

XXII.—*On the Early Charters of the Borough of Newport in Wentloog. Communicated by OCTAVIUS MORGAN, F.R.S., F.S.A. With Remarks by HENRY SALUSBURY MILMAN, M.A., Director.*

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### WENTLOOG.

The Lordship of Wentllwch, sometimes called the Lordship of Newport, is of considerable extent. It lies on the shore of the Bristol Channel, by which it is bounded on the south. On the west it is bounded by the river Rumney, which separates it from Glamorganshire, and on the east by the river Usk. On the north it contained the manors of Machen and Abercarne, and adjoined the lordships of Usk and Abergavenny, and contained seventeen parishes:—

St. Woolos and Newport.	Malpas.
Bettws.	St. Mellon.
St. Bride.	Peterston.
Coed Kernew.	Rumney.
Marshfield.	Machen.
Michaelstone-y-Vedw.	Bedwas.
Risca.	Bedwellty.
Bassaleg.	Mynyddyslwyn.
Henllys.	

The name is composed of the words Gwent and Llwh, the former being the name of the region, and “Llwh” a shallow lake or lagoon, corresponding with the Irish and Scotch “Loch,” which describes that part on the shore of the Channel in its primitive condition, before the formation of the embankment or sea-wall by the Romans. This shows the antiquity of the name.

*The Most Ancient Charter of the Borough of Newport.*

The earliest Charter of Newport was that granted to its Burgesses by Hugh, Earl of Stafford, dated Thursday, 13th April (8 Ric. II.), 1385, by virtue of his right and power as Lord of the Lordship Marcher of Wentllwch, within which the town was situated.

This Charter is not known to be still extant. But a second Charter, dated 3rd April (5 Hen. VI.), 1427, granted by his grandson Humphrey, Earl of Stafford, Lord of Tonebrugge and of Wentllwch, now exists and is here presented, and is a Charter of Inspeximus and Confirmation of the original Charter of 1385, which is copied therein at full length, and is upon inspection confirmed to the Burgesses, as having been their Charter in times past.

It was a very common practice for great lords and sovereigns to recal charters which had been granted for the purpose of inspecting them, perhaps altering their provisions and regranting them—and, of course, fees were always paid to the lord on those occasions. The Charter which we have here is one of “Inspeximus and Confirmation;” and I think it not an improbable circumstance that, when the original Charter was recalled for the purpose of inspection, it was not returned with the new one; and if so we have here the earliest copy of the original.

The lordship of Wentllwch originally formed part of the dominions of Jestyn ap Gwrgan, and was taken possession of by Robert Fitz Hamon on his conquest of Glamorgan. The Glamorgan district, on the west side of the Rumney, he divided into several lordships or manors to be held under particular tenures. The country on the east side of the Rumney he seems to have reserved for himself, forming it into a chief or paramount manor, dividing it into several mesne manors which were held by various tenants under him. Through his only daughter and heiress, Mabel (married to Robert, natural son of King Henry I., who was Earl of Gloucester, and frequently called Robert Consul), it came by descent into the powerful family of Clare, which terminated in 1314 on the death of Gilbert de Clare without issue male, leaving three sisters co-heiresses, when the large estates were divided into three portions. To the second daughter, Margaret, Wentllwch was assigned; she married Hugh de Audeley, Earl of Gloucester, who became possessed of it in her right. The issue of the marriage was an only daughter and

heiress, Margaret, who married Ralph, Earl of Stafford, and thus the Stafford family came into possession of the lordship. He died in 1372; Hugh, Earl of Stafford, his son, succeeded to the lordship, and appears to have granted the first Charter in (8 Ric. II.) 1385 as above stated.

The lordship of Wentllwch was, in fact, a small independent sovereignty, which had been part of the territory of Jestyn ap Gwrgan, and hence not subject to the realm of England; and when Hugh Stafford came into possession he seems to have formed it into a small state, organised with the same forms, offices, and officers, as the great realm of England, which these petty sovereigns appear to have copied in most particulars. He had his Castle of residence, with his Chancery and Exchequer, and all other offices necessary for the collection of his revenue and execution of his laws. He granted to his Borough of Newport a charter of liberties, as was the royal practice in respect of the towns and cities within the neighbouring realm of England.

The original Charter was issued from the Chancery of the lord at Newport, and had two seals, one the seal of the Chancery, and the other the seal of the grantor's arms. The Charter here presented was issued and bore two seals in like manner. The seal of arms has unfortunately been destroyed, and only the silken cords which attached it to the document remain. Of the Chancery seal a portion remains, also showing on one side a shield of the well-known Stafford arms, (Or a chevron Gules), and a legend which contains the latter part of the word "*cancellarie*"; on the other side a figure of a knight on horseback. In the middle of the fourteenth century the name of the lordship appears to have been changed from the ancient Welsh name of Wentllwch to that of the town, and to have been called the lordship of Newport in Wales. This was probably done when the Stafford family came into possession. It was an independent state, for the writs of the King of England did not run in any of these lordships marchers, and they became therefore a refuge for the criminals and malefactors of the neighbouring kingdom, who could come and dwell in safety,—a state of things which made King Henry VIII. very anxious to get possession of the lordships. In the Charter the lordship is called a *comitatus* or county, and the term *regalis* is used for the authority of the acts done.

The lordship continued in the Stafford family for some generations, till it came to Humphrey Stafford, the sixth Earl, grandson of Hugh, who granted the first Charter. He was a minor when he succeeded in 1403. In 1402 Newport had been sacked and burnt by Owen Glyndwr, and the whole of Wentllwch ravaged, so that, on a jury being summoned to ascertain the value, they gave as their verdict "Nil." Earl Humphrey came of age in 1424, and in 1427 appears to have called

for the original Charter to inspect it, and on due examination to have approved, confirmed, and regranted it by the Charter which we have here.

