

A Lifetime for Justice

1373 Great Charter of Liberties

Learning resource

This pack accompanies the **Lifetime for Justice timeline booklet** and focuses on the 1373 Great Charter of Liberties.



Illustration by Willem Hampson

This pack

This pack contains background information and questions to develop students' thinking around historical changes that have impacted local governance and which roles have power today.

Includes:

- An exercise with primary and secondary resources
- Questions to consider
- Glossary of legislation

Key learning points

- What the Great Charter of Liberties was
- Interrogating and translating primary sources
- Key roles in civic life and what they have the power to do
- Using contemporary sources to understand the Charter's legacy and governance systems in Bristol
- Definitions of key glossary terms.

Scholarly rationale

The Charter gave Bristol county and city status. Bristol was the first provincial town to be given this status. 2023 is the 650th anniversary of the signing of the 1373 Great Charter of Liberties.

Curricular rationale

This lesson is an opportunity for Bristol area schools explore a significant moment of law and governance in action. It is also an opportunity to mark a significant city anniversary in 2023. KS3 History (AQA BB Britain Power and People; Edexcel Crime and Punishment in Britain c.1000 to present).

The Great Charter of Liberties, 8 August 1373

In 1373, Bristol became an independent county. Before this, Bristol was divided geographically and administratively by the River Avon. The parishes to the west and north of the river lay in Gloucestershire, while those to the south were in Somerset. The charter of 1373 gave Bristol and its suburbs jurisdiction independent from those county authorities, making it a county in its own right. Courts sat in Bristol, so people didn't need to go to the towns of Gloucester or Ilchester (Somerset) for Quarter Sessions (local courts held at four set times each year). The Great Charter of Liberties was granted by Edward III.

Exercise

Get into pairs / small groups and look through the translation of the Charter.

Questions

The Charter makes several declarations. Highlight where you find the sentences that declare:

- Bristol be for ever in future alike separated and in all respects exempted from the said counties of Gloucester and Somerset both by land and by water, and that it be a county by itself;
- The Mayor shall be escheator;
- One Sheriff to be chosen annually;
- The Sheriff will hold court once a month; The Mayor will hold his court;
- The Mayor shall be sworn before his predecessor and not before the constable of the castle;
- The Mayor and Sheriff may determine causes and hear and determine felonies;
- Pleas in the Tolzey court still to be held before the steward;
- The Mayor shall have power to recognise deeds;
- The Mayor and Sheriff shall have power to levy fines;
- The Mayor and Sheriff may receive probate of wills and may put them in execution;
- The town shall not send more than two men to Parliament;
- The Mayor and sheriff may choose 40 men as a Council who shall have power to levy rates and taxes;
- Persons who are disobedient to the ordinances shall be punished.

Bristol has changed since 1373, although some of the words and job titles are similar.

- Use <https://highsheriffs.com> to research:
 - What is the role of a High Sheriff today?
 - Who is the current High Sheriff of Bristol?

- Use <https://www.bristol.gov.uk/council-and-mayor/mayor-of-bristol/types-of-mayor> to research:
 - How many types of mayor does Bristol currently have?
 - What do each of them do?
- Use <https://www.bristol.gov.uk/council-and-mayor/mayor-of-bristol/bristol-city-youth-council-and-youth-mayors> to research:
 - Who are the current Youth Mayors?
 - What is in the Bristol City Youth Council manifesto?

Glossary of words and terms

Burgesses: Burgess was a British title used in the medieval and early modern period to designate someone of the Burgher class. It originally meant a freeman of a borough or burgh but later came to mean an official of an area or a representative in the House of Commons.

Eschaetor: Local official responsible for 'escheats' – which is where the land belonging to someone who has died without any living relatives is passed to the monarch.

Charter: A document recording grants of land or property or rights and liberties to individuals and groups. They were issued by lords throughout society, including the king. The Magna Carta is another example of a royal charter.

Cocket: A document issued by a customs officer.

