

John Taverner and Rose Taverner: Actions in the Court of Common Pleas

All documents referenced are in the National Archives, Kew, Richmond, London.

John Taverner

1. John Robynson v. John Taverner, 1526

John Taverner agrees to transfer to John Robynson, chaplain, the possession of three dwellings in Boston that he had inherited from his father, George.¹ Although this John Taverner is not certainly identifiable with the composer, the location of the dwellings is strongly suggestive. Thomas Fyssh is the court official who acted as the common vouchee. Theobald Grene is a fictitious individual invented solely for the purpose of presenting the equally fictitious complaint of disseisin (that is, wrongful dispossession).

CP 40/1049, rot. 123 dorse

(Hilary term, 1526)

http://aalt.law.uh.edu/AALT3/H8/CP40no1049/bCP40no1049dorses/IMG_0232.htm

Common recovery.

Lincolnia ¶ Johannes Robynson capellanus per Edmundum Waren attornatum suum petit versus Johannem Tauerner filium & heredem Georgij Tauerner tria mesuagia cum pertinentibus in Boston vt ius & hereditatem suam et in que idem Johannes non habet ingressum nisi post disseisinam quam Theobaldus Grene inde iniuste & sine iudicio fecit prefati Johanni Robynson post primam &c Et vnde dicit quod ipsemet fuit seisinatus de mesuagijs predictis cum pertinentibus in dominico suo vt de feodo & iure tempore pacis tempore Domini Regis nunc capiendo inde explecia ad valenciam &c et in que &c Et inde producit sectam &c

Et predictus Johannes Tauerner in propria persona sua venit et defendit ius suum quando &c Et vocat inde ad warrenciam Thomam Fyssh qui presens est hic in curia in propria persona sua Et gratis mesuagia predicta cum pertinentibus ei warrantizat &c Et super hoc predictus Johannes Robynson petit versus ipsum Thomas tenentem per warrantiam suam mesuagia predicta cum pertinentibus in forma predicta &c Et vnde dicit quod ipsemet fuit seisitus de mesuagijs predictis cum pertinentibus in dominico suo vt de foedo & iure tempore pacis tempore Domini Regis nunc capiendo inde explecias ad valenciam &c et in que &c Et inde producit sectam &c

Et predictus Thomas Fyssh tenens per warranciam suam defendit ius suum quando &c Et dicit quod predictus Theobaldus non disseisivit prefatum Johannem Robynson de mesuagijs predictis cum pertinentibus prout idem Johannes per breue & narrationem sua predictam superius supponit Et de hoc ponit se super patriam &c

Et predictus Johannes Robynson petit licenciam inde interloquendi Et habet &c Et postea idem Johannes reuenit hic in curiam isto eodem termino per attornatum suum ^{predictum} Et

¹ A John Robynson, rector of Bucknall, nine miles north of Tattershall, was sued by John Coke in Easter term 1544: TNA CP 40/1121, rot.670. Boston had had a prominent merchant named John Robynson (d.1526), who had been an alderman of the Gild of the Blessed Virgin in 1520–2, and by his will left substantial real estate to the gild: Pishey Thompson, *The History and Antiquities of Boston* (Boston: John Noble jnr, 1856) 139–41.

predictus Thomas licet solempniter exactus non reuenit set in contemptum curie recessit & defaultam facit Ideo consideratum est quod *predictus* Johannes Robynson recuperet seisinam suam versus *prefatum* Johannem Tauerner de mesuagijs *predictis* cum *pertinentibus* et quod idem Johannes [Taverner] habeat de terra *predicti* Thome ad valenciam &c Et idem <*margin: misericordia*> Thomas in *misericordia* &c

[Lincolnshire ¶ John Robynson, chaplain, through Edmund Warren, his attorney, demands against John Taverner, son and heir of George Taverner, three messuages with the appurtenances in Boston as his right and inheritance, and into which the same John [Taverner] does not have entry except after the disseisin which Theobald Grene thereof unjustly and unlawfully has done to the aforesaid John Robynson after the first etc. And whereupon he says that he himself was seised of the aforesaid messuages with the appurtenances in his demesne as of fee and right in time of peace in the time of the present Lord King by taking the profits thereof to the value, etc. and into which, etc. And thereupon he brings suit, etc.

And the aforesaid John Taverner comes in person and defends his right when, etc. And further he vouches to warranty thereof Thomas Fyssh, who is present here in court in person. And he [Fyssh] freely warrants the aforesaid messuages with the appurtenances to him [Taverner], etc. And thereupon the aforesaid John Robynson demands against the same Thomas, holding by his warranty the aforesaid messuages with the appurtenances in the aforesaid manner, etc. And wherefore he says that he himself was seised of the aforesaid messuages with the appurtenances in his demesne as of fee and right in time of peace, in the time of our present Lord King, by taking the profits thereof to the value, etc. and into which, etc. And thereupon he brings suit, etc.

And the aforesaid Thomas Fyssh, holding to his own warranty, defends his right when, etc. And says that the aforesaid Theobald did not disseise the said John Robynson of the aforesaid messuages with the appurtenances as the same John by his aforesaid writ and declaration above supposes. And of this he puts himself upon the country, etc.

And the aforesaid John Robynson craves leave to imparl. And he has it, etc. And afterwards the same John [Robynson] comes again here in court in this same term by his aforesaid attorney. And the aforesaid Thomas, although solemnly called, does not come again but has departed in contempt of court and makes default. Therefore it is decided that the aforesaid John Robynson should recover his seisin against John Taverner of the aforesaid messuages with the appurtenances and that the same John [Taverner] should have land of the aforesaid Thomas to the value, etc. And the same <*margin: mercy*> Thomas in *mercy*, etc.]

2. John Taverner v. Thomas Sersey, 1526

This entry dates from January or February 1526. Whether this John Taverner was the musician is uncertain: only the fact that Sersey was a Boston cleric suggests the link. From 25 March 1526, the composer was on the payroll of Cardinal College, Oxford.² This could perhaps explain why the case did not proceed any further.

CP 40/1049, rot. 465 dorse
(Hilary term, 1526)

http://aalt.law.uh.edu/AALT3/H8/CP40no1049/bCP40no1049dorses/IMG_0834.htm

Capias stage.

² Roger Bowers, 'John Taverner', *Oxford Dictionary of National Biography*, <https://www.oxforddnb.com/view/10.1093/ref:odnb/9780198614128.001.0001/odnb-9780198614128-e-27004?> (accessed 17 April 2022).

Lincolnia ¶ Johannes Taverner per attornatum suum optulit se iiiij^{to} die versus Thomam Sersey nuper de Boston in comitatu predicto clericum de placito quod reddat ei quadraginta solidos quos ei debet & iniuste detinet &c [viz. ut dicitur] Et ipse non venit Et preceptum fuit vicecomiti quod summoneret eum &c [viz. si inventus fuisset in balliva sua et salvo custodiret] Et vicecomes modo mandat quod nichil habet &c [viz. unde potest summoneri] Ideo capiatur quod sit hic a die Pasche in xv dies

[Lincolnshire ¶ John Taverner appeared through his attorney on the fourth day against Thomas Sersey, lately of Boston in the aforesaid county, clerk, concerning a plea that he render to him forty shillings that he owes to him and unjustly withholds, etc. [viz. as he says.] And he did not come. And the sheriff was commanded that he summon him, etc. [viz. if he was found in his bailiwick, and safely keep him.] And the sheriff now declares that he has nothing, etc. [viz. wherewith he could be summoned.] Therefore let him be seized that he be here on the quindene of Easter Day.³]

3. Edmund Rouse v. John Taverner, 1537–38

Edmund Rouse, gentleman, of Ipswich, Suffolk, sued John Taverner of Boston for two hundred marks (£133 6s. 8d.). So far as is known, the action did not proceed beyond the exigent stage.

CP 40/1095, rot. 25 dorse
(Michaelmas term, 1537)

http://aalt.law.uh.edu/H8/CP40no1095/cCP40no1095dorses/IMG_9597.htm
Capias stage, subsequently annotated with sicut prius and sicut pluries stages.

Lincolnia ¶ Edmundus Rouse gentyllman alias dictus Edmundus Rouse de Yppeswyche gentyllmane in comitatu Suffolkie per attornatum suum optulit se iiiij^{to} die versus Johannem Taverner nuper de Boston in comitatu predicto gentyllman alias dictum Johannem Taverner de Boston in comitatu Linconl diensis [sic?]⁴ Gentyllman de placito quod reddat ei ducentas marcas quas ei debet & iniuste detinet &c [viz. ut dicitur] Et ipse non venit Et preceptum fuit vicecomiti quod summoneret eum &c [viz. si inventus fuisset in balliva sua et salvo custodiret] Et vicecomes modo mandat quod nichil habet &c [viz. unde potest summoneri] Ideo capiatur quod sit hic in crastino Animarum &c / [viz. ad respondendum Domino Regi de diversis articulis super ipsum presentatis] [Later addition] Ad quem diem predictus Edmundus per attornatum suum optulit se iiiij^{to} die versus prefatum Johannem de predicto placito &c Et ipse non venit Et preceptum fuit vicecomiti quod caperet eum &c [viz. si inventus fuisset in balliva sua et salvo custodiret] Et vicecomes modo mandat quod non est inuentus &c [viz. in balliva sua] Ideo sicut prius capiatur quod sit hic a die Sancti Martini in xv dies &c [viz. ad respondendum Domino Regi de diversis articulis super ipsum presentatis] Ad quem diem predictus Edmundus per attornatum suum optulit se iiiij^{to} die versus prefatum Johannem de predicto placito &c Et ipse non venit Et sicut prius preceptum fuit vicecomiti quod caperet eum &c [viz. si inventus fuisset in balliva sua et salvo custodiret] Et vicecomes modo mandat quod non est inuentus &c [viz. in balliva sua] Ideo sicut pluries capiatur quod sit hic a die Sancti Hillarij in xv dies &c / [viz. ad respondendum Domino Regi de diversis articulis super ipsum presentatis]

³ Quindene: The fifteenth day after a festival (counting the festival as the first day).