This Humphrey, Earl of Stafford, was created Duke of Buckingham in 1444. His son Henry Stafford, second Duke of Buckingham, was attainted and beheaded in 1483, and all his vast estates were forfeited to the Crown. The lordship of Newport thus became a possession of the King of England, and the revenues were all collected in the King's name as Lord of Newport. In 1486 all the honours and estates of Henry, second Duke of Buckingham, were restored to his son Edward; but this third Duke was beheaded in 1521, and attainted, and a like forfeiture followed; and subsequently the accounts and muniments of his estates were carried up to London, and placed among the Public Records under the title of "Buckingham's Lands."

The lordship of Wentllwch remained in the hands of the Crown till it was granted by Edward VI. to the Earl of Pembroke. But in the reign of Elizabeth he was called upon by a writ of *quo warranto* to show by what authority he exercised certain powers, and, on his proving himself duly authorised, he and his family remained in undisturbed possession till the estate was sold by order of the Court of Chancery about 200 years ago, and was purchased by William Morgan, Esq. of Tredegar.

The royal powers however all ceased when, on the attainder and execution of the Duke of Buckingham, the lordship merged in the Crown, and all that remained were the ordinary manorial rights. What became of the ancient records at the time of the seizure and dispersion does not seem to be certainly known, though some are in the Public Record Office. A history of the Borough might be traced upwards from the documents and records of the present time, with a list of all the officers, and we should then know what is the unfilled gap. Now that there will be a new town hall, with, it is to be hoped, a proper muniment chamber where all such documents can be preserved, it may be possible properly to trace out and permanently record this history.

The circumstances in which I became possessed of this Charter are very curious and interesting. It is well known that in many auction sales in London ancient deeds and documents are frequently disposed of. A gentleman who was making collections of documents relating to the county of Stafford accidentally saw this document about to be sold. He saw in it the name Stafford, and bought it at once without examination. He afterwards saw the names Newport and Wentllwch, and thought they must relate to Newport in Shropshire and Wenlock Priory; and, as the meeting of the Archæological Institute was to be held at Shrewsbury

that year, he sent the deed unexamined for exhibition at the museum in Shrewsbury. Upon seeing the deed as exhibited, I at once recognised the document as belonging to the lordship of Wentllwch and Newport in Monmouthshire; and upon his discovery that the document in question had no relation to Staffordshire or Shropshire he most kindly sent it to me, and it now turns out to be one of the earliest and most interesting charters in the county of Monmouth, and beautifully illustrates the history of the lordship or *comitatus* of Wentllwch and the ancient Borough of Newport. There is, however, a great hiatus in the history, which it is I fear impossible to fill up.

[The Charter with its abbreviations extended, and a literal version of it, are here printed. The verbal errors, repetitions, and inconsistencies, either original or of transcription, being somewhat numerous, it is thought advisable to warn the reader once for all against them and let them stand, for they are characteristic of such documents; they are not such as to throw doubt on the meaning of any passage, and they are corrected or passed over in course of translation. To the Charter are subjoined remarks illustrating the document itself, and explaining the place of the Stafford Charters in the municipal history of Newport.—H. S. M.]

## PRO BURGENSIBUS DE NEUPORTE IN WALLIA.

Humfridus Comes Staffordie Dominus de Tonebrugge et de Wenllouk omnibus Christi fidelibus presentem Cartam inspecturis salutem. Sciatis quod nos inspeximus cartam domini Hugonis nuper Comitis Staffordie avi nostri in hec verba.

Hugo comes Staffordie dominus de Tonebrugge et de Wenllouk omnibus ballivis et ministris suis ac aliis fidelibus presentem Cartam inspecturis salutem in Domino. Sciatis quod ad requisicionem dilectorum Burgensium nostrorum de Neuporte in Wallia libertatem ejusdem Ville habencium dedimus concessimus et hac presenti Carta nostra confirmavimus pro nobis et heredibus nostris eisdem Burgensibus heredibus et successoribus suis omnes libertates subscriptas in perpetuum duraturas videlicet:

Ordinationes  
Villam tangentes.

Prepositus Ville.

Concedimus eisdem Burgensibus nostris quod ipsi heredes et successores sui libere facere possint ordinationes dispositiones proclamaciones inhibiciones et defensionis de assisis panis vini et cervisie et assaiis ponderum et mensurarum et correccionibus et punicionibus carnificum piscenariorum et aliorum vitallariorum ac cissorum sutorum textorum et aliorum artificum ac omnium aliarum rerum dictam Villam tangencium faciendis ordinandis disponendis proclamandis inhibendis defendendis et exercendis quocienscumque et quandocumque voluerint. Et quod Prepositus Ville predictae per Burgenses ejusdem Ville libertatem habentes more solito electus qui pro tempore fuerit teneat hundreda nostra de quindena in quindenam infra Villam predictam per visum Constabularii nostri Anglici ibidem more solito et omnes hujusmodi assisas assaias correcciones et puniciones faciat et exequatur in hundredis nostris predictae Ville. Et quod idem Prepositus sic electus habeat cogniciones et determinationes omnium placitorum et querelarum transgressionum debiti compoti convencionum vel contractuum detencionum aut alterius cause cujuscumque condicionis fuerint tam ad sectam nostram quam ad sectam partium infra dictam Villam nostram et suburbium ac precinctum dicte Ville suburbii et precincti de quibus aliquis possit accusari occasionari sive placitari exceptis placitis Corone terre forstall et homsokyn salvis nobis finibus et amerciamentis inde

FOR THE BURGESSES OF NEWPORT IN WALES.

Humphrey Earl of Stafford Lord of Tonebrugge and of Wenllouk to all Christ's faithful who shall inspect the present Charter health. Know ye that we have inspected the Charter of Sir Hugh late Earl of Stafford our grandfather in these words :

Hugh Earl of Stafford Lord of Tonebrugge and of Wenllouk to all his bailiffs and ministers and other faithful men who shall inspect the present Charter health in the Lord. Know ye that at the request of our beloved Burgesses of Newport in Wales having the liberty of the same Town we have given granted and by this our present Charter confirmed for us and our heirs to the same Burgesses their heirs and successors all the liberties under-written which shall for ever last to wit :

Orders touching  
the Town.