Court of Tolzey: The Tolzey Court was a court with local civil authority held in Bristol. It was originally held in a room on Corn Street but later moved to the Guildhall on Broad Street.

Justices itinerant: Judges who were sent with commissions into certain counties to try cases. Itinerant means travelling from place to place.

Ilchester: A town and parish on the River Yeo, five miles north of Yeovil, in the county of Somerset. It was the county town of Somerset until the nineteenth century.

Sheriff: A person who represents the Crown in a particular county, with administrative and judicial responsibilities.

Progenitors: Ancestors in the direct line.

Other session ideas

Explore Medieval Bristol with a walk around Bristol's Old City: <https://bristololdcity.co.uk/old-city-heritage-trail>

Visit M Shed to see a copy of the 1373 Royal Charter: <https://www.bristolmuseums.org.uk/m-shed/whats-at/bristol-places/>

Further information and links

The charter was transcribed and translated in *Bristol Charters, 1155-1373* (Bristol Record Society Vol 1 – J/BRS/1), ed. N D Harding, pp. 118-141, and is available as a PDF on the Bristol Record Society website:

<http://www.bristol.ac.uk/Depts/History/bristolrecordsociety/publications.htm>



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8th August, 47 Edward III, [1373].

Edward, by the grace of God, King of England and France and Lord of Ireland, to Archbishops, Bishops, Abbots, Priors, Dukes, Earls, Barons, Justices, Sheriffs, Reeves, Bailiffs, Ministers and all other his faithful people, greeting. Know ye that whereas by the charters as well of our progenitors, formerly Kings of England, which we have confirmed with licet¹ clauses, as [by] ours, divers liberties and quittances have been granted for ever to our beloved burgesses of our town of Bristol and their heirs and successors, as in the same charters is more fully contained. We, at the supplication of our beloved Mayor and commonalty of the town aforesaid, truly asserting the same town to be situate partly in the County of Gloucester and partly in the County of Somerset; and although the town aforesaid from the towns of Gloucester and Ilchester, where the county-courts, assizes, juries and inquisitions are taken before our Justices and other Ministers in the Counties aforesaid, is distant by thirty leagues of a way deep in winter time especially and perilous to travellers, the burgesses, nevertheless, of the said town of Bristol are on many occasions bound to be present at the holding of the county-courts and at the taking of the assizes, juries and inquisitions aforesaid, by which they are sometimes prevented from paying attention to the management of their shipping and merchandise, to the lowering of their estate and the manifest impoverishment of the same town. Willing for the improvement of the said town of Bristol and also in consideration of the good behaviour of the said burgesses towards us and of their good service given

us in times past by their shipping and other things and for six hundred marks which they have paid to us ourselves into our Chamber, of which we will that no one be charged towards us, to provide more amply and abundantly for the said burgesses and their heirs and successors conveniently and quietly, of our special grace, by the deliberation and assent of the learned men of our council assisting us, we have granted and by this our charter have confirmed for us and our heirs to the said burgesses and their heirs and successors for ever, that the said town of Bristol with its suburbs and the precinct of the same according to the limits and bounds, as they are limited, shall be separated henceforth from the said Counties of Gloucester and Somerset equally and in all things exempt, as well by land as by water, and that it shall be a County by itself and [be] called the County of Bristol for ever; and that the said burgesses and their heirs and successors for ever shall have within the said town of Bristol and the suburbs of the same and their precinct by the limits and bounds, as they are limited, the liberties and quittances below written and they shall fully enjoy and use them, namely:— That every Mayor of the same town of Bristol for the time being shall thereby and as soon as he has been elected Mayor in the same place, be Eschaetor of us and our heirs in the town of Bristol, the suburbs and precinct aforesaid. And that the said burgesses and commonalty and their heirs and successors for ever shall have one Sheriff in the same town, suburbs and precinct, which Sheriff, indeed, shall be elected and made annually in the form underwritten, namely, the said burgesses and commonalty every year shall elect from themselves three persons whose names, under the common seal of the said town of Bristol they shall send annually into the Chancery of us and our heirs, for ever; and from the three we and our heirs or the council of us and our heirs in our and their name shall elect and by our letters patent under our great seal shall make one every year for ever as Sheriff of the said town of Bristol, the suburbs and precinct, to continue for one year only. So always that the same Eschaetor and Sheriff shall answer for the issues arising from those offices to us and our heirs at the Exchequer of us and our heirs aforesaid. And that at any future time there shall by no means be any other Eschaetor or Sheriff in the said town, suburbs or precinct, except only of themselves, as is premised. And that

