

NOTES ON THE TINNERS OF DEVON AND THEIR LAWS.

BY LADY RADFORD, F.R.HIST.SOC.

(Read at Princetown, 25th June, 1930.)

[*Transactions of the Devonshire Association for the Advancement of
Science, Literature, and Art.* 1930.—Vol. lxii, pp. 225-247.]

MEETING as we do this year in the centre of the Moor, it is natural to think of previous dwellers on "the great waste called Dartmore." Of these the most important were certainly the Tanners, who carried on their search for metal for centuries, the traces of their work being still visible. It is not possible to give a date for the beginning of these searches for tin. We know that in ancient days it was a greatly desired metal, being a necessary constituent in casting bronze, a mixture of copper and tin, used before iron. We speak of the Bronze Age and later of the Iron Age. It is an interesting fact that "the oldest known specimens of bronze contain only about one per cent of tin, gradually increased to four or six per cent, ten per cent being ultimately found the best proportion." Tin was an extremely rare metal, not found in Italy, Greece or Gaul, and its discovery in the Western Isles must have been of immense importance. Herodotus (c. 400 B.C.) confesses his "ignorance of the situation of the Cassiterides Islands, from whence tin comes to us."

A valuable relic of this early tin remains in the Truro Museum. It is a block weighing about 130 lb. in the form of an astragalus or knuckle-bone, the shape into which, according to Diodorus (c. 40 B.C.), the men of the most western part of Cornwall (Belerium) cast the tin for exportation. This shape adapted it for fitting into the bottom of a boat, or for carrying on horseback, two blocks might easily be carried by one horse. This block was dredged up in Falmouth Harbour, near St. Mawes in 1823.

Whether or not the early importance of Lydford was entirely due to its being the headquarters of the miners on Dartmoor, there must have been special reasons for this importance, for Lydford is the second oldest Town in Devon, coming immediately after Exeter. It existed in 900, when Barnstaple was replacing Pilton, and Totnes had not begun to replace Halwill.

Coins were minted for at least 70 years at Lydford in four successive reigns, Ethelred II, Canute, Harold I, and Edward the Confessor.

Later in this century, when the invasions of the Northmen were more frequent and daring, on one memorable occasion the men of Lydford turned back the invaders. This happened in the summer of 997 in the reign of Æthelred II, aptly named the Unready. The Danes sailed up the Tamar and came as far as Lydford, but got no further, being turned back as has been suggested by the tinnors.

"The position of Lydford situated on a tongue of land, surrounded on two sides by valleys and on the third by the deep and impassable Gorge of the Lyd, gave it a natural strength, which, in the days of primitive warfare, was very great." (R. N. Worth.)

The Danes' advance was stopped, but on their way back to the Tamar they wreaked their vengeance on "Ordulf's minister" at Tavistock, newly founded by the King's uncle, utterly destroying it and carrying back "to their ships incalculable plunder," says the "Saxon Chronicle."

Lydford, and presumably its mining population, prospered, being taxed equally with Barnstaple and Totnes.

But in the Domesday Book (1080) we learn that Lydford suffered severely after the advent of William the Conqueror in 1066. Records are scanty for the further conquest of England after the Battle of Hastings, but it is known that William himself came West, reaching Exeter in 1068, that Exeter refused to admit the Norman, and barred her gates against him. After a siege of eighteen days the City prayed for peace, and the King entered Exeter by the East Gate.

Later in the year, the men of Devon and Cornwall rose against the new King and gathered under the walls of Exeter. But the City stood for William, and the besiegers were driven back with great slaughter by Count Brian of Brittany.

From the Exeter "Domesday :—"

LIDEFORDA.

"The King has a borough called Lideforda, which King Edward held on the day on which he was alive and dead. There the King has twenty-eight burgesses within the borough and forty-one without, and these render yearly, three pounds by weight to the King; and forty houses have been laid waste there since King William has had England; and the above-mentioned burgesses have land for two ploughs outside the city. And if an expedition goes by land or sea it (the borough) renders as much service as Totnes or Barnstaple renders."

On this passage, the late Mr. R. N. Worth says ("Lydford

and its Castle," *Trans. D.A.*, Vol. XI) : " While forty-eight houses had been laid waste in Exeter ' since the King came into England,' Lydford, with its smaller population, had lost forty, against twenty-three only at Barnstaple, while Totnes, the one remaining Devonshire borough of that day, appears to have sustained no loss whatever.

" What is very noticeable here, is that nearly two-thirds of the burgesses of Lydford are extra-mural ; and this seems to point to the conclusion that, even in these early times, Lydford must have possessed something of that wide jurisdiction which clung to it in later days, as the head of the Forest of Dartmoor. . . . Before the forty houses were laid waste Lydford must have been the most populous town in Devon, Exeter alone excepted. . . . "

A Charter was granted to the Tanners of Devon and Cornwall in the third year of King John, probably a confirmation of earlier charters. For it is clear that tin was from the earliest times the special property of the King, and the Tanners who were under Royal protection, had their own customs and code of laws.

¹In the ninth year of King Richard (3 September, 1197-8), when Hubert, Archbishop of Canterbury, was Chancellor of England, he issued a precept appointing William de Wrotham and the Sheriff of Devon, justices, instead of the Lord Geoffrey Fitz Peter to carry into effect the admeasurements of the weights of the first and second smeltings² and the disposition of the available profit of the King's tin. In pursuance of this precept, the Justices appointed William de Wrotham, the Sheriff of Devon (another William de Wrotham, father of the first-named) and others, who reported :

" On the nineteenth day of January in the ninth year of King Richard (1198) in full County Court at Exeter, we enquired upon the oath of twenty-six wise and discreet jurors concerning the just weights of the tin in Devonshire, and what was the just and ancient weight of the City of Exeter by which anciently now and at all times the second smelting of tin was wont to be made."

The names of these jurors are interesting and some are distinctly Hebraic. The first name is that of Roger Rabi, the last is Eli Mewi, though well-known Exeter citizens are in the list. Martin Prudhome who witnesses a deed before 1206, in the possession of the Dean and Chapter of Exeter (*Hist. MSS. Report*, page 61) and others of the County, Walter

¹Translation from the *Red Book of the Exchequer*, given in the Appendix to De la Beche's *Geology*, p. 629 *et seq.*

²Tin of the first smelting was the metal as smelted on the spot in the rude furnace of the tinner himself. The second smelting produced what is now called refined tin.

le Bon de Totteney, Osbert Prigge de Ayshburton, William Esse de Plympton, etc.

Among the many regulations or ordinances for the managing of the Stannaries is the following: "Also neither man nor woman Christian nor Jew shall presume in any manner to remove Tin either by sea or by land out of the Counties of Devon and Cornwall unless he or she first have the licence of the Chief Warden of the Stannary."

