

## 15. PP 101-103

44. SOME DOCUMENTARY ODDMENTS  
(BRIDGWATER).

It is generally known that the Bridgwater Corporation is happy in the possession of a mass of medieval documents ranging in date from the early thirteenth century onward. More than sixty years ago, when the British Archaeological Meeting was held in the borough, their palaeographer, Mr. W. H. Black, addressed the assembly, and a resumé of what he said in reference to the documents may be found in the *Somerset Arch. Proc.* for 1856. On behalf of the Royal Hist. MSS. Commission, Mr. H.T. Riley examined the documents in 1869 and again later, and his account of them appeared in the Appendices to the First and Third Reports of the Commission. The *Som. Arch. Proceedings* for 1877 were enriched by a paper on some of the Bailiff's Accounts by Mr. J. Edwin Odgers. But no attempt has yet been made, so far as I am aware, to place the original texts within the reach of students of burghal history.

By the courtesy of the Muniments Committee, and of the Deputy Town Clerk, Mr. R. Letherby, I am at present engaged in the work of examining and transcribing these MSS. While the mass of them pertaining specially to the history of the borough, will, I hope, appear eventually in a fitting manner, there are some of a more extrinsic character, notes of which I propose to give to readers of this quarterly from time to time. In some cases the full text will be given, while in others it will be necessary only to indicate points of special interest. The numbers given in brackets are those assigned to the MSS. by Dr. Birch in cataloguing them for the Corporation.

AN IRONMONGERY BILL FOR THE PARSON OF  
SPAXTON. [769]

" M<sup>d</sup> that Sir John Coly parson of Spaxton in Somersetshire oweth to Hunfrey Smert suche parsells as foloweth

|  |                           |
|--|---------------------------|
| In primis for a skolle to put in a dowbyll bonet                                 | vjs viiijd                |
| p <sup>r</sup> ce  |                           |
| Item for 1 pere of Arndyrenes  | xiijs iiiijd              |
| Item for 1 fryenge panne   | ijs                       |
| Item for a gose panne  | ijs                       |
| Item for a broche [spit]   | iijs. iiiijd.             |
| Item for v iii <sup>li</sup> lath nayle p <sup>r</sup> ce of every               | iii <sup>li</sup> xiiiijd |
|  | vs. xd                    |
| Item for the Cariage of all this stuffe to y <sup>e</sup> watir                  | xijd                      |
| Item for Cariage of the seid stuffe fro Brokwere to Rokmylle to John Denes house | xxd                       |
|  | Summa xxxvs xd            |

John Coly was incumbent of Spaxton 1465-1478.

## DUKE HUMPHREY [730].

Humphrey, Duke of Gloucester, son of King Henry IV., appears in a quitclaim dated 25 Oct., 1409. John Mocheldener and Thomas Crowe release all their interests in the properties which lately belonged to Wm. Thomer of Bridgwater to " domino Humfrido filio domini Regis, domino Gilberto domino Talbot, Roberto Bullerdowne Willelmo Lamperey clericis, et Ricardo Kayton." Gilbert Lord Talbot is he who on March 11 1405 defeated the rebel army of South Wales at Grosmont in Monmouthshire.

## BYKEFOLD E-TRYVET FAMILY [787].

An undated deed belonging probably to the early years of Edward II's reign gives the names of some of the Bykefolde family. Matilda of Bykefolde, daughter of Hugh Tryvet and formerly wife of John of Bykefolde, grants certain lands in 'Poulet' to her daughter Juliana with remainder in turn to her son Ralph, her son Richard, and her daughter Lucy. The rent to be paid annually to the capital lord is " tres clavos Gylofror" The witnesses are Simon de fforneaus, Gilbert de Chilton, Matthew de Coker, Wm. Cote, Wm. Testard of Purve " and many others."

