

**SANCTUARIUM
DUNELMENSE ET
SANCTUARIUM
BEVERLACENSE**

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Sanctuarium dunelmense et Sanctuarium beverlacense by Surtees Society

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SURTEES SOCIETY

**SANCTUARIUM
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SANCTUARIUM
BEVERLACENSE**

THE
PUBLICATIONS
OF THE
SURTEES SOCIETY

ESTABLISHED IN THE YEAR

MDCCCXXXIV.



MDCCCXXXVII.

SANCTUARIUM

DUNELMENSE

ET

SANCTUARIUM

BEVERLACENSE.

LONDON :

J. B. NICHOLS AND SON, PARLIAMENT STREET :

WILLIAM PICKERING, CHANCERY LANE.

At a Meeting of the COUNCIL of the SURTEES SOCIETY,
on the seventh day of December, 1836, it was

RESOLVED—That five hundred copies of the RECORDS OF
THE SANCTUARIES OF DURHAM AND BEVERLEY be printed by
the SOCIETY.

JAMES RAINE,

SECRETARY.

ABSTRACT OF THE SANCTUARIUM DUNELMENSE.*

MURDER AND HOMICIDE.—Crimes, 195. Persons implicated, 283. *Trades of Fugitives*:—Husbandmen, 8; Labourers, 4; Yeomen, 4; Gentlemen, 4; Ecclesiastics, 3; Merchants, 2; Tailor, 1; Plumber, 1; Carpenter, 1; Tanner, 1; Baxster, 1; Glover, 1; Sailor, 1; Apprentice, 1; Under-Bailiff, 1; Servant, 1; Knight, 1 (an accessory). The occupations of the remainder are not mentioned.

DEBT, 16. Of these—Shermane, 1; Horslibber, 1; Merchant, 1; Flesher, 1.

HORSE-STEALING, 4. Of these—Yeoman, 1.

CATTLE-STEALING, 9.

ESCAPING FROM PRISON, 4. Of these—Shoemaker, 1.

HOUSEBREAKING, 4.

RAPE, 1.

THEFT, 7. Of these—Yeoman, 1; Ecclesiastic, 1; Goldsmith, 1.

BACKWARD IN HIS ACCOUNTS, 1.

FOR HARBOURING A THIEF, 1.

FOR FAILING TO PROSECUTE, 1.

ABSTRACT OF THE WEAPONS, ETC. MADE USE OF BY THE MURDERERS.

Indefinite, 12; Arnicudium†, 1; Arrow, 5; Baselard, 3; Bastard-sword, 1; Bill, 3; Carlisle Axe, 3; Club-staff, 11; Crabtree-staff, 1; Dagger, 56; Dicker, 1; Egelome, 1; Forest-bill, 1; Halbarke, 2; Hanging, 1; Hynger, 3; Iron-fork Shaft, 1; Kendal-club, 2; Lance, 10; Lance-staff, 4; Lang Pike-staff, 1; Long Plane-staff, 1; Pike-staff, 12; Plane-staff, 1; Pychyng-staff, 1; Pugio, (a dagger) 1; Scotch Axe, 2; Small-staff, 1; Spear-staff, 2; Staff, 14; Staff, with a Pummel, 1; Stone, 2; Sword, 21; Trodden to Death, 1; Turf-spade, 1; Welsh-bill, 6; Whynyard (a short dagger), 6; Wood-axe, 3; Wood-knife, 1.

* This Abstract is sufficiently correct for the purpose of giving a notion of the number of offences, and the persons who took refuge in the Sanctuary. It will be observed that the Durham Records seldom give the trade of the fugitive. The Beverley book is more particular.

† The reader may choose between the explanation of this word offered in the abstract of this entry *ad finem*, and the old word *Emicudum*, which, according to the Gloss. of Ælfric, at the end of Somner, denotes an oil-bottle.

ABSTRACT OF THE BEVERLEY SANCTUARY.

CRIMES. Indefinite, 35. Persons concerned, 35. No trade described, 10; Labourers, 3; Tylers, 2; Tailors, 2; Masons, 2; Dyers, 2; Yeomen, 2; Merchant, 1; Husbandman, 1; Smith, 1; Clerk, 1; Butcher, 1; Chapman, 1; Gentleman, 1; Draper, 1; Skinner, 1; Shoemaker, 1; Haberdasher, 1; Litster, 1.

MURDER AND HOMICIDE. Crimes, 173. Persons implicated, 186. No trade or occupation described, 52. Tailors, 19; Husbandmen, 17; Yeomen, 16; Labourers, 14; Weavers and Websters, 11; Shoemakers, 8; Butchers, 6; Gentlemen, 6; Mercers, 3; Barbers, 3; Brewers, 3; Servants, 2; Esquires, 2; Surgeons, 2; Millers, 2; Mariners, 2; Smith, 1; Shearmen, 1; Spinster, 1; Carpenter, 1; Painter, 1; Chapman, 1; Maltster, 1; Cartwright, 1; Gentlewoman, 1; Chandler, 1; Minstrell, 1; Cooper, 1; Literate, 1; Saddler, 1; Shepherd, 1; Carrier, 1; Tanner, 1; Cook, 1; Hatmaker, 1.

