

Original Documents.

CONTEMPORARY COPY ON PARCHMENT OF THE CONTRACT FOR BUILDING
CATTERICK BRIDGE, 9 HEN. V. (1421—22.)

COMMUNICATED BY SIR WILLIAM LAWSON, BART.

WE are highly indebted to the kindness of Sir William Lawson, who has placed at our disposal the following document, valuable alike as a contribution to the early history of the English language, and as an evidence, in connexion with architectural antiquities, so far as we are aware, unique. The vernacular tongue was indeed rarely employed for instruments of this kind until a later period. It is here found in a form which, to the general reader, must appear uncouth and barbarous, incumbered with local idioms and obsolete terms. It is, however, curious to observe how slight a change has taken place in the popular dialect of Richmondshire, during a period of more than four centuries, and the forbidding aspect of this document is perhaps chiefly owing to the singularly indefinite state of orthography at the period, apparently uncontrolled even by the simple rule of pronunciation. For example, the word *following* occurs written thus,—folowand, folowande, fillovande, fillowande, and folovande.

Amongst his ancestral evidences there have descended to Sir William Lawson with the estates of the ancient family of Burgh, of Burgh in the North Riding of Yorkshire, now written more commonly Brough, two documents highly interesting to the archaeologist. One is the contract for building the church at Catterick, now existing, dated April 18, 13 Hen. IV., 1412; the other is the indenture now laid before our readers.¹ The contracting parties in the first are Dame Katerine of Burghe, relict of John Burghe, and William, her son, who appears also here as party to the contract for the bridge. The indenture of 1412 has been ably edited by the learned librarian of Durham Cathedral, the Rev. James Raine, with plans, elevations, and details of the church, actually remaining at Catterick. These were prepared by Mr. Salvin.²

INDENTURE FOR BUILDING CATTERICK BRIDGE, A.D. 1421.

THIS indent'e made be twene Nicholas de Blakburne Crist' Conzers William de Burgh' Joh'n de Barton' And Rog' de Aske William franke³ And Th' foxhols of ye ta' p't and Th' ampilforde John' Garett And Rob't Mavnsell' masons of ye tothir p't bers witnes : yat ye forsaides Th' Joh'

¹ Whitaker merely alludes to the existence of this contract, without stating where it was preserved. *Hist. of Richmondshire*, vol. ii., p. 146.

² Catterick Church, a correct copy of the contract for its building, &c., with 13 plates. London, Weale, 1834, 4to. A copy of this work has been presented by Sir W. Lawson

to the library of the Institute.

³ The initials W. F. occur on the Catterick font, with G. L. and C. R. The church was built by contract, Apr. 13, Henry IV. Edit. by Raine, p. 20.

⁴ The one part; common in Northern dialect. See Jamieson, *Brockett, v. Tea, &c.* written—"ye ton' part," afterwards.