We grant to our same Burgesses that they their heirs and successors may have power freely to make ordinances dispositions proclamations inhibitions and defences about assizes of bread wine and beer and assays of weights and measures and corrections and punishments of butchers fishmongers and other victuallers and tailors shoemakers weavers and other workmen and of all other things touching the said Town by doing ordaining disposing proclaiming inhibiting defending and exercising how often soever and whensoever they please. And that the Provost of the Town aforesaid by the Burgesses having the liberty of the same Town in wonted sort chosen for the time being may hold our hundreds every fifteen days within the Town aforesaid by view of our English Constable there in wonted sort and do and carry out all assizes assays corrections and punishments of this sort in our hundreds of the aforesaid Town. And that the same Provost so chosen may have cognisances and determinations of all pleas and complaints of trespasses debt account conventions or contracts detinues or other cause of whatsoever kind they may be as well at our suit as at the suit of parties within our said Town and the suburb and precinct of the said Town suburb and precinct about which any one can be accused sued or impleaded except pleas of the Crown of land of forstall and of homsokyn

The Provost of  
the Town.

provenientibus. Et quod omnes hujusmodi fines et amerciamenta fiant et taxentur per predictum Prepositum et ballivum suum electum per Burgenses libertatem Ville predicte habentes et non per alios.

Curia de  
Pipoudros.

Concedimus eciam eisdem Burgensibus nostris quod idem Prepositus sic electus qui pro tempore fuerit habeat cogniciones et determinaciones omnium placitorum querelarum contractuum transgressionum et aliarum causarum Curiam de Pipoudros tangencium de quibus aliquis possit occasionari sivi placitari ubicumque fuerit facta et ea audiat et determinat quandocumque et quotienscumque necesse fuerit.

Juratores Inquisitionum pro Villa.

Concedimus eciam predictis Burgensibus nostris quod de quibuscumque rebus causis contractibus convencionibus transgressionibus et querelis infra libertatem Ville predicte occasionandis seu placitandis prefatos Burgenses nostros heredes seu successores suos tenentes et servientes suos cum eisdem Burgensibus nostris heredibus et successoribus suis infra dictam libertatem commorantes membra seu corpora earum terras burgagia redditus tenementa seu catalla eorum tangencibus unde inquisicio capi debeat sive in comitatu nostro Wenllouk sive in hundredo nostro predicto quod omnes juratores illius inquisitionis sint Burgenses libertatem ejusdem Ville habentes. Et quod nominentur eligantur et vocentur et in placito terre panellentur per dictum ballivum Burgensium electum et juratum. Et per predictos Prepositum et ballivum electos taxentur omnia amercianenta et fines inde provenientes et non per alios quoscunque. Et si aliquid inde alio modo sive alia forma facta fuerit per ministros nostros vacuum sit et pro nullo habeatur.

Juratores Inquisitionum pro Comitatu.

Concedimus eciam eisdem Burgensibus nostris quod de omnibus rebus et querelis extra libertatem Ville nostre predicte accusandis occasionandis seu placitandis prefatos Burgenses nostros heredes seu successores suos tenentes et servientes suos cum eisdem Burgensibus nostris heredibus et successoribus suis infra dictam libertatem commorantes membra seu corpora earum terre redditus tenementa seu catalla eorum tangencibus unde inquisicio capi debeat infra Comitatum nostrum predictum quod medietas illius inquisitionis sit de Burgensibus libertatem predicte Ville habentibus per electionem nominacionem et vocacionem ballivi nostri Burgensium electi et



saving to us the fines and amerçiements thence arising. And that all fines and amerçiements of this sort be made and taxed by the aforesaid Provost and his bailiff chosen by the Burgesses having the liberty of the Town aforesaid and not by others.

Court of Pipoudros.

We grant also to our same Burgesses that the same Provost so chosen for the time being may have cognisances and determinations of all pleas complaints contracts trespasses and other causes touching the Court of Pipoudros about which any one can be sued or impleaded wheresoever they may be done and may hear and determine them whensoever and how often soever it may be necessary.

Jurors at Town Inquests.

We grant also to our aforesaid Burgesses that about whatsoever things causes contracts conventions trespasses and complaints to be sued or pleaded within the liberty of the Town aforesaid touching our aforementioned Burgesses their heirs and successors their tenants and servants sojourning with our same Burgesses their heirs and successors within the said liberty their limbs or bodies their lands burgages rents tenements or chattels whereof inquest ought to be taken either in our County of Wenllouk or in our hundred aforesaid that all jurors of that inquest may be Burgesses having the liberty of the same Town. And that they may be named chosen and called and in plea of land panelled by the said chosen and sworn bailiff of the Burgesses. And that by the aforesaid chosen Provost and bailiff may be taxed all amerçiements and fines thence arising and not by others whomsoever. And if anything therein in other sort or other form be done by our ministers it may be void and had for null.

Jurors at County Inquests.

We grant also to our same Burgesses that about all things and complaints to be accused sued or pleaded beyond the liberty of our Town aforesaid touching our aforementioned Burgesses their heirs or successors their tenants and servants sojourning with our same Burgesses their heirs and successors within the said liberty their limbs or bodies their land rents tenements or chattels whereof inquest ought to be taken within our County aforesaid that half of that inquest may be of Burgesses having the liberty of the aforesaid Town by the choice nomination and call of our chosen and sworn bailiff of the Burgesses and not by others; and the other half may

jurati et non per alios. Et alia medietas sit de forinsecis per electionem et vocacionem ballivi ubi actus processit. Et si Burgenses nostri tenentes aut servientes sui cum eisdem Burgensibus nostris heredibus et successoribus suis infra dictam libertatem commorantes inciderint in misericordiam nostram quod ipsi taxentur per dictum Burgensium ballivum Ville predictae electum et juratum. Et si forinseci inciderint in misericordiam nostram quod ipsi taxentur per ballivum forinsecum et si aliquid inde alio modo sive alia forma factum fuerit per ministros nostros vanum sit et pro nullo habeatur.

