

Town and Gown in Tudor Oxford: A Note and Two Documents

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THE two documents here edited come from the Oxford University Archives and carry the shelfmarks W.P.β.B.26 and 27a. Both are single sheets of paper which have been folded in half to produce two folios or four pages. They were catalogued, paginated and annotated by Twyne, and their contents were known to Wood.¹

Neither is dated, but internal evidence provides reasonable dates for both. It is likely that B.26 was written between February, 1575, the date of the bond copied on page three, and November, 1575, when the goods of Wm. Pawe, who is mentioned as 'yet alyve' in the text (p. 1), were inventoried for the Chancellor's Court.² A marginal note on page one of B.27a states that Gloucester College had ceased to be a monastic institution 53 years before. This would date the note at about 1592/93.³ However, I think that the marginal notes, which are in the same hand as the text, are a later addition, since their tenor runs against that of the text itself.⁴ Moreover, Giles Swete, who is mentioned in the text as alive (p. 4), was dead by September, 1586, and a number of other entries on the same page point to a similar date.⁵ I suspect, therefore, that the original text of B.27a must have been written in about 1585/86 and then re-copied, annotated and up-dated in the early 1590s.

This provisional dating becomes even more attractive when we consider the probable circumstances of the documents' creation. Their common aim is to contest university privilege, particularly the commercial rights of privileged persons. Both refer to the university's using 'coloured' (deceitful) methods. Hence, although their provenance is academic, their origin is clearly municipal. Moreover, it is possible to specify the exact purpose for which they were drafted. The later document, B.27a, has a reference to the Privy Council (p. 4). On 1 May, 1586, the Privy Council directed a letter to a select commission to hear disputes between the university and the town. To this end they were to call for 'suche proofes and witnesses as maie be . . . produced.'⁶ I think these documents are 'suche proofes', and, indeed, the

¹ See R. L. Poole, *A Lecture on the History of the University Archives*, (1912), 41-42, and A. Clark (ed.), *Wood's History of the City of Oxford*, Vol. 3, Oxford Historical Society Publications, Vol. 37 (1899), 26-30 (notes).

² University Archives, Hyp. B.17, *sub nomine*. The deletions in the text indicate that the copy was probably made shortly before or after Pawe's death.

³ This is strengthened by the fact that 'Mr Fulsey', who occurs as a privileged person on page four, is only found in the assessments of privileged persons for the subsidy collected in 1592 as a rent-collector for New College (PRO E.179/163/374).

⁴ See e.g. those for John Pye and Wm. Banaster on page two, and for 'On Hays' on page three.

⁵ See City Archives A.5.3., 22 r. A Winifred Swete, probably his widow, was admitted by the university as a brewer in October, 1587 (A. Clark (ed.), *Register of the University of Oxford*, Vol. II, Part I, Introductions, Oxford Historical Society Publications, Vol. 10 (1887), 328). The three brewers, Luke Eton, Thos. Philips and Alexander Hill, had all been similarly admitted in 1585 (*loc. cit.*).

⁶ *Acts of the Privy Council*, 1586-1587, 81-82.

settlement of an earlier dispute by the Privy Council in May, 1575, for which the original of B.26 was probably prepared, dealt specifically with the commercial activities of privileged persons, the core of both documents.⁷ We are, therefore, dealing with university copies of two documents originally prepared for the town in the mid-1570s and '80s respectively, for avowedly controversial purposes. Finally, B.27a in its present form is probably an annotated copy prepared by a member of the university in the early 1590s during the on-going disputes of that decade.⁸

Both documents provide a wealth of detail about Town-Gown relations throughout the sixteenth century, but their chief value is their identification of privileged persons who, for one reason or another, also became free of the town. Where names occur in both lists there are some inconsistencies,⁹ and some inaccuracies do occur.¹⁰ But this is only to be expected, since the major sources for both these documents were probably personal recollections,¹¹ and faulty memories over half a century are not unusual. Nevertheless, where the information can be controlled, the contents can be shown to be generally accurate. This is particularly important, since before the freemen's lists begin (sporadically) from 1519-20,¹² it is difficult to say whether a man was first a privileged person or a freeman.