And Rob't schall' make a brigg' of stane oure ye wat' of Swalle atte Catrik, be twix ye olde stane brigg' and ye Newbrigg' of tree, quilke forsaide brygge with ye grace of God sall' be mad' Sufficiant and workmanly in masoncraft acordand in substance to Barnacastell' brigge Aftir ye groud & ye watyr acordes, of twa pilers. two landstathes And' thre Arches And also w^t.v. Co^ssecs^s of Egeoves lik And acordande to ye same Thiknes of Egeoves as Barnacastelle brigg' is of. And also ye forsaid' brigg' schall' have atabill' of hewyn stane vndir ye Alluryng' oure watir mor yan Barnacastell' brigg' has: And ye saides Th' John' And Rob't schall' gett lymstane And birne itte And care itte And make yair lymkilns of yair own' cost, atte yair own' most ease, Als mekyll' will' suffis yaim to ye werke abown'saide,⁶ And' all' so ye same Th' John' And Rob't schall' fynde And make cariage of sand als mekyll' has yaim nedes to ye warke abown-said; And ye saides Th' Rob't and Joh' schall' haue to yaim & yair me free entree and issue to care frothe⁷ and haue a wey to yair most ease and p'fette ye forsaide lymstane and sande; And saides Nich' Will'am John' And Rog' schall' fynd cariage of all' manere of free stane and of fyllinge stane to ye forsaide brigg' to be brogth and laide apone yaire cost atte bothen Endes of ye brigg' to ye most p'fette of ye forsaid Th' Joh'n and Rob't And ye same Nich' And hijs felows schall' fynde apon' yair own' cost Als mykill' wode and colles brogth' one ye grovnde as will' suffys and serryf⁸ yaim to ye birmyng' of all' ye lymkilnes y^t schall' be made to ye forsaid werk' And ye forsaid Nich' And his felaws schall' gette lefe and free entre And issue to ye saides masons And yair men⁹ to come to ye wherell' of Sedbery And to ye qwerell' of Rysedalle berk'⁹ for to brek ye stane y^t schall' go to ye saide brigg' or to any othir qwerell' y^t is wyth' in ye bovn-des quilk y^t is most p'fitable to ye forsaid werke: And as ye wherreous brekes ye saide stanes And schapils yaim in ye saides qwerrels y^t yen ye forsaide Nich' And his falaws gare¹ of yair cost void ye stanes fro ye wherreo's y^t yai be not taride ne Indird' in yair werke be cause of voidyng' of ye forsaid stanes And ye same Nich' And his felaws schall' fynd mak or gare make apoon yair own' cost all' manere of Tymbirwerke quilke atte schall' go or at is nesessar' or nedfull' to ye saide brigg' y^t is to say ye branderathes² of ye pilers and of ye landstathes And ye seentrees with all'man'e schaffaldyng' And othire tre werke y^t is nedfull' to ya saide brigg' to lay And rayse yaim of yair own' cost, w^t ye help of ye masons &³
. rs & yai to haue yaim wene ye werke is p'furnist & don: And ye forsaide. Nich' and his felaws schall' make ridde ye groundes in ye watir

⁵ Courses, of parapet wall?

⁶ Compare "abownsaid," two lines after. It must be observed that *u* is usually here written instead of *v*, in the middle of a word; we have "oure" ovr or over; "mor our," moreover; "haue" have; "inuenc.," invencion, &c. This word, however, seems in both cases to be the North-country "aboon," above. See Boucher and Brockett's Glossaries. Mr. Raine, however, appears to consider the word (in the Catterick Church Contract) to be *above*. See page 9, note.

⁷ Carry forth: By transposition. Thus also

Fryst for first (Barbour). Fromity, Northern dialect, for furnity. Hallamshire Glossary. Fro occurs in the context, instead of *for*.

⁸ Serve them.

⁹ *Sic*. Possibly to be read beck, a brook; a word common to all the Northern dialects.

¹ Gar, to make, force, compel. Brockett. It is used by Chaucer.

² Brandrith, the fence at the mouth of a well. Nicholson. Or a sort of coffer dam, called also Battardeux (*ib*).

³ A word effaced. Carpenters or labourers? Sir W. Lawson proposes—yair men.