Terminus Nundinarum S. Laurencii.

Concedimus eciam eisdem Burgensibus heredibus et successoribus suis quod habeant nundinas infra Ballivam Ville predictae durantes a Vigilia Sancti Laurencii incipiente et durantes per quindecim dies sequentes et quod audiantur et determinentur per Prepositum predictum omnia placita de feloniam forstallo homsokynes sanguine fuso et omnibus aliis causis et querelis quibuscumque dominio nostro regali emergentibus infra terminum nundinarum predictarum et infra precinctum Ville predictae faciendis occasionandis seu placitandis ad sectam nostram excepto placito terre in quodam hundredo nostro vocato Feyrhundrede. Ac eciam quod audiantur determinentur et taxentur per predictos Prepositum et ballivum infra terminum nundinarum predictarum omnia placita transgressionis debiti compoti detencionum convencionum contractuum querelarum sive aliarum quarumcumque causarum ad sectam partium ubicumque facta fuerint quociens et quandocumque necesse fuerit.

Placita in Dominio "Regali."

Legatio Terrarum infra Bundas subscriptas.

Volumus eciam et concedimus predictis Burgensibus nostris quod ipsi heredes et successores sui libere legare possint omnia burgagia terras redditus et tenementa cum eorum pertinentiis per ipsos adquisita cuicumque et quibuscumque voluerint ad voluntatem eorum jacentia infra bundas subscriptas preter ad mortuam manum.

Bunde Terrarum.

Et tales sunt bunde videlicet a cimiterio Sancti Gunlei usque terras domini nativas quondam Roberti Houlot et Johannis Dawe terras vocatas Brendekyrgh croftum vocatum Corteyscrofte ibidem et croftum Margerii Waite ibidem annexum terras quondam Rogeri Clerici vocatas Coumicheshull deinde per viam usque ad Capellam Sancti Thome Ita quod tota via ibidem sit infra bundas Ville predictae. Et deinde per viam usque Bryngeland Ita quod tota

be of foreigners by choice and call of the bailiff where the action has proceeded. And if our Burgesses their tenants or servants sojourning with our same Burgesses their heirs and successors within the said liberty fall into our mercy that they may be taxed by the said chosen and sworn bailiff of the Burgesses of the Town aforesaid. And if foreigners should fall into our mercy that they may be taxed by the foreign bailiff. And if anything therein in other sort or other form shall be done by our ministers it may be vain and had for null.

Term of Markets  
of St. Laurence.

We grant also to the same Burgesses their heirs and successors that they may have markets within the Bailey of the Town aforesaid lasting from the beginning of the Vigil of St. Laurence and lasting for fifteen days following and that there may be heard and determined by the Provost aforesaid all pleas of felony forstall homsokyn bloodshed and of all other causes and plaints whatsoever arising in our royal lordship within the term of the markets aforesaid and within the precinct of the Town aforesaid to be made sued or pleaded at our suit except plea of land in a certain hundred of ours called Feyrhundrede. And also that there be heard determined and taxed by the aforesaid Provost and bailiff within the term of the markets aforesaid all pleas of trespass debt account detinues conventions contracts plaints or other causes whatsoever at the suit of parties wheresoever they be done how often and whensoever may be necessary.

Pleas in "Royal"  
Lordship.

Devise of Lands  
within the Bounds  
underwritten.

We will also and grant to our aforesaid Burgesses that they their heirs and successors may have power freely to devise all burgages lands rents and tenements with appurtenances thereof by them acquired to whomsoever they please lying at their will within the bounds underwritten save to the dead hand.

The Bounds of  
the Lands.

And such are the bounds to wit from the burial ground of Saint Woollos to the native lands of the lord formerly of Robert Houlot and John Dawe the lands called Brendekyrgh the croft called Corteyscrofte there and the croft of Margaret Waite there annexed the lands formerly of Roger the clerk called Coumicheshull thence by the road on to the Chapel of Saint Thomas so that the whole road there may be within the bounds of the Town aforesaid. And thence

via ibidem sit infra bundas Ville predicte Et sic per fossatum inter terras et burgagia Burgencium et dictam Bryngelond discendendo ad cursum aque molendini domini et sic per croftum dicte Bryngelond et aliarum terrarum usque vivarium de Kemell Ita quod totus cursus aque ibidem sit infra bundas Ville predicte Et sic per dictum vivarium usque saxum vocatum le Rocke ex opposito domus Johannis ap Adam deinde ultra viam usque terras dicti Johannis et David ap Jevan ap David terras vocatas le Halys et pratum vocatum Crinde et sic per aquam a la parkpull usque Groundesende infra dominium nostrum et per terram usque Crokeslande Mullond lond Kyngeshull et terras Abbatis Gloucestrie usque dictum cimiterium.

Manucapcio et Pleggium.

Concedimus eciam eisdem Burgensibus nostris quod nec ipsi nec heredes nec sucessores sui tenentes nec servientes sui cum eisdem Burgensibus nostris heredibus et successoribus suis infra dictam libertatem commorantes capi nec imprisonari debeant in Castro nostro de Neuporte nec alibi pro aliquis causis eos tangentibus dum manucapcionem sub pena centum solidorum pro aliqua causa tangentium feloniam finem aut personam possint invenire nisi in casu felonum tantum cum manu opere capti fuerint nec pro transgressione causa aut querela quacumque dum pleggium sub pena decem solidorum possint invenire.

Causa Arestacionis monstranda.

Concedimus eciam predictis Burgensibus nostris quod nec ipsi nec heredes nec sucessores sui tenentes nec servientes sui cum eisdem Burgensibus nostris heredibus et successoribus suis infra dictam libertatem commorantes de cetero non teneantur nec compellantur ad inveniendam manucapcionem seu pleggium ballivis nostris aliqua causa eos tangente donec causa arestacionis sive attachiamenti eisdem manifeste sit monstrata per eosdem ballivos et hoc in presencia proborum et legalium Burgensium Ville predicte.

Selde, Taberne, etc.

