

Cambridge University Press

978-1-108-01043-6 - Charters of the Borough of Cambridge

Edited by Frederic William Maitland and Mary Bateson

Excerpt

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CHARTERS
OF THE
BOROUGH OF CAMBRIDGE.

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I. BREVE REGIS HENRICI PRIMI.

A.D. 1120
—1131

¹Henricus Rex Anglorum Herueio Eliensi Episcopo et omnibus Baronibus suis de Grentbrugeseira salutem. Prohibeo ne aliqua navis applicet ad aliquod litus de Cantebrugeseira nisi ad litus de burgo meo de Cantebruge neque carece onerentur nisi in burgo de Cantebruge neque aliquis capiat alibi theoloneum nisi ibi. Et quicumque in ipso burgo forisfecerit ibidem faciat rectum. Quod si quis aliter fecerit precipio ut sit mihi inde ad rectum coram iusticia mea quando precipio inde placitare. T[estibus:] Cancellario et Milone de Glocestria [et Ricardo Basset apud Londoniam]².

II. BREVE REGIS HENRICI SECUNDI.

A.D. 1161
—1189

³Henricus dei gracia Rex Anglie et Dux Normannie et Aquitannie et Comes Andegavie Iusticiariis, Vicecomitibus et omnibus Ministris et Fidelibus suis salutem. Sciatis me tradidisse ad firmam burgensibus meis de Cantebruge villam meam de Cantebruge tenendam de me in capite per eandem firmam quam vicecomites mihi reddere solebant et ut ipsi inde ad scaccarium meum respondeant. Et ideo precipio quod prefatos burgenses et omnia sua custodiatis et manuteneatis sicut mea propria ne quis eis in aliquo iniuriam vel

¹ Transcript in Cross Book, f. 47; also *Inspeximus* of 2 Edw. VI. Original not known to exist.

² Not in Cross Book; supplied from the *Inspeximus*.

³ Transcript in Cross Book, f. 47; also *Inspeximus* of 2 Edw. VI. Original not known to exist.

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I. WRIT OF KING HENRY THE FIRST.

¹Henry King of the English to Hervey Bishop of Ely and all his barons of Cambridgeshire greeting. I forbid that any boat shall ply at any hithe in Cambridgeshire, save at the hithe of my borough of Cambridge, nor shall barges be laden, save in the borough of Cambridge, nor shall any take toll elsewhere, but only there. And whosoever doth forfeit in the borough let him there do right. And if any do otherwise, I command that he be at right thereof before my justice when I command that there be plea thereof. As witnesses: the Chancellor and Miles of Gloucester and Richard Basset at London.

II. WRIT OF KING HENRY THE SECOND.

²Henry by the grace of God King of England and Duke of Normandy and Aquitaine and Count of Anjou, to his Justices, Sheriffs and all his Ministers and faithful People greeting. Know ye that I have delivered at farm to my burgesses of Cambridge my town of Cambridge to be holden of me in chief by the same farm which my sheriffs were wont to render to me, and so that they themselves [the burgesses] do answer therefor at my exchequer. And therefore I command that ye guard and maintain the said burgesses and all things to them belonging as though they were mine own, so that no one may in any wise cause to

¹ See Cooper, *Annals*, i. 25.² See Cooper, *Annals*, i. 28.

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molestiam faciat aut gravamen. Nolo enim quod ipsi alicui inde respondeant nisi mihi et ad scaccarium meum. Teste: Rogero filio Reinfrido apud Keueilli.