⁴ Probably a garbling of ‘Lincolniensis’. The ‘diensis’ appears to be distinct from the word apparently reading ‘dioecesis’ that appears in Rose Taverner’s actions against Anthony Robertson below.

[Lincolnshire ¶ Edmund Rouse, gentleman, otherwise called Edmund Rouse of Ipswich, gentleman, in the county of Suffolk, appeared through his attorney on the fourth day against John Taverner, lately of Boston in the aforesaid county, gentleman, otherwise called John Taverner of Boston in the county of Lincoln, gentleman, concerning a plea that he render to him two hundred marks that he owes to him and unjustly withholds, etc. [viz. as he says.] And he did not come. And the sheriff was commanded that he summon him, etc. [viz. if he was found in his bailiwick, and safely keep him.] And the sheriff now declares that he has nothing, etc. [viz. wherewith he could be summoned.] Therefore let him be seized that he be here on the morrow of All Souls, etc. [viz. to respond to the Lord King concerning various articles presented to him.] [Later addition] On which day the aforesaid Edmund appeared through his attorney on the fourth day against the aforesaid John concerning the aforesaid plea, etc. And he did not come. And the sheriff was commanded that he seize him, etc. [viz. if he was found in his bailiwick, and safely keep him.] And the sheriff now declares that he is not found, etc. [viz. in his bailiwick.] Therefore, as before, let him be seized that he be here within fifteen days of St Martin's day, etc. [viz. to respond to the Lord King concerning various articles presented to him.] On which day the aforesaid Edmund appeared through his attorney on the fourth day against the aforesaid John concerning the aforesaid plea, etc. And he did not come. And, as before, the sheriff was commanded that he seize him, etc. [viz. if he was found in his bailiwick, and safely keep him.] And the sheriff now declares that he is not found, etc. [viz. in his bailiwick.] Therefore, as often before, let him be seized that he be here on the quindene of St Hilary's day, etc. [viz. to respond to the Lord King concerning various articles presented to him.]]

CP 40/1096, rot. 63
(Hilary term, 1538)

http://aalt.law.uh.edu/H8/CP40no1096/aCP40no1096fronts/IMG_1681.htm

Exigi facias stage.

Lincolnia ¶ Edmundus Rouse gentilman alias dictus Edmundus Rouse de Yppeswyche gentyllmane in comitatu Suffolkie per Thomam Sherman attornatum suum optulit se iiii^{to} die versus Johannem Taverner nuper de Boston in comitatu predicto gentilman alias dictum Johannem Taverner de Boston in comitatu Linconl diensis [sic?] gentyllman de placito quod reddat ei ducentas marcas quas ei debet & iniuste detinet &c [viz. ut dicitur] Et ipse non venit Et sicut pluries preceptum fuit vicecomiti quod caperet eum si &c [viz. inventus fuisset in balliva sua] Et saluo &c [viz. custodiret] Ita quod haberet corpus eius hic ad hunc diem scilicet a die Sancti Hillarij in xv dies &c Et vicecomes modo mandat quod non est inuentus &c [viz. in balliva sua] Ideo preceptum est vicecomiti quod exigi faciat eum de comitatu in comitatum quousque &c [viz. secundem legem et consuetudinem regni nostri Anglie] vtlagetur si non &c [viz. compaverit] Et si &c [viz. compaverit] tunc eum capiat Et saluo &c [viz. custodiret facias] ita quod habeat corpus eius hic a die Sancti Michaelis in tres septimanas Et vnde &c [viz. vicecomes returnavit tali die quod predicti Johannem non fuerit inventus in balliva sua] Et sciendum est quod breue inde justiciarij hic in curia isto eodem termino liberaverunt Ricardo Ogle deputato vicecomitis comitatus predicti in forma juris exequendum &c.

[Lincolnshire ¶ Edmund Rouse, gentleman, otherwise called Edmund Rouse of Ipswich, gentleman, in the county of Suffolk appeared through Thomas Sherman, his attorney, on the fourth day against John Taverner, lately of Boston in the aforesaid county, gentleman, otherwise called John Taverner of Boston in the county of Lincoln, gentleman, concerning a plea that he render to him two hundred marks that he owes to him and unjustly withholds, etc. [viz. as he says.] And he did not come. And, as often before, the sheriff was commanded that he seize him,

etc. [viz. if he was found in his bailiwick] and safely, etc. [viz. keep him] so that he might have his body here on this day, namely on the quindene of St Hilary's day, etc. And the sheriff now declares that he is not found, etc. [viz. in his bailiwick.] Therefore the sheriff was commanded that he cause him to be called from county court to county court until, etc. [viz. according to the law and custom of our realm of England,] he be outlawed if [he do] not, etc [viz. appear]. And if, etc. [viz. he appear,] then let him seize him and safely, etc. [viz. keep him] that he have his body here three weeks from St Michael's day. And whence, etc. [viz. the selfsame sheriff has returned on such day that the aforesaid John is not found in his bailiwick.] And be it known that the justices here in court in this same term have delivered to Richard Ogle, deputy of the sheriff of the aforesaid county, the writ to be executed in the form of the law, etc.]

4. Henry Foys v. John Taverner, 1540–41

On 13 June 1523 Taverner was in Horsham, Sussex, where he bought a gelded horse from Foys for £6 13s. 4d. The two had agreed that the money would become payable when Taverner married. In 1525, as a lay clerk at Tattershall, Taverner claimed to have the prospect of a good marriage. It would seem that his move to Oxford prevented that marriage taking place and that, consequently, Foys remained unpaid. Taverner eventually married Rose Copley at Boston on 10 September 1539, upon which Foys claimed payment for the horse. Taverner's attorney disputed the debt. The court agreed that in Michaelmas term Taverner should appear in person to wage his law, meaning that he should appear with eleven compurgators who would take an oath in his support of his innocence, thus neutralising any verdict of the jury.⁵ The plea roll does not record where the trial was to take place and contains no record of the verdict.

CP 40/1105, rot. 257
(Easter term, 1540)

http://aalt.law.uh.edu/H8/CP40no1105/aCP40no1105fronts/IMG_0499.htm

Sicut prius *stage*.

Sussexia ¶ Henricus Foys per attornatum suum optulit se iiiij^{to} die versus Johannem Tauerner nuper de Boston in comitatu Lincolnie gentilman de placito quod reddat ei sex libras tresdecim solidos & quatuor denarios quos ei debet & iniuste detinet &c Et ipse non venit Et preceptum fuit vicecomiti quod summoneret eum &c Et vicecomes modo mandat quod nichil habet &c Ideo capiatur quod sit hic in crastino Ascencionis Domini &c Ad quem diem hic venit predictus Henricus per attornatum suum [et] optulit se iiiij^{to} die versus prefatum Johannem de predicto placito Et ipse non venit Et preceptum fuit vicecomiti quod caperet eum &c Et vicecomes modo mandat quod non est inuentus &c Ideo sicut prius capiatur quod sit hic in octabis Sancte Trinitatis &c

[Sussex ¶ Henry Foys appeared through his attorney on the fourth day against John Taverner, lately of Boston in the county of Lincoln, gentleman, concerning a plea that he render to him six pounds thirteen shillings and fourpence which he owes to him and unjustly withholds, etc. And he did not come. And the sheriff was commanded to summon him, etc. And the sheriff now declares that he has nothing, etc. Therefore let him be seized that he be here on the morrow of the [feast of the] Lord's Ascension, etc. On which day the aforesaid Henry came here through his attorney and appeared on the fourth day against the aforesaid John concerning the aforesaid plea, etc. And he did not come. And the sheriff was commanded that he seize him, etc. And the

⁵ Marjorie Blatcher, *The Court of King's Bench 1450–1550* (London: The Athlone Press, 1978), 59.

sheriff now declares that he is not found, etc. Therefore, as before, let him be seized that he be here on the octave of Trinity Sunday, etc.]

CP 40/1106, rot. 71
(Trinity term, 1540)

http://aalt.law.uh.edu/H8/CP40no1106/aCP40no1106fronts/IMG_0121.htm

Sicut pluries stage.