the same Sheriff and Eschaetor of Bristol shall have the same power, jurisdiction and liberty and whatsoever else to the offices of Sheriff and Eschaetor pertaining in the same town of Bristol, the suburbs and precinct, which other Sheriffs and Eschaetors elsewhere have within our realm of England. And that the same Sheriff of Bristol shall hold his County-court in the same place from month to month on a Monday as other Sheriffs in the same realm hold their County-courts. And that the said Mayor shall similarly hold his Court in the same place and shall receive the profits thereof for the use of the commonalty of the same town of Bristol for all time as heretofore was accustomed to be done. And that no Sheriff, Eschaetor or other Minister of the Counties aforesaid shall enter that town or the suburbs or precinct aforesaid to exercise any office within the same town, suburbs and precinct. And that the said Sheriff and Eschaetor of Bristol for the time being shall be able to make and account their proffers every year before the Treasurer and Barons of the Exchequer of us and our heirs by the attorneys of the Sheriff and the Eschaetor deputed for this by letters patent signed under the common seal of the same town of Bristol, concerning whatsoever things whereof they were accountable touching the offices of Sheriff and Eschaetor. And that the attorneys aforesaid shall be admitted to make and render such proffers and accounts by the same Treasurer and Barons according to the force and effect of the letters aforesaid, without that the same Sheriff and Eschaetor or their successors shall be compelled to come without the said town to account concerning anything belonging to their offices. And that every Mayor of the said town of Bristol, who for the time shall be, immediately after his election shall make his oath before his last¹ living predecessor, who was Mayor of the same town, in the Guildhall of the said town of Bristol before the commonalty of the same town as well for the office of Mayoralty as for the office of Eschaetor, without that he shall be presented henceforth to the Constable of our Castle of the said town of Bristol or accepted by the same as heretofore was accustomed to be done. And that the Sheriff of the same town of Bristol, when he has been elected and made, as is premised, shall similarly make his oath by writ of *Dedimus potestatem*² before the Mayor of the said town of Bristol, which writ, indeed, we will to be granted without any difficulty in the Chancery of us

and our heirs for the time being, for this cause:—So that they shall in no wise be compelled to make their oaths anywhere without the town aforesaid before any other or in any manner but always that there shall be certification of the name of the Eschaetor aforesaid each year at the Exchequer of us and our heirs under the common seal of the said town of Bristol. And that the same Mayor and Sheriff of Bristol and their successors for ever shall have power to enquire, hear and determine as well by writs of us and our heirs as by bills and complaints at the suit of us and our heirs and also at the suit of the party as suit is attributed to the party by law concerning all manner of evil-doings, transgressions, disturbances against the peace, champerties, conspiracies, confederations, ambidextries, extortions, oppressions, falsifications and other misprisions whatsoever done or to be done within the town, suburbs and precinct aforesaid and concerning victuallers, workers, labourers and artificers within the same town, suburbs and precinct, as often as they shall see it right to be done, and to punish such transgressors by fines and amercements and imprisonments of their bodies and to make due execution of judgments given by them hereupon. Saving always to us and our heirs the said fines and amercements and other things belonging to us thereupon. Of which fines, indeed, amercements and other things so to us thereupon belonging, estreats shall be delivered by the said Mayor and Sheriff under their seals every year on the Morrow of Saint Michael at the Exchequer of us and our heirs. And, similarly, that the same Mayor and Sheriff of Bristol and their successors for ever shall have power to inquire concerning whatsoever felonies in the said town of Bristol, the suburbs and precinct, done or to be done; and of arresting within the same town of Bristol, the suburbs and precinct, all those who by inquisitions made in this behalf have been indicted and to commit them to the gaol or prison of us and our heirs of the same town of Bristol to remain in the same gaol or prison until they shall be delivered by the Justices of us and our heirs assigned and to be assigned for delivering the gaol of the said town of Bristol, of which Justices, the Mayor of the said town of Bristol for the time being shall be one, according to the law and custom of our said realm of England in the Court of us and our heirs of the same