A similar Court was held on the 25th day of the same month at Launceston "in full County by the Sheriff of Cornwall, William de Wrotham, Richard Fitz Gilbert, Luke Fitz Bernard, Henry d' Aunay and Otho Fitz Frewin concerning the just weight of the tin in Cornwall."

It may be noticed that in Devon and Cornwall the tin is to be weighed by the just and ancient weight of the City of Exeter; although the town of Bodmin is associated with the City of Exeter as a place where tin may be smelted for the second time, in places as hitherto accustomed; this was only to be in the presence of the keepers of the weight and smelting, also of the Clerk appointed on behalf of the King within the walls of the City of Exeter and in the town of Bodmin.

In these regulations, themselves based on customs more ancient, we find, says Mr. R. N. Worth ["The Ancient Stannary of Ashburton," *Trans. D.A.*, Vol. VIII], "the germ of the system of tin coinage which continued in force for more than six centuries, until abolished in 1838."

Dartmoor forest, with all its appurtenances, was granted to the King's brother, Richard, Earl of Poitou and Cornwall, with our Manor of Lydford, the castle of the same place, and all its appurtenances, by charter dated 10 October, 1239. "The effect of this grant," says Mr. Stuart Moore, "which severed the Forest of Dartmoor from the Crown, would appear to be to make the Forest a Chase in law . . . and in many important records Dartmoor is called only a Chase, notably as in the grant to the Duke of Cornwall under which it is now held." ("Dartmoor Preservation Association Publications, Vol. I.")

Many accounts are extant of the Earl of Cornwall's property in Devon and Lydford and on Dartmoor. But "it will be observed that neither this nor any other Dartmoor Account notices the profit accruing to the Earl or the Duchy from the stannaries. The dues paid by tanners working in the demesne land, whether manor or forest, and called toll-tin, are mentioned; but the far larger revenue, arising from coinage and pre-emption of tin, is not included. There can be no reasonable doubt that the Stannaries of Devon were more productive than those of Cornwall in the twelfth century; for the fixed sum paid to the bishops of Exeter, for the last seven centuries

and a half, as the tithe of the Royalty or farm of tin, is greater for Devon than for Cornwall. In Devon, too, as in Cornwall, four courts have immemorially settled all ordinary suits and quarrels in which tanners are parties; and the records of their proceedings, still extant in great abundance from the reign of Edward III, bear witness to an enormous amount of petty litigation, which, for some centuries, yielded to the Crown, the Prince, or their officers, an income by no means contemptible. The scene of these mining operations was the moor and its confines; for, although the warden and stewards of the stannaries claimed all Devon as stannary-ground, and Exeter itself could not secure the defendant from an involuntary visit to Lidford Castle under the escort of a tin bailiff, it is as certain as any geological fact can be, that Dartmoor alone has hitherto been the centre and source of all the tin stream-works in the County." (Sir Edward Smirke, Vice-Warden of the Stannaries. 1848.)

The first direct allusion to the Tanners of Devon is found in 1222, when King Henry III issued a writ to the bailiffs of Lydford, ordering that our tanners be permitted as in the time of our father King John to take coal (peat) from our More of Dertemore (*Close Roll*, printed edition, page 505).

In the previous year a market was re-established at Lydford (*Pipe Roll*, 6th Henry III) as it anciently used to be.

The Castle of Lydford was already standing. In 1216 its custody was granted to William Briwere, the previous year Walter l' Espec had charge of it. Twenty years later the King gave and granted to God and the Church of St. Petroc of Lydford and to the Chaplain ministering there for his support, the tithe of the herbage of the More of Dartemore. (*Patent Roll*, Membrane 6, 12 July, 1237). This entry is specially interesting, being thirty years earlier than the date of the first Register of the bishops of Exeter.

(It must be remembered that the parish of Lydford included the borough of Lydford and the Forest or Chase of Dartmoor, stated in the Census, 1871, to contain 56,333 acres). This bishop, Walter de Bronescombe, out of consideration to the dwellers on the Moor, the whole of which was in the parish of Lydford, finding that the dwellers in the hamlets of Babbeneye and Pushylle were distant from their Mother Church of Lydford, eight miles in fair weather and fifteen in foul, allowed them to attend the church of Wydecombe, but every inhabitant of the said places, being a holder of land, must solemnly offer once a year on St. Petroc's day at the Mother Church of Lydford. Dated 20 August, 1260, at Crediton. (Bishop Bronescombe's *Register*, printed edition, page 204).

The earliest known record of the produce of the tin mines of Devon is in a *Pipe Roll* of 19th Edward I (1290-1). In that

year 87,785 lb. of tin were raised, and dues of various kinds paid to the amount of £77 2s. 8½d. There were then 473 black tanners in the County, and 302 white tanners; the black tanners being those who got the ore, the white tanners those who smelted it.

The earliest Charter that survives is that granted to the Tanners of Cornwall and Devon by Edward I, dated 10 April, 1305, which for the first time recognized them as distinct bodies. The three Stannary Towns in Devon where tin is to be weighed and stamped are Tavistock, Ashburton and Chagford. Plympton was added in 1328. The Stannary Prison where defaulters were to be imprisoned was "our Prison of Lydford and not elsewhere."

From this date, though no mention of the place of meeting is given, the Tanners or Stannators chosen by their Brethren, probably met at Crockern Tor, twenty-four men from each of the Stannary Towns. Prior to this, the tanners from both counties met at Hingston Down, near Callington. The Warden of the Stannaries being some great man who represented the King, as in later times the Marquis of Exeter and Sir Walter Raleigh. The Warden had a deputy, the Vice-Warden. Prior to the organization of the Stannaries in this form, the miners were in charge for the Crown of an Officer called the Custos or Keeper, through whom the King collected duties on the metal raised.

The earliest record remaining of proceedings at one of these Courts, which were held annually, usually in early autumn, is that of a Court held in the tenth year of Henry VII (1494), when Prince Arthur, his eldest son, was Duke of Cornwall.

It is not necessary probably to repeat that the eldest son of the King of England is born Duke of Cornwall, but created Prince of Wales. Prince Arthur in 1594 was but 8 years old, living at Ludlow Castle. The names of his Council are interesting:—

Master Robert Frost, clerk.

Sir William Uvedale, Treasurer of the Prince's household.

Master Hugh Oldom, clerk, a chaplain of the Lady Margaret, mother of King Henry VII, the great benefactress of Christ's and St. John's Colleges at Cambridge, the young Prince's grandmother.

Hugh Oldham was already Archdeacon of Exeter and Canon and Prebendary of the Cathedral. He was appointed Bishop of Exeter, 1504.