Concedimus eciam eisdem Burgensibus nostris et heredibus et successoribus suis quod nullus teneat seldam apertam de aliquibus mercandisis nec tabernam nec corficinam nec aliquam cissuram artificii seu vitallariorum faciat in Villa nostra predicta nisi fuerit cum

by the road on to Bryngeland so that the whole road there may be within the bounds of the Town aforesaid and so by the ditch between the lands and burgages of the Burgesses and the said Bryngelond in going down to the water-course of the lord's mill and so by the croft of the said Bryngelond and of other lands on to the pond of Kemell so that the whole water-course there may be within the bounds of the Town aforesaid and so by the said pond on to the stone called le Rocke opposite to the house of John ap Adam thence over the road on to the lands of the said John and of David ap Jevan ap David the lands called le Halys and the meadow called Crinde and so by the water a la Parkpull on to Groundesende within our lordship and by the land on to Crokeslonde Mullond lond Kyngeshull and the lands of the Abbat of Gloucester on to the said burial ground.

Mainprise and Pledge.

We grant also to our same Burgesses that neither they nor their heirs nor successors their tenants nor servants sojourning with our same Burgesses their heirs and successors within the same liberty ought to be taken nor imprisoned in our Castle of Newport or elsewhere for any causes touching them so long as they can find mainprise under penalty of a hundred shillings for any cause touching felony fine or person except in case of felons only when they be taken in very act nor for trespass cause or plaint whatsoever so long as they can find pledge under penalty of ten shillings.

Cause of Arrest to be shown.

We grant also to our aforesaid Burgesses that neither they nor their heirs nor successors their tenants nor servants sojourning with our same Burgesses their heirs and successors within the said liberty henceforth be held nor compelled to find bail nor pledge to our bailiffs in any cause touching them until the cause of arrest or attachment be clearly shown to the same by the same bailiffs and that in the presence of honest and lawful Burgesses of the Town aforesaid.

Shops, Taverns, etc.

We grant also to our same Burgesses and their heirs and successors that no one may hold an open shop of any merchandise nor tavern nor butchery nor do any cutting of workmanship or of victuallers in our Town aforesaid unless he be sojourning and

predictis Burgensibus nostris commorans et residens et infra Gildam libertatis eorum receptus.

Gilda.

Concedimus eciam eisdem Burgensibus nostris quod ipsi heredes et successores sui Gildam inter eos libere facere possunt et habeant et gaudeant quo tempore et quandocumque voluerint ad voluntatem ipsorum.

Proclamaciones  
in Comitatu.

Concedimus eciam eisdem Burgensibus nostris quod ipsi heredes nec successores sui nec eorum tenentes nec servientes cum eisdem Burgensibus nostris heredibus et successoribus suis infra dictam libertatem commorantes de cetero non sint obligati ligati seu artati per proclamaciones ordinaciones inhibiciones seu defenciones in Comitatu nostro Wenllouk factas seu faciendas.

Constabulffes.

Concedimus eciam eisdem Burgensibus nostris quod ipsi heredes successores sui tenentes et servientes cum eisdem Burgensibus nostris heredibus et successoribus suis infra dictam libertatem commorantes de cetero sint exonerati de quinque denariis qui vocantur Constabulffes pro omnibus causis super eos imponendis nisi convicti fuerint de felonia.

Teolonium.

Concedimus eciam eisdem Burgensibus nostris quod ipsi heredes et successores sui quieti sint et liberi de Teolonio Muragio Pantagio Panagio Terragio Caragio Picagio et aliis diversis custumis et consuetudinibus per totum dominium nostrum tam in Anglia quam in Wallia.

Nundine infra  
Villam.

Concedimus eciam eisdem Burgensibus nostris heredibus et successoribus suis quod omnes mercatores faciant nundinas et foras infra Villam nostram predictam et non alibi infra dominia nostra ubi foro aut nundinis dicte Ville sint nociva exceptis nundinis ab antiquo

“Regales” Vici.

tempore usitatis Et quod omnes mercatores cum eorem mercandizis alibi non transeant per dominia nostra nec per aquam nec per terram quam per regales vicos Ville nostre predicte ea de causa ut nos nec heredes nostri tolnetum nostrum aut alias custumas nobis debitas aliquo tempore amittamus.

Marchia.

Concedimus eciam eisdem Burgensibus nostris quod ipsi heredes nec successores sui tenentes nec servientes sui cum eisdem Burgensibus nostris heredibus et successoribus suis infra dictam libertatem

lodging with our aforesaid Burgesses and received into the Gild of their liberty.

Gild.

We grant also to our same Burgesses that they their heirs and successors may be able freely to make a Gild among themselves and may have and enjoy it at what time and whensoever they will at their own will.

Proclamations in the County.

We grant also to our same Burgesses that neither they nor their heirs nor successors nor their tenants nor servants sojourning with our same Burgesses their heirs and successors within the said liberty henceforth be obliged bound nor limited by proclamations ordinances inhibitions or defences made or to be made in our County of Wenllouk.

Constable-Fees.

We grant also to our same Burgesses that they their heirs and successors tenants and servants sojourning with our same Burgesses their heirs and successors within the said liberty henceforth may be discharged from the five pence which are called Constabulffes to be laid upon them for all causes unless they have been convicted of felony.

Toll.

We grant also to our same Burgesses that they their heirs and successors may be quit and free of Toll Murage Pontage Panage Terrage Carage Picage and other diverse customs and usages throughout our whole domain as well in England as in Wales.

Markets within the Town.

We grant also to our same Burgesses their heirs and successors that all merchants may make markets and fairs within our Town aforesaid and not elsewhere within our lordships where they may be hurtful to the fair or market of the said Town except markets of old time used. And that all merchants with their merchandizes pass not elsewhere over our lordships neither over water nor over land than by the royal streets of our Town aforesaid for this cause that neither we nor our heirs may at any time lose our toll or other customs due to us.

“Royal” Streets.

The March.

