

Original Documents.

THE following documents, extracted from the Registry of the Exchequer Court of York, are of a class of testaments seldom printed, neither the testators nor their descendants having attained any rank to mark them in history. We have offered to our readers on a former occasion an inventory which illustrates the condition of the husbandman or small farmer at the close of the thirteenth century^a, and now present to them similar evidences regarding two worthy yeomen of Yorkshire, who flourished in the times of the Reformation, and died in the days of strong religious reaction, in the reign of Mary. We are indebted to the kindness of Richard Almack, Esq., F.S.A., for the communication of these documents: and it is needless to observe how valuable are all materials of this description, as authentic information relative to the personal and social condition of the various classes of the community in former times. A well-selected series of such memorials would form a most valuable addition to our antiquarian literature, and might serve as the groundwork for a complete illustration of the private life and advancing civilization of our forefathers, through successive generations.

In the name of God, Amen, the iiii.th day of m'che in the yere of our Lord god, 1558. I, John Almoche, of Sandhuton¹, hole and good of Remembraunce, make this my last will in maner and forme following. first, I gyve my soull to almyghtie god, and to our blessed Lady Saint Marye, and to all the holy company of heaven; and my bodie to be buried in the P'ishe church of our Ladye in thriske². Item, I gyve to Sr. Bartilmewe Smyth half a bushell of Whete, and half a bushell of Ric. Item, I gyve to george norton half a quarter of Barlye malte. Item, I will that Thomas almoche, my brother, shall have my farmehold. Item, I gyve to the said Thomas almoche ij. of the best oxen, a Iren bowne wayne, a cowpe³, a plewghe yok', and teames, and all that belonges them, and the said Thomas to have a Duned meare, and all tymber wood about the farmehold, ij. tres excepted. Item, yt is my mynd that my brother Robert Almoche shall have a howse and a porc'on of Land. Item, I gyve to my brother, Robert almoche, a Cowe with Calf, a gray fyllie stagg⁴. Item, I gyve to Elizabeth yates one blake ox. Item, I gyve to Isabell Carter one spynke ox⁵, a Duned maire, and ij. yowes. Item, I gyve to the said Elizabeth

^a Archæological Journal, vol. iii. p. 65.

and Isabell all the howshold goods, excepte a maskefatt⁶. Item, I gyve to Thomas Almoche one oxgange of Corne⁷. Item, I gyve to M'garet Raget xij. s. iiij. d. Item, I gyve to Jane epon a yowe and a lambe. Item, I gyve to Richard yates one colte stagg⁴, a gymmer hogg⁸, and a lambe. Item, I gyve to eu'y one of my brethren and sister children a gymmer lambe. Item, I gyve to Richard fraunse half a Bushell of Rye. Item, I gyve to my three s'vand' ev'y one of theme a Lambe. Item, I give to maulde nelsone and avis her sister half a bushell of Rye. Item, I gyve to Richard exon a gymmer hogg. Item, I gyve to Robert Almoche all the fyerwoode about the howse. The residewe of my goodes, my Dettes, fermes, Legacies and fun'all expenc' fulfilled and discharged. I make Thomas Almoche, Robert Almoche, Elizabeth and Isabell my hole Executors. wytnesses of this my last will and Testament, S^r Bartilmewe Smyth, Thomas pallessor, John Cutay, Thomas Londe and John Raper.

This will was proved at York, the 10th day of May, 1559, by the oaths of Thomas Almoche and Robert Almoche, two of the Executors therein named, to whom probate was granted.

In the name of god, Amen, the xvij. day of may in the yeaere of our lord god, 1558. I, Richard Almoke, of Sand-hooton, of hoole mynd and good remembrance, make this my last will and testament in man' and forme following; first I geue my soull to Almighty god, and to our blessed lady saint mary, and to all the holy company of heauen, and my body to be buried within the P'she church Earth of our blessed lady in Thirске. It. I geue to S^r bartholmew Smithe half a bushell of Rye, to pray for my soull and all cristen soules. It. I will that John Almoke my sonne shall haue my farmehold⁹. It. I geue to Robtt. Almoke my sonne a cow, iiij. yewes and thayre lambes, vj. shepe hogges¹⁰, and one gray horse. It. I geue to Jane hexen a quy stirke, a yew and a lambe, an almer¹¹, a calf; and yf this Jane chaunce to dye yt shall remayne to Richard hexon her brother. It. I geue to Richard yates a quy and a gymer lambe¹². It. I make Thomas Almoke to be sup'uisour of this my last will, to se that yt be fulfilled and discharged in all things, as my trust is in him. All the residew and ou'plus of my goods, my detts, fermes, legacies and fun'all expences payd, fulfilled and discharged. I make John Almoke my sone to be my full Execut^r. Thes witnesseth s^r bartholmew smith, Thomas pallisser, Anthony hurwith, Richard Newson and Thomas lund.