Sir John Arundell, Clerk.

Sir John Sapcote, Knight.

These Ordinances or Statutes were published for the first time in the appendix of Historical Documents to the Rev. Samuel Rowe's *Perambulation of Dartmoor*, 1848. This

appendix was furnished by Sir Edward Smirke, Vice-Warden of the Stannaries. The document in question is "from a record in the Treasury of the Exchequer." The preface and postscript and some of the more unusual ordinances follow, with notes by Sir Frederick Pollock, K.C., etc., the Editor with the late Prof. Maitland, of "Bracton's Note-book" and one of the greatest authorities on Early English Law.

Ordres and decres set downe anno 10 Henrici VII for the Tynne Works, A.D. 1494.

Ad magnam *curiam* Stannariorum tentam apud Crockerntor undecimo die mensis Septembris anno Regni metuendissimi Domini nostri regis Henrici septimi decimo coram magistro Johanne Arundell, clerico, prepotentissimi principis domini Arthuri Christianissimi Regis predicti primogeniti Principis Walliae Ducis Cornubiæ, Comitis Cestri et Flynt, cancellario, Magistro Roberto Frost elemosinario, Willielmo Uvedale milite, camerae ejusdem Principis Thesaurario, magistro Hugone Oldom clerico, et sociis suis commissionariis dicti Principis in Comitatu Devoniae deputatis ac coram Johanne Sapcote milite, depute custodis sive guardiani Stannariorum in comitatu predicto. Quaedam actus, statuta, et ordinationes pro bono commodo, utilitate, et tranquillitate Stannariorum in Comitatu Devoniae predicto per viginti quatuor Juratores de Chaggeford, viginti quatuor Juratores de Ayssherton, viginti quatuor Juratores de Tavistock, et viginti quatuor Juratores de Plympton, quorum nomina, unacum dictis actibus, statutis et ordinationibus, inferius inscribuntur, inactitata edita, stabilita, et auctoritate dictae curiae constructa et approbata in forma sequenti.

Be it enacted and establysshed by the hole body of the Stayniery in the high Court of Crockerntorr That no person neyther persones having possession of londes and tenements above the yerly value of X*l* nor noone other to theyr use be owners of eny Tynwork or parcell of eny Tynworke. But suche as have Tynneworkes or parcel of Tynworkes by inheritance from their auncesters or such as have now any Tynworkes in peasible possession by lawfull title or hereafter shall have within their owne frehold.

Also that no abbot, priour, neither ony spirituall person nor noone other to their use be owner of eny Tynneworke or parcell of eny Tynneworke but as be or hereafter shal be in their owne freholde other than suche as they have now in peasible possession by lawfull title.

Also that no warden of Staynierey, underwarden, steward, neither understeward ne clerke of the court of the Staynierey, bailyff or underbailyff of Staynierey, neither no forster ne under forster of the More nor none other to their use be awner

of eny Tynneworke but such as have the saide tynneworke or parcell of a Tynneworke by inheritaunce from their auncestors or suche as have now eny Tynneworke in peasible possession by lawful title.

Also that from hensforth ther shal no man learned in the lawes spirituelle or temporalle plede nor be a counsell to make bylle, plee or answer in ony court of the Stayniery uppon payne of XX*l* to be forfeited th'on half to the Prince and th'oder half to them that wille sue the same.

Et nos Princeps prescriptus omnia et singula actus statuta et ordinationes predicta jure prerogativae nostrae ac cum matura deliberacione et advisamento concilii nostri ratificamus approbamus et confirmamus ac ab omnibus et singulis stannatoribus et aliis hominibus nostris firmiter observari in forma suprascripta volumus et praecipimus sub pena incumbente. Mandantes insuper gardiano custodisive senescallo Stannariae nostrae predictae et omnibus alii officariis nostris ac eorum deputatis quod omnia et singula actus statuta et ordinationes prescripta observant et observari faciant et execucioni demandent sicut decet. In cujus rei testimonium presentibus sigillum nostrum apponi fecimus. Datum apud castrum nostrum de Ludlowe tercio die mensis Aprillis anno supradicto.

It seems to me that these orders are not revolutionary but conservative, intended to put a stop to encroachments on

(1) *the ancient customs of tin-bounding rights, which divers large free-holders were appropriating without any title properly inherited or otherwise assumed according to custom.*

(2) *the ancient jurisdiction and procedure of the Stannary Courts.*

F.P.

The first printed book relating to the Stannaries in Devon, of which only one copy is known, remains in the Library of Exeter College, Oxford.

Printed at Tavistock in 1534, it is a small quarto, consisting of twenty-six leaves. Its title runs :—

Here foloyth the confirmation of the Charter perteyning to all the tynners wythyn the countey of devonshyre, wyth there statutes also made at crockeryntorre by the hole assent and consent of al the sayd tynners, yn the yere of the reygne of our soverayne Lord Kyng Henry ye viii the secund yere.

The last paragraph is :—

Here endyth the statutes of the stannary. Imprinted in Tavystoke ye xx day of August the yere of the reygne of our soveryne Lord Kyng Henry ye viii the xxvi yere.

God ssave the Kyng.

The Confirmation is by divers Kings of the original Charter granted to the Tynners by Edward I.

The Charter was granted at Westminster on the 10th day of April, 1305, the thirty-third year of our (Edward I's) reign.

Confirmed by Edward II at York, 14 August, 1310; by Edward III, at Langley, 12 November, 1343; by Edward IV, at Westminster, 27 November, 1461, and by Henry VII at Westminster, 12 February, 1488.

After giving the original Charter, with its references already quoted, to the Tinnners' prison at Lydford and the Stannary Courts to be held at Chagford, Ashburton and Tavistock, the lists of Jurors follow. These are of interest to genealogists; occasionally the place of abode is added.

There are three such lists in the Tavistock book, the first is of Jurors attending the Great Court of our Lord the King as Duke of Cornwall, at Crockerentorre, in the County of Devon, before Thomas Deneys, Armiger, in the place of Sir Henry Marney, Knight; 24th day of September, 1510, Anno Regni Regis Henrici Octavi Secundo.

Then follow the Statutes of the Stannary with this preface (translated) "The above-said Jurates being sworn and tried by the Assent and Consent of all the Tinnners in the County aforesaid, enact, ordain and constitute. That every Statute of the Tinnners afore this Time then made to be void broken and of none effect, and those done anew to be in this Court affirmed as hereafter followeth. . . ."

After this preamble come the new statutes which are of contentious nature and led to contentious proceedings. In the parliament held at Crockern Tor in 1494 the decrees, other than those quoted, relate to the mark placed on hard tyn, &c., regulations for the actual workers in the metal, &c., &c.