We grant also to our same Burgesses that neither they their heirs nor successors their tenants nor servants sojourning with our same Burgesses their heirs and successors within the said

commorantes exhire non debent extra eorum libertatem ad aliqua facienda ad Marchiam vel alibi contra eorum voluntatem.

Ballivi Forinceci. Concedimus eciam eisdem Burgensibus heredibus et successoribus suis quod nullus ballivus seu minister noster forincecus colore ballive sue seu officii sui summoniciones seu attachiamenta faciat infra bundas predicte Ville nostre nec distractiones capiat pro aliqua causa nisi tantum modo ballivi ejusdem modo Ville electi et si quodcumque feodum seu feoda ballivi forinceci infra dictam Villam optinere de consuetudine debent de aliqua mercandiza per deliberacionem et visum ballivi Ville nostre predicte dictis ballis nostris forincecis tantummodo liberentur et non alio modo.

Coronator Ville. Concedimus eciam eisdem Burgensibus heredibus et successoribus suis quod Constabularius Castri nostri de Neuporte qui pro tempore fuerit sit Coronator predicte Ville et plenam potestatem habeat de quacumque causa officio Coronatoris pertinente inquirere et omnia alia facere que ad officium Coronatoris de morte hominis pertinere debent aliis consuetudinibus aut successionibus contrariis non obstantibus dum tamen quod de morte infancium de quorum morte punicio pertinet ad Episcopum Ordinarium Coronator aliquis nullo modo intromittat se et in casu quod dictus Constabularius noster qui est pro tempore sit absens extra libertatem ejusdem Ville Prepositus qui pro tempore fuerit ibidem eandem habeat potestatem.

Ballivi Ville. Concedimus eciam eisdem Burgensibus nostris heredibus et successoribus suis quod ballivi nostri Ville nostre predicte non sint ligati faciendum preceptum Vicecomitis Coronatoris aut alterius ministri nostri forinceci seu alterius cujuscunque ad summonendum attachiandum seu aliud officium quodcumque faciendum ad comitatum nostrum seu curias nostras de aliquibus causis pertinentibus seu spectantibus ad libertatem Burgensium nostrorum predictorum et ad cognicionem et determinacionem hundredi nostri predicti dum tamen illud officium ad hundredum nostrum facere voluerit et si contingerit aliquid fieri in Comitatu sive in curiis nostris contra tenorem istius Carte aliqua causa emergente quod calumpnietur per ballivos nostros dicte Ville nostre et quod tunc inde fiat liberacio indilate ballivis Ville predicte ad audiendum et determinandum in hundredo nostro predicto.



liberty ought to go forth beyond their liberty to do anything in the March or elsewhere against their will.

Foreign Bailiffs.

We grant also to the same Burgesses their heirs and successors that no foreign bailiff nor minister of ours under cover of his bailiwick or his office may make summonses or attachments within the bounds of our aforesaid Town nor take distresses for any cause save only the chosen bailiffs of the said Town and if any fee or fees whatsoever of a foreign bailiff ought by usage to obtain within the said Town for any merchandise such may be made over only by delivery and view of the bailiff of our Town aforesaid to our said foreign bailiffs and in no other sort.

Coroner of the Town.

We grant also to the same Burgesses their heirs and successors that the Constable of our Castle of Newport for the time being may be the Coroner of the aforesaid Town and have full power to inquire about every cause belonging to the office of Coroner and to do all other things which ought to belong to the office of Coroner concerning death of man other contrary usages or successions notwithstanding Provided however that no Coroner in any way interfere concerning death of infants the punishment in respect of whose death belongs to the Bishop Ordinary And in case our said Constable for the time being be absent beyond the liberty of the same Town the Provost for the time being there may have the same power.

Bailiffs of the Town.

We grant also to our same Burgesses their heirs and successors that our bailiffs of our said Town be not bound to do the precept of our Viscount Coroner or other foreign minister or other person whomsoever to summon attach or do any other office whatsoever at our County or our courts concerning any causes belonging or having respect to the liberty of our Burgesses aforesaid and to the cognisance and determination of our hundred aforesaid provided however as he may please to do that office at our hundred and if it happen that anything be done in our County or courts against the tenor of this Charter on any cause arising that it be challenged by our bailiffs of our said Town and that then livery thereof be made without delay to the bailiffs of the Town aforesaid to hear and determine in our hundred aforesaid.

Libertates non  
expresse.

Preterea ad majorem securitatem predictorum Burgensium nostrorum heredum et successorum suorum concedimus et hac presenti Carta nostra confirmamus et ratificamus pro nobis et heredibus nostris imperpetuum prefatis Burgensibus nostris heredibus et successoribus suis omnes libertates et consuetudines suas antiquas sive sint superius expresse sive non in dicta Villa de Neuporte et precincto ejusdem Ville licet ipsi Burgenses vel eorum predecessores aliqua vel aliquibus libertatum et consuetudinum predictarum aliquo casu emergente antea usi non fuerint eisdem libertatibus et consuetudinibus et earum qualibet de cetero plene gaudeant et utantur sine occasione vel impedimento nostri heredum seu ministrorum nostrorum quorumcumque imperpetuum. Et nos predictus Hugo et heredes nostri omnes predictas libertates et consuetudines concessionem confirmationem et ratificationem cum eorum pertinentiis prefatis Burgensibus nostris heredibus et successoribus suis contra omnes gentes warrantizabimus et defendemus imperpetuum. In cujus rei testimonium huic presenti Carte tam sigillum armorum nostrorum quam sigillum Cancellarii nostri de Neuporte fecimus apponi. Hiis testibus :

Domino NICHOLAO DE STAFFORD, chivaler, tunc  
Senescallo nostro,  
Domino NICHOLAO SHIREBORNE, Clerico,  
JOHANNE FRENYPHAM,  
JOHANNE DE WEXCUMBE,  
JOHANNE SEWELL,  
JOHANNE KEMEYS,  
JOHANNE DE BANHAM,  
LEWELINO AP MORGAN,  
THOMA AP IVOR,  
ROGERO AP ADAM,  
WILLELMO FLEMMYNG, et aliis.