Proved at York, the 16th day of September, 1558, by the oath of John Almoke the son, the sole executor therein named.

NOTES.

- (1.) Sandhutton, adjoining to Thirsk.
- (2.) Thirsk, in the North Riding of Yorkshire.
- (3.) Coup-cart, in the northern dialect, signifies, according to Brockett, a short cart which is capable of being *couped*, or turned up to be emptied: the long cart not being so. Bailey explains it as being a close cart, giving instances of this "country word," a line coop, a muck coop, &c.

(4.) Stag, a colt or young horse from one to three years old, in the dialect of the north. The author of the Craven Dialect would derive it from Belg. Stegen, to mount, *qu.* a colt fit for riding. See Brockett and (Jamieson,) v. Staig. The word occurs in the Durham Inventories, published by the Surtees Society, vol. i. pp. 242, 245, &c.

(5.) The term spink, which signifies a chaffinch in some local dialects, has not been noticed by north country glossarists, nor by Mr. Halliwell, in the sense here implied. It probably means spotted, as spinked is explained in the "Craven Dialect." Spinkie, in the Scottish dialect, signifies slender. (Jamieson.) In another north country will, published by the Surtees Society, a "takked cow" is mentioned, the same probably as spynke, above.

(6.) A mash-vat, a large vessel used in brewing. To mask, in the north, signifies to infuse, as—mask the tea. (Brockett.) "To maske, *cervidare.*" (Catholicon materna lingua, MS. dated 1483.) The terms mashin fat, mashfatt, mashin tub, are of frequent occurrence in the Wills and Inventories published by the Surtees Society. The complete brewing apparatus in a small family in the north, at the time when the testator lived, appear to have been "a brew-lead, a mashin fat, one gile fatt and a woort tub," valued at 18s.

(7.) An oxgange or oxgate, *bovatus terre*, commonly signified so much land as might be ploughed by one ox in a day; *jugum* denoted the extent which might be ploughed by a yoke of oxen. The quantity of the oxgange differed according to custom, it has been rated by some writers at thirteen acres. See Spelman. Here, however, the term denotes as much corn as grew on an oxgange, according to Yorkshire measure. This mode of expression was not singular in the north. Margaret Burdon, widow of a wealthy farmer of Elton in the county of Durham, bequeathed, in 1565, to her son, "halfe a ox gand of hard wayre corine, growing nowe of the ground winter and ware corne." To another person she left "halfe a ox gand of hard corne (wheat or maslin sown before winter) and of wayre corne (barley or oats) now of the ground." Dated, Jan. 10. She also speaks, more correctly, of the hard corn and "wayre corn of one oxgand of land," and makes distribution of land she held, by "oxgands," during the remainder of her lease.—Wills and Inventories, Surtees Society, vol. i. p. 239.

(8.) A gymmer, in the north, is a ewe sheep from the first to the second shearing, according to Brockett: a hog is a sheep from a lamb to its first shearing, after which it is a dimmont, if a wedder, and a gimmer, if a ewe. See Craven Dialect, Jamieson, &c. Su Goth, gimmer, *ovicula que primum enititur.* Gelt-gimmer, a barren ewe. Gemer lamb, gymmer's hoggs, &c., are frequently named in the Durham Inventories published by the Surtees Society, vol. i. pp. 229, 239, 318.

(9.) The expression "farmehold," which occurs in both the wills given above, does not appear to have been noticed by glossarists. Ralph Claxton, a Durham yeoman, gives, in 1567, to his wife the lease of his "farmhold" during her life, but if she remarried, he willed that his son should have "the said lease and fermhold during all my yerres to come." He willed also that his son should have the lease of his fermhold after his widow's death. Wills and Invent., vol. i. p. 275. Farm, properly signifying the land let out for rent, as also rent itself; *firma*, this term denotes land held by such payment.

