

Original Documents.

CHARTER OF QUEEN ELIZABETH TO THE HOSPITAL OF ST. LAWRENCE DE PONTEBOY, BODMIN, A.D. 1582.

PATENT ROLL 25 ELIZABETH, PART 9.

DE CONCESSIONE SIBI ET SUCCESSORIBUS PRO MAGISTRO, GUBERNATORE,
FRATRIBUS ET SORORIBUS HOSPITALIS ELIZABETHE REGINE, SANCTI LAU-
RENCII DE PONTEBOY IN COMITATU CORNUBIE.

ELIZABETH, &c. knowe yee that We, of our especiall grace, certen know-
ledge, and mere mocion, consideringe howe godly a thinge it is to releave
the poore and such as are nedye, and especyally such as the hand of God
hath visited with sicknes, in such sorte as without greate daunger to
other of our subjectes they may not conveniently procure and gett there
livelyhood; and beinge enformed that at a place called St. Lawrence de
Pontboy, in the parish of Bodman, in our county of Cornewell, there hath
bene of longe tyme a greate company of lazer people estemed by the name
of pryor and brethren and systers, but never by us or any of our progenitors
so incorporate;¹ and whereas dyverse persons of their charitable disposition
have gyven unto the said leproous people dyverse landes and tenements by
that name of corporacion, which they of longe tyme by coulour thereof
enjoyed, and at this present therby mainteine the number of six and thirty
leprouse people, to the great availe of all our subjectes inhabitinge thera-
boutes within our said County of Cornewell, We, to the end the said chari-
table acte may remaine inviolate and may not be defeated hereafter, but
suche number of leproous people mainteined as heretofore hath byn, of our
grace especiall, certeine knowledge, and mere mocion, for us, our heires
and successors, doe gyve and graunt, and do by these presents notify and
declare, that our will and intent is that the said lazer people, and all other
which frome henceforthe shalbe in the said house called St. Lawrence de
Pontboye in Bodman, shalbe called and knowen by the name of the
Hospitall or Almshouse of Elizabeth, Quene of England, of St. Lawrence
de Ponteboy in the parishe of Bodman, and shall frome henceforthe for ever
be and consiste of a Maister or Governor, and nyne and thyrtye poore men
and women beinge leproous people; and we doe further graunte for us, our
heires and successors unto the said lazer people that they shalbe incorporate
and made a body corporate for ever by the name of Maister or Governour,
and the brethren and sisters of the said Hospitall, and to remaine and con-
tinue one bodye by that name incorporate for ever, and by that name shall
and maye sue and be sued, and otherwise doe, performe and receyve all
and everye other thinge that any bodye corporate maye doe, performe or

¹ Lysons observes that they are called Hen. VIII. Magna Brit., Cornwall, p.
by that name in a deed bearing date 29 36.