ware ye brigg' schall be of all' sydes And in ye mydwarde ware itte is most nedefull'; And make ye brandereth' of ye ta landestathe be laide befor ye fest of ye Inuencion of ye haly Crosse next comande⁴: And ye tothir brandereth' of ye tothire landestath' to be laide be ye fest of ye Natiuite of seint Joh'n Baptist yen next Eftyr folowand⁵ And ye forsaid Nich' & his felaws schall' of yair cost kepe ye wat' wer' And defende itte fro ye saides Th' Joh'n & Rob't to ye tyme ye branderath' be laid & yair werke of masoncraft be passed ye danger' And ye noiesance of ye same said watir; And all' sa ye same Nich' & his felaws schall' gar [lay] or mak be layde ye brandereth' of a pilere be ye fest of ye Inuenc' of ye hale Crosse yen next eftir folovande in ye tothir zer' And ye tothir⁶ brandereth' be ye fest of seint Joh'n Baptist yen next eftir folowande in ye same zere; And ye saides Nich' And his felaws. schall' raise or mak⁷ be raised in ye thriddre zere ye seentrees ye toñ p't be ye same fest of ye Inuenc' of ye haly Crosse And ye tothire be ye feste of seint Joh'n Baptist next eftir fillovande: And ye saides Joh'n Th' & Rob't schall' this forsaid brigg' sufficiently in masoncraft make And fully p'formed in alle p'tiez And holy endyd' be ye fest of seint Michill' ye arcangell' quilk y^t schall' fall' in ye zere of oure lord gode a M^l CCCXXV for ye quilk saide werke ye forsaides Nich' and his felaws schall' pay or mak to be payde to ye forsaides Th' Joh'n & Rob't CCLx m^{arc}' of Sterlynges And ilkan of yaim ilka zere a govne acordande to zare de gree atte ye festez And ye zeres vndirwrytyn' y^t is to say in hande xx li. And atte ye festez of ye Inuenc' of ye haly Crosse Ant seynt Joh'n Baptist next fillovande eftir ye date of yis indent's be even porcions xl. li. And thre govns; And atte ye fest of seint Hillarij⁸ in the zere of oure lord gode a M^l CCCXXij. xx. li. And atte ye forsaides festes of ye Inuenc' of ye holy Crosse And seint Joh'n Baptist next eftir fillowande be even porcions . xl. li. quilk saides festes schall' fall' in ye zere of our lord gode a M^l CCCXXij. And thre govns atte ye said fest of Seint Joh'n And atte ye fest of seint Hillarij next eftir yat in ye same zere of our lord . xx. li'. And atte ye saide festes of ye Inuenc' of holy Crosse next eftire y^t quilk sall' fall' in the zere of our lord' gode a M^l. CCCXXiiij. xx. li. And atte ye saides fest of seint Joh'n Baptist next eftir in ye same zere of oure lorde . xx. m^{arc}' And thre govnes atte ye same fest of seint Joh'n swa y^t ye brigg' be endede Ande mad be yat tyme And if atte⁹ be vnmade yai sall' haue bot . x. marc'. And quen yair werke is finyst And endede . x. m^{arc}' And all' so ye forsaides Nich' And his felaws sall' gyf to ye saides Masons atte yair entre CCC yrene And stelle to ye value of vj. s. viij. d. And ye saides Nich' And his felaws schall' make a luge of tre ate ye said brige in ye quilk ye forsaides Masons schall' wyrke y^t is to say . iiij. romes of syelles And two henforkes quilk luge sall' be made and couerde And closede resonably. be fastyngange¹ next comynge: And if it be fall' y^t ye forsaides Thom^{as} Joh'n And Rob't And yair s'uantz haue nogth' All' yair couantz fulfilde be . vj.

⁴ May 3.⁵ June 24.⁶ Indistinct.⁷ Indistinct.⁸ January 13, 1422.⁹ *Sic.* Northern mode of parlance, occurring previously in the context.¹ Shrove Tuesday, called Fastingham, or Fastyngonge Tuesday, Fasterns, or Fasting Even. See Brand's *Antiqu.*, and *Promptorium Parvulorum*, v. "Fast gonge, or schraffetyde."

days warnyng' eftir ye Indent'e makes mencion y' yane ye saides Nich' and his felaws sall' pai yame yair wage daly to ye tyme y' yai haue yair cou^{ntz} fulfilde . mor our ye saides Thom^{as} Joh'n And Rob't sall' mak ye pilers of ye forsaid brigge Als substanciell' in lenth and bred' has te was acorded' wyth' ye forsaid Joh'n Garett be a Indent'e trip'tit be twene ye saide Nicholas And hyme made if ye counsell of ye forsaid Nicholas And his felaws acord yaim y'to; To ye wyttnesse of quilk thinge ye p'ties aboven nevend' has sett yair seals Wrytyñ atte Catrike in ye fest of seint hillar' ye zere of our lord kyng' Henri' ye fift eftir ye ye² conquest ye nyend'.³

