



Jones, E. T. Will of John Foster, merchant of Bristol, 6 August 1492

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Evan T. Jones (ed.), 'Will of John Foster, merchant of Bristol, 6 August 1492', The National Archives, PROB 11/9, fos. 65-66 (University of Bristol, ROSE, 2008)¹

fo. 65r.

In dei nomine amen² The vith day of the moneth of August in the yere of *our* lord god mccccclxxxii³ I John Ffoster of Bristow merchaunt being of good and hole mynde thanked be allmyghty god make ordeigne and dispose this my *present* testament conteynyng my last will in manner and forme as hereafter folowith that is to say ffirst I bequeth and Recommende my soule unto allmyghty god my maker and Redemer and to *our* lady saint mary virgine and all ~~to~~ ^{all} saintes. And my body to be buried beside the *Aulter*⁴ of the holy trinitie *within* the *parissh* church of saint werburgh virgine of Bristowe⁵ in a tome by me therto late edified⁶ in the same church at my propre cost And charge. Also I geve and bequeth to the Reparacion of the body of the said church of saint werburgh x£ *sterling* for my saide sepulcure⁷ there tobe had Also I bequeth to Sir Richard Wood *parsonne*⁸ of the same *parissh* church in Recompense of all thites⁹ And offe ringes by me forgotten or negligently with drawen xl^s Also I bequeth unto the *Cathedral* church of saint mary of worcester¹⁰ ii^s iiiii^d Also I bequeth unto the fryers of *every* house of the iiiii orders of friers mendicautes of Bristowe aforesaid x^s which extendeth in all to xl^s to this entent that all or the more *parte* of the friers of *every* of the said iiiii houses shulbe *personally present* And helping in Divine Service both at my buryng and at my moneth mynde¹¹ Also I bequeth iiiii£ *sterling* tobe distributed And disposed by the discrecions of myn executors undre named at my said buryng and moneth mynde in brede amonge poure people to pray for my soule Also I bequeth vi^s viiii^d tobe distributed and disposed in like wise amonge the poure prisoners of Newgate of Bristowe¹² Also I will that my said execturors of my goodes finde an honest *prest*¹³ to syng dayly in the chapell of myn Almshouse set in Stepestret in the *parissh* of ^{Saint} Mighell in Bristowe¹⁴ by xii yeres next ensuyng after my

¹ In transcribing this document, the following conventions were employed. The line spacing, spelling, captialization and punctuation follow the manuscript. Reconstructions of suspensions are in italics. Shillings and pence (s. and d.) are in superscript, as are insertions. Pounds (li.) are rendered as £. I would like to thank Dr James Clark and John Moore (Bristol University) and Prof Roger Leech (Southampton University), for their advice on some of the technical terms used in this document.

² 'In dei nomine amen': In the name of God, Amen.

³ 6 August 1492.

⁴ 'Aulter': Altar.

⁵ St Werburgh Church, which lay on the corner of Small Street and Corn Street. It was dismantled in 1879 and moved to a new district in north-east Bristol.

⁶ 'A tome by me therto late edified': a tomb constructed by me.

⁷ 'Sepulcure': sepulchre (burial place).

⁸ Richard Wood, Rector of St Werburgh's, 1491-1500: William Barrett, *The History and Antiquities of the City of Bristol* (Bristol, 1789), p. 481. 'Sir' was the title by which ordinary priests were addressed.

⁹ 'Thites': Presumably a mis-transcription of 'tithes'.

¹⁰ Until the Reformation, Bristol north of the Avon lay in the Diocese of Worcester.

¹¹ 'Moneth mynde': Month's Mind. A requiem mass held one month after the death or funeral of the deceased.

¹² 'Newgate of Bristowe': Bristol's town gaol.

¹³ 'Prest': priest.

¹⁴ John Foster's Almshouse, in which was located the chapel of The Three Kings of Cologne, was established by John Foster, during his life, on Steep Street (Colston's Street) in the Bristol parish of St Michael's on the Mount Without. It was rebuilt on the same site in 1702 and again in the nineteenth century: T. J. Manchee, 'Foster's Almshouse', *The Bristol Charities*, Vol. I (Bristol, 1831), pp. 80-89. In 2008 the almshouse was moved to Henbury (North Bristol) and the existing buildings were converted into private apartments.