receyve; and also knowe ye that we have nominated, elected, and appoynted one Lewis Shessell to be the present and first Maister or Governour there, and that the rest of the poore people that are at this presente in and of the same lazer howse shalbe the firste brethren and sisters there. And furder our will and plesure is that it shall frome tyme to time be in the free eleccion of the Maister or Governour, brethren, and sisters, lyvinge or remayninge, or of the moste parte of them, to make choise or eleccion frome tyme to tyme, as often as any of the brethren and sisters shall dye or departe the said Hospitall, to elect and chuse others in the place or steed of the person or persons soe dyenge and departinge the said Hospitall, to be of their corporacion and fellowship, so that the full number of fortye, and no more, be there contynuege; and likewise upon the death or departure of every Master or Governour of the said Hospitall, that the brethren and sisters, or the moste parte of them remayninge, shall frome tyme to tyme make choyse of a newe Maister or Governour, and that suche choyse shall remayne good and stable, and the person so by them or the moste parte of them elected shalbe and continewe their Maister and Governour. And also the said Maister, brethren, and sisters shall twice every daye assemble themselves together and use suche prayers as are now appointed in the Churche of England, and shall in their said prayers pray for the prosperous estaite of us, our heires and successors. And furder we, of our especiall grace, certen knowledge, and mere mocion, for us, our heires and successors, do graunt and confirme unto the said Maister or Governour, brethren and sisters of Elizabeth, Queene of England, of St. Lawrence de Ponteboye in Cornewall, and to their successors, all that the mansyon howse de Ponteboy, alias St. Lawrence de Ponteboye, wherein the said lazer people now dwell, with thre farthinges land and twoe mylles, parcell of the possessyons now or lately belonginge, or reputed to be belonging to the said lazer howse, wherof the one is seicuate nere unto Benduye, with all water courses, leetes, libertyes and hereditamentes to the said mansion house, mylles and landes in any wise belonginge or apperteyninge; and also we, of our especiall grace, certaine knowledge, and meer mocion, doe furder gyve and graunt unto the said Master and Governor, brethren and sisters and to their successors, all that one farthinge land with all his rightes, members, and appurtenances which the said Hospitall sometime held of one Symon the sonne of one John Alcred, seicuate, lyenge, and beinge in St. Lawrence aforesaid nere unto the said Hospitall, and which were lately also parcell or reputed parcell of the possessyons belonginge to the said lazer house, and one Faire to be kepte in a feild adioyninge to the said Hospitall, called the Faire feild or Faire close, and in other convenient places adioyninge to the said Hospitall, lyenge without the towne of Bodman in the said County of Cornewall, everye yere for ever, to be kepte at the feaste of St. Lawrence by the space of thre dayes, that is to saye, on St. Lawrence eve, St. Lawrence day, and the morowe upon St. Lawrence daye, with all courtes of pypowders, proffitts, commodities, incidents and advantages whatsoever to the said faire belonginge or appertaininge, or cominge, risinge or happening, for or by reason of the same.²

² Lysons states that James I. a few months after his accession, granted to the Hospital a weekly market on Wednesdays, and an annual fair, with a court of piepowder, on the festival of St. Luke.

The market has been long discontinued, but the fair, for cattle, &c. held August 21, is still kept up; there is also another fair for cattle, at St. Lawrence, October 29 and 30. *Magna Brit., Cornwall*, p. 36.

And furthermore we, of our especiall grace, certen knowledg and meer mocion, for us, our heires and successors, do gyve and graunte by thes presents unto the said Master or Governor, brethren and sisters and their successors, all those twoe tenements and one garden with thappurtenances in St. Lawrence aforesaid, heretofore also parcell or reputed as parcell of the possessions belonginge to the said lazer howse, and are scituate, lyenge and beinge between the tenements of the heires of one John Beare, late of Pengelly deceased, of the northe parte, the greatelyver on the southe parte, and the moore of the heires of the said John Beare on the weste side, and the Quenes highway on the east side, sometime in the tenure of one John Aveye or of his assignes; and also all the mill of Pendewaye with the beade to the said myll belonginge, together with a smalle pece of enclosed land which lyeth betwene the water which descendeth from the said mill towards the great water, on the North side, and the greate rocke where the water issuethe from the beade of the said myll, and extendeth downewardes towards the greate water, on the Southie parte, heretofore also parcell, or reputed as parcell of the possessyons of the said lazer howse, and sometime in the tenure of one Thomas Trote or of his assignes; and also all thostwoe griste mylles, and one mesuage with thappurtenaunces in St. Lawrence aforesaid, late parcell also, or reputed as parcell of the possessyons of the said lazer howse, nowe in the tenure or occupacion of one John Balhatchett, Richard his wife,³ and one James Sturgin, or of some or one of them, or of their or some or one of their assignes; and also all that one mesuage and garden with thappurtenances in St. Lawrence aforesaid, late parcell also, or reputed as parcell of the possessions of the said lazer howse, now, or of late, in the tenure or occupacion of Thomas Cleise, Christian his wife, and Thomas Cleise their sonne, or of some or one of them, or of their some or one of their assignes; and also that one howse and a garden in St. Lawrence aforesaid, late also parcell or reputed as parcell of the possessions of the said lazer howse, which Raife Cleise now or late held at the will of the said leprous people; and also that one howse, and a garden in St. Lawrence aforesaid, late parcell or reputed as parcell of the possessions of the said lazer howse, which one Alice Greybin now, or of late held of the said Hospitall at will; and also all that mesuage with all and singuler his rightes, members, and appurtenances in St. Lawrence aforesaid, late parcell or reputed as parcell of the possessions of the said lazer howse, nowe or of late in the tenure of John Lowe; and also all that one mesuage or tenement, with all his rightes, members, and appurtenances in St. Lawrence aforesaid, late also parcell, or reputed as parcell of the possessions of the said lazer howse, nowe, or late in the tenure of Richard Jenkin at the will of the said Hospitall; and also all that one mesuage or tenement in St. Lawrence aforesaid with all his rightes, members, and appurtenances late also parcell, or reputed as parcell of the possessions of the said lazer howse, now, or of late in the tenure or occupacion of William Rawe at the will of the said Hospitall; and also all that one mesuage or tenement with his appurtenances in St. Lawrence aforesaid, late also parcell, or reputed as parcell of the possessyons of the same lazer howse, now, or of late in the tenure, manurance, and occupacion of one John Kember at the will of the said Hospitall; and all that one mesuage or tenemente with his appurtenances in St. Lawrence aforesaid, late also

