*

- 126—141** 1309-1511. Deeds. Separately packed.
- 142** 1535-6. Bargain and sale by mayor and burgesses and William, Margaret and Joseph Tarrant to William Sharp of lands in Fugglestone.
- 143** 1818. Deed of exchange. Philip Phelps and his trustee to the mayor and burgesses.

*Leases*

- 144** 1553-1601. Corporation leases with a feoffment and release of 1542 from Browne, *alias* Clement, to Radman of a meadow near the Crossebridge in Wilton.
- 145** 1604-48. Corporation leases.
- 146** 1650-98. Ditto.
- 147** 1701-33. Ditto.
- 148** 1705-90. Ditto.
- 149** 1733, 1783, 1784. Ditto.
- 150** 1791-1802. Ditto.
- 151** 1792-1810. Ditto.
- 152** 1810-42. Ditto.
- 153** 1666. Leases of the fairs and markets.
- 154** 1618-1734. Leases of the fairs and markets or tolls thereat.

*Rentals and surveys*

- 155** 1780. Survey of the lands belonging to the borough with a survey of the lands of St. Giles' Hospital at the same date.

WILTSHIRE BOROUGH RECORDS

- 156** 1567-8. Rental of the borough. *See also* **91, 108** and **157**.  
**157** 1741-4; 1746-9; 1751. Rent rolls of the Chamber. *See also* **91, 108**  
and **156**.

N BONDS

- 158** 1672-8. To secure borough debts.  
**159** 1726. Ditto.  
**160** 1614. Not to dress flesh.  
**161** 1631. Apprenticeship.  
**162** 1661. For good behaviour.  
**163** 17th century. Original file of bonds and apprenticeship indentures.  
**164** 17th century. Form of bond to save an obligee harmless.

O HOSPITAL OF ST. GILES

*Letters of protection*

- 165** 19 June 31 Hen. III (1247). Great Seal attached.  
**166** 22 June 31 Hen. III (1247). Great Seal attached.

*Deeds*

- 167—169** ? 13th century-1407. Separately packed.  
**170** *Temp.* Charles I and Charles II.  
**171 & 172** 1624-1824. 2 bundles of leases.

*Vouchers to accounts*

For accounts *see* nos. **92, 93** and **93A**

- 173** 1766; **174** 1826.

*Survey*

*See* **155**

FREE SCHOOL

*See section T below*



WILTSHIRE BOROUGH RECORDS

- 192** Fragments of little value.
- 193** 16 May 9 James I (1612). Notification by Walter Borrowe, mayor of Exeter, that on 25th January, 9 James I (1612) Andrew Chalwell was wounded to death in the house of Henry Compton of Exeter, innholder, by Thomas Crutcherd. Fragment of seal of mayoralty of Exeter. Endorsed with note that William Barrey of Exeter, ostler, swore to the effect of the said certificate before the mayor of Wilton.
- 194** 1621. Examination of Stephen White of East Knoyle, taken before the mayor of Wilton.
- 195** 1638. Letter of attorney by Giles Carey appointing William Bowles to acknowledge satisfaction for a sum awarded to Carey in Wilton borough court.
- 196** 28 May 1658. Appraisement of the goods of Adam Snow of Wilton taken in execution.
- 197** 18th century transcript of indictment *Rex v. Henry Jones* of Wilton charged with the detention of monies by him collected; with pleas in defence.

R EXTRANEOUS DOCUMENTS

*Hospital of St. John*

- 198** 1325. Confirmation by Roger (de Mortival) bishop of Salisbury, to the prior and brethren of the Hospital of St. John by Wilton, of a gift by Thomas le Porter, Vicar of Bulbridge, of lands for the erection of a chantry in Bulbridge Church, to be served by a brother of the hospital.<sup>1</sup>
- 199** 1395. Conveyance.
- 200** *Temp.* Philip & Mary. Letter of attorney by John Roberts, Master of St. John's Hospital, to David Roberts of Dinton.

*Other owners*

- 201** ? Late 13th century. Daily expenses of the larder of Wilton Abbey for 18 weeks.
- 201A** ? 14th century. Fragment of account of the steward of Wilton Abbey. Expenses only.