III. CARTA PRIMA REGIS JOHANNIS.

1201
Jan. 8

¹Iohannes dei gracia Rex Anglie etc. Sciatis nos concessisse et presenti carta nostra confirmasse burgensibus nostris de Cantebruge gildam mercatoriam, et quod nullus eorum placitet extra muros burgi de Cantebruge de ullo placito preter placita de tenuris exterioribus, exceptis mone-tariis et ministris nostris. Concessimus eciam eis quod nullus eorum faciat duellum et quod de placitis ad coronam nostram pertinentibus se possint disracionare secundum antiquam consuetudinem burgi. Hoc eciam eis concessimus quod omnes burgenses de Cantebruge de gilda mercatorum sint quieti de theloneo et passagio et lestagio et pontagio et stallagio in feria et extra et per portus maris Anglie et omnium terrarum nostrarum citra mare et ultra mare, salvis in omnibus libertatibus civitatis Londonie, et quod nullus de misericordia pecunie iudicetur nisi secundum antiquam legem burgi, quam habuerunt temporibus antecessorum nostrorum. Et quod terras suas et vademonia et debita omnia iuste habeant quicumque ea debeat. Et de terris suis et tenuris que infra burgum sunt rectum eis teneatur secundum consuetudinem burgi. Et de omnibus debitis suis que accomodata fuerint apud Cantebruge et de vademoniis ibidem factis, placita apud Cantebruge² teneantur. Et si quis in tota terra nostra theloneum vel consuetudines ab hominibus de Cantebruge de gilda mercatorum ceperit, postquam ipse a recto defecerit, vicecomes de Cantebruge vel prepositus de Cantebruge namum inde apud Cantebruge capiat, salvis in omnibus libertatibus civitatis Londonie. Insuper eciam ad emenda-

¹ From a copy enrolled in Rot. Cart. Joh. A. R. 2, m. 10 as printed in Record Commissioners edition, p. 83. A copy in Cross Book, f. 49. Original not known to exist.

² Sic.

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them injury or damage or grievance. For I will not that they answer therefor to any but to me and at my exchequer As witness : Roger the son of Reinfrid at Quévilly.

III. FIRST CHARTER OF KING JOHN.

¹John by the grace of God, King of England etc. Know ye that we have granted and by this our present charter have confirmed to our burgesses of Cambridge a gild merchant, and that none of them shall plead without the walls of the borough of Cambridge concerning any plea, unless they be pleas of exterior tenures, except our moneyers and servants. Moreover we have granted to them that none of them shall make [proof by] battle, and that with regard to pleas pertaining to our crown they may deraign themselves according to the ancient custom of the borough. This also we have granted to them, that all the burgesses of Cambridge of the gild of merchants shall be quit of toll and passage and lastage and pontage and stallage, in fair and without, and throughout the ports of the sea of England and of all our lands on this side of the sea and beyond the sea, saving in all things the liberties of the city of London, and that none be adjudged to be in mercy as to his money except according to the ancient law of the borough which they had in the times of our ancestors. And that they may justly have their lands and pledges and all debts, whosoever may owe the same. And that right shall be done to them touching their lands and tenures which are within the borough according to the custom of the borough. And of all their debts which shall have been contracted at Cambridge and of the pledges made there, pleas shall be held at Cambridge. And if any in all our land shall take toll or customs from the men of Cambridge of the gild of merchants and shall have made default in right, then the sheriff of Cambridge or the reeve of Cambridge shall take therefor a distress at Cambridge, saving in all things the liberties of the city of London. Moreover for the amendment

1201
Jan. 8¹ See Cooper, *Annals*, i. 31.

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cionem burgi de Cantebruge concessimus eis feriam suam in septimana Rogacionum cum libertatibus suis sicut eam habere consueverunt, et quod omnes burgenses de Cantebruge sint quieti de jherescheve et de scothale si vicecomes noster vel aliquis alius ballivus scotaliam faciat. Has predictas consuetudines eis concedimus et omnes alias libertates et liberas consuetudines quas habuerunt temporibus antecessorum nostrorum quando meliores vel liberiores habuerunt, et si alique consuetudines iniuste levate fuerint in warra cassate sint. Et quicumque petierint burgum de Canteburge¹ cum mercato suo, de quocumque loco sint, sive extraney sive alii, veniant morentur et recedant in salva pace nostra reddendo rectas consuetudines, et nemo eos disturbet super hanc cartam nostram. Et prohibemus ne quis inde iniuriam vel dampnum vel molestiam predictis burgensibus nostris faciat super forisfacturam nostram decem librarum. Quare volumus et firmiter precipimus quod predicti burgenses et heredes eorum hec omnia predicta hereditarie habeant et teneant de nobis et heredibus nostris, bene et in pace, libere et quiete, integre et honorifice, sicut superius scriptum est. Testibus: R[ogero] Sancti Andree Episcopo, G[alfrido] filio Petri Comite Essexie, R[oberto] Comite Leicestrie, W[illelmo] Comite Sarrisbirie etc. Data per manum nostram apud Geytintone, viij die Ianuarii anno regni nostri secundo.