Data apud Castrum nostrum de Neuporte die Jovis proximo ante Festum Sanctorum Tibericii et Valeriani anno regni Regis Ricardi Secundi post Conquestum octavo.

Liberties not  
expressed.

Further for the greater security of our aforesaid Burgesses their heirs and successors We grant and by this our present Charter confirm and ratify for us and our heirs for ever to our afore-mentioned Burgesses their heirs and successors all their ancient liberties and usages whether they be above expressed or not in the said Town of Newport and the precinct of the same Town although those Burgesses or their predecessors have not before used any one or more of the liberties and usages aforesaid through any chance arising that they may henceforth fully enjoy and use the same liberties and usages and every of them without suit or impediment of us our heirs or ministers whomsoever for ever.

And we the aforesaid Hugh and our heirs will warrant and defend all the aforesaid liberties and usages grants confirmations and ratifications with their appurtenances to our afore-mentioned Burgesses their heirs and successors against all people for ever.

In testimony whereof we have caused to be annexed to this present Charter as well the seal of our arms as the seal of our Chancellor of Newport. Witnesses these—

SIR NICHOLAS OF STAFFORD, knight, then our  
Steward,

SIR NICHOLAS SHIREBORNE, clerk,

JOHN FRENYNHAM,

JOHN OF WEXCOMBE,

JOHN SEWELL,

JOHN KEMEYS,

JOHN OF BANHAM,

LEWELIN AP MORGAN,

THOMAS AP IVOR,

ROGER AP ADAM,

WILLIAM FLEMMYNG,

and others.

Given at our Castle of Newport on Thursday next before the Feast of Saints Tiburcius and Valerian in the eighth year of the reign of King Richard the Second after the Conquest.

Nos autem predictus Humfridus predictam Cartam omnia et singula in eadem contenta rata et grata habentes et gratum ea pro nobis et heredibus nostris ratificamus et approbamus ac prefatis Burgensibus eorum servientibus et tenentibus suis infra Villam predicatam commorantibus et eorum heredibus et successoribus suis concedimus et confirmamus sicut Carta predicta racionabiliter testatur et prout iidem Burgenses et tenentes et servientes Burgensium Ville predictae libertatibus et quietanciis predicatis uti et gaudere debent ipsique et antecessores sui libertatibus et quietanciis illis a tempore confectionis Carte predicti Hugonis semper hactenus racionabiliter uti et gaudere consueverunt.

In cujus rei testimonium huic presenti Carte tam sigillum armorum nostrorum quam sigillum Cancellarii nostri de Neuporte fecimus apponi. Hiis testibus :

JOHANNE GRESELEY, chivaler,  
 ROBERTO STRILLEY, chivaler,  
 WILLELMO THOMAS, chivaler,  
 JOHANNE MERBURY,  
 HUGONE ERDESWYK,  
 ROBERTO GREINDOUR,  
 JOHANNE RUSSELL,  
 WILLELMO BURLEY,  
 THOMA ARBLASTER,  
 JOHANNE BEDULF, et  
 JOHANNE HARPUR, et aliis.

Data apud Castrum nostrum de Neuporte tercio die Aprilis anno regni Regis Henri Sexti post Conquestum quinto.

L. S.  
 Armorum.

L. S.  
 Cancellarii.

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Now We the aforesaid Humphrey holding the aforesaid Charter all and singular the things contained in the same good and pleasing for us and our heirs ratify and approve them and grant and confirm them to the aforementioned Burgesses their servants and tenants sojourning within the Town aforesaid and to their heirs and successors as the Charter aforesaid reasonably witnesses and according as the same Burgesses and the tenants and servants of the Burgesses of the Town aforesaid ought to use and enjoy the liberties and quittances aforesaid and they and their ancestors from the time of the making of the Charter of the aforesaid Hugh ever hitherto have been wont reasonably to use and enjoy those liberties and quittances.

In witness whereof we have caused to be annexed to this present Charter as well the seal of our arms as the seal of our Chancellor of Newport. Witnesses these—

JOHN GRESELEY, knight,  
ROBERT STRILLEY, knight,  
WILLIAM THOMAS, knight,  
JOHN MERBURY,  
HUGH ERDESWYK,  
ROBERT GREINDOUR,  
JOHN RUSSELL,  
WILLIAM BURLEY,  
THOMAS ARBLASTER,  
JOHN BEDULF, and  
JOHN HARPUR,  
and others.

Given at our Castle of Newport the third day of April in the fifth year of the reign of King Henry the Sixth after the Conquest.

L. S.  
Armorum.

L. S.  
Cancellarii.

## REMARKS.

The grants of Earl Hugh to his Burgesses speak for themselves, and might be made the subject of much instructive comment for which there is no space here; but an exception to one of them requires especial notice. The grantor, in naming among the powers of the Coroner that of inquest concerning the death of man, forbids him to interfere in the case of the death of infants, jurisdiction in such matters belonging to the Bishop Ordinary. On this exception all the ancient books, so far as the writer knows, are silent, except one. In *Le Myrrour des Justices*, a law-tract of the Edwardian period (which was first printed in 1642, and deserves to be reprinted from the best MS., that at Corpus Christi College, Cambridge), occurs the following passage (chap. iv. sec. 16, p. 259): “Des enfans occise en le primer an de lour age soit a la cognoissance del esglise.” This jurisdiction of the Church has been traced (with the aid of our Fellow, Mr. Everard Green) to the provision in the Canon Law, that parents accidentally overlaying their infants should undergo two years’ penance (*Corp. Jur. Canon.* lib. v. tit. x. cap. 3), and to the consequent Rubric in the *Rituale Romanum*, “Curet parochus parentes infantis admoneri, ne in lecto secum ipsi vel nutrices parvulum habeant, propter oppressionis periculum.” When and how this exception from the Law Civil in favour of the Law Ecclesiastical disappeared, is a question which the writer is unable to answer.