ADMISSION TO THE ORDER OF TRINITARIAN  
FRIARS [265]

The form of admission of John Davy and Elinor, his wife, to this Order is written on a small parchment, 4-<sup>3</sup>/<sub>4</sub> in. X 7<sup>3</sup>/<sub>8</sub> in., with pen-made embellish-ment. If the scribe had devoted the time which he gave to the ornamentation to forming a clearer script, the document would be much more easily read. My thanks are due to Father Browne for helpful collaboration in deciphering the contents, and to Father Ethelbert Horne for coming to my aid in a point for research. The seal is unfortunately absent, but I found in compensation in the seal strip the beginning of another document which furnishes the name of the " minister " of the house of Thelesford, possibly an addition to knowledge. It runs " Universis Christi fidelibus ad quos presentes pervenerint Robertus Bolton minister domus de Thelesford ordinis ..... " and there ends. On the dorse of the brief are three forms of absolution. It may be interesting to readers to have the original text, the Latin being of course here extended. Warning must, however, be given that while in order to secure a faithful copy the greatest care has been bestowed on the transcription, there are some original scribal errors, such as the omission of *ic* after *absolvat* in the first form of absolution, and *ecclesia* in the last, and that the Latin is utterly impossible in places, such as the sentence

beginning *Nolum facimus* and in that beginning *Quum igitur*. The missing word towards the end is probably something equivalent to "potestates." Notwithstanding these obvious blemishes, the general sense will be found to be plain.

"Fratr Ricardus Minister domus de Motyndene Cantuariensis diocesis ac provincialis Ordinis sancte Trinitatis in Anglia et Redemptionis captivorum terre sancte qui sunt Incarcerati pro fide Ihu Christi a paganis Salutem in Domino sempiternam.

Notum facimus quod plurimi Romani pontifices omnes et singulos Confratres et Consorores possunt sihi annuatim eligere Confessorem idoneum qui eos absolvat ab omnibus casibus sedi apostolice non reservatis Et Semel in vita ab omnibus peccatis Etiam a casibus Sedi apostolice reservatis et. pro commissis penitentiam salutarem ipsis Injungere valeat. Et quilibet Confrater habebit scriptum dicte fraternitatis et eidem Sepultura ecclesiastica non negetur quacumque morte moriatur tam in tempore Interdicti quam alias nisi nominatim fuerit excommunicatus. Quequidem privilegia ipsa sanctissimus in Christo pater et dominus noster Dominus . Alexander Sextus papa modernus confirmavit et approbavit clausulam mentionem facientem de certa quantitate bonorum ut in suis dictis literis habetur interpretando.

Novissime vero per alias suas literas apostolicalis idem summus pontifex omnibus Confratribus et consororibus prefatis eidem ordini nostro de facultatibus suisjuxta hujusmodi interpretationem erogantibus Confessorem idoneum eligendi licenciam concessit qui eis et cuilibet eorum In mortis articulo plenariam remissionem omnium peccatorum suorum indulgentiam et remissionem impartiri valeat. Hoc est a pena et a culpa. Quum igitur devotis in Christo Johanni Davy et Elinore uxori fraternitatem suam nostre confraternitatis confratris sue promisit de bonisque suis contribuerit tenorem literarum apostolicarum adimpleverit Ideo ipsos associamus in vita pariter et in morte una cum omnibus amicis vivis et defunctis in omnibus Missis orationibus et suffragiis nostre predicte Religionis.

Datum sigillatum sigillo Confraternitatis nostre anno domini. Millesimo CCCC<sup>o</sup> nonagesimo Quarto.

[Dorse]

Dominus noster Jesus Christus per suam piissimam misericordiam absolvat. Et ego auctoritate apostolica mihi in hac parte commissa absolvo te ab omnibus peccatis tuis contritis et confessis ac de oblitis sedi apostolice *non* reservatis. In nomine patris &c.

Dominus noster Jesus Christus per suam piissimam misericordiam absolvat te. Et ego auctoritate apostolica mihi in hac parte commissa et tibi concessa absolvo te ,ab omnibus peccatis tuis contritis confessis et oblitis Etiam in casibus sedi apostolice reservatis. In nomine patris &c.