(10.) Sheep hoggs, already explained to be sheep in the state from a lamb to the first shearing, sheep one year old, in Scotland harvest hoggs. The term is commonly used in the north, in the southern and eastern counties they are more commonly called hoggrels. Porkers were distinguished as "swine hogges," as still in the north they speak of hog-pigs.

(11.) The almyry, or ambyry, a moveable receptacle for household stuff, is one of the chattels of most frequent occurrence in old wills or inventories, and appears to have been amongst the first objects of superior convenience or luxury in furniture introduced in the houses of the middling classes in early and simple times. It is universally named in documents connected with the northern counties. See Wills and Inventories, pp. 258, 281, 334, &c. The precise distinction between the almyry and the cupboard may be questionable: possibly the former was closed, the latter for the most part open, like a small buffet of several shelves, yet we find cupboards described with three locks, with two locks, &c. Amongst the furniture of a draper at Durham, in 1566, occur in the shop, "ij. chists, a cupbord, an amberye, xxvj.s. viij.d." He had other like conveniences in his parlour, and in "the hall house a ambre vij.s., a cupbord ambrz, iij.s." The almyry is usually thus distinguished from the cupboard; in one instance we find an ambyry and a "drinke ambyry," valued together at 8s. This must have been of the nature of the modern cellaret. "An almyry with four doores and two shootes."—"A grete new standyng almyry with iv. leves." See *Promptorium Parvulorum*.—"Almyry, *almarium*. Almyry of mete keypyng, or a save for mete, *cibutum*."

(12.) A quy-stirk, a quy. In the north a heifer is called a quey, (generally pronounced whye,) until it has had a calf. They speak of a quy-calf. See Grose, Brockett, and Jamieson. A stirk is a yearling ox or heifer, Ang-Sax. *juvencus*, *bucula*. In the Inventories frequently cited in these notes, mention is continually made of quyres: "16 stottes and quyres £8. 8 quyres thre yeares olde, prased to £4. 4 twinter whyes at £4. 7 elder whies at £9. 6s. 8d. 23 kyen and whaies £28." &c. They must not be confounded with *kye*, cows, "39 kye, prased to £39. farrowe kyene, at 26s. 8d. (each)—kyne newe kalved with ther calves, 30s." &c. Gymer lamb has been explained previously.

It does not appear from these documents what relationship subsisted between the two testators, although, probably, they were kinsmen. They evidently both adhered to the old faith of their forefathers, and were content if their remains might rest together with them within the "Parish Church Earth^b of our Blessed Lady" at Thirsk, the mother-church of Sandhutton, where they were resident. The descendants of Richard Almoke remained at that village for about a century and a half after his decease, and many of their wills preserved at York repeat the old request to be buried in or at the church of St. Mary, in Thirsk. The name is sometimes written Awmoke.

These testaments were both, very probably, written by "Sir Bartholomew Smyth," by whom they were also witnessed; he doubtless administered the last rites to the testators, and prayed for the repose of their souls, having received a bequest of grain for such service, half a bushel of wheat, the value about one shilling, with half a bushel of rye, about 8 $\frac{1}{4}$ d. It is

^b This term is unusual. Church-garth, the enclosed cemetery yard, Ang. Sax. geard, an enclosure or garden, is not uncommon in the north. Jon of Croxton, of York,

1393, wills his body "to my graven in the Mynster Garth, be for the butres at the Charnell."

scarcely needful to observe that the title of Sir,—*dominus*, was very commonly given to priests in the fifteenth and sixteenth centuries: William Thomas, in his Rules of Italian Grammar, 1548, gives "*Ser, (Ital.)* sir, appertaineth to a knight or to a priest." *Dominus* was a title given in the universities to graduates, according to Hearne, in the Glossary to Robert of Gloucester; originally attributed to bishops or ecclesiastics of superior sanctity or dignity, it became the designation of abbots, and at length the monks had the title of Dom, Dominus or Dan. In the wills, frequently cited before, the title of Sir is constantly given to the clergy; the Reformers designated the Roman priests by the contemptuous name of Sir John,—Sir John Lack Latin, &c. Thus Tindal,—“then one sort are your Grace, your Holines, your Fatherhode: another, my Lord Bishop, my Lord Abbot, my Lord Pryor. Another, maister Doctour, Father Bachelor, Mayster Parson, maister Vicar, and at the last commeth in simple Syr John^c.”