³ *Sic* in the original.

parcell, or reputed as parcell of the possessions of the said lazer howse, now, or of late in the tenure, manurance, or occupacion of one John Renawden at the will of the said Hospitall; and also all that one chamber with his appurtenances in St. Lawrence aforesaid, parcell also or reputed as parcell of the possessions of the said lazer howse, now, or of late in the tenure or occupacion of one Peter Nicholas, at the will of the said Hospitall; and all that one howse or mesuage in St. Lawrence aforesaid late also parcell or reputed as parcell of the possessions of the said lazer howse, now, or of late in the tenure of one Richard Piper at the will of the said Hospital; and also all that one tenement with his appurtenances in St. Lawrence aforesaid, late also parcell or reputed as parcell of the possessions of the said lazer howse, now, or of late in the tenure, manurance, or occupacion of one Johan Garland, widowe, at the will of the said Hospitall; and also all that one tenement with thappurtenances in Bodman aforesaid, late also parcell or reputed as parcell of the possessions of the said lazer howse, now, or of late in the tenure or occupacion of one Walter Hooper, at the will of the said Hospitall; and also all that annuall or yerely rent of twoe shillinges and eighte pence, yssuinge and goinge out of the landes and tenementes in St. Tingelly, now, or of late in the occupacion of Benedict Harry, late also beinge parcell, or reputed as parcell of the enheritance of the said lazer howse; to have and to hold all and singuler the said mansion howse, landes, tenementes, and hereditaments, mylles, faires, rents, revercions and services, and also all and singuler other the premisses, with the appurtenances, and everye parte and parcell therof, unto the said Master or Governor, brethren and sisters, of Elizabeth, Quene of England, of St. Lawrence de Ponteboye in Cornewall, and to their successors for ever, to the onely proper use and behoofe of the said Master, Governor, brethren and sisters, and their successors for ever, to be holden of us our heires and successors, as of our duchy of Cornewall, in free socage, and not in capite, by fealtye only, and suche yearly rents as heretofore have bene answered and payed for the same premisses or any parte therof, for all manner of services and demaundes; and we doe nevertheles ordeyne, will, and straightly command the said Master or Governor, brethren, and sisters of the said Hospitall, and their successors, that they, and their successors for ever shall provide and mainteine a good and convenient minister to say the divine service now used within the Church of England, within the Chappell of the said lazer howse, and to minister the sacraments there, as heretofore in her majestyes tyme the same hathe moste commonly bene used. Provided alwaies neverthelesse, if at any tyme hereafter any controversy or suite shall happen to growe or be betwene the said Master or Governor, brethren and sisters of the said Hospitall, and any other person or persons, for, touchinge or concerninge any lease, or leases, estate or estates, heretofore maid, or pretended to be made, of any of the premises before by these presents graunted unto the said Master or Governor, brethren or sisters of the said Hospitall, and that informacion thereof be gyven, or complaint thereof made to the Lord Tresorer of England and the Chauncellor of the Exchequer, for the tyme beinge, if therupon the said Master or Governor, brethren and sisters of the said Hospitall, do not from time to time stand to observe, performe and keep such order and direccion as shall in that behalfe be made, taken, or sett downe by the same Lord Tresorer of England, and Chauncellor of the Exchequer, for the tyme beinge, that then, and frome thenceforthe, thes our letters patents for and