The first of the statutes affirms and enacts that it shall be lawful for every man to dig tin within the County of Devon where tin may be found.

And also to carry water to their works without any let or trouble of any person or persons according to our old usage and confirmation of our Charter.

"Also be yt affermed and enacted that hyt schal be lawful for every man to dygge tyn in every place wythyn ye counte of Devonshire where as tyn may be founde. And also to cary water to ther workes without any let or trobel of any person or persons according to our olde usage and confirmation of our Charter and accoordyng to our custome out of tyme that no mynde ys hadde hathe been used." (From the book printed at Tavistock in 1534.)

It was relying upon these two wide-reaching statutes that the prosecution and imprisonment of Richard Strode, M.P. for Plympton, took place in 1512.

Richard Strode came from a family long settled at Plympton,

two of his name had represented the town in Parliament in 1436 and 1447, the last possibly the father of our hero, the third Richard Strode to write M.P. after his name. He was probably a young man (it is to be hoped so, in view of his sufferings at Lydford); the date of his birth is not known, but he lived until 1552 and must have been married before 1539, when his son and heir was born. His uncle, William Strode, to whose property he succeeded, died in 1518.

Richard Strode was returned to the Parliament of 1512, a parliament of which very few records exist, says Mr. J. J. Alexander, whose work for years in tabulating records of Devon members in our *Transactions* has been officially recognized by a Committee of the House now sitting.

Richard Strode and other members brought forward a Bill or Bills to prevent further damage by Tinnors to the Ports and Harbours of Devon. This was no new thing, for complaint had been many times made of the damage done to the ports and havens in Devon and Cornwall. As far back as 1376, in the time of Edward III, a Petition was presented to the King in Parliament, praying that a Commission may be appointed and "some Remedy put to the Many Extortions, Oppressions and Grievances, that are from Day to Day put in Practice, and hath for a long time been so practised by the Tinnors and the Officers of the Stannaries, as well as by the Lords and others, to the Prejudice of the said Commonalty, under Colour of the Franchises to them granted by the Charters from our Lord the King, and from his Predecessors, contrary to the Law and the Intention of the said Charters, and by their evil Interpretation of the said Charters, and that the said Charters, and all the Franchises in them comprehended may be read and declared Article by Article, so that the Commonalty of the said County, may fully and directly understand the Contents thereof, and that the said Declaration may be recorded. . . .

Whereupon be pleased to declare, if any other Persons, besides the Tinnors working in the said Stannaries, shall have and enjoy the Franchises granted by the King in the said Charter.

Item. Let it be declared, if also the Working Tinnors shall enjoy also those Franchises, so as they enjoyed them at the time, even in the Demesnes which did belong to King Layell, now in the time of our present Lord the King; the which King Layell did grant to them the said Charter, at the time when he granted them the said Franchises And they claim to have right, other than only when they Work in the said Demesnes of the King Layell, in right of the said Article, for that there is another Article in the said Charter, that gives them Leave and Licence to dig in *Terris Moris & vastis ipsius*

Dom' Regis & aliorum quorumcunq; in Com' praed' & aquas Cursus aquarum ad operantes Stannariarum praed' divertere ubi & quoties opus fuerit & emere Buscum ad functuram Stanni sicut antiquitus fieri consuevit sive impedimento Domini Regis haeredum suorum Episcoporum Abbatum, Comitum, Baronum, seu aliorum quorumcunq; &c. It seems to be a very necessary thing in this Case, that their Customs and Uses be enquired into, and that the Captain of the Tinwork have a Charge that he do not permit any Tinner in the said Tin-work to dig in Pasture Land, nor among Woods, nor to seek among Woods, nor among Houses, nor disturb Waters, or any running Waters, out of Malice, and if it should so happen, that the said Captain should make any excuse, that the said Tanners will not obey his said orders, nor cease their malicious doings for him, that then immediately complaint shall be made to the King and Council, and due and hasty Remedy shall be ordered.

Item. Be pleased to declare what the said Charter implies, albeit & *si qui Stannator' praed' in aliquo delinquerint per quod incarcerari debeant per Custod' praed' arrestentur & in Prisonsa nostra de Lydford & non alibi detineneantur quousque secundum legem & consuetudinem Regni nostri deliberentur;* and, in this case, that a Tinner be taken for Felony, and delivered to the Warden, he is very often suffered to go at large, from whence much Danger hath many times happened, and also from there not having been a Delivery of the said Gaol not above once in ten years, and that it may be for a Colour to this same Article, the said Warden serves himself now, by some other Prison, to keep them in for Arrears of Accompts, and puts them in *Lydford*, where they are so much favoured, that they never endeavour to do anything to please their Master."

This petition was printed in Thomas Pearce's *Laws and Customs of the Stannaries*, 1725, p. 234 *et seq.* Frequent mention of "King Layell" occurs in connexion with the Charter. The explanation is apparently that Law French used when the petition was presented in 1376 was not understood when this document was translated and "printed for the first time in 1725." The King Layell who seemed so puzzling is simply the "aieul" or grandfather of King Edward III, to whom the petition is presented. King Layell is actually Edward I, who gave the Charter.

The exact words of the Charter gave them leave to search for tin "in terris moris et vastis nostris et alior' quorumcunq;." These words seem only to have been intended to apply to the moors and waste grounds belonging to the King, and the like places belonging to others. But the Tanners claimed that they had been given the right to dig for Tin in any place in Devon.

In the Tinnors' Great Court at Crockerntor, held in 1510, whether they had heard of Richard Strode's proposed Bill in Parliament or not, they, as already quoted, emphatically declared their right to dig for tin in any place in Devon, and proceeded to lay down penalties for those who interfered with them, which were duly carried into effect as set forth in the "Act concerning Richard Strode."

This Act of Parliament, which established the right of freedom of speech in the House of Commons, is printed as an appendix, with a photograph of its first paragraph.

Briefly stated, the facts are that Richard Strode, with other Members of Parliament, brought in a bill reciting injuries done to ports and harbours in Devon by the Tinnors. Whereupon John Furse, Understeward of the Stannaries, before whom courts were held in the Stannary and in divers places (apparently at Chagford, Ashburton, Plympton and Tavistock), published and said that Richard Strode, in the last Parliament at Westminster, would utterly destroy all liberties, privileges and franchises concerning the Stannary. At every such Court Richard Strode was fined £40, according to one of the Tinnors' Acts made at Crockerntor, he being a Tinner. But the said Richard was never warned, nor called to make answer to the premises, contrary to all laws, right, reason, and good conscience.