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decesse for my soule And for the soules of Elizabeth late my wif oure fadres moders and benefactours And in especiall for the soule of James Venables paying unto the seid prest yerely for his salary iiiij^s sterlinges. Also that the same myn executors of my goodes pay and distribute wekely during xl yeres next ensuyng after my decesse amonge the poure people dwelling in xiii chambres of the saide almeshous ii^s ii^d which is for every chambre of the same xiii chambres ii^d wekly Also I will that my feoffes¹⁵ of and in all my landes and tenementes¹⁶ rentes¹⁷ reversions¹⁷ and services in Cam Slymbrugge Goslyngton and Arlingham¹⁸ in the Countie of Gloucester make or do tobe mad unto Richard Ffoster my sonne And to Kateryn his wyf a Lauffull estate by dede ended¹⁹ sufficient in the Lawe of and in landes And tenementes parcell of the said Landes and tenementes to the yerely value of ~ x marc sterling²⁰ over and above all charges and Reprises²¹ to have and to hold unto the said Richard Ffoster And Kateryn his wif and to the heyeres of the body of the same Richard Lauffully begoten And if it happen the said Richard Ffoster to dey withoute heire of his body begoten²² I woll that than all the same Landes and tenementes whereof the said estate so shalbe mad unto the saide Richard Ffoster and Kateryn be after the deth of the same Kateryn sold by myn executors undre named or by their execturors. Also I woll that my saide feoffes and their heires suffre the said Richard Ffostre And his heires of his body Lauffully begoten to maynure²³ have and hold all the Residue of the said Landes and tenementes in the foresaide Countie of Gloucestre And all Rentes Revenues issues And profittes commyng of the same to gadre²⁴ receyve and have to their propre use And if it happen the same Richard Ffoster to die withoute issue of his body Lauffully begoten than I woll that all the same landes and tenementes be sold by my said execturors or by their executours And that the money commyng of the sales of the saide Landes and tenementes be disposede in purchasing of the Kynges licence tobe mad to my said executors or their execturors or to one of them to founde in the said chapell a perpetuall chauntery of one prest to sing ther for the soules afore rehersed And in founding establisshing and endoyng²⁵ of the saide Chauntery with Landes tenementes and all other thinges that to such a Chauntery is necessary. And also in purchasing of an estate in fee simple²⁶ of and in all the ground wherupon the said all messhous with thappurtenaunces²⁷ is bilded and in discharging of all Rentes going oute of the saide almeshous and Chapell with thappurtenaunces Also I bequeth to the saide Richard Ffoster C marces in plate²⁸ and a C marke in salte and over that all householde that belongeth to the hall parlour chambre and kychyn of my hous

¹⁵ 'Feoffes': feoffs. Those possessing legal estate.

¹⁶ 'Tenementes': tenements. Property held of another by tenure.

¹⁷ 'Reversions': Rights to succeed to a property on the death of its current holder.

¹⁸ Cam, Slimbridge and Gossington lie 20 miles northeast of Bristol. Arlingham lies five miles further north.

¹⁹ 'By dede ended': by deed indented. A deed made in two or more copies, all copies having their edges correspondingly indented or serrated for identification and security.

²⁰ 'Marc': Mark. 1 Mark = 13s. 4d.

²¹ 'Reprises': charges or payments due on a property, such as rent.

²² 'To dey withoute heire of his body begoten': to die without a heir born of his body.

²³ 'Maynure'. Presumably derived from 'manurance': the tenure or occupation of a property.

²⁴ 'Gadre': gather.

²⁵ 'Endoyng': endowing.

²⁶ 'Fee simple': in absolute possession.

²⁷ 'Thappurtenaunces': the appurtenances.

²⁸ 'C marces in plate': Vessels or utensils made of silver or gold to the value of 100 marks (£66 13s. 4d.).

wherin now I dwell set in Small strete of the said town of Bristowe²⁹ Also I will that my saide executors suffre the foresaid Richard Ffoster and his heires of his body laufully begotten to have and occupie the said mesuage³⁰ wherein I dwell *with thapper* tenaunces during all the termes³¹ due and to come to me of and in the same mesuage undre this condicion that the saide Richard and his foresaide heires well and sufficiently repaire susteyne amend and mayntene the said mesuage in walles tymbre tyles dores windowes pavymentes vawtes gowtes fforeyns³² and all other necessaries to the same belonging as ofte And whan as nede shall require or els at the farthest *within* iii monthes next ensuyng after that they or any of them be therto warned by my said exectuors or by any other *persone* for them or in ther names And if the said Richard Ffoster deceesse withoute issue of his body laufully begoten then I woll that my said exectuors sell all the termes to them than due And forto com of and in the same mesuage And the money commyng of the same sale to distribute for my soule and for the soules aforehersede in workes of pitie and Charitie Also I woll that Agnes my doughter wif unto William Weston *merchaunt* have and hold during the naturall liff of the same Agnes my mesuage with thappurtenaunces sett in Cornestrete of the said towne of Bristow³³ in which mesuage the same William Weston and Agnes nowe dwellen undre this

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condicion that the same William and Agnes during the lif of the same Agnes shall sufficient ly repaire susteyne and mayntene the same mesuage as in walles tymbre dores windowes tiles pavymentes vawtes gowtes fforeyns and all other necessaries as ofte and when as nede shalbe And also that they shall pay yerely during the saide terme the quyte rentes³⁴ hereafter folowing that is to say to the prioresse and Convent of the house of saint mary magdalene of Bristowe and to their successors x^s To the abbot and Convent of Teuxbury and to their successours iiiii^{s35} And to the procuratours³⁶ of the said church of Saint Werborghe ii^s yerely And if any defaute of *reparacion* of the same mesuage be found at any tyme here aftre by my saide exectuors or by either of them or by their attorney And then if the said William Weston and Agnes his wif or either of them be warned on the half of³⁷ my said exectuors to amende the same defaultes And then if all the same defaultes of *Reparacion* of the saide mesuage so founde be not sufficiently reformed and amended at the propre costes of the said William Weston and Agnes from tyme to tyme within two monethes than next ensuyng after *every* such warnyng I woll that than Immediat ly my saide exectuors or there exectuors *enter* unto the saide mesuage and make sale of the same mesuage to such *persone* as shall please them to have unto him and to his