concerninge onely suche parte of the premises for the which the same order and direccion shall not be observed, performed or kepte, shalbe utterly void and of none effecte, anythinge before in thes presents conteyned to the contrary notwithstandinge.

In witnes wherof, &c., Witnesse our selfe at Westminster, the ninthe daye of Marche. [A. D. 1582.]

Per breve de privato sigillo, &c.

THE foregoing Charter, or Letters Patent, has been already referred to by Professor Babington in an interesting notice of the Lazar House of St. Laurence de Ponteboy, in Cornwall, printed in the Journal of the Cambrian Archæological Association, vol ix., third series, p. 177. At the time of that publication, the writer had not found the original charter of incorporation, nor seen the enrolment of it in the Patent Rolls, of which the foregoing is a verbatim copy. We are indebted to Mr. Burt for his friendly assistance in making search at the Record Office for the document, which we have thus been enabled to bring before our readers. The present affords a favorable opportunity of offering some observations on this ancient charity, and adverting to some other documents connected with its history and its subsequent dissolution in 1810.

Dr. Oliver, *Monast. Dioc. Exon.*, p. 15, in a general notice of Chapels and Hospitals that existed in Bodmin, observes—"S. Laurence, of this house even Tanner knew little more than Leland, who calls it 'a pore hospital or lazar-house beyond the bridge, about a mile,' dedicated to S. Laurence." Bishop Stafford, on Oct. 11, 1395, granted an indulgence 'ad sustentacionem pauperum leprosororum Sancti Laurencii juxta Bodminiam.' Again, in Lacy's Register, vol. iii. fol. 125, March, 5, 1435, is a similar indulgence to S. Laurence." These appear to be the earliest notices of the Hospital. No other record of its existence has come to my knowledge previously to that which is to be found on the certificates of colleges, hospitals, chantries, free chapels, &c., in the counties of England and Wales. An abridged copy of those relating to Cornwall and Devon is inserted in the Supplement to Dr. Oliver's *Monasticon* of the Diocese of Exeter, p. 483, under the head of "Chantry Rolls." The abstract, furnished at my request by my friend Mr. Cole, then one of the assistant keepers of public records at Carlton Ride, was supplied to Dr. Oliver as a contribution to his important edition of the *Monasticon* of that diocese.

The name of the founder in that report is left in blank, and that blank has never been supplied. At the date of the report (about 37 Henry VIII.), the charity is said to be for the maintenance of "nineteen Lazare peple, tow hole men, tow hole women, and one pryste, to mynystre unto them in a chappell adjoyning to the sayd hospital not farre distant from the paryshe church;" the yearly value of the possessions is there stated to be £4 14s. 1½d.. and the value of the ornaments, jewels, plate, goods, and "catalls," to be 30s.

⁴ Leland, *Itin.* vol. ii. f. 77. Compare also vol. iii. f. 2. "From Bodmyn to S. Laurence, wher a poor Hospital or Lazar House is, about a Mile. Here I passid over a Stone Bridge, and under it rennith a praty Broke that cummith out of the Hylles from South Este," &c. A margi-

nal note supplies the following evidence of a benefactor to the Hospital:—"One of the Peverells gave a litle Annuite onto this House." The Peverels were the founders of the Grey Friars' Monastery Bodmin.

