



EXTENT FOR DEBTS

ACKNOWLEDGEMENT OF DEBTS UNDER STATUTES MERCHANT AND STAPLE AND THE WRIT OF CAPIAS

The statute made at Acton Burnell, in Shropshire,⁴ was introduced to provide a quick means for merchants to recover their debts. It supplemented but did not supersede older methods of procedure by the action of debt-detinue, by writs of fieri facias and levari facias (described below),⁵ and by the law merchant. It made provision for the acknowledgement and registration of debts before the mayors of certain towns at the time at which the debts were contracted. Such acknowledgements were called recognizances. The original towns were London, York, and Bristol, but several more were added later. Among these additions was Salisbury, authorized in 1351,⁶ before whose mayor one debt in this volume (16) was acknowledged in 1356. The mayors were aided by royal clerks, each furnished with a special seal and all subsequent legislation made provision for such clerks and seals. Recognizances were to be entered upon a roll and also upon bonds sealed with the debtor's seal and the special royal seal above referred to.¹ If the debtor defaulted, the creditor could report the default to the mayor, who would order the sale of the debtor's goods and devisable burgage tenements, which were likewise deemed to be goods. If the debtor owned goods and such burgages outside the mayor's jurisdiction, the mayor would send the recognizances into Chancery whence a writ would be issued to the sheriff of the county where the goods and burgages were to be found. If there were no goods or burgages there, the debtor was to be sent to prison until a settlement had been reached. If necessary he was to be maintained at the creditor's expense, but then only on bread and water.

The following have references to Great Bedwyn:

Nicholas Homedieu, of Westbedewynde.

10 June 25 Edw. III [1351].

Non omittas, sicut alias returnable next 30 June, on account of the earl of Stafford's liberty of Kynewardeston hundred, upon an elegit sued out by Robert de Perham, to whom Nicholas acknowledged £40 . in Chancery on 4 Mar. 17 Edw. III [1343] , payable at Michaelmas then next; as William Homedieu, bailiff of the liberty, has returned no answer.

Thurs 30 June 1351.

Extent and appraisement at Bedwynde before Thomas de la Ryvere by Robert Louf, William Chamberlayn, John Baldameshale, Ellis Haynes, Henry Lyveden, Robert Tabletier, Richard Salesbury, William Rud, William Kyng, William Cok', Robert Totere, and Richard Nyweman.
No goods in Wilts.

At la Rigge: a messuage worth nothing beyond reprises; 56 acres of arable land, of which 20 acres . lie in severalty and are worth 40pence yearly (2pence an acre) and 36 lie in common and are worth 3shillings yearly (1 penny an acre; 2 acres of pasture worth 12 pence yearly; 3 acres of wood and underwood worth 6pence yearly; all held of William Chamberlayn at 1 penny rent yearly. The bailiwick of the bedelry of Kynewardeston hundred in fee worth 6 shillings and 8 pence yearly. Total 14shillings and 5 pence.

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William Changton, gentleman, of Shalbourn

3 Oct. 21 Hen. VII [1505].

Capias returnable on the morrow of the Purification next [3 Feb.], sued out by Thomas Bonham, gentleman, to whom William acknowledged 100 pounds on 7 July 18 Hen. VII [1503] before Henry Colet, knight, then mayor of the Staple of Westminster, payable at Easter then next [7 Apr.]. Like writ to the sheriff of Middlesex 13 Jan. 21 Hen. VII [1506]. Inquisition at New Salisbury before John Gawen, esquire, by Robert Bowre, William Kyng, Thomas Tarrant, John Raulens, Thomas Swevyng, John Cove, John Whelour, John Hayward, John Barley, Thomas Penycot, Henry Crede, and John Ploughman. Seised in his demesne as of fee of: the manors of Estwyke and Westcourte in Shalborne; in Shalborne, Estwyke, Westcourte, Harden, Westbedwyn, and Buttermere 16 messuages, 2 carucates and 8 virgates of land, 20 acre of meadow, 60 acres of wood and 60shillings in rents; the advowson of the chapel of the manor of Westcourt in Shalborne. Total 12 pounds. yearly. 12 Feb. 21 Hen. VII [1506]. Liberate returnable on the morrow of Ascension next [21 May]; with capias against William's body.

Endorsed. William has not been found.

Certification that the above lands were delivered on 1 Apr. 21 Hen. VII (1506)

Information courtesy of the Wiltshire Record Society