By the laws of the Stannaries part of the fines levied went to the over-lord; in this case, as there was no Duke of Cornwall, the King; and the next step taken was the procuring by one John Agwilliam from the King of a bill for twenty pounds, out of the fine of £160 so decreed. Thus armed, John Agwilliam and others, caused Strode to be taken and imprisoned "in a dungeon and a deep pit under the ground" in the Castle of Lydford, and there and elsewhere he remained for three weeks and more, until delivered by writ of privilege out of the Exchequer, as being one of the collectors of the Quindecim. The prison is tersely and graphically described as "one of the most annoious, contagious and detestable places wythin this realme"; so that by reason of the same imprisonment he was put in great peril and jeopardy of his life. "Nor was this all." Agwilliam "entreated and constantly desired one Philip Furse, then being keeper of the said prison, straitly to kepe the said Richard in pryson, and to put yrons upon him to his more greater payne and jeopardy, and to give him but breade and water onely, to the entent to cause the sayd Richard to be faine to content and pay him the said £20."

For this service Furse was promised four marks; but Strode "for to be eased of his yrons and peyneful prisonment aforesayd (for savegarde of his life) was wise enough not only

to pay the like amount 'whereof he payd the sayd keeper in hand xiiis. iiid.'"

The Warden of the Stannaries at this time was Sir Henry Marney, Knight, and his deputy one Thomas Dennis. When Strode was released the latter—so says the Act—took a bond of him "to defend and save harmless the said Thomas Dennis," "that he had been a true prisoner while he was in Lydford Castle, and that he would do nothing whereby he might in law be deemed out of prison. This bond, as being given under compulsion, Strode regarded as of no effect. Parliament, by the Act in which these matters are recorded, annulled his sentence; then proceeding to lay down the principle which thus associates Lydford with one of the chief safeguards of Parliamentary freedom, by declaring that all proceedings against members of Parliament "for any bill, speaking, reasoning, or declaring of any matters" in Parliament should be void and of none effect.

Devon' magna curia Domini Regis Ducatus sui Cornubiae Testa apud Crockerentorre in Comitatu Devon' coram Thomae Deneys Armigero locum tenente Henrici Merney Militis custod' Stannariae Domini Regis in Com' Devon' vicessimo quarto die Mensis Septembris Anno Regni Regis Henrici octavo secundo. (1510).

The Names of the Jurates in the Stannary Court of *Chaggeforde*, 1510.

| | |
|--------------------------|--------------------|
| John Walcot of Chudlegh. | Thomas Miller. |
| John Brabon. | William Caselegh. |
| Thomas Stapyllhyll. | William Furse. |
| William Ryse. | William Denbolde. |
| John Whyddon. | Alexander Wekes. |
| Robert Foxforde. | Thomas Batyshyll. |
| Robert Wanell. | Thomas Thomlyn. |
| William Furseland. | John Ayssh. |
| Robert Windeyate. | Richard Crote. |
| Richard Wratt. | William Mowry. |
| John Nucombe, jun. | Galfridus Loskey. |
| William Noseworthy. | John Smith Corser. |

Jurates of the Stannary Court of *Aysburton*.

| | |
|-----------------------|----------------------|
| Richard Hamlyn. | Richard Baker. |
| John Vele. | John Wydecombe. |
| John Bonnycombe. | Richard Herte. |
| John Maddock. | William Wydecombe. |
| William Miller. | John Clyffe. |
| John Baron. | William Edwarde. |
| William King of Hole. | John Saunder. |
| John Eyre. | Thomas Gaverocke. |
| Richard Langworthy. | Michell Sperekewill. |

| | |
|-------------------------|----------------|
| Thomas Mathew. | John Baker. |
| John Hexte of Breuston. | Robert Tomlyn. |
| Richard Foxforde. | William Berde. |

Jurates of the Stannary Court of *Plymton*, 1510.

| | |
|---------------------|-------------------|
| William at Hele. | William Brusey. |
| William Rede. | John Elberto. |
| John Beare. | Roger Eggecombe. |
| Nicholas Brugge. | William Chreston. |
| Roberto Babyn. | Jurdan Brugge. |
| Nicholas Combe. | Elias Elforde. |
| John Hede. | Andrew Wattys. |
| Walter Adam. | Robert Hamme. |
| William Odymer. | John Scobell. |
| John Peake at Hele. | Richard Rose. |
| William Tyllam. | Richard Pomery. |
| William Forde. | William Wyett. |

Names of the Jurates of the Stannary Court of *Tavistock*.

| | |
|--------------------------------|--------------------|
| Stephen Toker. | William Soper. |
| Richard Langesforde. | John Hyllande. |
| John Chreston de Horsehede. | William Gyll. |
| John Leywodd. | John Eston. |
| John Glubbe. | Robert Borne. |
| John Horewill. | Robert Hayne. |
| John Cholwill. | Henry Umfrey. |
| John Gye. | Roger Langesforde. |
| John Peke of Way. | William Stephen. |
| Thomas Ford. | John Tanner. |
| John Draper. | Henry Haly. |
| Thomas Adam. | John Herte. |

The effect of this declaration in the National Parliament is very noticeable in the proceedings of the next Tinnars' Great Court, as reported in the Tavistock book.

It was held at Crockerntor on 28 October, 1532 (24th Henry VIII), before Philip Champernon, Knight, in the stead of Henry, Marquis of Exeter. After the names of the Jurates from the four Stannary Courts: "First, be it affirmed and enacted from henceforth by authority of this present Court that all Tinnars keep their Tin works as hereafter followeth. that is to say, yearly, between the Feast of St. Peter Ad Vincula (1 August) and the Feast of St. Michael the Arch-Angel (29 September).

Be it affirmed and enacted, that the Act made at Crocker-entorre aforesaid, the 24th Day of September in the second Year of the Reign of our Sovereign Lord King Henry the

Eighth, of and for the keeping of all Tin-works within the Stannary, and everything contained in the same Act be from henceforth utterly void and of none effect.

Also, that where, out of Time, it hath been used within all the Stannary of Devon, that every Person working within any Stream Works, should keep their Gravel, Ruble, and Sand, under the Swerd of Grass, and by Force of the Water to convey it to the great River, because it should hurt no man's Pasture, nor quirt any Tin-work. And now is supposed by certain Inhabitants of the Haven Towns of Dartmouth and Plimouth, within the said County, that the said Ruble, Gravel and Sands, descendeth by Reason of the great Floods, to the said Haven Towns, whereby in Continuance it should greatly hurt and quirt the said Havens, which God forbid.