IV. CARTA SECUNDA REGIS JOHANNIS.

1207
May 8

²Iohannes dei gracia Rex Anglie Dominus Hybernie Dux Normannie et Aquitannie Comes Andegavie Archiepiscopis, Episcopis, Abbatibus, Comitibus, Baronibus, Iusticiariis, Vicecomitibus, Prepositis, et omnibus Ballivis et Fidelibus suis salutem. Sciatis nos concessisse et hac carta nostra confirmasse burgensibus nostris de Cantebrige villam de Cantebrige cum omnibus pertinentiis suis habendam et tenendam in perpetuum de nobis et heredibus nostris sibi et heredibus

¹ Sic.² Original in Borough Archives with a portion of the great seal in green wax appendant.

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of the borough of Cambridge we have granted to them their fair in Rogation week with its liberties as they were accustomed to have it, and that all the burgesses of Cambridge be quit of jherescheve and of scotale if our sheriff or any other bailiff shall make a scotale. These customs aforesaid we have granted to them and all other liberties and free customs which they had in the times of our ancestors when they best and most freely had the same, and if any customs have been unjustly levied in time of war, they shall be quashed. And whoever shall seek the borough of Cambridge with their merchandize, whencesoever they be, whether strangers or others, they may come, stay and return in our sure peace upon rendering right customs, and none shall disturb them upon [pain of infringing] this our charter. And we forbid that any cause herein injury or loss or trouble to our burgesses aforesaid upon pain of our forfeiture of ten pounds. Wherefore we will and firmly command that the aforesaid burgesses and their heirs shall have and hold all these things aforesaid in inheritance of us and our heirs well and peaceably, freely and quietly, entirely and honourably as is written above. As witnesses: Roger, Bishop of St Andrews, Geoffrey Fitz Peter Earl of Essex, Robert Earl of Leicester, William Earl of Salisbury etc. Given by our hand at Geddington on the 8th day of January in the second year of our reign.

IV. SECOND CHARTER OF KING JOHN.

¹John by the grace of God King of England Lord of Ireland Duke of Normandy and Aquitaine and Count of Anjou, to his Archbishops, Bishops, Abbots, Earls, Barons, Justices, Sheriffs, Reeves, and all his Bailiffs and faithful People greeting. Know ye that we have granted, and by this our charter have confirmed, to our burgesses of Cambridge the town of Cambridge, with all its appurtenances, to have and to hold for ever of us and our heirs to them and their heirs,

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May 8¹ See Cooper, *Annals*, i. 33.

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suis reddendo inde annuatim ad scaccarium nostrum anti-
quam firmam scilicet quadraginta libras albas et viginti libras
numero de cremendo pro omni servicio per manus eorum ad
duo scaccaria anni. Quare volumus et firmiter precipimus
quod predicti burgenses et heredes sui habeant et teneant pre-
dictam villam cum omnibus pertinenciis suis bene et in pace,
libere et quiete, integre, plenarie et honorifice in pratis et
pascuis, molendinis, aquis et stagnis cum omnibus libertatibus
et liberis consuetudinibus suis. Concessimus eciam eis quod
faciant de se ipsis prepositum quem voluerint et quando
voluerint. Testibus: Dominis Willelmo Londoniensi, Petro
Wintoniensi, Iohanne Norwicensi, Ioscelino Bathoniensi Epis-
copis, Galfrido filio Petri Comite Essexie, Comite Alberico,
Willelmo Briwerre, Galfrido de Nevilla, Reginaldo de Cornhille.
Data per manum Hugonis de Welles Archidiaconi Wellensis
apud Lamheam viii^o die Maii Anno Regni nostri octavo.

V. CARTA PRIMA REGIS HENRICI TERTII.

1227
April 21

¹Henricus dei gracia Rex Anglie Dominus Hybernie Dux
Normannie Aquitannie et Comes Andegavie Archiepiscopis,
Episcopis, Abbatibus, Prioribus, Comitibus, Baronibus, Iusti-
ciariis, Forestariis, Vicecomitibus, Prepositis, Ministris, et omni-
bus Ballivis, et Fidelibus suis salutem. Sciatis nos concessisse
et presenti carta nostra confirmasse burgensibus nostris de
Cantebrige gildam mercatorum, et quod nullus eorum placitet
extra muros burgi de Cantebrige de ullo placito preter placita
de tenuris exterioribus exceptis monetariis et ministris nostris.
Concessimus eciam eis quod nullus eorum faciat duellum et
quod de placitis ad coronam nostram pertinentibus se possint
disracionare secundum antiquam consuetudinem burgi. Hoc
eciam eis concessimus quod omnes burgenses de Cantebrige
de gilda mercatorum sint quieti de theloneo et passagio et

¹ Original in the Borough Archives with a large portion of the great seal in
green wax appendant.