shall be made to us and our heirs of the profits arising thereof, by the Ministers or others who shall receive the same profits in the name of us and our heirs as was right and was heretofore accustomed to be done. So that the Justices of us and our heirs assigned to take assizes, juries and certificates or other inquisitions in the said Counties of Gloucester and Somerset, or the Justices of us or our heirs of one Bench or of another, or the Justices of us or our heirs of oyer and terminer or for keeping our peace or for taking or making other inquisitions whatsoever, or the Sheriffs and Escheators of the said Counties of Gloucester and Somerset, or any other Justice or Minister of us or our heirs whatsoever shall not have cognizance or jurisdiction concerning any tenures being within the said town of Bristol, the suburbs and precinct, or concerning contracts, covenants, accounts, debts, transgressions, pleas, complaints or any other thing whatsoever done or to be done, arising or to arise within the town, suburbs and precinct aforesaid, cases where error has intervened to the Justices itinerant of us and our heirs and the Justices assigned for delivering the gaol of the said town of Bristol in the manner which is abovesaid, and also inquisitions and determinations of the customs and subsidies of wools, hides, woolfells and of other customs and subsidies of us and our heirs, by Cocket or otherwise, to us and our heirs pertaining by grant of our faithful people and subjects, and those which pertain to the said Court of the Tolzey only excepted; nor shall they be assigned in the same town of Bristol, the suburbs and precinct; nor shall they intermeddle in anything of whatsoever estate or condition the parties petitioning or holding, complaining or defending shall be. But that hereafter the Mayor and Sheriff of the said town of Bristol, who for the time shall be, forever shall have power and jurisdiction to hear and determine all the aforesaid pleas and complaints in the form abovesaid. Cases where error intervenes to the Justices itinerant of us and our heirs and the Justices assigned for delivering the gaol of the said town of Bristol as is aforesaid, and also inquisitions and determinations of the customs and subsidies of wools, hides,

woolfells and of other customs and subsidies of us and our heirs, by Cocket or otherwise, to us and our heirs pertaining by grant of our faithful people and subjects, and those which pertain to the said Court of the Tolzey as is aforesaid, only excepted. And, furthermore, we have granted and confirmed for us and our heirs to the said burgesses and their heirs and successors for ever, that the said Mayor of the town of Bristol, for the time being, shall have power to receive and record recognizances of charters and other writings whatsoever touching lands and tenements, rents and other tenures within the same town, suburbs and precinct, made by whatsoever persons (married women excepted) in full Court in the Guildhall of the same town. So that such charters and writings, duly recognized and enrolled in the rolls of the Guildhall of the same town of Bristol, shall be from that time of record towards [all] persons whatsoever, as both charters and writings recognized and enrolled in our Chancery or in other our Courts. And that when whatsoever original writs whether of covenant or others, between any parties concerning whatsoever lands, tenements, rents and other tenures being within the same town of Bristol, the suburbs and precinct, for levying a fine thereupon hereafter shall be obtained in the Chancery of us and our heirs, the Mayor and Sheriff of the same town of Bristol, for the time being, shall have cognizance thereof, and before them in full Court in the Guildhall of the said town of Bristol, a fine thereupon shall be levied by force of whatsoever such writ for a reasonable sum of money to be paid by those parties, as the usage is, for licence to accord to the use of us and our heirs, due course of law being observed. And thereupon, in the same place, as in our Court concerning fines levied in the same, there shall be full execution. So that the said Mayor and Sheriff shall cause their estreats to be delivered on this behalf, every year on the Morrow of Saint Michael under their seals at the Exchequer of us and our heirs by their attorneys. And that the same Mayor and Sheriff and their successors for ever shall have power to receive probates of wills of lands, tenements, rents and tenures within the said town of Bristol, the suburbs and precinct, bequeathed within two years after the death of the testator. So