Endorsed,—Endetura de cat'k brig' .⁴

It will be found, on comparing this document with the church-contract, that the phraseology and peculiar terms are so closely similar, that it may fairly be concluded they were both indited by the same hand, an interval of nine years only having intervened. The contracting parties are here more numerous, the bridge being a matter of general interest to the neighbourhood, since the passage of the Swale at this spot, on the ancient line of Roman way, must at all times have been of importance. At this period it appears that two bridges existed, the old stone bridge and the new wooden bridge ("ye New brigge' of tree").⁵ Sir William Lawson has kindly given us certain particulars relative to the persons here named. Nicholas de Blackburne, the first contracting party, was probably one of the family settled at Blackburne Hall, on the north side of the church-yard at Grinton, previously the property of the Hillarys. The Blackburnes, as Whitaker informs us, were an old family in Swaledale.⁶ Christopher Conyers was of Hornby Castle; he married Elena, d. & heiress of Ryleston. Their monument is in Hornby Church; & it records her death in 1444, the date of Christopher's decease is obliterated. William de Burghe, of Burghe or Brough, was son of John de Burghe and Katerine, d. of Roger de Aske. She was the principal party in the contract for building Catterick church, before mentioned. He espoused Matilda, d. of Lascelles, of Sowerby, and died Nov. 4, 1442; his wife died Nov. 12, 1432, and both were interred in "Our Lady's porch" in Catterick Church. The de Barton family held lands in Hornby, but no particulars of John de Barton have been ascertained.⁷ Roger de Aske was the representative at that time of the very ancient family of Aske, of Aske near Richmond, now the seat of the Earl of Zetland. Conan, his son, married Isabella, d. of Christopher Conyers, before named. Of William Frank nothing is known;

² Sic. ³ January 13, 1431.

⁴ This contract is here printed literally; the contractions, majuscule letters and punctuation being accurately retained. A stop, written with an upright stroke between two points, is expressed by a colon; a stroke with *one* point, by a semicolon.

⁵ Of tree, or treen, adj., an archaism signifying wooden. Thus, Caxton says, in his "Boke for Travellers," speaking of platters, dishes, and trenchers, "these things shall ye fynde of tree" (*boiz*, Fr.) Horman, in his *Vulgaria*, has a phrase still more pertinent,—

"I wolde he that made the tree brydge (*sublicio ponte*) of the temis, had made it of

stone." He speaks also of "dysshes of tree; condyte pypis be made of ledde, tree or erthe," &c. The old wooden bridge over the Thames, in London, had disappeared long before Horman wrote; he lived t. Hen. VIII.

⁶ Hist. of Richmondshire, under the manor of Grinton. It was granted by Elizabeth to Sir Francis Fitch, in 1599; then it came to Hillary, and next, by what means Whitaker had not learned, to the Blackburnes.

⁷ Ric. de Barton held a carucate in Hornby, in Kirkby's Inquis. The name occurs repeatedly in Gale's "Registrum."

the family were settled in the neighbourhood of Richmond.⁸ Of Thomas Foxhols also no particulars are known; he was possibly the only real man of business amongst the contractors.

The materials for the new bridge of stone, which was to be erected after the model of that at Barnard Castle, probably the same narrow bridge still standing, were to be procured by the masons contracting, the other parties stipulating to obtain free access to certain quarries, which are specified. In the church contract, "*the quarell*" only is mentioned. The "*wherelle of Sedbery*" is at Sedbury Park, the seat of Mrs. Gilpin, four miles distant from the bridge, and adjoining to Gatherly Moor, where extensive quarries are still worked. The locality is adjacent to the Roman road, and many ancient quarry holes, as Sir William observes, may be noticed. Rysedale is also distant about four miles from the bridge, due west, but on the *south* side of the Swale. The quarry is close to the source of a brook, or beck, which flows past Brough Hall, and is called in old maps Rysedale beck. The stone from this quarry would provide materials for the southern end of the bridge, two quarries being thus selected, one on either side of the Swale. There is abundance of fine lime-stone (magnesian) for building, within the township of Catterick.