Sussexia ¶ Henricus Foys per attornatum suum optulit se iiiij^{to} die versus Johannem Tauerner nuper de Boston in comitatu Lincolnie gentilman de placito quod reddat ei sex libras tresdecim solidos & quatuor denarios quos ei debet & iniuste detinet &c Et ipse non venit Et sicut prius preceptum fuit vicecomiti quod caperet eum &c Et vicecomes modo mandat quod non est inuentus &c Ideo sicut pluries capiatur quod sit hic in crastino sancti Johannis Baptiste &c

[Sussex ¶ Henry Foys appeared through his attorney on the fourth day against John Taverner, lately of Boston in the county of Lincoln, gentleman, concerning a plea that he render to him six pounds thirteen shillings and fourpence which he owes to him and unjustly withholds, etc. And he did not come. And, as before, the sheriff was commanded that he seize him, etc. And the sheriff now declares that he is not found, etc. Therefore, as often before, let him be seized that he be here on the morrow of St John Baptist, etc.]

CP 40/1106, rot. 87
(Trinity term, 1540)

http://aalt.law.uh.edu/H8/CP40no1106/aCP40no1106fronts/IMG_0149.htm

Exigi facias stage. Unusually, the award of the writ is dated: 29 June [1540].

Sussexia ¶ Henricus Foys per Matheum Kellett attornatum suum optulit se iiiij^{to} die versus Johannem Tauerner nuper de Boston in comitatu Lincolnie gentilman de placito quod reddat ei sex libras tresdecim solidos & quatuor denarios quos ei debet & iniuste detinet &c Et ipse non venit &c Et sicut pluries preceptum fuit vicecomiti quod caperet eum si &c et saluo &c ita quod haberet corpus eius hic ad hunc diem scilicet in crastino Sancti Johannis Baptiste &c Et vicecomes modo mandat quod non est inuentus &c Ideo preceptum est vicecomiti quod exigi faciat eum de comitatu in comitatum quousque &c vtlagetur si non &c Et si &c tunc eum capiat et saluo &c ita quod habeat corpus eius hic in octabis Sancti Martini Et vnde &c Et per statutum &c preceptum est <margin: Lincolnia> vicecomiti Lincolnie quod in pleno comitatu suo proclamari faciat tribus separalibus diebus vnde vna proclamatio predictarum fiat ad generalem sessionem in partibus de Boston predicto tenendam quod predictus Johannes se reddat prefato vicecomiti Sussexie ita quod idem vicecomes habeat corpus eius hic ad prefatum terminum ad respondendum prefato Henrico de predicto placito Et sciendum est quod breue inde justiciarij hic xxix^o die Junij isto eodem termino deliberauerunt Antonio Irby deputato vicecomitis Lincolnie in forma iuris exequendum &c

[Sussex ¶ Henry Foys appeared through Matthew Kellett, his attorney, on the fourth day against John Taverner, lately of Boston in the county of Lincoln, gentleman, concerning a plea that he render to him six pounds thirteen shillings and fourpence which he owes to him and unjustly withholds, etc. And he did not come, etc. And, as often before, the sheriff was commanded that he seize him, etc. and safely, etc. so that he might have his body here on this day, namely the morrow of St John the Baptist, etc. And the sheriff now declares that he is not found, etc. Therefore the sheriff is commanded that he cause him to be called from county court to county

court until, etc. he be outlawed if [he do] not, etc. and if, etc., then let him seize him and safely, etc. so that he might have his body here on the octave of St Martin. And whence, etc. And according to the statute, etc. the sheriff of Lincolnshire is commanded that he should cause [this] to be proclaimed in his full county court on three separate days, of which one proclamation should be made to a quarter session in the region of Boston aforesaid, that the same John should surrender himself to the aforesaid sheriff of Sussex, so that the same sheriff might have his body here at the aforesaid term to respond to the aforesaid Henry concerning the aforesaid plea. And be it known that the justices here the twenty-ninth day of June in this same term have delivered to Anthony Irby, deputy of the sheriff of Lincolnshire, the writ to be executed in the form of the law, etc.]

CP 40/1110, rot. 525
(Trinity term, 1541)

http://aalt.law.uh.edu/H8/CP40no1110/aCP40no1110fronts/IMG_8028.htm

Pleading.

Sussexia ¶ Johannes Taverner nuper de Boston in comitatu Lincolnie gentilman summonitus fuit ad respondendum Henrico Foys de placito quod reddat ei sex libras tresdecim solidos & quatuor denarios quos ei debet & iniuste detinet &c Et vnde idem Henricus per Matheum Kellett attornatum suum dicit quod cum predictus Johannes tercio decimo die Junij anno regni Domini Regis nunc quinto decimo apud Horsham emisset de eodem Henrico quendam equum castratum pro predictis sex libris tresdecim solidis & quatuor denarijs soluendis eidem Henrico ad diem solemnisactionis nuptiarum predicti Johannis Predictusque Johannes postea videlicet decimo die Septembris anno regni Domini Regis nunc tricesimo primo cepit in vxorem quandam Rosam Copley apud Boston in comitatu Lincolnie per quod accio accreuit eidem Henrico ad exigendum & habendum de prefato Johanne predictos sex libras tresdecim solidos & quatuor denarios Predictus tamen Johannes licet sepius requisitus predictos sex libras tresdecim solidos & quatuor denarios eidem Henrico non dum reddidit set illas ei hucusque reddere contradixit & adhuc contradicit vnde dicit quod deterioratus est & dampnum habet ad valenciam quadraginta solidorum Et inde producit sectam &c

Et predictus Johannes per Ricardum Ogle attornatum suum venit et defendit vim & iniuriam quando &c Et dicit quod ipse non debet eidem Henrico predictos sex libras tresdecim solidos & quatuor denarios nec aliquem denarium inde in forma qua idem Henricus superius versus eum narravit Et hoc paratus est defendere contra ipsum & sectam suam prout curia Regis hic conciderauerit Ideo concideratum est quod predictus Johannes vadiet ei inde legem suam se duodecima manu plegij de lege Johannes Den Ricardus Fen Et veniat cum lege sua hic a die Sancti Michaelis in xv dies Et dictum est prefato attornato predicti Johannis quod tunc habeat hic eundem Johannem magistrum suum in propria persona sua ad perficiendum legem suam predictam &c

[Sussex ¶ John Taverner, lately of Boston in the county of Lincoln, gentleman, was summoned to respond to Henry Foys concerning a plea that he render to him six pounds thirteen shillings and fourpence which he owes to him and unjustly withholds, etc. And wherefore the same Henry, through Matthew Kellett, his attorney, says that whereas the aforesaid John on the thirteenth day of June in the fifteenth year of the reign of the present lord king [1523] at Horsham bought a certain gelding for the aforesaid six pounds thirteen shillings and fourpence to be paid to the same Henry on the day of the solemn nuptials of the aforesaid John. And the aforesaid John afterwards, namely on the tenth day of September in the thirty-first year of the reign of the present lord king [1539], took to wife a certain Rose Copley at Boston in the county of Lincoln, whereby an action accrued to the same Henry to demand and to have from the

aforesaid John the aforesaid six pounds thirteen shillings and fourpence. However the aforesaid John, although often requested, has not yet paid the aforesaid six pounds thirteen shillings and fourpence to the same Henry, but has even to this time refused to pay it and still refuses, wherefore he [Henry] says that he is the worse and has damage to the value of forty shillings. And thereupon he brings suit, etc.

And the aforesaid John, through Richard Ogle, his attorney, comes and defends the force and injury when, etc. And he says he does not owe the said Henry the aforesaid six pounds thirteen shillings and fourpence, nor any penny thereof in the form in which the said Henry has declared above against him. And he is ready to defend himself against him and his suit as the court of the King here will have decided. Therefore it is decided that the aforesaid John shall wage his law twelve-handed. Pledges for his law: John Den, Richard Fen. And he is to appear here with his law on the quindene of St Michael's day. And the aforesaid attorney of the aforesaid John is instructed that he then have here the same John, his master, in person, to perform his aforesaid law, etc.]

CP 40/1110, rot. attornati 15
(Trinity term, 1541)

http://aalt.law.uh.edu/H8/CP40no1110/aCP40no1110fronts/IMG_8365.htm
http://aalt.law.uh.edu/H8/CP40no1110/aCP40no1110fronts/IMG_8366.htm

Appointments of attorneys relating to the above pleading.

Sussexia ¶ Henricus Foys ponit loco suo Matheum Kellett versus Johannem Tauerner nuper de Boston in comitatu Lincolnie gentyلمان de placito debiti

...

Lincolnia ¶ Johannes Tauerner nuper de Boston in comitatu Lincolnie gentyلمان ponit loco suo Ricardum Ogle versus Henricum Foys de placito debiti

[Sussex ¶ Henry Foys puts in his stead Matthew Kellett against John Taverner, lately of Boston in the county of Lincoln, gentleman, concerning a plea of debt.

...

Lincolnshire ¶ John Taverner, lately of Boston in the county of Lincoln, gentleman, puts in his stead Richard Ogle against Henry Foys concerning a plea of debt.]