that such wills and bequests, proclaimed in full Court of the Guildhall of the said town of Bristol and enrolled in the rolls of the same Court, after such proclamation and enrolment, shall be of record and from that time the same Mayor and Sheriff and their successors shall have power to put the bequests aforesaid into execution by their ministers in form of law or by due process made before them by writ *ex gravi querela* at the prosecution and election of whomsoever wills to prosecute. And, also, we have granted and confirmed for us and our heirs to the said burgesses and their heirs and successors for ever that all writs of us and our heirs, as well original as judicial, and other precepts and, mandates touching as well us and our heirs as others whatsoever, which shall happen henceforth to issue from the Chancery, Exchequer and Bench of us and our heirs and also from Common Bench and other Courts of us and our heirs, or under the seals of the Justices itinerant of us and our heirs, the Justices of oyer and terminer or other Justices of us and our heirs whatsoever, concerning whatsoever lands, tenements, rents, tenures, possessions, goods and chattels, being in the said town of Bristol, the suburbs and precinct, and contracts, covenants, accounts, debts, transgressions or other things whatsoever within the same town of Bristol, the suburbs and precinct, done or to be done, arising or to arise; which writs, indeed, precepts and mandates, if the above said separation of the said town of Bristol, with its suburbs and their precinct, from the aforesaid Counties of Gloucester and Somerset had not been made, or the present liberties to the aforesaid burgesses by us in the form aforesaid, had not been granted, ought to have been directed to the Sheriffs, Eschaetors and Coroners of the said Counties of Gloucester and Somerset conjointly or separately, shall be directed to the aforesaid Sheriff, Eschaetor and Coroners of Bristol, for the time being, conjointly or separately as is convenient, and not otherwise, henceforth for all time, according to the nature of the writs, precepts and mandates of the same by the same Sheriff, Eschaetor and Coroners of Bristol to be duly executed as pertains to the offices of Sheriff, Eschaetor and Coroners. And, furthermore, we have granted for us and our heirs to the aforesaid burgesses and their heirs and successors for ever that the said

town of Bristol to a certain degree should not be burdened to send to the Parliaments of us and our heirs except two men only as was hitherto accustomed to be done, which two men, indeed, as well as Knights of the County of Bristol as as burgesses of the town and Borough of Bristol, shall be held to answer for the same County, Town and Borough in those Parliaments. And that if in any customs or ordinances had and used or newly arising in the said town of Bristol, the suburbs and precinct, there shall be difficulties or defects, to which a remedy is not as yet applied, the same Mayor and Sheriff and their successors by assent of the commonalty of the town of Bristol, the suburbs and precinct aforesaid, shall be able to elect successively from time to time, forty men of the better and more worthy men of the town, suburbs and precinct of the same, which Mayor, indeed, Sheriff and forty men, for the time being, by their common assent shall have power to ordain and establish a competent remedy in the cases beforesaid that shall be consonant to reason and useful for the commonalty aforesaid and others resorting to the town of Bristol aforesaid. And that the said Mayor, Sheriff and forty men and their successors for the necessities and profits touching the said town of Bristol, the suburbs and precinct, by their common assent upon the goods of all the men of the town of Bristol, the suburbs and precinct aforesaid, of everyone according to his estate as well upon his rents as for his mysteries and merchandise and otherwise, as they shall see best to be done, shall be able to assess tallages and to levy them without impeachment of us or our heirs, Justices or other Ministers of us and our heirs whatsoever. So that the monies thereof arising shall remain in the keeping of two worthy men of the same town of Bristol, the suburbs and precinct, elected on this behalf by common assent, and shall be expended out of the keeping of the said two men for the necessities and profits of the said town of Bristol, the suburbs and precinct, when need shall be ; which two men, indeed, shall be accountable thereof before the Mayor of Bristol, for the time being, and others deputed for this by the commonalty of the said town of Bristol. And if anyone of the said town of Bristol, the suburbs or precinct, shall be hereafter rebellious and disobedient and unwilling to conform to the ordinances of the said Mayor and Sheriff and forty men aforesaid, who for the time