The terms of masoncraft demand explanation. The new bridge was to be constructed with two "*pillers*" or piers (the former term being also still occasionally used), three arches, and two "*landstathes*" or abutments. It was stipulated to have five courses of "*egeoves*," a term which has been supposed to designate the parapet or breast-work. The ancient parapet appears in a ruinous state, in an engraved view of the bridge, dated 1745, and about eighty years since, when the bridge was widened by the county, the parapet on the ancient (the western) side was made similar to that on the new side. There is, therefore, now no means of ascertaining whether it were in fact of *five* courses.⁹ The bridge was also to have "*a tabille of hewyn stane under ye Allurynge oure water, mor (or greater) yan Barnacastelle brigge has:*" this was doubtless the string course, or projecting table, of the parapet. The expression is obscure, and the term *aluring*, or *valuryng*, is occasionally so used as seemingly to denote, not the passage or ally (*allorium*), unquestionably the primary sense of the word, but the breast-work protecting it. In the contract for Catterick Church, we read of the "*tabille yt sall bere the aloring.*" The height of the choir-walls was to be 20 feet, "*with a ualurynge abowne, that is to say, with a course of aschelere and a course of creste.*" The participle "*alourde*" is also used; thus the south aisle was to be "*alourde like the choir,*" &c. Mr. Raine is disposed to conclude that the parapet wall is intended,¹ but with all deference to such authority, we incline to believe that the parapet is only included in the expression "*aloring*," as essentially appertaining to, and connected

⁸ The name occurs in Kirkby's Inquest, as holding land in Dalton Travers; and George Conyers, of Danby Wiske, son of Christopher, named above, married Isabella, dau. and h. of Cuthbert Frank.

⁹ The meaning of the term "*egeoves*" may perhaps be considered questionable. Sir William Lawson has made the following suggestion. "Could '*egeoves*' mean the walling

at each end of the bridge, running at obtuse angles from each '*landstathe*,' up stream, for preventing the river from forcing its way behind the '*landstathes*?' Such a wall, with the old masons' marks, exists on the NW. end of the bridge, with a projecting base on which there are *five courses* of ashlar, surmounted by a coping."

¹ See note, Catterick contract, p. 8.

with, the water-path or guttering, that passage itself being primarily and properly implied by the term. On the use of this archaism, however, of considerable interest in connexion with the terminology of medieval architecture, we hope that Professor Willis may hereafter, at his leisure, elucidate these difficulties.

The contracting parties were bound to find carriage of materials, and to "void," or clear the stone away at the quarry, as the masons obtained them, and "schapils" them, or rough-hewed them into shape with the scabbling hammer, as it is now termed. The word scapple is perhaps not strictly of local use; it is well known in Yorkshire. Dr. Carr, in his Craven glossary, gives "scapple, to break off the protuberances of stones with the hammer, without using the chisel; hence called hammer-scapple." The said parties were also to provide all timber-work,—namely, the "branderathes," or piling for the foundation of the piers and abutments, the "seentrees," or centres for the arches, and every kind of scaffolding required. "Branderathe" is a term of carpentry not found hitherto, we believe, in any ancient document. It had been supposed to signify here the fence or kind of coffer-dam, now termed the battardeux (*battoir des eaux?*), a case of piling in which the pier is constructed. That contrivance appears, however, to be here denoted by the expression, that these parties should "kepe ye water were, and defende it fro (*i.* for) ye saides Thomas, &c. to ye tyme ye branderathe be laid & yair werke of masoncraft be passed ye dangere and ye noiesance of ye same watir." The local use of the verb to were, in Northern dialect, to ward off, to defend, illustrates the meaning of the word. A were is "a defence, an embankment, to prevent the encroachment, or turn the course of the stream."—(Brockett). The means actually employed, in accordance with the contract, was probably of the kind last mentioned by turning the river into a new channel.

In a curious MS. English and Latin Dictionary, dated 1488, in Lord Monson's Library, the term occurs, precisely in the sense here intended. "A brandryth to set begynnynge on, *loramentum*."³ The fashion of construction of such timbered frame of piling may have probably originated the name. In the north, a gridiron, or an iron tripod placed over the fire to support a pot, is called a brandrith. So also, in Lord Monson's MS., compiled probably in Yorkshire or Lincolnshire, is found "a brandryth, *tripos*." *Loramentum* is explained to be "concatenatio lignorum quæ solet fieri in fundamentis ædificiorum."⁴ The contracting parties were to make also for the masons a lodge or shed of wood, suitably closed in, and with four "romes of syelles, and two henforkes." In Yorkshire the blades or principals, in roofing, are called "siles," as we are informed by Sir William Lawson. The meaning appears to be that the work-shed should consist of four rooms covered by a ridged roofing, and two lean-tos, or penthouses (query, hung forth, or projections from the main walls?)