This movement from Gown to Town was certainly not a new phenomenon in the sixteenth century. The arch-villain of Oxford history, John Bereford, Mayor during the St. Scholastica Day riot of 1355, had probably begun his career as a manciple. In a contemporary poem he was described by the (personified) university as *apud me serviens diu scholaribus . . . sumens a clericis larga stipendia*, who, when he became Mayor, spent his time *semper in clericos severa machinans*.¹³ A century later in the 1450s we find a manciple of All Souls, Richard Busterd, marrying the widow of a prominent Oxford white-baker, taking on this new occupation and rising to the office of Bailiff in local government.¹⁴ Analogous figures for the sixteenth century are found in B.26 and 27a, for example the manciple turned draper and Alderman, John Austin, or another former manciple, the brewer-Alderman, Richard Gunter. Both Austin and Gunter were prominent in the disputes of the 1520s and 1530s over Wolsey's charter of privileges.

While there is no way that we can analyse this phenomenon statistically, still it is worth noting that the most important examples cited in these documents, such as Austin and Gunter, the bedell, Wm. Bulcombe, or another manciple, John Gelly, are all confined to the early sixteenth century. And this in spite of the fact that

⁷ *Ibid.*, 1571-1575, 381-382.

⁸ See e.g. H. E. Salter (ed.), *Oxford Council Acts 1583-1626*, Oxford Historical Society Publications, Vol. 87 (1928), pp. 53, 62 (1590, 1591). Possibly it is connected in some way with the Queen's visit to Oxford in September, 1592, e.g. as a petition for redress.

⁹ See e.g. the entries for John Austin in B.26 (p. 1) and B.27a (p. 1).

¹⁰ Jas. Edmunds (B.26, p. 2; B.27a, p. 1) and David Pratt (B.26, p. 3; B.27a, p. 2) were certainly freemen before becoming, respectively, a bedell and a stationer. John Gelly (B.26, p. 1) was never a bedell, but he occurs as a manciple of London College from 1498 to 1506 (University Archives, Hyp. A.2., 1^v, 236^r).

¹¹ B.26 (p. 2) informs us that, 'all these weare knownen by men yet lyving'.

¹² W. H. Turner (ed.), *Selections from the Records of the City of Oxford* (1880), 23 ff.

¹³ From the 'Placitus Universitatis Oxoniensis Contra Laicos Tempore Magni Conflictus' edited by H. Furneaux in *Collectanea*, Third Series, ed. M. Burrows, Oxford Historical Society Publications, Vol. 32 (1896), 171.

¹⁴ For Busterd see, for example, the Computus and Expense Rolls of All Souls for 1455-56 (Bodl. MS. D.D. All Souls College, c. 277) and W. P. Ellis and H. E. Salter (eds.), *Liber Albus Civitatis Oxoniensis* (1909), nos. 222, 224.

the lists themselves belong to the last quarter of the century. An examination of the sixteenth-century freemen's admissions will, I believe, produce similar conclusions, that is, in this regard, the documents reflect reality. An explanation of this peculiarity would lead to an examination of the whole web of social and institutional relations between Town and Gown in the later Middle Ages and the Tudor period.

THE TEXT :

The edition is basically a diplomatic one although I have made some changes in capitalization and punctuation. I have only included those alterations in the text which are important for a proper interpretation. These and the marginal notations are indicated by pointed brackets, ' $\langle \dots \rangle$ '. The marginal notes by Twyne in B.26 are marked by an asterisk, '*'. All notes and corrections are in the hand of the text unless otherwise indicated.

I have tried to identify all persons occurring and to provide some explanations of difficult points. Editorial additions are indicated by square brackets, '[...]'. It would be impossible to provide sources for all the editorial annotations, many of which are based on unprinted sources, particularly the records of the Chancellor's Court, but those seeking additional information are advised first to consult the volumes by Turner and Salter for the freemen and that by Clark for the privileged persons.¹⁵

Oxford University Archives W.P.β.B.26 :