5. Transfer of a dwelling in Boston from John Dormer, Agnes Dormer and John Sutton to John Taverner, 1541

Presumably this John Taverner is the composer, here buying a dwelling in Boston. The documents show that he paid 6s. 8d. to the court and twenty marks (£13 6. 8d.) to the Dormers and Sutton for the purchase of the property. This was one of three messuages that the Dormers and Sutton were selling. The following two entries on this rotulus detail their other two transactions with, respectively, John Stevynson and Henry Foxe. Foxe, like Taverner, became an alderman of Boston in 1545.

CP 40/1110, rot. 200
(Trinity term, 1541)

http://aalt.law.uh.edu/H8/CP40no1110/aCP40no1110fronts/IMG_7398.htm

Final concord.

Lincolnia ¶ Johannes Taverner dat Domino Regi sex solidos & octo denarios pro licencia concordandi cum Johanne Dormer & Agnete vxore eius & Johanne Sutton de placito conuencionis de vno messuagio cum pertinencijs in Boston Et habet cirrographum per pacem admissam coram Johanne Baldwyn milite justiciario in patria

[Lincolnshire ¶ John Taverner gives to the Lord King six shillings and eightpence for a licence to agree with John Dormer and Agnes his wife and John Sutton in a plea of covenant for one dwelling house with everything pertaining to it in Boston. And he has a chirograph for peaceful admittance granted before Sir John Baldwin, justice of the country.]

CP 25/2/26/170/33HENVIIIITRIN

(Trinity term, 1541)

Foot of fine.

Hec est finalis concordia facta in curia domini Regis apud Westmonasterium in crastino sancte Trinitatis anno regnorum Henrici octauai Dei gracia Anglie & Francie Regis fidei defensoris domini hibernie & in terra supremi capitis Anglicane ecclesie a conquestu tricesimo tercio coram Johanne Baldwyn Willelmo Shelley Thoma Willughby & Cristofero Jenney Justiciarios & alijs domini Regis fidelibus tunc ibi presentibus /-

Inter Johannem Taverner querentem et Johannem Dormer & Agnetem vxorem eius & Johannem Sutton deforciantes de vno mesuagio cum pertinencijs in Boston vnde placitum conuencionis summonitum fuit inter eos in eadem curia scilicet quod predicti Johannes Dormer & Agnes & Johannes Sutton recognouerunt predictum mesuagium cum pertinencijs esse ius ipsius Johannis Taverner vt illud quod idem Johannes habet de dono predictorum Johannis Dormer & Agnetis & Johannis Sutton Et illud remiserunt & quietumclamauerunt de ipsis Johanne Dormer & Agnete & Johanne Sutton & heredibus ipsius Johannis Dormer predicto Johanni Taverner & heredibus suis imperpetuum Et preterea ijdem Johannes Dormer & Agnes & Johannes Sutton concesserunt pro se & heredibus ipsius Johannis Dormer quod ipsi warantizabunt predicto Johanni Taverner & heredibus suis predictum mesuagium cum pertinencijs contra omnes homines imperpetuum Et pro hac recognicione remissione quietaclamacione warantia fine & concordia idem Johannes Taverner dedit predictis Johanni Dormer & Agneti & Johanni Sutton viginti marcas argenti /

Lincolnia

[Dorse]

Secundum formam statuti

Prima proclamacio facta fuit xxx die Junij termino sancte Trinitatis anno xxxiiij Regis infrascripti ij proclamacio ij die Julij eodem termino iij proclamacio iij die Julij eodem termino iiij proclamacio vj die Julij eodem termino Quinta proclamacio facta fuit xxij die Nouembris termino sancti Michaelis xxx[iij] Regis infrascripti vj proclamacio xxiiij die Nouembris eodem termino vij proclamacio xxvj die No[uem]bris eodem termino viij proclamacio xxviiij die Nouembris eodem termino ix proclamacio facta fuit vij die Februarij termino sancti Hillarij anno xxxiiij Regis infrascripti x proclamacio ix die Februarij eodem termino xj proclamacio xj die Februarij eodem termino xij proclamacio xiiij die Februarij eodem termino xiiij proclamacio facta fuit xiiij die Maij termino Pasche anno xxxiiiiij Regis infrascripti xiiiiij proclamacio xv die Maij eodem termino xv proclamacio xix die Maij eodem termino xvj proclamacio xxij die Maij eodem termino

[This is the final agreement made in the court of the Lord King at Westminster on the morrow of Trinity Sunday in the thirty-third year of the reign of Henry the eighth since the conquest, by the grace of God King of England and France, Defender of the Faith, Lord of Ireland and on

earth Supreme Head of the Church of England, before John Baldwin, William Shelley, Thomas Willughby and Christopher Jenney, Justices, and others faithful to the Lord King then there present, between John Taverner, querent,⁶ and John Dormer and Agnes his wife and John Sutton, deforciant,⁷ of one messuage with the appurtenances in Boston, whereupon a plea of covenant was summoned between them in the same court, namely that the aforesaid John Dormer and Agnes and John Sutton have acknowledged the aforesaid messuage with the appurtenances to be the right of the said John Taverner as that which the same John has by the gift of the aforesaid John Dormer and Agnes and John Sutton. And this they have remised⁸ and quitclaimed⁹ from the said John Dormer and Agnes and John Sutton and the heirs of the said John Dormer to the aforesaid John Taverner and his heirs in perpetuity. And moreover the said John Dormer and Agnes and John Sutton have granted for him and for the heirs of the said John Dormer that they will warrant to the aforesaid John Taverner and his heirs the aforesaid messuage with the appurtenances against all men in perpetuity. And for this recognizance, remise, quitclaim, warrant, fine and agreement the same John Taverner gives to the aforesaid John Dormer and Agnes and John Sutton twenty marks of silver.

Lincoln

[Dorse]

According to the Form of the Statute

The first proclamation was made on 30 June in Trinity term in the thirty-third [regnal] year of the within-named King [1541], the second proclamation on 2 July in the same term, the third proclamation on 4 July in the same term, the fourth proclamation on 6 July in the same term. The fifth proclamation was made on 22 November in Michaelmas term in the thirty-third year of the within-named King, the sixth proclamation on 24 November in the same term, the seventh proclamation on 26 November in the same term, the eighth proclamation on 28 November in the same term. The ninth proclamation was made on 7 February in Hilary term in the thirty-third year of the within-named King [1541/2], the tenth proclamation on 9 February in the same term, the eleventh proclamation on 11 February in the same term, the twelfth proclamation on 13 February in the same term. The thirteenth proclamation was made on 13 May in Easter term in the thirty-fourth year of the within-named King [1542], the fourteenth proclamation on 15 May in the same term, the fifteenth proclamation on 19 May in the same term, the sixteenth proclamation on 22 May in the same term.]

Rose Taverner

1. Arthur Hewer v. Rose Taverner, 1546

The John Copley mentioned in this action is most likely Rose's late husband (d. April 1538), who is known to have been a dyer. Arthur Hewer may be the man of that name who occasionally appeared as an attorney in cases laid in the Norfolk area. Possibly he was claiming unpaid fees incurred in acting for John Copley.

CP 40/1129, rot. 266
(Trinity term, 1546)

http://aalt.law.uh.edu/aalt1/H8/CP40no1129/aCP40no1129fronts/IMG_0518.htm

Capias stage.

⁶ Querent, n.: a complainant, a plaintiff: *OED*.

⁷ Deforciant, n.: a person who deforces another or keeps him wrongfully out of possession of an estate: *OED*.

⁸ Remise, v.: to give up, surrender, transfer or release: *OED*.

⁹ Quitclaim, v.: to declare (a person) free, to release, acquit or discharge: *OED*.

Norffolcia ¶ Arthurus Hewer in propria persona sua optulit se iiij^{to} die versus Rosam Taverner nuper de Boston in comitatu Lincolnie viduam executricem testamenti Johannis Copley nuper dicti Johannis Copley de eadem in eodem comitatu dyer de placito quod reddat ei quadraginta libras quas ei iniuste detinet &c Et ipsa non venit Et preceptum fuit vicecomiti quod summoneret eam &c Et vicecomes modo mandat quod nichill habet &c Ideo capiatur quod sit hic in octabis Sancti Michaelis &c

[Norfolk ¶ Arthur Hewer appeared in person on the fourth day against Rose Taverner, lately of Boston in the county of Lincoln, widow, executrix of the testament of John Copley, lately called John Copley of the same in the same county, dyer, concerning a plea that she render to him forty pounds that she unjustly withholds from him, etc. And she did not come. And the sheriff was commanded that he summon her, etc. And the sheriff now declares that she has nothing, etc. Therefore let her be seized that she be here on the octave of St Michael, etc.]

CP 40/1130, rot. 225 dorse
(Michaelmas term, 1546)

http://aalt.law.uh.edu/aalt1/H8/CP40no1130/bCP40no1130dorses/IMG_2069.htm

Sicut pluries stage. No sicut prius stage has been found in the plea rolls.