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<sup>1</sup> A letter dated 1902 from A. R. Malden, Diocesan Registrar, says that this deed is registered.

## WILTON

- 202—210** 13th, 14th and 15th centuries. Miscellaneous deeds.
- 211—214** 1338; *post* February 1303; 1338 and *ante* 1290. Miscellaneous deeds.
- 215** ? *Temp.* Hen. III. John, son of Ralph Ace, burgess of Wilton, to Thomas Seliman of Foulston of rent in Foulston.
- 216** 1337. Copy of will of Thomas de Britford, citizen of New Salisbury.
- 217** 5-41 Ed. III. Roll of Conveyances concerning the 'corner tenement and shops adjoining from Brown Street to the Trinity House' (in New Salisbury).
- 218** 16 Ric. II (1392-3). Grant by William Chitterne, mayor, and the burgesses of Wilton to Nicholas le Vyneter and Ralph Wyndhull of lands in Wilton. Sealed with the seals of the borough and mayoralty.
- 219** 1415. Thomas Atte Ende and John Hatter, clerks, to William Warwyck of Wilton and others of lands in the borough and suburbs of Wilton which the grantors had of John Hardy of Wilton, one of the grantees. Seal of mayoralty and two other seals attached.
- 220** 1416. Letters patent of the borough praying that John Mundy be suffered to exercise in other towns his privileges as a burgess.
- 221** 1504. Letter of commendation from the under-marshal and keepers (5 persons named) of the King's Bench (Prison) for two discharged prisoners going on a pilgrimage after their release to (seek) the Holy (and Blessed) Cross at 'Chauldon St. Michael on the mount' and so on to St. Ronyonys (St. Ronans).
- 222** 4 Hen. VIII (1512-3). Receipt by William Hawerden, parson of St. Andrew's, Wilton, steward of the Guild Merchant, for money delivered by the mayor and auditors and others, and of other sums received by others from others.
- 223** 15 Hen. VIII (1523-4). Bond from John Trap, tanner, of New Salisbury and Agnes his wife to John Everard of the same, brewer.
- 224** 22 Hen. VIII (1530-1). Gift by William Colson and John Cotwyn, citizens of Norwich, to John Grene, of Norwich, of a house in the parish of St. John and St. Michael, Norwich.
- 225** 1600. Inquisition indented as to the age of William, Earl of Pembroke, taken upon a Commission in the nature of a writ *de etate probanda*, by Walter Vaughan, Robert Penruddok, feodary in Wiltshire, and John Stockman esquires. Commissioner's counterpart.



WILTSHIRE BOROUGH RECORDS

- 226** 1 March 11 James I (1614). Licence for Thomas and Joan Selby to alienate lands in Wilton to Robert Nicholas. Fragment of Great Seal.
- 227** 1619. Lease by Lord Pembroke to Lawrence and Robert Hyde of the manor of Kington, Wilts.
- 228** 1665. Licence by two justices of the peace for Anthony Adams of Barford St. Martin to keep a common alehouse in Barford.
- 229** 1667. Appointment of Thomas Dennett to be clerk, steward and keeper of the borough court.

S MODERN TRANSCRIPTS

- 230** 1325. Charter of Roger (de Mortival) bishop of Salisbury to St. John's Hospital.
- 231** Transcript and translation of the borough charters by T. H. Baker.
- 232** Modern historical notes and transcripts from the records. Report of the Municipal Corporations Commission 1832 and reports of the Boundary Commissions of 1833 and 1865.
- 233** 6 labels, removed April 1949.
- 234** & **235** 1789. Orders made by the Quarter Sessions for the regulation of the 'Bridewell' at Devizes. *Printed. See 52 and 53.*

T FREE SCHOOL

*Registers*

- 236** 1719-50; **237** 1759-90;
- 238** 1791-1907.

*Accounts*

- 239** 1763-86; **240** 1786-1811;
- 241** 1811-41; **242** 1781-1821. Receipts only;
- 243** 1737-83. Vouchers to school accounts. Large unsorted collection;
- 244** 1781-1802. Accounts in book called 'Mr. Sumption's Donations';
- 245** 1803-25. Accounts in book called 'Mr. Sumption's Benefactions'.