The next instrument is the above Charter of Elizabeth. It recites the existence for a long time past of a great company of leper people by the name of "Prior, brethren, and sisters," at the place called St. Lawrence de Pontboy, in the parish of "Bodman," who had never therefore been incorporated by the Queen or her progenitors. The Charter then declares them to be a corporation by the name of the Hospital or Almshouse of Elizabeth Queen of England of St. Lawrence de "Ponteboy" in the parish of "Bodman." The number of lepers at the time of the charter is stated to be 36. By the new incorporation, the style of the body is to be "the master or governor, brethren, and sisters" of the Hospital, and there are to be in all forty persons;—viz. 39 "poor men and women, leprous people," and the master. The brethren are to be elected by the general body, and the master by the brethren and sisters. All the late possessions of the body specified therein are granted to the new body, to have and to hold to them and their successors for ever, of the Queen, her heirs and successors, "as of her Duchy of Cornwall—in free socage and not in capite." The choice of a minister to perform divine service in the chapel is vested in the new body.

For the results of this new incorporation, we have to obtain information from the proceedings in the Court of Chancery referred to in the memoir by Professor Babington. The original proceedings, and the decree, are among the records of that Court, but the official copies of the decree, and other orders, of the Court, in the possession of the local authorities at Truro, are no doubt authentic, and may be safely relied upon; and these testify that, at the date of the final order and decree, the whole establishment had degenerated into a disorderly pauper asylum, under no control, self-elected, and retaining no vestige of the original scope and object of the charity, as administered either before or under the charter of Elizabeth. The proceedings before the Master in Chancery show that there was not a single member of the body having any right or title to admission into the Hospital. The practice had been to sell annuities for lives, make leases, and grant undivided shares in the property and profits, to any one who was disposed to buy, and without the slightest apparent regard to the intention of the charity. The final decree annuls and cancels all the outstanding grants of this irregular character, and the charity in effect became extinct and incapable of re-establishment, for want of a full complement of leprous patients, and a competent elective body.

In the suits pending in Chancery, the object of the gentlemen who, in the name of the Attorney-General, instituted the proceedings, in 1803, was to obtain a transfer of the property to a hospital then lately established at Truro and supported only by voluntary contributions, and which had no special reference to leprosy or any one class of disorders.

On the other hand, it was contended that if the charity had wholly failed in its object, the corporation was in effect dissolved, and consequently its possessions had relapsed to the representatives of the original founders (if any could be found), or escheated to the Crown, or to the Duchy of Cornwall,—inasmuch as the tenure in the above charter is of the Crown *in right of the duchy*, then vested in the Crown. With regard to the duchy right (which, in the event of an escheat, would have been supported by the language of the charter), the Prince was made a party to the suit, and notified his personal assent to the scheme ultimately sanctioned by the Court. This "scheme" adopted partially the proposal of the gentle-

men who had promoted the suit ; but, in conformity with the principle of *cy pres*, that is, of adhering, as nearly as possible, to the general intent of the founders, the Court exacted from the Managers of the County Hospital, as a condition of the transfer, an engagement to receive any patient of the class contemplated by them—namely, leprous patients. The words of the engagement were “that all leprous persons that may offer themselves for that purpose, shall (without any recommendation of a Governor) be admitted into the infirmary in preference to any other cases, and provided with proper treatment and accommodation in the infirmary, so long as their disorder may require.”—13th August, 1810.

It is remarkable that shortly after the publication of Professor Babington's notice, an application was actually made by an eminent living physician to the officers of the infirmary to receive such a case of leprosy. I only mention this incident, because I have heard a friend and member of the Institute refer to it as a proof of the beneficial influence of archæological inquiries.