- p. 1 The names of suche pryvilegyd persons of thuniversytye of Oxon' and persones in degres of the sayd universytye as have ben fayne to become free within the Cytie of Oxon' before they cold use any marcandyses within the said Cytie.
- Fyrst Mr [Wm.] Bulcombe, being a Squyer bedel for the lawe, and wolde become an Inkeper and a wollen draper was fayne to become free of this Cytie and was afterwarde Mayor. \langle This person was Mayor 1503, 1507, 1509, 1518 \rangle *
- Also Mr [Ric.] Wootton, being a Squyer bedell of devynytye, and became a brewer and was fayne to become free of this Cytie.
- Also Mr [John] Gally was also a bedell of the unyversytye and became free and a brewer of this Cytie and was an Alderman there of.
- Also Mr [John] Austen, being mansyple of Magdalen Colledge, by reason he marryed a drapers wyeffe and wolde become a draper was fayne to become free of this Cytie and was afterwarde bothe Alderman and Mayor of this Cytie. \langle John Austen Mayor anno 1524 \rangle *
- Also one John Reynoldes, being a bedell of thuniversitie, by reason he wolde become a brewer was fayne to become free of this Cytie.
- Mr Robert James, being a Mr of Arte and Pryncypall of St Marye Hall, and afterwarde meanyng to sett upp a brewe howse was fayne to become free of this Cytie and was after bothe Chamberlen and Baylyff of this Cytie and was in elecion of the Mayoraltye.¹⁶ \langle One Robt James was Baylyff 1541 \rangle *
- Also William Pawle, \langle being yet alyve \rangle ¹⁷, a Bachelor of Arte of Exeter Colledge, and wolde sett upp a mersers shopp was fyrst fayne to become free of the Cytie.
- Also Richard Gonter, being mansyple of Glocester Colledge, meanyng to become a

¹⁵ As cited in notes nos. 5, 8 and 12.

¹⁶ i.e. eligible for the office.

¹⁷ Deleted.

brewer was fayne to be free of the Cytie and was afterwarde an Alderman and Mayor of this Cytie. <Q. if that be meant of R. Gunter Mayor anno 1545, 1546>*

- p. 2 Also Mr [John] Brooxe, having bene long a Squyer Bedell of the universitye, wolde afterwarde become a brewer and was fayne to become fyrst free of this Cytie.
 Also Thomas Fyrse, being yet lyving, and was a Bachelor of Arte and a singing man of Christchurche, meanyng to marry a glovers wyffe and to use that occupacion was fayne before he colde use the same occupacion to become free of this Cytie.
 Also one Mr [Thos.] Tatam, being a Mr of Arte of Lyncolne Colledge, and wolde become a merse and was fayne fyrst to become free of this Cytie.
 Thomas Smalepape, <being yet lyving and>¹⁸ having bene long the butler of Magdalen Colledge and mansyple of Magdalen Hawle, meanyng after to kepe a mersers shopp was fayne fyrst to become free of this Cytie and <hathe bene>¹⁹ Chamberlen and Baylyffe. <of the Citie (viz. anno 1559)>*
 Also James Edmondes, being a Squyer bedell, and wolde become a draper was fayne fyrst to become free of this Cytie and was Baylyffe thereof.
 Also Garbrand Harkes, bookebynder, being yett lyving, and wolde sett upp a mersers shopp was fayne fyrst to become free of this Cytie and hathe bene Chamberlen thereof.
 Also Mr [Edw.] Glympton, having bene long the mansyple of Glocester Colledge, and wolde sett upp a brewhowse was fayne fyrst [to] become free of this Cytie and was afterwarde Alderman of this Cytie.
 All theise weare known by men yet lyving, and a great many more pryvelegyd persons of thuniversitie yet lyving, when they wolde sett upp any trade or occupyng in this Cytie, were fayne fyrst to become free of the same Cytie before they colde use yt.
- p. 3 <Decimo²⁰ octavo die Februarii anno regni domine nostre Elizabeth decimo septimo coram Rogero Taylor maiore : Memorandum quod Nicholus Becke, de civitate Oxon', cuttler, cognovit se debere dicte domine Regine decem libris bone et legalis monete Anglie de bonis et cattalis, terris et tenementis>²¹
 Also one Davyd Pratt, an appotycary, was brought in by thuniversyte, and the better to coler hym to be pryvelegyd they made hym a stacyoner and bookeseller, and yett the sayde Davyd was fayne to become free of this Cytie and was afterwarde Baylyffe and Chamberlen of this Cytie.