Wherefore be it enacted and ordained by Authority of this present Court, that every Person or Persons that hereafter shall Work in any Stream Works, or cause any Stream Work to be Wrought, that they and every of them Convey and Carry, or cause to be conveyed and carried, the Gravel, Ruble, and Sands, into old Hatches, Tipittes, miry Places, or other convenient Places, from the said great Rivers, so that the said Gravel, Ruble or Sands be not conveyed to the said Havens of Dartmouth and Plimouth, or any of them hereafter shall be decayed or hurted; upon pain of such Fine and Fines as hereafter shall be by the Lord Warden or his Deputy assessed, or set upon every Person or Persons, for every Default so offending contrary to the Provision of this Statute, to the Use of our Sovereign Lord the King, &c., if any such Default be found by Verdict of twelve Men at the Law-day, at any of the said four Stannary Courts.

Also be it affirmed and enacted, that from henceforth no Bailiffs of the Stannary shall take of any Person that shall hereafter be arrested upon any Nichil, or for the Security of the Peace, above Six pence, and that the Keeper of Lidforde, nor his Deputy, shall take of any Person or Persons that hereafter shall be arrested upon a Nichil, or for Surety of the Peace, any Fees, unless the Parties so arrested be brought to the Prison of Lydforde, and that the Keeper shall take of every such Prisoner for his Fees 2s. 6d. and for his Meat and Drink according to the old Custom heretofore used, upon pain of 20s. for every Time that the said Keeper or Bailiff, doth contrary to this Statute, if it be found at a Law-day in any of the said four Stannary Courts, the one half to our Sovereign Lord the King, and the other half to the Party grieved.

Also be it affirm'd and enacted, that no Bailiff nor Bailiffs, bring any Person or Persons to the Prison of Lydforde, that hereafter shall be arrested by a Nichil, except it be upon an Execution of a Condemnation, if the Person or Persons that

so shall be arrested, find or bring to the said Bailiff or Bailiffs, good and sufficient Sureties to answer the Party Plaintiff, at the next Court after the said Arrest, upon pain of 20s. for every Time so offending, the one half thereof to our Sovereign Lord the King, and the other half to the Party grieved, if it be found by Verdict of twelve Men at a Law-day, in any of the four Stannary Courts.

Also be it affirmed and enacted, that the Steward, or his Deputy, for the Time being, shall take for the Crowning of any Person, not above two Shillings, and the Bailiff for his Return of the Jury for the same not above 6d. upon pain of every such Default 20s. the one half to our Sovereign Lord the King, and the other half to the Party grieved, &c."

Crowner. The crowner of Lydford was apparently a Franchise Coroner, appointed by the Crown, mentioned in 1344 as a regular official, elected at the Court of the Lord. "And if any man dye by misfortune or be slayne within the said Forest mores and waste, the Crowner of Lydforde shall crowne and sytte upon him for the said Forest mores and waste is out of every Tything, Rental and Surveys Portfolio $\frac{2}{3}$ Record Office, c. 1542. H. 8th 33^o—34^o."

Devon. The Great Court of our Sovereign Lord the King, in his Dutchy of Cornwall, holden at Crockerentorre in the County aforesaid, before Philip Champernon, Knt., in the Stead of Henry Marquis of Exeter, Warden of the Tinnars under our Sovereign Lord the King, in the aforesaid County of *Devonshire*, the 28th day of October, in the 24th Year of the Reign of King Henry the Eighth, 1532.

The Names of the Jurates in the Stannary Court of *Chaggeforde*, 1532.

| | |
|-------------------------|-------------------------|
| John Southcot. | John Gray. |
| William Burgin. | John Roo of Beridon. |
| John Atyshill. | Thomas Elherde. |
| Richard Wanell. | John Major. |
| Philip Furse. | John Bowden of Docombe. |
| John Newcombe. | Thomas Hereys. |
| William Noseworthey. | John French. |
| John Shere of Bonyhill. | Henry Erose. |
| Godfrey Loskey. | John Yelden of |
| William Knapman. | Middlecote. |
| William Hore. | William Benet. |
| | William Cominge. |

Jurates of the Stannary Court of *Aysburton*.

| | |
|----------------|-------------------|
| John Vele. | John Pethybrigge. |
| William Smith. | John Wydecombe. |
| Robert Hamlyn. | William Baron. |
| John Ferres. | William Elys. |

| | |
|---------------------------------|----------------------------|
| William Myller. | Thomas Prydeux. |
| John Horsehame. | John Voyse. |
| John Langworthy of Bokeland. | Richard Tayler. |
| Thomas Philip. | John Foxford. |
| Richard Cayshe. | John Maddock of Huyshe. |
| Richard King. | Thomas Jamlyn. |
| Walter Rowe. | Elias Hert. |
| Nicholas Brende. | William Snowden. |

Jurates of the Stannary Court of *Plymton*, 1532.

| | |
|--------------------|----------------------------------|
| Richard Chalens. | Richard Browne de Mevy. |
| John Mason. | Nicholas Compe. |
| Richard Wylling. | Thomas Brownisden. |
| John ffote. | Richard Abbot of Cadley. |
| Thomas Berman. | John Pomery of Mewy. |
| William Brende. | John Baron of Heath. |
| Nicholas Lyteltor. | Richard Fosterd of Cornwood. |
| Nicholas Thornyng. | William Chapel of Chapellegh. |
| Baldewin Hele. | John Hed. |
| John Huchyn. | Thomas Ford of Brixton. |
| William Clarke. | Thomas Ame. |
| Henry Caunterell. | Richard Brownisden. |

Jurates of the Stannary Court of *Tavistock*.

| | |
|-----------------------------|---------------------------------|
| Thomas Cole, Armiger. | Thomas Stondon. |
| Robert Cruys. | Henry Creyshe. |
| Henry Langeford. | John Cole. |
| John Hert. | Philip Fote. |
| John Brownesdon. | John Stephen of Gnathan. |
| Nicholas Luggor. | Walter Burghe. |
| John Eston. | William Prior of Maritavy. |
| John Burneford. | John Gee of Horebrygge. |
| John Chubbe of Hyll. | Richard Drake. |
| John Atwyll. | Walter Knyghton. |
| John Horwill of Lydford. | John Hoper of Whyt- churche. |
| John Scotworthy. | Stephen Toker. |

A Great Court was held the following year, the 25th day of September (25 Henry VIII), 1533, by Sir Philip Champernon in the stead of Henry, Marquis of Exeter. After the lists of Jurates follow more statutes which, though not of so much interest as those quoted in the previous year, 1532, contain

references to the Prison at Lydford where persons be imprisoned until they being non-suited in actions may in default of paying the costs and damages due "there remain till he or they have paid it."

Such imprisonment is referred to in William Browne's verses on Lydford, written in the time of James I, probably between 1612 and 1625.