Norffolcia ¶ Arthurus Hewer in propria persona ^{sua} optulit se iiij^{to} die versus Rosam Taverner nuper de Boston in comitatu Lincolnie viduam executricem testamenti Johannis Copley nuper dicti Johannis Copley de eadem in eodem comitatu dyer de placito quod reddat ei quadraginta libras quas ei iniuste detinet &c Et ipsa non venit Et preceptum fuit vicecomiti quod caperet eam &c Et vicecomes modo mandat quod non est inuenta &c Ideo sicut prius capiatur quod sit hic a die Sancti Michaelis in vnum mensem &c Ad quem diem hic venit predictus Arthurus in propria persona sua Et optulit se iiij^{to} die versus prefatam Rosam de predicto placito Et ipsa non venit Et ^{sicut} prius preceptum fuit vicecomiti quod caperet eam &c Et vicecomes modo mandat quod non est inuenta &c Ideo sicut pluries capiatur quod sit hic in octabis Sancti Martini &c /

[Norfolk ¶ Arthur Hewer appeared in person on the fourth day against Rose Taverner, lately of Boston in the county of Lincoln, widow, executrix of the testament of John Copley, lately called John Copley of the same in the same county, dyer, concerning a plea that she render to him forty pounds that she unjustly withholds from him, etc. And she did not come. And the sheriff was commanded that he seize her, etc. And the sheriff now declares that she is not found, etc. Therefore, as before, let her be seized that she be here one month from St Michael's day, etc. On which day the aforesaid Arthur came here in person and appeared on the fourth day against the aforesaid Rose concerning the aforesaid plea. And she did not come. And, as before, the sheriff was commanded that he seize her, etc. And the sheriff now declares that she is not found, etc. Therefore, as often before, let her be seized that she be here on the octave of St Martin, etc.]

CP 40/1130, rot. 384 dorse
(Michaelmas term, 1546)

http://aalt.law.uh.edu/aalt1/H8/CP40no1130/bCP40no1130dorses/IMG_2358.htm

Exigi facias stage. The scribe penned this entry as if the defendant were male. He erased vtlagetur and replaced it with waiuietur, but did not correct the other male forms, so that, for example, the sheriff is commanded 'quod caperet eum' instead of 'quod caperet eam'. For suspended words we have supplied female endings, but we have not corrected the errors.

Norffolcia ¶ Arthurus Hewer in propria persona sua optulit se iiiij^{to} die versus Rosam Taverner nuper de Boston in comitatu Lincolnie viduam executricem testamenti Johannis Coply nuper dicti Johannis Coply de eadem in eodem comitatu deyer de placito quod reddat ei quadraginta libras quas ei debet & iniuste detinet &c Et ipse non venit Et sicut pluries preceptum fuit vicecomiti quod caperet eum si &c et saluo &c ita quod haberet corpus eius hic ad hunc diem scilicet in octabis Sancti Martini &c Et vicecomes modo mandat quod non est inuenta &c Ideo preceptum est vicecomiti quod exigi faciat eum de comitatu in comitatum quousque &c wauietur si non &c Et si &c tunc eum capiat et saluo &c ita quod habeat corpus <margin: Lincolnia> eius hic a die Pasche in vnum mensem Et vnde &c Et per statutum &c preceptum est vicecomiti Lincolnie quod in pleno comitatu suo proclamari faciat tribus separalibus diebus vnde vna proclamatio predictarum fiat ad generalem sessionem in partibus de Boston predicto tenendam quod predicta Rosa se reddat prefato vicecomiti Norffolcie ita quod idem vicecomes habeat corpus eius hic ad prefatum terminum ad respondendum prefato Arthuro de predicto placito Et sciendum est quod breue inde justiciarij hic in curia isto eodem termino deliberauerunt Johanni Dyon deputato vicecomitis predicti comitatus Lincolnie in forma iuris exequendum &c

[Norfolk ¶ Arthur Hewer appeared in person on the fourth day against Rose Taverner, lately of Boston in the county of Lincoln, widow, executrix of the testament of John Copley, lately called John Copley of the same in the same county, dyer, concerning a plea that she render to him forty pounds that she owes to him and unjustly withholds, etc. And she did not come. And, as often before, the sheriff was commanded that he seize her, etc. and safely, etc., so that he have her body here on this day, namely on the octave of St Martin, etc. And the sheriff now declares that she is not found and, etc. Therefore the sheriff is commanded that he cause her to be called from county court to county court until, etc., she be waived if [she do] not, etc. And if, etc. then let him seize her and safely, etc. so that he might have her body <margin: Lincolnshire> here one month from Easter Day. And whence, etc. And according to the statute, etc. the sheriff of Lincolnshire is commanded that he should cause [this] to be proclaimed in his full county court on three separate days, of which one proclamation should be made to a quarter session held in the region of Boston aforesaid, that the same Rose should surrender herself to the aforesaid sheriff of Norfolk, so that the selfsame sheriff might have her body here at the aforesaid term to respond to the aforesaid Arthur concerning the aforesaid plea. And be it known that the justices here in court in this same term have delivered to John Dyon, deputy of the sheriff of the aforesaid county of Lincoln, the writ to be executed in the form of the law, etc.]

2. Rose Taverner v. Alice Leeke & Nicholas Garratt, 1547

In 1547 Rose Taverner sued Alice Leeke, widow, and Nicholas Garratt, husbandman, both of Bicker, Lincs, for a debt of £6 13s. 4d. Action appears to have ceased after the sicut pluries capiatur stage in Trinity term 1547: there is no exigi facias entry in the Michaelmas term roll.

CP 40/1132, rot. 182 dorse
(Easter term, 1547)

http://aalt.law.uh.edu/aalt1/H8/CP40no1132/bCP40no1132dorses/IMG_1303.htm

Sicut prius stage.

Lincolnia ¶ Rosa Taverner de Boston in comitatu predicto vidua alias dicta Rosa Taverner administratrix bonorum & catallorum que fuerunt Johannis Taverner qui obiit intestatus vt dicitur nuper dicti Johannis Taverner de Boston predicta per attornatum suum optulit se iiiij^{to} die versus Aliciam Leeke nuper de Byker in comitatu predicto viduam Et versus Nicholaum

Garratt nuper de Byker in comitatu predicto husbondman de placito quod vterque eorum reddat ei sex libras tresdecim solidos & quatuor denarios quos ei iniuste detinent &c Et ipsi non venerunt Et preceptum fuit vicecomiti quod summoneret eos &c Et vicecomes modo mandat quod nichil habent &c Ideo capiantur quod sint hic a die Pasche in quinque septimanas &c / Ad quem diem hic venit predicta Rosa per attornatum suum predictum et optulit se iiiij¹⁰ die versus prefatos Aliciam & Nicholaum de predicto placito &c Et ipsi non venerunt Et preceptum fuit vicecomiti quod caperet eos &c Et vicecomes modo mandat quod non sunt inuenti &c Ideo sicut prius capiantur quod sint hic in crastino Sancte Trinitatis &c /

[Lincolnshire ¶ Rose Taverner of Boston in the aforesaid county, widow, otherwise called Rose Taverner, administratrix of the goods and chattels which belonged to John Taverner, who died intestate, as it is said, lately called John Taverner of Boston aforesaid, appeared through her attorney on the fourth day against Alice Leeke, lately of Bicker¹⁰ in the aforesaid county, widow, and against Nicholas Garratt, lately of Bicker in the aforesaid county, husbandman, that each of them render to her six pounds, thirteen shillings and fourpence which they unjustly withhold from her, etc. And they did not come. And the sheriff was commanded that he summon them, etc. And the sheriff now declares that they have nothing, etc. Therefore let them be seized that they be here five weeks from Easter Day, etc. On which day the aforesaid Rose came here through her aforesaid attorney and appeared on the fourth day against the aforesaid Alice and Nicholas concerning the aforesaid plea, etc. And they did not come. And the sheriff was commanded that he seize them, etc. And the sheriff now declares that they are not found, etc. Therefore, as before, let them be seized that they be here on the morrow of Trinity Sunday, etc.]

CP 40/1133, rot. 77 dorse
(Trinity term, 1547)

http://aalt.law.uh.edu/aalt1/E6/CP40no1133/bCP40no1133dorses/IMG_1642.htm

Sicut pluries stage.

Lincolnia ¶ Rosa Taverner de Boston in comitatu predicto vidua alias dicta Rosa Taverner administratrix bonorum & catallorum que fuerunt Johannis Taverner qui obiit intestatus &c nuper dicti Johannis Taverner de Boston predicta per attornatum suum optulit se iiiij¹⁰ die versus Aliciam Leeke nuper de Byker in comitatu predicto viduam Et versus Nicholaum Garrett nuper de Byker in comitatu predicto husbondman de placito quod vterque eorum reddat ei sex libras tresdecim solidos & quatuor denarios quos ei debent & iniuste detinent &c Et ipsi non venerunt Et sicut prius preceptum fuit vicecomiti quod caperet eos &c Et vicecomes modo mandat quod non sunt inuenti &c Ideo sicut pluries capiantur quod sint hic a die Sancte Trinitatis in tres septimanas &c /

[Lincolnshire ¶ Rose Taverner of Boston in the aforesaid county, widow, otherwise called Rose Taverner, administratrix of the goods and chattels which belonged to John Taverner, who died intestate, etc., lately called John Taverner of Boston aforesaid, appeared through her attorney on the fourth day against Alice Leeke of Bicker in the aforesaid county, widow, and against Nicholas Garratt, lately of Bicker in the aforesaid county, husbandman, that each of them render to her six pounds, thirteen shillings and fourpence which they owe to her and unjustly withhold, etc. And they did not come. And, as before, the sheriff was commanded that he seize them, etc. And the sheriff now declares that they are not found, etc. Therefore, as often before, let them be seized that they be here three weeks from Trinity Sunday, etc.]