- p. 4 A note of pryveleged persons that were fayne to become fre of the Cytie.

Oxford University Archives W.P.β.B.27a :

- p. 1 The Fyrst :

Mr [Wm.] Symcox, brewar, manciple of Gloster Collyge : the Cytty of Oxford wolde not suffar him to use the sayde trad of brewynge untill fyrste he payd his fyne²² by them sett and all so sworyn to the mayntenaunce of the charters and lybertys of the sayde Cytty, apon the which fyne paid and the othe in maner and forme takyn he was amytted to the fredum of the sayde Cytty. <Margin : the sayde collyge was then a place of blacke monckes, liii yers syns>

¹⁸ Added above the line and deleted.

¹⁹ Replaced by 'was'.

²⁰ What follows is the common form for a bond to perform some obligation. Since Feb. 18, 1575, was a Friday, it was probably enrolled in the Mayor's Court, but the court's entry for that day has no such record (City Archives L.5.7., 269r).

²¹ All deleted.

²² i.e. the fee paid at entry to the freedom of the town.

- Mr [John] Austyn marreyd on Quarrells wyfe, an Inholder and a mercer, who after his maryage wolde have used the same trade; the Cyttysins of Oxforde wolde not suffar him [etc. as above]. <Margin : this man was a graduat of the unyversitie and after Alderman of the Cytty>
- Myghell Hethe, brewar : the Cyttysins of Oxforde wold not sufur hym [etc. as above]. <Margin : this man was a graduat of the unyversitie and after Alderman of the Cytty>
- James Collynsun, Inholder, mercer and vyntener : the Cytty wolde not suffar him [etc. as above]. <Margin : this man was a bedill of the unyversite>
- James Edmundes, draper : the Cyttysins would not suffar him [etc. as above]. <Margin : this man was a bedill of the unyversite>
- Mr [Robert] James, brewar : the Cyttysins wolde not suffar him [etc. as above]. <Margin : this man was a Mr of Artt and a Fellowe of Oryall Collige>
- The names of pryvylegyd persons which cam to be frenen of the Cytty of Oxford and were admyttid to the fredum of the sayde Cytty after the payment of there fyns and othis takyn in maner and forme as before sayde :

- p. 2 Rycharde Jons, brewar, mansyple of Allsone Collyge.
 Christofar Arrundell, brewar, manciple of Allsolls Collyge.
 Thomas Foster, in holder and vyntener, mansiple of Mertyn Collige.
 William Furnis, baker, coke in Chrystis Church.
 Wylliam Pantre, brewar, servant to the Provyst of Quens Collige.
 Garberand Herckes, mercer and vyntener, stacyoner.
 Thomas Furs, Bachylar of Artt, Inholder and vyntener.
 <One Mr [Thos.] Tatame, Mr of Arte of Lync[oln Collige], to lynen draper.>²³
 William Flemynge, mercer, scollar in Martyn Collige and servant to Doctor Fythems of the sayde collige.²⁴
 Bartillmew Lantt, vyntener, singgyng man in Chrystes Church.
 Mr [Ric.] Cotterall, baker, coke of Allsolls Collige.
 <Balwine Smythe, mansyple [of] Brasenose, lynen draper.>²⁵
 Robart Jurman, brewar, barbar to Newe Collyge.
 Roger Taylar, mawllt maker, coke of Newe Collyge.
 John Payne, mercer and salltter, under coke in Newe Collyge.
 Olde [Edw. or John] Kyrse, a freman, barbar to Quens Collige; what trade he hadd more but a wax chaunddlar I knowe not.
 Davy Pratt, apottycary.
 Nicolas Todd, his [Pratt's] prentyce, a pottycary.
 William Levins, prentys to the sayde Nycolas, a pottycary also.
 Mr [John] Pyy, Inholder, a baker and brewar, and was servant and of the Gard to Kynge Harry the viiith.
 Mr [Wm.] Banyster, baker and brewar, of the Garde to Kynge Harry the viii.
 <In margin opposite Pye and Banaster : thes ii persons wer of the Garde and no pryvilegid persons and after Aldermen of the sayd Cytty.>²⁶
 Robartt Dawsun, Inholder and Iarne munggar, horsse kepper to Doctor Whit, Warden to the Newe Collyge.²⁷
 <Thomas Wylyams, a mercer and Inholder, servantt to Doctor Lundon.>²⁸

²³ Added between the lines in a different hand.