THE following deed, found among the muniments of the dean and chapter of Exeter, and communicated by Dr. Oliver and Mr. P. Jones of that city, is worthy of notice as confirming the better opinion of those topographical writers who have derived the name of Drewsteignton, in Devonshire, from that of a former owner of the property. The well-known cromlech at Shilstone in that parish has tempted a certain class of local historians to refer the name to a Druidical origin, and the theory is so popular and plausible, that the temptation has generally been too strong to be resisted.—“The very name instantly determines its original appropriation to the Druids,” says the industrious Polwhele: Chapple zealously adopts and enforces the same view, and even Mr. Rowe, our best and most judicious as well as latest guide to the scenery and natural features of the Dartmoor district, seems to be almost persuaded to fall in with the same etymological heresy.

Whether Drewsteignton was really the chief-lieu of a Druidical archbishopric, it is needless to discuss. The deed at all events supplies a fact, namely, the early ownership of a Teignton by one of the Drew family, and a probable and adequate cause of the distinguishing name of the place, which, according to the rules of sound logic, ought to be admitted until displaced by something better than conjecture.

^c Practise of Prelates, Tindal's Works, p. 313, edit. 1572. See also Bradford's let-

ter to his mother, written 1553. Martyrs' Letters, p. 292. orig. edit.

There are several places called from the river Teign, still designated by the names or descriptions of their ancient possessors. Thus we have King's Teignton; Bishop's Teignton; Canonteign; Teigngrace, &c; and if a Drew was owner of another, he would (as Risdon expresses himself) probably both give to it, and take from it, his own name.

The instrument, though without date, is evidently of the 12th century, and is, in substance, a release by one of the Pomeroyes to his tenant in chief, a Dennis, of all claim to certain property, saving military service; and a confirmation to Drogo or Drew and his heirs of his tenure, *paravaile* under Dennis. The person immediately benefited is, of course, the actual occupier, from whom therefore and his family the consideration in money and kind proceeds. It is remarkable that all the three parties are still represented in lineage, if not in name, by families subsisting and respected in the part of England to which the transaction refers, and there is reasonable ground for believing that the ancestors of all are named in Domesday as tenants before, or at the time of, that survey.

Notum sit tam futuris quam presentibus quod ego *Henricus de Pomerio* Concessu et assensu heredum meorum clamavi quietum *Jollano de Dacho* et heredibus suis Hostellagium quod mihi vendicavi in terra de Whielega, ita quod ipse et heredes ejus tenebunt in feodo et hereditate de me et de heredibus meis terram illam per vicesimam partem servicii feodi unius militis. Concessi etiam sicut principalis Dominus assensu heredum meorum *Drogoni de Teingtona* et heredibus suis ut ipsi in feodo et hereditate teneant eandem terram sicut hereditatem suam de predicto *Jollano* et heredibus suis per predictum servitium, scilicet, per vicesimam partem servicii feodi unius militis, et idipsum etiam concessit ipse *Jollanus* assensu heredum suorum. Et pro hac mea concessione dedit mihi predictus *Drogo* quatuor marcas argenti et unum palefridum, et *Willielmus* filius et heres ejus unum anulum aureum. Quod ut ratum et inconcussum permaneat sigilli mei impressione confirmavi, et presentis scripti testimonio corroboravi. His testibus. *Roberto* filio *Willielmi* et *Ricardo* fratre suo. *Johanne* filio *Theobaldi*. *Hereberto* de *Boleto*. *Reginaldo* de *Marisco*. *Willielmo* de *Sancto Philiberto*. *Waltero* filio *Willielmi*. *Randulfo* de *Poltuda*. *Stephano* de *Padford*. *Henrico* coco. *Roberto* colo. *Thoma Tiranno*. *Waltero* de *Mortuna*. *Osberto* *Camerario*. *Eadmundo*.

There is reason to believe that Stanton Drew, in Somerset, is indebted for the last part of its name to the same family of Drogo, although there, too, the circle of stones (which probably suggested the first part of the name) has misled topographers and local guides.