¹⁰ A village about nine miles from Boston.

3. Rose Taverner v. Elizabeth Glover, 1547

In this case, Rose is acting as executrix for her son, John Copley, beer brewer, concerning a debt of £16 owed to him by Elizabeth Glover of Spalding.

CP 40/1133, rot. 516

(Trinity term, 1547)

http://aalt.law.uh.edu/aalt1/E6/CP40no1133/aCP40no1133fronts/IMG_0970.htm

Capias stage.

Londonia ¶ Rosa Tavernar vidua executrix testamenti Johannis Copley alias dicti Johannis Copley de Boston berebruar per attornatum suum optulit se iiiij^{to} die versus Elizabeth Glover nuper de Spaldyng in comitatu Lincolnie spynster de placito quod reddat ei sexdecim [sic] libras quas ei iniuste detinet &c Et ipsa non venit Et preceptum fuit vicecomitibus quod summonerent eam &c Et vicecomites modo mandant quod nichill habet &c Ideo capiatur quod sit hic in octabis Sancti Michaelis &c

[London ¶ Rose Taverner, widow, executrix of the will of John Copley, otherwise called John Copley of Boston, beer brewer, appeared through her attorney on the fourth day against Elizabeth Glover, lately of Spalding in the county of Lincoln, spinster, concerning a plea that she render to her sixteen pounds that she unjustly withholds from her, etc. And she did not come. And the sheriffs were commanded that they summon her, etc. And the sheriffs now declare that that she has nothing, etc. Therefore let her be seized that she be here on the octave of St Michael, etc.]

4. Rose Taverner v. Anthony Robertson, 1549

5. Rose Taverner v. Anthony Robertson & William Kydd, 1549

In Hilary term 1549, Rose Taverner launched two concurrent debt actions: one against Anthony Robertson of Boston for 80s and one against Robertson and William Kydd for £20. Robertson contested the debt of £20 in the Court of Chancery.

CP 40/1139, rot. 605 dorse

(Hilary term, 1549)

http://aalt.law.uh.edu/aalt1/E6/CP40no1139/bCP40no1139dorses/IMG_2419.htm

Capias stage: Taverner v. Robertson for a debt of 80s.

(For the sicut pluries stage, see the next entry but one.)

Londonia ¶ Rosa Tauerner vidua administratrix bonorum & catallorum que fuerunt Johannis Taverner qui obiit intestatus &c alias dicta Rosa Taverner de Boston Lincolnie dioecesis vxor relicta Johannis Taverner nuper de eadem per attornatum suum optulit se iiiij^{to} die versus Antonium Robertson nuper de Boston in comitatu Lincolnie generosum alias dictum Antonium Robertson de Boston in comitatu Lincolnie generosum de placito quod reddat ei octoginta solidos quos ei iniuste detinet &c Et ipse non venit Et preceptum fuit vicecomitibus quod summonerent eum &c Et vicecomites modo mandant quod nichil &c Ideo capiatur quod sit hic a die Pasche in xv dies &c

[London ¶ Rose Taverner, widow, administratrix of the goods and chattels which belonged to John Taverner who died intestate, etc., otherwise called Rose Taverner of Boston, in the diocese of Lincoln, widow of John Taverner, lately of the same, appeared through her attorney on the fourth day against Anthony Robertson, lately of Boston in the county of Lincoln, gentleman, otherwise called Anthony Robertson of Boston in the county of Lincoln, gentleman, concerning a plea that he render to her eighty shillings that he unjustly withholds from her, etc. And he did not come. And the sheriffs were commanded that they summon him, etc. And the sheriffs now declare that that [he has] nothing, etc. Therefore let him be seized that he be here on the quindene of Easter Day, etc.]

CP 40/1139, rot. 605 dorse
(Hilary term, 1549)

http://aalt.law.uh.edu/aalt1/E6/CP40no1139/bCP40no1139dorses/IMG_2420.htm

*Capias stage: Taverner v. Robertson and Kydd for a debt of £20.
(Evidently a different case from the above.)*

Londonia ¶ Rosa Tauerner vidua administratrix bonorum & catallorum que fuerunt Johannis Taverner qui obiit intestatus &c alias dicta Rosa Tauerner de Boston Lincolnie dioecesis vxor relicta Johannis Taverner nuper de eadem per attornatum suum optulit se iiiij^{to} die versus Antonium Robertson nuper de London generosum alias dictum Antonium Robertson de Boston in comitatu Lincolnie gentleman Et versus Willelmum Kydd nuper de Boston in comitatu Lincolnie fysshemonger alias dictum Willelmum Kydd de eadem fysshemonger de placito quod vterque eorum reddat ei viginti libras quas ei iniuste detinent &c Et ipsi non venerunt Et preceptum fuit vicecomitibus quod summonerent eos &c Et vicecomites modo mandant quod nichil habent &c Ideo capiantur quod sint hic a die Pasche in xv dies &c

[London ¶ Rose Taverner, widow, administratrix of the goods and chattels which belonged to John Taverner who died intestate, etc., otherwise called Rose Taverner of Boston, in the diocese of Lincoln, widow of John Taverner, lately of the same, appeared through her attorney on the fourth day against Anthony Robertson, lately of London, gentleman, otherwise called Anthony Robertson of Boston in the county of Lincoln, gentleman, and against William Kydd, lately of Boston in the county of Lincoln, fishmonger, otherwise called William Kydd of the same, fishmonger, concerning a plea that each of them render to her twenty pounds that they unjustly withhold from her, etc. And they did not come. And the sheriffs were commanded that they summon them, etc. And the sheriffs now declare that they have nothing, etc. Therefore let them be seized that they be here on the quindene of Easter Day, etc.]

CP 40/1140, rot. 277
(Easter term, 1549)

http://aalt.law.uh.edu/aalt1/E6/CP40no1140/aCP40no1140fronts/IMG_0548.htm

*Sicut pluries stages for both Taverner v. Robertson (in respect of the debt of 80s.)
and Taverner v. Robertson and Kydd (in respect of the debt of £20).*

No sicut prius stage for either action was found in either CP 40/1139 or 40/1140.

Londonia ¶ Rosa Tauerner vidua administratrix bonorum & catallorum que fuerunt Johannis Tarverner qui obiit intestatus &c alias dicta Rosa Tarverner de Boston Lincolnie dioecesis vxor relicta Johannis Tarverner nuper de eadem per attornatum suum optulit se iiiij^{to} die versus Antonium Robertson nuper de Boston in comitatu Lincolnie generosum alias dictum Antonium Robertson de Boston in comitatu Lincolnie generosum de placito quod reddat ei octoginta

solidos quos ei iniuste detinet &c Et ipse non venit Et preceptum fuit vicecomitibus quod caperent eum &c Et vicecomites modo mandant quod non est inuentus &c Ideo sicut prius capiatur quod sit hic a die Pasche in quinque septimanas &c Ad quem diem hic venit predicta Rosa per attornatum suum et optulit se iiiij^{to} die versus prefatum Antonium de predicto placito Et ipse non venit Et sicut prius preceptum fuit vicecomitibus quod caperent eum &c Et vicecomites modo mandant quod non est inuentus &c Ideo sicut pluries capiatur quod sit hic in crastino Sancte Trinitatis &c /

[London ¶ Rose Taverner, widow, administratrix of the goods and chattels which belonged to John Taverner, who died intestate, etc. otherwise called Rose Taverner of Boston in the diocese of Lincoln widow of John Taverner, lately of the same, appeared through her attorney on the fourth day against Anthony Robertson, lately of Boston in the county of Lincoln, gentleman, otherwise called Anthony Robertson of Boston in the county of Lincoln gentleman, concerning a plea that he render to her eighty shillings that he unjustly withholds from her, etc. And he did not come. And the sheriffs were commanded that they seize him, etc. And the sheriffs now declare that he is not found, etc. Therefore, as before, let him be seized that he be here five weeks from Easter Day, etc. On which day the aforesaid Rose came here through her attorney and appeared on the fourth day against the aforesaid Anthony concerning the aforesaid plea. And he did not come. And as before the sheriffs were commanded that they seize him, etc. And the sheriffs now declare that he is not found, etc. Therefore, as often before, let him be seized that he be here on the morrow of Trinity Sunday, etc.]