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rendering therefor yearly at our exchequer the ancient farm, to wit forty pounds blanch, and twenty pounds by tale by way of increase, for all services, by their hands at two exchequers in the year. Wherefore we will, and firmly command, that the aforesaid burgesses and their heirs shall have and hold the aforesaid town with all its appurtenances well and peaceably, freely and quietly, entirely, fully and honourably, in meadows and pastures, mills, waters and pools, with all their liberties and free customs. Moreover we have granted unto them that they shall make of themselves a reeve, whom they will and when they will. As witnesses: the lords William Bishop of London, Peter Bishop of Winchester, John Bishop of Norwich, Josceline Bishop of Bath, Geoffrey Fitz Peter Earl of Essex, the Earl Aubrey, William Briwerre, Geoffrey de Nevill, Reginald of Cornhill. Given by the hand of Hugh of Wells, Archdeacon of Wells, at Lambeth, the eighth day of May in the eighth year of our reign.

V. FIRST CHARTER OF KING HENRY THE THIRD.

¹Henry by the grace of God King of England Lord of Ireland Duke of Normandy and Aquitaine and Count of Anjou, to his Archbishops, Bishops, Abbots, Priors, Earls, Barons, Justices, Foresters, Sheriffs, Reeves, Ministers and all his Bailiffs and faithful People greeting. Know ye that we have granted and by this our present charter have confirmed to our burgesses of Cambridge a gild merchant, and that none of them shall plead without the walls of the borough of Cambridge concerning any plea, unless they be pleas of exterior tenures, except our moneyers and servants. Moreover we have granted to them that none of them shall make [proof by] battle, and that with regard to pleas pertaining to our crown they may deraign themselves according to the ancient custom of the borough. This also we have granted to them, that all the burgesses of Cambridge of the gild merchant may be free of toll and passage and lastage and pontage and

1227
April 21¹ See Cooper, *Annals*, i. 40.

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lestagio et pontagio et stallagio in feria et extra et per portus maris Anglie et omnium terrarum nostrarum citra mare et ultra mare, salvis in omnibus libertatibus civitatis Londonie. Et quod nullus de misericordia pecunie iudicetur nisi secundum antiquam legem burgi quam habuerunt temporibus antecessorum nostrorum. Et quod terras suas et tenuras et vadimonia et debita omnia iuste habeant quicunque ea debeant. Et de terris suis et tenuris que infra burgum sunt rectum eis teneatur secundum consuetudinem burgi. Et de omnibus debitis suis que accomodata fuerint apud Cantebrige et de vadimoniis ibidem factis placita apud Cantebrige teneantur. Et si quis in tota terra nostra theloneum vel consuetudinem ab hominibus de Cantebrige de gilda mercatorum ceperit postquam ipse a recto defecerit vicecomes de Cantebrige vel prepositus de Cantebrige namum inde apud Cantebrige capiat, salvis in omnibus libertatibus civitatis Londonie. Insuper eciam ad emendandum burgum de Cantebrige concessimus eis feriam suam in septimana Rogacionum cum libertatibus suis sicut eam habere consueverunt. Et quod omnes burgenses de Cantebrige sint quieti de yeresghyve et de scotale si vicecomes noster vel aliquis alius ballivus scotaliam fecerit. Has predictas consuetudines eis concedimus et omnes alias libertates et liberas consuetudines quas habuerunt temporibus antecessorum nostrorum quando meliores vel liberiores habuerunt, et si alique consuetudines iniuste levate fuerint in werra cassate sint. Et quicunque pecierint burgum de Cantebrige cum mercato suo de quocunque loco sint sive extranei sive alii veniant morentur et recedant in salva pace nostra reddendo rectas consuetudines et nemo eos disturbet super hanc cartam nostram. Et prohibemus ne quis inde iniuriam vel dampnum vel molestiam predictis burgensibus nostris faciat super forisfacturam nostram decem librarum. Quare volumus et firmiter precipimus quod predicti burgenses et heredes eorum hec omnia predicta hereditarie habeant et teneant de nobis et heredibus nostris bene et in pace, libere et quiete, integre et honorifice, sicut superius scriptum est et sicut carta domini Iohannis Regis