"Prince Charles an hundred pounds hath sent
To mend the leads and planchings rent
Within this living tomb.
Some forty-five pounds more had paid
The debts of all that shall be laid
There till the crack of doom."

Devon. The Great Court of our Sovereign Lord the King, in his Dutchy of Cornwall, holden at Crockerentorre in the County aforesaid, before Philip Champernon, Knt., in the Stead of Henry Marquis of Exeter, Warden of the Tinnars, under our Sovereign Lord the King, in the aforesaid County of Devonshire, the 25th Day of September, in the 25th Year of the Reign of King Henry the Eighth, 1533.

The Names of the Jurates in the Stannary Court of *Chaggeforde*, 1533.

| | |
|-----------------------|-----------------------|
| John Batyshyll. | John French. |
| William Noseworthy. | John Langworthy of |
| John Newcombe. | Hattishill. |
| William Hore. | John Rowe of Berydon. |
| Godfrey Loskey. | Thomas Caselegh. |
| William Rugg. | John Coyshe. |
| John Shire. | Richard Abraham. |
| John Endecote. | John Windeyeate of |
| Thomas Ilbert. | Grendon. |
| John Grey of Manaton. | Alexander Drayton. |
| John Parre of | James Benet. |
| Heanocke. | Simon Taverner. |
| William Voyse. | Richard Crote. |
| | John Glanfylde. |

Jurates of the Stannary Court of *Aysburton*.

| | |
|------------------|--------------------|
| Thomas Pridyaux. | John Langworthy of |
| William Coward. | Buklond. |
| John Bery, Sen. | William Smith. |
| John Veale. | John Widecombe of |
| John Voyse. | Buklond. |
| Robert Hamlyn. | William Bonycombe. |
| Richard Taylor. | John Stiddeston of |
| John Maddok of | Cornedon. |
| Blakeal. | Thomas Dodde. |
| Thomas Hamlyn. | Thomas Phelyppe. |

| | |
|------------------------------------|--------------------|
| John Dolbeare. | Richarde Quoyshe. |
| Richard Langworthy of Lesewell. | William Leer. |
| John Horseham. | John Dybell. |
| | Henry Paty. |
| | Robert Hanworthie. |

Jurates of the Stannary Court of *Plympton, 1533.*

| | |
|-----------------------|-------------------|
| Richard Chalons. | John Hedde. |
| Nicholas Thorney. | Edmond Lange. |
| John Mason. | John Meyeow. |
| Thomas Forde. | Andrew Walker. |
| John Luscombe. | William Towsen. |
| Walter Stondon. | John Stert. |
| John Fote. | Henry Canterell. |
| Richard Abbot. | William Martin. |
| William Chapell. | Thomas Brounsden. |
| Walter Elford. | John Baker. |
| John Browne. | Roger Bond. |
| John Med of Shitstor. | William Brend. |

Jurates of the Stannary Court of *Tavystocke.*

| | |
|--------------------------|--------------------|
| Roger Langyfford. | Ralph Eston. |
| John Cole of Peterstavy. | Roger Pagge. |
| Richard Drake. | Roger Gyll. |
| John Atwyll. | John Batcok. |
| John Stutworthy. | Walter Langisford. |
| Henry Crees. | Walter Knighton. |
| Walter Burrowe. | Martin Edward. |
| John Redeclyffe. | John Hoper. |
| John Williams. | John Gedyng, Sen. |
| John Brownsden. | Walter Glanfyld. |
| John Wattes. | William Prior. |
| John Gie of Horebrug. | Thomas Stondon. |

These lists of " Jurates " are given in the Laws and Customs of the Stannaries in the Counties of Cornwall and Devon. In two Parts, by Thos. Pearce, Gent. London, 1725.

But the spelling of the names varies considerably from that in the book printed at Tavistock in 1534. These lists being practically contemporary have been carefully followed.

Sir Walter Raleigh has already been mentioned as Warden of the Stannaries in the reign of Queen Elizabeth. He claimed in Parliament to have done much to ameliorate the condition of the working Tanners in Devon. Sir Walter's three seals are extant, copies being in the Exeter Museum, as Captain of the Royal Guard, as Warden of the Stannaries—
" Sigill: Dni: Walteri Raleigh Militis Gardian: Stannar:

Cornub : et Devon : ”—and as Governor of the Island of Jersey.

It has already been stated that tin in Devon was principally found by surface streaming, not deep mining. When surface tin was exhausted, mining in Devon declined and was far outstripped by Cornwall.

Although Courts were held at Crockerntor, the members generally adjourned to Tavistock. The last Court of which certain evidence remains was that of 1703, when Lord Granville was Warden, and the Hon. Samuel Rolle, Vice-Warden. Tanners were summoned to meet at eight o'clock in the morning of the 23rd September. The writs for the return of the jurors were addressed to the bailiffs of the Stannaries, directing them to proclaim the said parliament publicly at the accustomed and usual place. Each Stannary Court was also to be proclaimed at the accustomed place for Tuesday, the 9th September, and the bailiffs were to “summon all tanners and owners of tin and works, and adventurers in the same, and all spalyers (labourers) and other persons within your said Stannaries concerned in Tin or Tin works to be personally present ” and to choose “twenty-four of the most sufficient, able, good, and lawful men of the stannatory.”

It is clear, therefore, that the tanners of Devon were a most democratic constituency. In Cornwall the Stannators (six in number only for each Stannary) were chosen by the mayors of the Stannary towns.

The stone seats and table of the Stannators remained on Crockerntor, but, like most ancient things made of useful material, gradually disappeared. It has been said that the workmen of Judge Buller destroyed most of them ; the Rev. E. A. Bray was shown a large flat stone, which was believed to have been the table in 1800.

But the Tanners have left their mark on the Statutes of our Country, and it must never be forgotten that Liberty of Speech in Parliament was brought about by the autocratic attitude of Devonshire Tanners.

APPENDIX.

ANNO QUARTO, HENRICI OCTAVI.

AN ACT CONCERNING RICHARD STRODE, CAP. VIII.

LAMENTABLY complayneth and sheweth unto your most discrete wysedomes in this present parliament assembled. Richard Strode, gentleman of the county of Devonshyre, one of the burgeis of this honorable house, for ye burgh of Plimton in the countie aforesayd, yt where ye said Richard condescended and greed w^h other of this house, to put forth certaine billes in this present parliament against certaine

HENRICI OCTAVI.

An act concerning Richard Strode. Cap. viii.