Londonia ¶ Rosa Tauerner vidua administratrix bonorum & catallorum que fuerunt Johannis Tauerner qui obiit intestatus &c alias dicta Rosa Tauerner de Boston Lincolnie dioecesis vxor relicta Johannis Tauerner de eadem per attornatum suum optulit se iiiij^{to} die versus Antonium Robertson nuper de London generosum alias dictum Antonium Robertson de Boston in comitatu Lincolnie gentleman Et versus Willelmum Kydde nuper de Boston in comitatu Lincolnie fysshemonger alias dictum Willelmum Kydde de eadem fysshemonger de placito quod vterque eorum reddat ei viginti libras quas ei iniuste detinent &c Et ipsi non venerunt Et preceptum fuit vicecomitibus quod caperent eos &c Et vicecomites modo mandant quod non sunt inuenti &c Ideo sicut prius capiantur quod sint hic a die Pasche in quinque septimanas &c Ad quem diem hic venit predicta Rosa per attornatum suum Et optulit se iiiij^{to} die versus prefatos defendentes de predicto placito Et ipsi non venerunt Et sicut prius preceptum fuit vicecomitibus quod caperent eos &c Et vicecomites modo mandant quod non sunt inuenti &c Ideo sicut pluries capiantur quod sint hic in crastino Sancte Trinitatis &c /

[London ¶ Rose Taverner, widow, administratrix of the goods and chattels which belonged to John Taverner, who died intestate, etc. otherwise called Rose Taverner of Boston in the diocese of Lincolnshire, widow of John Taverner of the same, appeared through her attorney on the fourth day against Anthony Robertson, lately of London, gentleman, otherwise called Anthony Robertson of Boston in the country of Lincoln, gentleman, and against William Kidd, lately of Boston in the county of Lincoln, fishmonger, otherwise called William Kidd of the same, fishmonger, concerning a plea that each of them render to her twenty pounds that they unjustly withhold from her, etc. And they did not come. And the sheriffs were commanded that they seize them, etc. And the sheriffs now declare that they are not found, etc. Therefore as before let them be seized that they be here five weeks from Easter Day, etc. On which day the aforesaid Rose came here through her attorney, and appeared on the fourth day against the aforesaid defendants concerning the aforesaid plea. And they did not come. And as before the sheriffs were commanded that they seize them, etc. And the sheriffs now declare that they are not found, etc. Therefore, as often before, let them be seized that they be here on the morrow of Trinity Sunday, etc.]

Londonia ¶ Rosa Tauerner vidua administratrix bonorum & catallorum que fuerunt Johannis Tauerner qui obiit intestatus &c alias dicta Rosa Tauerner de Boston Lincolnie dioecesis vxor relicta Johannis Tauerner de eadem per Willelmum Gyes attornatum suum optulit se iiii^{to} die versus Antonium Robertson nuper de London generosum alias dictum Antonium Robertson de Boston in comitatu Lincolnie gentleman Et versus Willelmum Kydd nuper de Boston in comitatu Lincolnie fysshemonger alias dictum Willelmum Kydd de eadem fysshemonger de placito quod ^{ut}terque eorum reddat ei viginti libras quas ei iniuste detinent &c Et ipsi non venerunt Et sicut pluries preceptum fuit vicecomitibus quod caperent eos si &c et saluo &c ita quod haberent corpora eorum hic adhuc diem scilicet in crastino Sancte Trinitatis &c Et vicecomites modo mandant quod non sunt inuenti &c Ideo preceptum est vicecomitibus quod exigi faciant eos de hustengo in hustengum quousque &c vtlagentur si non &c Et si &c tunc eos capiant et saluo &c ita quod habeant corpora eorum hic in octabis Sancti Martini Et [margin: Lincolnia] vnde &c Et per statutum &c preceptum est vicecomiti Lincolnie quod in pleno comitatu suo proclamari faciat tribus separalibus diebus vnde vna proclamatio predictarum fiat ad generalem sessionem in partibus de Boston predicto tenendam quod predicti Antonius & Willelmus se reddant prefatis vicecomitibus Londoni ita quod ijdem vicecomites habeant corpora eorum hic ad prefatum terminum ad respondendum prefate Rose de predicto placito Et sciendum est quod breue inde justiciarij hic in curia isto eodem termino deliberauerunt Georgio Foster deputato vicecomitis Lincolnie in forma iuris exequendum &c

[London ¶ Rose Taverner, widow, administratrix of the goods and chattels which belonged to John Taverner, who died intestate, etc., otherwise called Rose Taverner of Boston in the diocese of Lincolnshire, widow of John Taverner of the same, appeared through William Gyes her attorney on the fourth day against Anthony Robertson, lately of London, gentleman, otherwise called Anthony Robertson of Boston in the county of Lincoln, gentleman, and against William Kidd, lately of Boston in the county of Lincoln, fishmonger, otherwise called William Kidd of the same, fishmonger, concerning a plea that each of them render to her twenty pounds that they unjustly withhold from her, etc. And they did not come. And, as often before, the sheriffs were commanded to seize them if, etc., and safely, etc., so that they might have their bodies here on this day, namely on the morrow of Trinity Sunday, etc. And the sheriffs now declare that they are not found, etc. Therefore the sheriffs were commanded that they cause them to be called from husting to husting, etc., they be outlawed if [they do] not, etc. And if, etc., then let them be seized and safely, etc., so that they might have their bodies here on the octave of Saint Martin. And [margin: Lincolnshire] whence, etc. And according to the statute, etc. the sheriff of Lincolnshire was commanded that he should cause [this] to be proclaimed in his full county court on three separate days, of which one proclamation should be made to a quarter session held in the region of Boston aforesaid, that the aforesaid Anthony and William should surrender themselves to the aforesaid sheriffs of London, so that the selfsame sheriffs might have their bodies here at the aforesaid term to respond to the aforesaid Rose concerning the aforesaid plea. And be it known that the justices here in court in this same term have delivered to George Foster, deputy of the sheriff of Lincolnshire, the writ to be executed in the form of the law.]

6. Rose Taverner v. Alice Leeke, 1550

Two and a half years after Rose Taverner took Alice Leeke and Nicholas Garrett to court she made another claim against Alice, this time for £16 13s. 4. In both cases Rose was acting in her capacity as administrator of her late husband's goods and chattels, so it is possible that the two cases are somehow linked.

CP 40/1143, rot. 227 dorse

(Hilary term, 1550)

http://aalt.law.uh.edu/aalt1/E6/CP40no1143/bCP40no1143dorses/IMG_1789.htm

Capias stage.

Lincolnia ¶ Rosa Taverner vidua administratrix bonorum & catallorum que fuerunt Johannis Taverner qui obiit intestatus &c alias dicti Johannis Tavernor generosi per attornatum suum optulit se iiiij^{to} die versus Aliciam Leeke nuper de Byker in comitatu predicto viduam alias dictam Aliciam Leke de Byker in comitatu Lincolnie wydowe de placito quod reddat ei sexdecim libras tresdecim solidos & quatuor denarios quos ei iniuste detinet &c Et ipsa non venit Et preceptum fuit vicecomiti quod summoneret eam &c Et vicecomes modo mandat quod nichil habet &c Ideo capiatur quod sit hic a die Pasche in tres septimanas &c

[Lincolnshire ¶ Rose Taverner, widow, administratrix of the goods and chattels which belonged to John Taverner, who died intestate, etc., otherwise called John Taverner, gentleman, appeared through her attorney on the fourth day against Alice Leeke, lately of Bicker in the aforesaid county, widow, otherwise called Alice Leeke of Bicker in the county of Lincoln, widow, concerning a plea that she render to her sixteen pounds thirteen shillings and fourpence that she unjustly withholds from her, etc. And she did not come. And the sheriff was commanded that he summon her, etc. And the sheriff now declares that she has nothing, etc. Therefore let her be seized that she be here three weeks from Easter Day.]

CP 40/1144A, rot. 362

(Easter term, 1550):

http://aalt.law.uh.edu/aalt1/E6/CP40no1144A/aCP40no1144Afronts/IMG_0701.htm

Sicut prius stage. The return date, five weeks from Easter, is only two weeks after the return date of the capias writ, an implausibly short deadline by which to expect a reply from the sheriff of Lincolnshire. Possibly both writs were processed together.

Lincolnia ¶ Rosa Taverner vidua administratrix bonorum & catallorum que fuerunt Johannis Taverner qui obiit intestatus vt dicitur alias dicti Johannis Tauerner generosi per attornatum suum optulit se iiiij^{to} die versus Aliciam Leeke nuper de Byker in comitatu predicto viduam alias dictam Aliciam Leeke de Byker in comitatu Lincolnie wydowe de placito quod reddat ei sexdecem libras tresdecem solidos & quatuor denarios quos ei iniuste detinet &c Et ipsa non venit Et preceptum fuit vicecomiti quod caperet eam &c Et vicecomes modo mandat quod non est inuenta &c Ideo sicut prius capiatur quod sit hic a die Pasche in quinque septimanas &c

[Lincolnshire ¶ Rose Taverner, widow, administratrix of the goods and chattels which belonged to John Taverner, who died intestate, as it is said, otherwise called John Taverner, gentleman, appeared though her attorney on the fourth day against Alice Leeke, lately of Bicker in the aforesaid county, widow, otherwise called Alice Leeke of Bicker in the county of Lincoln, widow, concerning a plea that she render to her sixteen pounds thirteen shillings and fourpence

that she unjustly withholds from her, etc. And she did not come. And the sheriff was commanded that he seize her, etc. And the sheriff now declares that she is not found, etc. Therefore, as before, let her be seized that she be here five weeks from Easter Day.]