²⁴ Ric. FitzJames, Warden of Merton, 1483-1507.

²⁵ As note no. 23.

²⁶ Both were Yeomen of the Guard before settling in Oxford and were subsequently on retainers from the Crown (See *L&P XIII*(1), 1342, and G. R. Elton, *The Tudor Revolution in Government* (1953), 82). In 1524 Banaster occurs in a list of brewers as a 'valect[us] de garda domini regis' (Univ. Archives, W.P.B.34b).

²⁷ Thos. White, Warden of New College, 1553-1573.

²⁸ John London, Warden of New College, 1526-1542.

Thomas Cottes, drapper and Inholder, comynge from Abington married Avis Reve, wyddo.²⁹

Peter Manu, mercer and a surgent,³⁰ servant to Doctor Warner.³¹

Thomas Smallpage, mercer, butlar of Mawdlyn Collyge.

Moryce Vaghham, a mercer and browne baker, rentt gatherar to Mawdlyn Collyge and servauntt to Artter Pyttes.³²

Thomas Willyams, a mercer and Inholder, servauntt to Doctor London.

Persons not pryvilegyd admyttyd too the fredum of the sayd Cytty <by the Vychauncelar.>³³

Edmunde Iryshe, Inholder and vynttener.

William Plumer, a pllummer.³⁴

Wylliam Howse, brewar.

Thomas Cottes, drapper.

<William Plumer>³⁵

Mr [Thos.] Bluntt, mercer.

William Fallofylde, mercer.

Wyll Whittfutt, mercer.

Rafe Whit, baker.

Christofar Hawkyngs, glover.

George Pyckerynge, smith.

With a gret numbar mo which is to longe to reheere.

p. 3 [Nic.] Myllgate of London, a capper, brought dyvars tymys square cappis doune agaynst Ester, Whitsuntyd and Chrystmas and prevely did sell them to dyvars of the unyversite. The Cytty percevyng his secrett doynge wold not suffar [him] to contynewe in the lycke, butt cutt him of for doynge the lycke, where appon he became a freman and dyd in manner and forme as afore sayd. <Margin : a Lundener>

Robertt Evartun, sylkeman of London, did make the lycke attempte, but in the ende be cam a freman and dyd as be fore sayde. <Margin : a Lundener>

George Owyn, Doctor of Phisycke, marryd on Jusis³⁶ wyfe, a whit baker, who after maryage began to use the sayde trade. The Cyttysyns seynge wolde not suffar him to dele therein onles he wolde be com a freman and doo as before sayde, where appon he left of the sayde trade.

[John] Mayo, a bere brewar then dwellynge in Abyngtun : they wold not suffar him to sell his bere to the unyversite untill fyrste he be cam a freman and did as before sayde.

Wylliam Tressam, Doctor of Devynyte and Vychauncelar then of the Unyversite of Oxford, procuryd by cullerable means sertayne bakers of Wodstocke to serve Chrystis Churche and wother collegis of bred, thinckyng by this means both to hinder the bakers in ther trades by bryngyng of strayngers to serve the unyversyte and allso to hinder the Cytty, for that the lesse corryn shulde be ground atthe Quens mylls,³⁷ which mylls the Cytty hathe in fefarme. The Cyttysyns, persevyng he weant a bowt this to infrynge ther lybartys and to decaye the mylls, by ther offycyars, the Baylyfes that yere, Wylliam Tylcoke and Thomas Malynsun,³⁸ excludid all the bakers of Wodstocke and wolde not suffar them to

²⁹ The entries for Williams and Cotes are deleted. For both see below.

³⁰ i.e. 'surgeon'.

³¹ John Warner, first Regius Professor of Medicine (1546-1554) and Vice-Chancellor in 1554 and 1559.

³² Fellow of All Souls, 1534; B.C.L., 1537.

³³ These words have been heavily deleted. The reading is uncertain.

³⁴ = Wm. Thomas.