Let me add a word on the name of the original site of this Hospital. It lies at a short distance to the west of the church and town of Bodmin. A stream runs through the village or site of St. Laurence into the larger river that flows down to Padstow. The documents of the Hospital show that there were several mills belonging to it. Mr. Babington reads the name on the seal as “Penpoy,” and sees in it a latent Cornish meaning, which he prefers to the reading in the charter. I suspect the seal, if rightly read, to be a blunder of the seal engraver, and that a wooden bridge at St. Laurence may have given name to the site of the “Mansyon howse de Ponteboy,” as Twigood between Bodmin and Liskeard has given the name of “*Doubleboy*” to the Railway Station at that place. My Cornish friends in those parts feel no difficulty about this designation ; and though I cannot undertake to say whether they will now see a bridge of wood, I think that if, on their next visit to Cornwall, my Cambro-British friends would bend their steps to the pretty bridge and beautiful woods of Dunmear and Pencarrow, they will at least thank me for having suggested so pleasant a stroll on a summer's evening.

EDWARD SMIRKE.

By the courtesy of the Cambrian Archæological Association we are enabled to place before our readers a representation of the seal of the dissolved Hospital of St. Laurence de Ponteboy, first published in their Journal in 1863.⁵ The existence of the matrix appears to have been forgotten until the meeting of that Society in Cornwall in 1862 ; during a visit to Bodmin on that occasion the seal was shown in the Guildhall. Professor Babington, in his memoir before cited, observes that it is well deserving of a place in some permanent museum, and such suitable depository might, as we believe, be found either at Truro or at Penzance. He remarks that the seal is apparently the most ancient proof of the existence of the Hospital that is extant ; the entries in the bishops' registers at Exeter, previously mentioned, had escaped his notice whilst compiling his interesting memoir. The matrix, as he supposes, was probably made in the fifteenth century, and even perhaps not long before the year 1500. We entirely agree in the conclusion expressed by our friend that the seal at the first aspect seems

⁵ Archæologia Cambrensis, vol. ix., third series, p. 177.

much older than that period; and, whilst admitting the possibility that its somewhat unartistic design may have been due, in some degree, to its having been executed by some provincial workman in a remote district, the



Seal of the Hospital of St. Laurence of Penpoy, or Ponteboy, Bodmin. Original size.

fashion of the lettering, with certain other details, seem to suggest the inference that the seal may have been copied from a more ancient matrix. The device, as will be seen by the woodcut, is a figure of St. Laurence, holding a gridiron, and the Book of the Gospels, appropriate to his office of deacon. A cusped and crocketed canopy appears over the figure, and beneath is a small distorted figure kneeling in prayer, doubtless the prior of the hospital. The legend is—*s' : LAVRENCII : BODMONS' DE : PENPOY.*⁶ The name Penpoy, as Professor Babington has truly pointed out, has a much more Cornish appearance than its form of Ponteboy, in the patent of Queen Elizabeth. He expresses the hope, in which we fully accord, that our Cornish friends may investigate the different forms of the name, and give us some explanation of the anomaly in the changes that it seems to have undergone.

I may notice, in conclusion, that the seal, as I am informed by Mr. Smirke, had been given by Lysons in the Supplementary Plates of Cornish Seals, rarely found in copies of the *Magna Britannia*. Its repetition (from the original), through the kindness of the Cambrian Association and of our friend Professor Babington, cannot fail to prove acceptable. I would also acknowledge my obligations to R. Bray, Esq., Town Clerk of Bodmin, and to Mr. Couch, of Penzance, for an impression from the matrix.

ALBERT WAY.

⁶ The name of the place, it will be observed, has a mark of contraction over the last letter. It has been suggested that the word may perhaps be read *Bodmonensis, in extenso*. Mr. Smirke, however, proposes to read—*Bodmonis*.—The

name was written with very arbitrary variation in spelling. The earliest form seems to have been *Bodmon*; we find *Bodman*, and *Bodminian*, frequently, and also *Bodenham*, even at a late time.