FELONY. Crimes, 51. Persons implicated, 54. No trade described, 3; Labourers, 8; Tailors, 6; Husbandmen, 4; Butchers, 4; Glovers, 3; Goldsmiths, 3; Cutlers, 3; Tylers, 2; Plumbers, 2; Yeomen, 2; Merchant, 1; Smith, 1; Clerk, 1; Physician, 1; Spinster, 1; Grocer, 1; Gentleman, 1; Pinner, 1; Mariner, 1; Shoemaker, 1; Fishmonger, 1; Fuller, 1; Brickmaker, 1.

HORSE STEALING, 1. A Labourer.

TREASON, 1. A Butcher.

RECEIPT OF STOLEN GOODS, 1. A Haberdasher.

COINING. Cases, 6; persons, 7. No trade described, 1; Yeomen, 2; Fleshers, 2; Tailor, 1; Weaver, 1.

DEBTORS. 208. No trade described, 36; Butchers, 31; Labourers, 12; Merchants, 9; Husbandmen, 9; Gentlemen, 9; Mercers, 8; Tailors, 6; Weavers and Websters, 5; Dyers, 5; Yeomen, 5; Glovers, 4; Drapers, 4; Shearmen, 3; Chapmen, 3; Pewterers, 3; Smiths, 2; Grocers, 2; Fishers, 2; Bakers, 2; Chandlers, 2; Wheelwrights, 2; Coopers, 2; Pouchmakers, 2; Vintners, 2; Fishmongers, 2; Bowyers, 2; Tapper, 1; Alderman and Grocer of London, 1; Carpenter, 1; Wax Chandler, 1; Painter, 1; Goldsmith, 1; Clothier, 1; Waiter, 1; Maltster, 1; Surgeon, 1; Pinner, 1; Skinner, 1; Pustain Shearer, 1; Capper, 1; Mason, 1; Haberdasher, 1; Salter, 1; Carrier, 1; Tanner, 1; Woolman, 1; Purser, 1; Singingman, 1; Woodmonger, 1; Cook, 1; Wooldriver, 1; Hatmaker, 1; Bedmaker, 1; Barber, 1.

In the Beverley Register the instruments of murder are seldom mentioned.

The trades which occur in the volume are easily understood, save that of *Litster*, which is now unknown. *Litster* is the old name of a dyer. *Lit*, color. *Isl*, Lithouse, a dye-house. *Halifax Gloss*. *Lytstar*, tinctor. *Prompt. Parr*. *Littinge* of cloth, tinctura. *Ibid*.

PREFACE.

THIS book contains registers of persons who claimed the privilege of Sanctuary in the Cathedral Church of Durham, and in the Church of St. John in Beverley.

The Durham notices are recorded in the ordinary Registers of the Cathedral, and are entered in the order in which they occurred, along with the other transactions of the Convent. The words *Peticio Immunitatis*, and occasionally the name of the fugitive, are written in the margin. These entries extend from June 18, 1464, to September 10, 1524. The Beverley Register is contained in the MS. Harl. 4292, and embraces part of the reigns of Edward IV. and Richard III. (pp. 160-166), and part of the reigns of Henry VII. and Henry VIII., or from about 1478 to 1539.* As a suitable introduction to the Beverley Register, such extracts are given from the MS. Harl. 560 (a volume confined solely to the antient history of Beverley,) as illustrate the origin

* The entries commence at fol. 2. b. and extend to f. 7. On fol. 8. 9. 10. are lists of burgesses owing fealty, perhaps originally sanctuary men. The register is resumed at fol. 10. b. and proceeds for 31 pages, including, upon one of the pages, the oath, (p. 111.) and other particulars. Another list of burgesses then occupies a page. The register is again resumed, and alternates with other lists to the end of the volume, which is a thin folio carelessly written, and in some places almost illegible.

and peculiarities of the sanctuary which that Church enjoyed.

Certain privileges of sanctuary have been recognized from the earliest ages. Moses was directed to appoint three cities of refuge, "that the slayer might flee thither, which should kill his neighbour unawares, and hated him not in times past; and that fleeing to one of these cities he might live."* In heathen countries, the temples and sacred enclosures offered an asylum to those who fled to them; and it is probable that a similar privilege was transferred to Christian Churches by general usage, before it was sanctioned by any distinct law.

An alleged law on this subject, which Baronius ascribes to Constantine, in the year 324, appears to rest on insufficient evidence.† But there is ample proof that the custom of taking sanctuary in Christian Churches existed in the fourth century. Bingham relates two instances in which the rights of sanctuary were then recognized by Basil, Bishop of Cæsarea, and by Ambrose, Bishop of Milan;‡ and quotes other allusions, in ecclesiastical writers of the same period, which indicate the prevalence of such a usage. He observes, also, that when Theodosius first made a law upon the subject, in 392, his object was to explain and regulate the privileges of sanctuary, rather than to establish them. The law§ made by the younger Theodosius, in the early part of the fifth cen-

* Deut. iv., 41-43.

† Baronius, Anno 324. n. 61., referred to by Bingham.

‡ Antiquities, viii., 11.; and authorities there quoted.

§ Codex Theodos. Lib. ix. tit. 45. De his qui ad ecclesias confugiunt, leg. 4.