³⁵ Deleted.

³⁶ John Jusse.

³⁷ i.e. the Castle Mills.

³⁸ Bailiffs, Sept., 1545-Sept., 1546. Twyne has added 'anno 1545' in the margin.

cum to serve any bred within the sayde towne and lybbarttis of the same.
 And whear as the unyversite hathe the assyse of bred and ale, by there servant appoyntyd, on Wyllyam Elys, he by ther appoyntment takes of every brewar the day he settes forthe his ale i gallon of the best ale and ii gallons of small dryncke which more then is within there grauntt.
 And where [as] the Cytty hathe the stettes in fefarme, they by there offycyars do usurpe and encroche appon the sayde Cytty and cummars to the marcke with ther coryn and wother vyttualls to take toll of every sacke of corryn which was never usyd within the sayde Cytty wherby the cuntry people doth with drawe them selves gretly for bryngynge of ther corryn to the marckett.
 On Hays, who marryd Symons wife, an Inholder atthe sygne of the Ram which now is the howse whear Mr [John] Hartley dwells, the same Hays could nott kepe the trade of an Inholder untill fyrst he dyd agre as before sayde. <this man was no pryvylegid person.>³⁹

p. 4 Pryvylegid persons, brewars which ar no fremen :

Lucas Ettun.
 Thomas Fyllyps.
 [Robt.] Smith, the bedill : he hath brewid heretofore and shorly will a gayne.
 Mr [John] Snowe, Mr of Artt.
 Saundars Hill, brewar and baker.
 Gylls Swett.

Pryvylegid persons, bakers which ar no fremen :

Mr [John] Jackeman, Bachelar of Fysike.
 Thomas Smithe, second coke of Chrystes Church.
 Wylliam Smallman, bedill.

Prevylegid persons, mercers which ar no fremen :

Mr [Wm.] Marttyn, Mr of Artt.
 Harry Jackesun, mancypyle of Allsolls College.
 Mr [Wm.] Leche, Mr of Artt.
 Mr Fulsey, servant to Doctor Colepepper.⁴⁰
 [Walt.] Toldervoy, pottycary.
 [Giles] Crosse, pottycary.

Pryvylegyd persons, vyntenars which ar no fremen :

Thomas Gouer atthe sygne of the Angell.
 Thomas Gouere in Saynt Marttyns paryshe.
 Harry Jackesun, mancypyle of Allsolls Collyg.
 Josefe Barons, stacyoner.

Pryvylegid persons, Inholders which ar no fremen :

Umfery Morryce at the Swan.
 Rychard Crosley, coke atthe Sarsins Hed.
 John West atthe Olyfantt.
 Thomas Powderell at the Maydyn Hedde.
 William Goughe, coke atthe George.

Wyllattes atthe Crosse ; where he be pryvilegid or no I knowe not.

Thomas Ryley was admyttyd of his howse to make an In which be fore was no In, and Mr [John] Wayght beyng then Mayor <1561>⁴¹ gave leave to sett uppe an In, the sygne of the Hartt, and had for his sele of lycyence xiiis. iiid.

Prevylegid persons, artyfysyar[s] which ar no fremen :

Thomas Gouar, goldsmith.
 Robartt Malatt, joyner.

³⁹ Possibly added, but in the same hand as the text.

⁴⁰ Martin Colepepper, Warden of New College, 1573-1599.

⁴¹ Added in the margin by Twyne.

[Ric.] Wrenche, a taylor and mault maker.

[Math.] Fysher, a mawlt maker.

Mr [John] Wayght, for sertayne wordes of treson spokyn by the mouthe of Mr Yattes, oppenid the same to Doctor Yelder, who then was Vychauncelar,⁴² and did then acuse the saide [Yattes] ther of, which Doctor Yelder dyd not sertefy the Consell⁴³ thereof but bounde the sayde Yattes to the good a beryng and never returnid in the sayde bonde att no Quarter Sessyons folloyng. <Dr Yelder vice. can. 1580 but possibly he might be deputy vice chancellor before that year.>⁴⁴

⁴² Art. Yeldard, Vice-Chancellor, 1580-1581.

⁴³ i.e. the Privy Council.

⁴⁴ As note no. 41.