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The Welsh Inquisition taken on the death of Hugh, Earl of Stafford, which happened at Rhodes on the 14th of October (10 Ric. II.), 1386, is a useful illustration of his Charter. It was taken at Newport in the March of Wales, on Monday next after the Feast of St. Matthias, that is, on the 25th of February (10 Ric. II.), 1386-7, before Thomas Walweyn, the King’s Escheator in the counties of Gloucester and Hereford and the March of Wales adjoining, at Newport in the said March, by the oath of the following as jurors:—

JOHN KEMMEYS,  
 [LLEWELYN] AP MORGAN,  
 ALEXANDER SORE,  
 ROGER AP ADAM,

TREHAYRON AP PHILIP,  
DAVID AP PHILIP,  
BLETHIN AP GRIFFITH,  
PHILIP AP WYLYM,  
JEVAN AP JANEKYN KEMMEYS,  
JEVAN AP HOWELL AP JEVAN AP HOWELL,  
JOHN CLERC,  
and  
WILLIAM PACKER.

As might be supposed, several of the witnesses to the Charter reappear as jurors to the Inquisition which so soon followed. The jurors found that the Earl died seised of the Castle and Town of Newport, and the lordship with its members, and other lands and tenements adjoining, all which are named, described, and valued at length, and that all these were held of the King in chief, not simply, but as parcels of the Honor of Gloucester. Hence it would seem that this district of the March had, on its conquest by Robert Fitz Hamon and his successors, been feudally subjected to the Honor of Gloucester which they then held.

The retention of this Honor by the Crown for the sake of its feudal influence beyond the realm exemplifies the constant policy of the Crown with respect to Wales in mediæval times, a policy which consisted in gradually grasping all superior rights, powers, and jurisdictions in that country, and never parting with any, and which finally resulted in the union of Wales to the realm of England in the reign of Henry VIII.

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There are, or lately were, among the records of the Borough of Newport, two Royal Documents in favour of the Burgesses, the one Letters Patent, dated 4th November (27 Eliz.), 1585, the other also Letters Patent, dated 20 Sept. (21 Jac.), 1623. The first was long since printed in full and in the original Latin on a separate sheet. Abstracts of both were printed in English in 1801 by Coxe (*Historical Tour in Monmouthshire*, p. 46, App. No. 4). They require some explanation in reference to the Charter here printed.

A Royal Charter dated 4th March (17 Edw. II.), 1324, granted to Hugh le Despencer the younger (the husband of Alianore, eldest sister and coheir of Gilbert de Clare, Earl of Gloucester, deceased) certain liberties throughout all the King's dominions in favour of a group of seven boroughs which were then in possession

of the said Hugh as his wife's inheritance. This group was soon afterwards broken up, and the boroughs passed into the possession or under the protection of separate lords, but probably every one of these boroughs retained a copy or at least a record of the Royal Charter, and obtained Letters Patent from successive sovereigns in confirmation thereof to itself separately. Newport certainly did so, and the Letters Patent of Elizabeth above referred to mark the last occasion of this proceeding. These Royal Documents were, in relation to Charters issued to these boroughs by immediate lords, concurrent and cumulative. They kept in memory and in use liberties external to the lordship within which the borough was situated, and very valuable commercially to the Burgesses, especially to such Burgesses as those of Newport, who enjoyed great natural advantages for trade by sea.

Charters granted to boroughs by subjects belong to the Middle Ages. Probably none such bear date later than the accession of the Tudor Dynasty. But certainly they were in use immediately before that event. The Charter here presented shows on its face that it was not the first Charter granted by a Stafford; neither was it the last, for the Letters Patent of James I. above mentioned refer to "Charters" granted by Henry Duke of Buckingham. Edward Stafford, son of that Duke, obtained restoration of the honours and estates of his attainted father and enjoyed them for thirty-four years; but this took place under Tudor sovereigns. The silence of the Letters Patent of James I. as to any Charter granted by Edward Duke of Buckingham seems conclusive that he did not follow the examples of his forefathers, and this omission on his part is an argument that such an act on the part of a subject had ceased to be admissible.

The accession of the Stuart Dynasty, so fruitful in new practices, seems to mark a change in the practice of the Crown concerning Municipal Charters. The King was advised, in reference to every borough applying for his favour, to presume that all municipal liberties Royal as well as manorial had come within his disposal, to collect such as were reasonable and proper into one confirmatory document, to add words which should incorporate the borough if its previous incorporation were doubtful, and to confer additional liberties suitable to the more advanced state of law and commerce. The concurrent Charters of the Sovereign and the immediate lord may thus be conceived as contributory to the privileges formulated by King James and ever since accepted as the constitution of the borough.

If the above view be correct concerning the Charters of Newport, that now presented, together with those previously known, form a valuable item of evidence



in respect of the growth of our municipal institutions, and enable us to read with increased interest a topographical description of Newport three hundred years ago. It follows a description of Caerleon.

The Towne of  
Neawport.

On a round hill by  
the Church there  
is for Sea and  
Land the most  
princely sight that  
any man living at  
one instant may  
with perfect eye  
behold.

The Towne hath  
Marchants in it.  
A Castle is at  
the end of this  
Towne and full  
by the Bridges  
and River.

A Towne nere this, that buylt is all a length,  
Cal'd Neawport now, there is full fayre to viewe :  
Which Seate doth stand, for profite more then strength,  
A right strong Bridge, is there of Timber newe :  
A River runnes full nere the Castle wall :  
Nere Church likewise, a Mount behold you shall,  
Where Sea and Land to sight so plaine appeeres,  
That there men see a part of five fayre Sheeres.

As upward hye, aloft to Mountaine top,  
This Market townne, is buylt in healthfull sort:  
So downward loe, is many a marchants shop,  
And many sayle, to Bristowe from that Port.  
Of auncient tyme a citie hath it bin,  
And in those daies the Castle hard to win :  
Which yet shewes fayre, and is repayred a parte,  
As things decayd, must needes be helpt by arte.

*The Worthines of Wales*, by Thomas Churchyard, 1587.

H. S. M.

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