shall be, and also if any shall be leaders of fellowships, procurators, abettors or maintainers to lead such fellowships to make debates and impediments from whence discords should arise between the commonalty of the said town of Bristol and the said Mayor, Sheriff and other Ministers who have the keeping of the peace of us and our heirs and the rule of the same town ; or to make debates and discord upon the election of the Mayor, Sheriff or other Minister of the said town, suburbs and precinct ; or to discharge any ordinances which by common assent, as is premised, and for the profit and necessity of the said town of Bristol, the suburbs and precinct, are established and ordained or shall be ordained, they shall be immediately chastised¹ in due manner by the Mayor and Sheriff of the said town of Bristol, for the time being, according to the quantity and quality of the offence, according to the law and custom of our said realm of England. And also we have granted for us and our heirs to our burgesses before said that besides the liberties and quittances aforesaid already granted by us to the same burgesses, as is premised, and notwithstanding our said grants or any things in the same contained, the said burgesses and their heirs and successors for ever shall have all other liberties and quittances to them formerly granted as well by our progenitors as by us, and also all other their customs and all profits thereupon arising, and they shall fully enjoy and use them as they and their predecessors always hitherto, from the time at which the same other liberties and quittances were so granted to the same burgesses by our said progenitors or by us, or otherwise from the time of which there is no memory to the contrary, have been accustomed to have the said other liberties, quittances and customs together with the profits thereupon arising and to use and enjoy them without let or impediment of us or our heirs, Justices, Eschaetors, Sheriffs or other Bailiffs or Ministers of us or our heirs whatsoever. Wherefore we will and firmly command for us and our heirs that the aforesaid burgesses and their heirs and successors shall have all and singular the liberties and quittances abovesaid and shall fully enjoy and use them and each of them for ever in the form

abovesaid. These being witnesses : the reverend fathers William, Archbishop of Canterbury, Primate of all England, William, Bishop of Winchester, John, Bishop of Bath and Wells, William, Bishop of Worcester, Edmund, Earl of Canterbury, Edmund, Earl of March, John Knyvet, the Chancellor, Richard Lestrop, the Treasurer, William Latimer, our Chamberlains and others. Given by our hand at Woodstock on the eighth day of August in the forty-seventh year of our reign of England but in the thirty-fourth of our reign of France.

Duplicated.

Faryngton.

[*On the outside of the fold at the lower edge*] Examined by Robert de Faryngton, clerk.

[*Endorsed in the same hand*] This charter is allowed and enrolled in the Common Bench before William de Fyncheden and his fellows, Justices of the Lord the King of the same Bench in Michaelmas term in the forty-seventh year of the reign of King Edward the third from the conquest, in the roll 296.

[*Endorsed in a contemporary hand*] The Charter of Lord Edward the third granted to the burgesses of Bristol, that the town of Bristol shall be a County by itself, with divers other liberties.

[*In a later hand*] In the 47th year: Ed: 3, 8th August.

[*In a yet later hand*] [Richard *struck through*] Edward third
1373.

Translation from Bristol Charters 1155-1373 (Bristol Record Society Vol I - J/BRS/1) pp. 118-141 which is available as a PDF on the Bristol Record Society website.