²⁹ Presumably 16-17 Small Street. 'In 1504 this was the house of John Walssh...Following the will of John Foster in 1492, the tenement was included in the lands demised by John Walsh to the uses of Foster's almshouse, in 1508 being described as late of Sir John Walsh': R. H. Leech, *The Topography of Medieval and Early Modern Bristol: Part I* (Bristol Record Society Publications, Vol. XLVIII), p. 157.

³⁰ 'Mesuage': messuage. A dwelling house with surrounding lands.

³¹ 'Termes': Terms. In law, an estate or interest in land for a fixed period and under fixed conditions. In this case the term was till the deaths of the beneficiaries, the condition being the satisfactory maintenance of the property.

³² 'Walles tymbre tyles dores windowes pavymentes vawtes gowtes fforeyns': walls, timber, tiles, doors, windows, pavements, vaults, gouts (drains) and foreigners (exterior space).

³³ The property is 41 Corn Street: Leech, *Topography of Medieval and Early Modern Bristol*, p. 54.

³⁴ 'Quyte rentes': Quit-rents. In this sense, a charge on, or payment from, an estate for some special purpose.

³⁵ The Priory of St. James in Bristol was a dependent cell of Tewkesbury Abbey, which may account for this bequest.

³⁶ 'Procuratours': Procurators. The official agents or financial managers of a church.

³⁷ 'On the half of': on the part of.

heires for ever Also I will that the said William Weston and Agnes his wif during the lif of the same Agnes pay yerely towards the Reparacion of my said chapell And Almeshous x^s if necessitie of Reparacion of the same so require or els not Also I woll ~ that my said execturors sell the Reversion³⁸ of the saide mesuage *with* thappertenaunces sett in Cornestrete to such *persone* as shall plesse them to have unto hym and to his heires And that the money commyng of the sale of the same mesuage with thappuertenaunces be divided into iii equall *partes* whereof I woll ii *partes* be disposed aboute the mayntenaunce of the said almeshous And the iii^{de} *parte* of the said iii *partes* I woll be applied to the profit of the said church of Seint Werburgh. / Item I bequethe unto the said Agnes my daughter xl£ in plate and xl£ in salte Item I bequeth to either of³⁹ Robert and Richard sonnes of the said Richard Ffoster such some of money or other goodes as to myn executours shalbe thought convenient Also I bequethe to John Walsh esquire a saltsaler with a covering of silver half gilt⁴⁰ and unto John Esterfeld *merchaunt* all myn estate and terme now forto come of and in a mesuage with thaapurtenaunces set in Smalstrete aforesaid wherin Edward Dawes *merchaunt* nowe dwellith And also of and in a gardyn lying in a Lane called saint leonardes lane⁴¹ which the saide John Esterfeld nowe occupied to have unto the same John Esterfeld unto thende and accomplishment of all my terme in the same mesuage and garden nowe due forto come⁴² Also I bequeth unto Robert Bolten my best gowne of Scarlet *with* the furre in the same a cup of silver and v£ in money nombrede⁴³ And to William Adams my *servant* v£ in money a Cup of silver and cloth for a gown of violet colour The Residue of all my ~ goodes and Catalles⁴⁴ if any remayne over and beside the contentacion of my dettes⁴⁵ that I owe and the payment and *performyng* of my legacies and bequestes in this my *present* testament expressed I geve holy unto the saide John Walsh and John Esterfeld to have unto them as their propre goodes for evermore which John Walsh and ^{John} Esterfeld I make ordeigne and name of this my *present* testament executours. And I bequeth to either of them for his Laboure and attendaunce tobe had in execucion of the same xx£ *sterling* And one cup of silver overgilt⁴⁶ In wittenesse whereof to this my *present* testament I have set my seale the day and yere above saide//

Probate was granted on 15 September 1492.⁴⁷

³⁸ 'Reversion': the right to succeed to a property on the death of the grantee.

³⁹ 'To either of': to each of the two.

⁴⁰ 'A saltsaler with a covering of silver half gilt': a silver salt-cellar partially gilded in gold plate.

⁴¹ Presumably one of the gardens lying on the east side of the lane: Leech, *Topography of Medieval and Early Modern Bristol*, p. 142.

⁴² This implies that Foster had only a fixed-term lease in this property, which Esterfeld would now hold until the expiration of the lease.

⁴³ 'Money numbered': in ready money.

⁴⁴ 'Goodes and Catalles': 'goods and chattels'.

⁴⁵ 'Contentacion of my dettes': Contentation (i.e. satisfaction) of my debts.

⁴⁶ 'Overgilt': gilded all over with gold plate.

⁴⁷ Since probate was granted less than six weeks after the will was written it is likely that Foster was aware that he was dying at the time he wrote this will.