Dominus noster Jesus Christus per suam piissimam misericordiam absolvat te. Et ego 'auctoritate apostolica mihi in hac parte commissa et tibi concessa absolvoe ab omnibus peccatis tuis contritis confessis et oblitis. Dando tibi etiam omnium peccatorum tuorum remissionem et indulgentiam. Remittendo tibi penas purgatorii quas incurristi inquantum, ..... sancte matris ecclesia se extendunt. In nomine patris et filii &c."

The names of the John Davy and his wife are inserted.

T. BRUCE DILKS.



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DOCUMENTARY ODDMENTS (BRIDGWATER)  
continued from XVI, 100.

The Rev. Chancellor Christopher Wordsworth has kindly supplied the missing word at the end of the forms of absolution in the Trinitarian Letter of Fraternity which I published in October. It is *claves*. Neither my late and much missed friend. Father Browne, nor myself succeeded in reading the word, but there are letters enough to confirm the chancellor's suggestion.

A BRISTOL BELLFOUNDER. [No. 731.]

On Nov. 5, 1521, Thomas Jeffereys, of Bristol, Belleyeter, gives a general quittance to Wm. Brooke, Robert Castelman and Robert Thomas, wardens of the church of St. Mary's, Bridgwater.

WILL of JOHN Baker of Wembdon. 1387. [No. 733.]'

In Dei nomine Amen. Ego Johannes Baker de parochia de Wemedon condo testamentum meum in hunc modum. In primis lego animam me am deo corpus vero meum ad sepeliendum in cimiterio de Wemedon. Item lego domino Roberto Hulle iis. vid. ut oret pro anima mea. Item lego vs. in pane ut detur pauperibus in die

sepulture mee pro anima mea. Item lego xs. ut expendatur pro mein-die sepulture mee. Item Henrico filio meo armilausam meam et tenicam optimam. Item lego Johanni filio meo i togam rubram. Item lego Magote filie mee i blankat et i linthiamen. Residuum omnium bonorum meorum post debita persoluta lego Johane uxori mee et ad istam voluntatem meam ultimam sine fraude implevendam ordino et constituo executorem nieum Johanam uxorem meam. Data apud Weme- don in festo Sancte Margarete Anno domini millesimo ccc<sup>mo</sup> octogesimo septimo.

Probatum fuit presens festamentum coram nobis ofifrciali domini Archidiaconi Tanton Et commissa est administratio bonorum dicti defunct! executori in testamento nominato et in forma juris jurato. Datum sub sigillo officii nostri apud Holford

iii die Augusti anno Domini Millesimo ccc<sup>mo</sup> lxxx<sup>mo</sup> vii<sup>mo</sup>.

There is a wood-cut of the *armilausa* in Fairholt's *Costume in England*, vol. ii., p. 13. I have printed *tenicam* as it stands in the text.

T. BRUCE Dilks.

Vol 24, pp 22-25

#### 18. THE HODY-FAMILY.

There seems to be a strange fatality of error attending all references, purporting to be historical, to the Hody family, and I confess that I feel doubtful whether this note can possibly escape what appears to be inescapable. Even in small matters mistakes insinuate themselves. For example, in my copy of the *Past on Letters* (ed. 1872, in 3 vols) a superfluous comma has crept into the name of Alexander Hody, so that he is indexed as two persons; a contrary effect is produced in the index to the Register of Bishop Stafford (S.R.S. 32, 428) where several references to Sir John Hody are placed under 'Hody, John, Vicar-General' without any discrimination; and again, and perhaps a more serious lapse, in a translation of the will of Sir John Hodye, indexed by the way as 'Hodge, John, Knt.' (S.R.S. 19, pp. 337, 359) a cup of silver gilt is said to be left to 'Thomas Hody my uncle' instead of to 'Thomas Hody, my father' — *p'tri meo*.