*Other documents*

- 246** 1778. Attested copy of Robert Sumption's will.
- 247** 1798. Title deeds of the house and land adjoining the school house purchased by the trustees of Mr. Phelps.

## WOOTTON BASSETT

CANON J. E. JACKSON, in his edition of John Aubrey's *Topographical Collections* gives 25 Henry VI (1446-7) as the date of the earliest charter of Wootton Bassett but no enrolment of it can be found in the national archives. The document numbered **1** below is apparently a copy of a grant to the inhabitants by Elizabeth in 1561 of privileges including authority to hold a market and fairs, and was found c. 1878 in the parish chest. Again, no enrolment can be traced. Nevertheless in 1571 Elizabeth granted a charter embodying such authority<sup>1</sup> and in 1679 the town was incorporated by Charles II. It has been conjectured that document no. **1** may have been a draft used previous to 1679 which had been copied from another drawn up between 1558 and 1571.<sup>2</sup>

Whether or not a Court of Record has ever been held is not evident, although a letter of 27 July 1804, copied into the court book of 1785-1856 asking for the appointment of a resident town clerk refers to the then recent discovery that the borough was entitled to hold such a court under the patent of Charles II, not only for the recovery of small debts but also for the trial of offences. The original of this patent was one of the records removed by a town clerk, Adam Tuck, when he absconded a little earlier than the date of the first extant court book, for the commencement of which by his successor he may be directly responsible. This charter was discovered in 1859 at Goppa, Denbigh, brought back to Wootton Bassett by a Mr. Owen, solicitor to the Tuck family, and handed to the then town clerk. The latter, one W. F. Pratt, is reported to have got into difficulties and to have sent 'the office papers' away.<sup>3</sup>

Wootton Bassett sent members to Parliament from 25 Henry VI, 1446-7 (the year of the reputed earliest charter), until it was disfranchised by the Reform Act of 1832. It continued as a municipal corporation, however, unaffected by the terms of the 1835 Act, until it lost its borough status finally in 1886 as a result of the Municipal Corporations Act of 1883.

The surviving records are in the custody of Mr. W. Gough, the Hon. Secretary of the Town Trust, which body was appointed by the Charity Commission to administer the property of the defunct corporation.

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<sup>1</sup> P.R.O., Chancery, Patent Roll (C66)/1074 m.30.

<sup>2</sup> Dr. Hubert Hall in a letter dated 28 Oct. 1918 to the Hon. Sec. of the Wootton Bassett Town Trust.

<sup>3</sup> Municipal Corporations Commission Report, 1880, Part II, 126; J. E. Jackson, in *Wiltshire Archaeological Magazine*, XXIII, 173; and W. F. Parsons reported in the latter, XI, 363.

## WILTSHIRE BOROUGH RECORDS

### A TRANSLATIONS AND TRANSCRIPTS OF CHARTERS

- 1** Late 17th century. 'Copy of Wootton Bassett Charter in Com' Wilts'. Purports to be an incomplete transcript of a charter of Elizabeth. A protective cover of later date is endorsed: 'Copy of the Latin charter of Q. Elizabeth to the Borough of Wotton Bassett A.D. 1561'.<sup>1</sup>
- 2** *Post* 1829. A translation of the charter of incorporation of 2 Dec. 31 Chas. II (1679).
- 3** Mid-19th century. Ditto.
- 4** *c.* 1918. A translation of no. **1**.<sup>2</sup>

### B COURT BOOKS

- 5** 1751-2. General proceedings in the borough court. The first entry refers to the abscondence of the town clerk, Adam Tuck. The forms of oaths for the mayor, aldermen, burgesses, constable, sergeants and town clerk are set out at end of book.
- 6** 1785-1856. General proceedings in the borough court, chiefly the election of officers.

<sup>1</sup> Not enrolled. See comments above list

<sup>2</sup> By Miss A. B. Wallis Chapman, B.Sc