In Mr. Raine's notes on the Catterick Church contract much valuable information will be found bearing upon various other points in this docu-

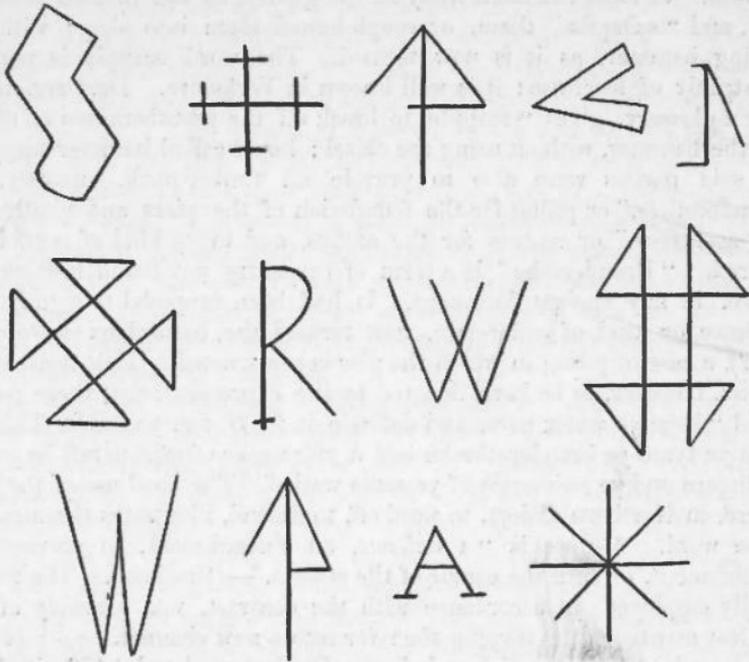
² Thus in Prompt. Parv. "Voydyn, or awoydyn, *evacuo*." Palsgrave gives also the verb to "voyde, or empty," to voyde out of the way or out of sight, *oster*.

³ Bp. Kennett, in his Glossarial Collections,

explains brandrith as a fence of wattles or boards, set round a well to prevent the danger of falling in. Lansd. MS. 1033. The same is given in Nicholson's Archit. Dict.

⁴ Mamotrectus. See further in Ducange.

ment. He alludes to the prevalent practice of giving a gown, a consideration in addition to money payments, very frequently mentioned in ancient fabric accounts.⁵ It is not stated whether any mason's marks were noticed on the ashlar of the church. On the bridge they are still very distinct, and we are enabled by the kind assistance of Sir William Lawson to give, as it is believed, the complete series of marks. These symbols are not,



MASONS' MARKS, CATTERICK BRIDGE, SCALE, ONE-THIRD ORIG. SIZE.

indeed, considered by some antiquaries as of any great importance, their forms being regulated probably by individual caprice, but in researches of this nature trifling details may sometimes acquire a value, as a clue to more material points. Some notices of marks of this kind have been published, amongst which may especially be cited Mr. Godwin's curious memoir in the *Archaeologia*,⁶ and a few singular examples published in Germany by Heideloff, some of them very similar to the marks of which representations are here given.

NOTE ON TERMS OCCURRING IN WELSH LEGAL DOCUMENTS.

We have received the following observations from Mr. Smirke upon the Welsh documents communicated by Mr. W. W. Wynne:—

“THE word *pridare* or *appridare*, i. e. *ad pridam recipere*, to lend on mortgage or pledge, is new to me, and is, I presume, peculiar to Welsh instruments of impignoration. I profess no knowledge of Welsh, but I find

⁵ See also the notices of works of building at Durham, in Mr. Raine's interesting “Brief Account of Durham Cathedral,” 1833.

⁶ Vol. xxx., p. 113, with five plates of

marks found in England, France, and Germany. See a curious mason's mark on a column in a Roman villa in Shropshire, *Archæol.*, vol. xxxi., pl. 12.