The genealogical table according<sup>^</sup> to Hutchins (*Hist. and Antiq. of the county of Dorset*, 3rd ed. vol. 2, p. 233) is headed by two brothers John and Thomas, without any attempt to name their parents. This is at least safe though unsatisfying. But writers on the subject are fain to supply what is missing, though usually

with a caution to the reader, by falling back on the story that John and Thomas were the issue of a mixed marriage and that their father was Adam Hody, of Woolavington, hay ward and serf of Lord Audley, and their mother Isabel Gilbert, daughter of a well-known and long established family of the same village. The status of the offspring of such a marriage was determined, according to Bracton, by the locus of their birth. If the children were born in the mother's free tenement, they were free, but if not, then they were unfree. The story goes that John and Thomas were unfree and that the servile origin clung to the grandchildren, the children of Thomas, whose manumission was obtained by their uncle John. To this tradition I have now another to add, the text and setting of which I hope one day to publish. It is this, that both the boys were born before Adam and Isabel, their parents, were married, so that to the taint of neifty was added that of illegitimacy.

Of John we know that he took Holy Orders and was a bachelor in laws, we know that he rose to be precentor of the Cathedral Church of Wells, and that in 1425 Bishop John Stafford appointed him to be vicar-general in his absence from his see. Master John died in 1440 and was buried in 'the new chapel' in Woolavington church. Of these facts the historical truth is clear.

But what of his brother Thomas? Can we identify him with certainty?

To begin with, we know that his two sons, Alexander and John, rose to distinction, the former as a man of law and of property, the latter as lord chief justice, and that his grandson William became lord chief baron of the exchequer. The fame of the family throughout the fifteenth century was thus assured.

Maxwell-Lyte in his *History of Dunster* makes three references to a Thomas Hody whom he identified with our Thomas. He held the position of receiver-general of the Dunster estates in the time of Sir Hugh Luttrell, and the years of the references are 1409 (p. 472), 1416 (p. 87), and 1420 (p. 359). Such a position might be held by a landed proprietor and I can urge nothing against the possibility of his being the man we have to identify. Yet there seems to be no actual proof.

In Woolavington we are more at home, however, than in Dunster. Whether or not Adam, hayward of Woolavington, was their father, the family seems to have had property there. There were three chantries associated with the parish church and at one time or another either Thomas or Alexander acted as

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patron of each of them. Thomas presented to the first of them in 1441 ; Alexander to the second in 1445 ; Thomas, to the third in 1441 and Alexander in 1442 (Weaver, *Somerset Incumbents*, pp. 221, 222). Yet there is no sign here of manorial status ; we must cross the border into Dorset to find that.

Hutchins tells us that Thomas was lord of the manor of Kington Magna. After his father's death Alexander counted it among the dozen and more manors which he owned in the two counties. Master John Hody may have been showing a family interest when in 1418 he exchanged the living of Queen Camel for that of Kington Magna. Among the title deeds of the Bridgwater Corporation to land which they hold in Stour Eastover, within three miles of Kington Magna, are three dated 1404 (No. 526), 1438 (No. 677) and 1440 (No. 693). All of these bear the name of Thomas Hody as a witness. If this is our Thomas we may deduce that he was in residence at Kington Magna in those, years.

Thomas is styled *armiger* in 1441. Alexander and John attained to knighthood. All three married into armigerous families. The three names occur in the list of county escheators. Alexander and John both represented Somerset in parliament. Is it credible that a family of immediate servile origin should emerge suddenly and at once take a position of such eminence among the aristocracy of the west ?

If I may hazard a guess, and it must not be accepted as more than a guess, I would suggest that a family quarrel between the Pymms of Brymore and the Hodys may be sufficient to account for the aspersions detailed above. If Thomas Hody's father married into the Gilbert family, so also at a later time did Roger Pym, and Roger claimed the patronage of the first Woolavington chantry by right of his wife at the beginning of the fourth quarter of the century. Sir William Hody eventually overcame him and exercised the patronage not only of the first but of the other two chantries also. Bitterness was the result and the stories emanating from Brymore recorded by Maxwell-Lyte in this journal (*S. & D. N. & Q.* vol. xviii., p. 327) show how truly venomous it had become.

In this note I have been writing from the Somerset point of view ; I hope that some investigator on the Dorset side may be able to throw light on our present darkness. How came the Hodys to be lords of Kington Magna and when ? Is there any documentary or monumental evidence ? Who presented to the living in 1418 ?