Unmentably complayneth & sheweth vnto your most discreete wysdomes in this present parliament assembled, Richard Strode gentleman of the county of Devonshyre, one of the burges of this honorable house, for þat burge of Blimton in the countie aforesayd, þat where þat said Richard condescended and greed wth other of this house, to put forth certene bulles in this present parliament against certaine persons, named tinners in the countie aforesaid, for the reformation of þat perishing, burting, and destroying of diuers portes, hauens, and creekes, and other billes for þat comon weale of the sayd countie, the which here in this high court of parliament should and ought to be commended and created of.

persons, named tanners in the countie aforesaid, for the reformation of ye perishing, hurting, and destroying of divers portes, havens, and creekes and other billes for ye comon weale of the sayd countie, the which here in this high court of parliament should and ought to be commended and treated of.

And for because the said Richard is a tanner, for the causes and matters afore rehersed, one John Furse, tanner, under stewarde of the Steimerie in the sayd countie, in and at foure courtes of the sayd Steimerie at divers places and times before him severally holden in the sayde county, he and other have condempned the sayd Richarde in the somme of clx. li. That is to wete at every court day xl. li. and that by the procurement of the said John Furse, at the sayde foure severall courtes and lawdayes, in the sayd Steymerie by him holden, in this maner published and sayde, that the same Richard at the last parliament holden at Westminster, woulde avoyded and utterly destroyed all liberties, privileges and fraüches concerning the Steimerie: by reason whereof the sayd Richarde, uppon foure billes had and made thereof by the sayd John Furse and other, caused yt the sayd Richard was presented and founden giltie of the premisses in every of the sayde courtes in xl. li. to be loste and forfaitte by him, by reason of an acte and ordinaunce by tanners made and had at a place in the sayde countie called Crokerentor: the tenour of the which acte appeareth in Cedula to this bill annexed: to the which the sayd Richarde was never warned nor called to make answer to the premisses, contrary to al lawes, right reason, and good conscience. And for the execution of the same, one John Agwilliam upon a surmise by him made to the kinges highnes to the sayd condempnaciõ to be to his grace forfaitte, thereof attainted a bill assigned to xx. li. percel of the sayd clx. li. to be to him graunted by the sayd kyngs highnes: whereupon ye sayd John Agwilliam and other caused the sayd Richard was takē and imprysoned in a dongeon and a deepe pitte under the ground in the castel of Lidford in the sayde county, and there and els where remayned by the space of thre weekes and more, unto such time he was delivered by a writ of priviledge out of ye kings eschequere at Westminster, for that hee was one of ye collectors in the sayd countie for the fyrst of the two quindeims granted at and in this present parliamente: the which prison is one of the most annoious, contagious and detestable places wythin this realme: so that by reason of the same imprysonment he was put in great parell and jeopardy of his life, and the sayd Richard so being in pryson, and the said John Agwilliam seing the same cruell imprysonment of the sayd Richard, entreated and instantly desyred one Philip Furse

(thā being keper of the said pryson) straitly to kepe the said Richard in pryson, and to put yrons upon him to his more greater payne and jeopardy, and to give him but breade and water onely, to th entent to cause the sayd Richard to be faine to content and pay him the said xx. li. And for the same promised ye sayd keeper foure markes of money: for the which foure markes the sayd Rychard for to be eased of his yrons and peyneful imprysonment aforesayd (for savegarde of his life) promised and granted to pay the sayd keeper foure marke: whereof he payed the sayd keeper in hand xiii.s. iiii.d. And over that the sayd Richarde for to be eased of his sayde paynefull imprysonment, was also of necessity driven to be bounden to Thomas Denis, deputy unto Sir Henry Marney knight, warden of the said Steimerie, in an obligation of the somme of C. li. Upon codiciō whereof party is as hereafter followeth: that is to saye, that if the above bounden Richard Strode, defende and save harmless the sayde Thomas Denis, and to use himselfe as true prysoner, duringe the tyme it shall please the kyng to have him prysoner in the castle of Lidforde, and also to do nothing, whereby he shall in the law be deemed out of prison, and other articles comprised in the sayd condiciō, the which the sayd Richard perfectly remembreth not: wherefore the premisses by your great wysedomes tenderly considered, the said Richard humbly prayeth, that it may be ordeyned, established and enacted, by the Kynge our soveraigne lorde, and by the lords spyrituall and temporal, and the commons in this present parliament assembled, and by authority of the same, that the said condemnacion and condemnaciōs of the said cix. li. and every parcell thereof, and judgements and executions had or to be had for the premisses or any of them, to be utterly voyd against the said Richard and of none effect.

And over that be it enacted by the said auctoritie, that all suites, accusements, condemnacions, executions, fines, amerce-mentes, punishmentes, corrections, grauntes, charges, and impositions put or had, or hereafter to be put or had unto or upon the sayd Richard, and to every other of the person or persons afore specyfyed, that now be of this present parliament, or of any parliament hereafter shalbe, for any bill, speaking, reasoning, or declaring of any matter or matters, concerning the parliament to be comūned and treated of, be utterly voyde and of none effect.

And over that be it enacted by the sayd aucthority, that if ye sayd Richard Strode, or any of all the sayd other person or persons, hereafter be vexed, troubled, or otherwise charged for any causes, as is aforesaid, that thā he or they and every of them so vexed or troubled, of and for the same, to have action upon the case agaynst every such person or personnes, so

vexing or troubling any contrary to this ordinaunce and provision, in the which action the party greeved shall recover treble damages and costes. And that no protection, essoynē, nor wager of lay in the sayd action in any wyse be admitted or receyved.

BE it enquired for our soveraigne lord the king, that where as at the parliament holden at Crokerētōr, before Thomas Denis, Deputie to Syr Henry Marney knight, wardē of the Steimerie, the xiii. day of September, the secōd yere of the reigne of king Henry viii. It was ordeyned, established and enacted, that (from the day aforesayd) it shalle be lawfull for every man to digge tinne within the county of Devonshyre, in all places where as tinne may be founden. And also to carie the water to theyr workes without any let or trouble of any person or persons, according to our usages and confirmations of our charter, and according to our custome out of minde. And if any persō or personnes let, trouble, or vexe any man to digge tinne, or to cary water for the same, contrary to our olde custome and usage, and if it be founden by verdite of xii. men at the law day, he that so letteth, vexeth, or troubleth any such person or personnes, shall fall in the penaltie of xl. li. as oft as he so vexeth or troubleth : the one halfe to my lord Prince, and the other halfe to him yt was so letted, vexed, or troubled. And a Fieri facias to be awarded, as well for my lord prince as for ye party, if one Richard Strode of Plimton tinner, at the parliament holden at Westminster the fourth day of February last past, letted; vexed, and troubled one William Rede the yonger, and Elis Elforde tinner, and al other tanners in the same parliamente for digging of tinne in the severall soyle of the sayd Richard and other person contrary to this our acte made.

God save the king.