CP 40/1144B, rot. 128 dorse
(Trinity term, 1550)

http://aalt.law.uh.edu/aalt1/E6/CP40no1144B/bCP40no1144Bdorses/IMG_0526.htm

Exigi facias stage. No sicut pluries stage has been found.

Lincolnia ¶ Rosa Taverner vidua administratrix bonorum & catallorum que fuerunt Johannis Taverner qui obiit intestatus &c alias dicti Johannis Tauernor generosi per Ricardum Lovett attornatum suum optulit se iij^{to} die versus Aliciam Leeke nuper de Byker in comitatu predicto viduam alias dictam Aliciam Leke de Byker in comitatu Lincolnie wydowe de placito quod reddat ei sexdecim libras tresdecim solidos & quatuor denarios quos ei iniuste detinet &c Et ipsa non venit Et sicut pluries preceptum fuit vicecomiti quod caperet eam si &c et saluo &c ita quod haberet corpus eius hic ad hunc diem scilicet in crastino Sancte Trinitatis &c Et vicecomes modo mandat quod non est inuenta &c Ideo preceptum est vicecomiti quod exigi faciat eam de comitatu in comitatum quousque &c waiietur si non &c Et si &c tunc eam capiat et saluo &c ita quod habeat corpus eius hic in octabis Sancti Martini &c

[Lincolnshire ¶ Rose Taverner, widow, administratrix of the goods and chattels which belonged to John Taverner, who died intestate, etc., otherwise called John Taverner, gentleman, appeared through Richard Lovett her attorney on the fourth day against Alice Leeke, lately of Bicker in the aforesaid county, widow, otherwise called Alice Leeke of Bicker in the county of Lincoln, widow, concerning a plea that she render to her sixteen pounds thirteen shillings and fourpence that she unjustly withholds from her, etc. And she did not come. And, as often before, the sheriff was commanded that he seize her, etc., and safely, etc. so that he might have her body here on this day, namely the morrow of Trinity Sunday, etc. And the sheriff declared that she is not found, etc. Therefore, the sheriff was commanded that she be called from county court to county court until, etc., let her be waived if not, etc. And if, etc. then let him seize her and safely, etc., so that he might have her body here on the octave of St Martin, etc.]

7. Richard Hodge and Stephen Salmon, executors of the testament of Rose Taverner, v. Anthony Robertson, 1554

Rose Taverner died in May 1553, evidently before her claim against Robertson for £20 had been resolved. Here the action is renewed by her executors.

CP 40/1159, part 2, rot. 649
(Trinity term, 1554)

http://aalt.law.uh.edu/AALT3/M/CP40no1159/bCP40no1159Part2fronts/IMG_0224.htm

Pleading.

Londonia ¶ Anthonius Robertson nuper de Boston in comitatu Lincolnie generosus alias dictus Anthonius Robertson de Boston in comitatu Lincolnie gentleman summonitus fuit ad respondendum Ricardo Hodge & Stephano Salman executores testamenti Rose Taverner vidue administratricis bonorum & catallorum que fuerunt Johannis Taverner qui obiit intestatus alias dicti Rose Taverner of Boston in the countie of Lincoln wedowe alias dicti ^{v^{xoris}} relicte Johannis

Tauerne nuper de eadem ab intestato defuncti alias dictis Richard Hodge and Stevyn Salman whome I make myne executoures of this my last wyll de placito quod reddat eis viginti libras quas eis iniuste detinet &c Et vnde ijdem Ricardus & Stephanus per Willelmum Gyes attornatum suum dicunt quod cum predictus Anthonius primo die Julij anno regni Domini Henrici nuper Regis Anglie octavi patris Domine Regine nunc tricesimo quinto apud London in parochia Sancti Sepulcri in warda de Faringdon Extra per quoddam scriptum suum obligatorium concessisset se teneri prefato Johanni Taverner in vita sua in predictis viginti libris soluendis eidem Johanni in festo Sancti Michaelis Archangeli tunc proximo sequenti Predictus tamen Anthonius licet sepius requisitus predictas viginti libras eidem Johanni Taverner in vita sua nec eidem Rose Taverner cui administracio bonorum & catallorum que fuerunt eiusdem Johannis Taverner tempore mortis sue per Johannem permissione diuina Lincolnie episcopum decimo die Nouembris anno Domini millesimo quingentesimo quadragesimo quinto apud Lincolniam commissa fuit post mortem eiusdem Johannis Taverner nec eisdem Ricardo Hodge & Stephano Salmon post mortem eiusdem Rose non reddidit set illas eis redere contradixit ac illas eisdem Ricardo Hodge & Stephano Salman adhuc reddere contradicit ac iniuste detinet vnde dicunt quod deteriorati sunt & dampnum habet [sic] ad valenciam centum solidorum Et inde producut sectam &c Et proferunt hic in curia tam scriptum predictum quod debitum predictum in forma predicta testatur cuius data est die & anno supradictis quam litteras administrationis predictae Rose quarum data sunt decimo die Nouembris anno Domini millesimo quingentesimo quadragesimo quinto supradicto et eciam litteras testamentarias predictorum Ricardi & Stephani per quas satis liquet curie hic ipsos ^{Ricardum & Stephanum} fore executores testamenti predicti Et inde habere administracionem &c

Et predictus Anthonius per Willelmum Kyme ^{attornatum suum} venit et defendit vim & iniuriam quando &c Et dicit quod ipse de debito predicti virtute scripti predicti onerari non debet quia dicit quod scriptum illud non est factum suum Et de hoc ponit se super patriam Et predicti Ricardus & Stephanus similiter Ideo preceptum est vicecomitibus quod venire faciant hic in octabis Sancti Michaelis xij &c per quos &c et qui nec &c ad recognoscendum &c quia tam &c

[London ¶ Anthony Robertson, lately of Boston in the county of Lincoln, gentleman, otherwise called Anthony Robertson of Boston in the county of Lincoln, gentleman, was summoned to respond to Richard Hodge and Stephen Salmon, executors of the testament of Rose Taverner, widow, administratrix of the goods and chattels which belonged to John Taverner, who died intestate, otherwise called Rose Taverner of Boston in the county of Lincoln, widow, otherwise called the relict wife of John Taverner, lately of the same, who died intestate, otherwise called Richard Hodge and Stephen Salmon, whom I make my executors of this my last will, concerning a plea that he [Robertson] render to them twenty pounds that he unjustly withholds from them, etc. And wherefore the same Richard and Stephen, through William Gyes their attorney, say that since the aforesaid Anthony on the first day of July in the thirty-fifth year of the reign of the Lord Henry the eighth, lately King of England [1543], father of the present Lady Queen, at London, in the parish of St Sepulchre, in the Ward of Farringdon Without, by a certain writing of obligation of his, allowed himself to be bound to the aforesaid John Taverner, in his lifetime, to pay the aforesaid twenty pounds to the same John on the feast of St Michael the Archangel then next following. However the aforesaid Anthony, although often requested, has not paid the aforesaid twenty pounds to the same John Taverner in his [John's] lifetime, nor to the same Rose Taverner, to whom the administration of the goods and chattels that belonged to the same John Taverner at the time of his death was committed after the death of the same John Taverner, by John, by divine permission bishop of Lincoln, on the tenth day of November in the year of the Lord 1545 at Lincoln, nor [has paid it] to the same Richard Hodge and Stephen Salmon after the death of the same Rose, but has refused to pay it to the same Richard Hodge and Stephen Salmon and still refuses to pay it and unjustly withholds it, wherefore they say that they are the worse and have damage to the value of one hundred

shillings. And therefore they bring suit, etc. And they proffer here in court the aforesaid writing that witnessed the aforesaid debt in the aforesaid form, whose date is the day and year above-mentioned, as well as letters of administration for the aforesaid Rose, whose dates are the above-mentioned tenth day of November 1545, and also the aforesaid Richard's and Stephen's testamentary letters, by which it sufficiently appears to the court here [that] the same Richard and Stephen are about to be the executors of the will of the aforesaid. And therefore they have administration, etc.

And the aforesaid Anthony, through William Kyme, his attorney, comes and defends the force and injury when, etc. And he says that he is under no obligation to be burdened by the aforesaid debt by virtue of the aforesaid writing, for he says that that writing is not his deed. And of this he puts himself upon the country [i.e. he elects to go to trial]. And the aforesaid Richard and Stephen likewise. Therefore the sheriffs are commanded that they make twelve [i.e. a jury] to come here on the octave of St Michael, by which, etc. and which neither, etc. in recognition, etc. forasmuch, etc.]

CP 40/1159, part 2, rot. attornati 16
(Trinity term, 1554)

http://aalt.law.uh.edu/AALT3/M/CP40no1159/bCP40no1159Part2fronts/IMG_1202.htm

Appointment of attorney relating to the pleading above.

Londonia ¶ Anthonius Robertson nuper de Boston in comitatu Lincolnie generosus alias dictus Anthonius Robertson de Boston in comitatu Lincolnie gentleman ponit loco suo Willelmum Kyme versus Ricardum Hodge & Stephanum Salman executores testamenti Rose Tauerner vidue administratricis bonorum & catallorum que fuerunt Johannis Tauerner qui obiit intestatus vt dicitur alias dicte Rose Tauerner of Boston in the countie of Lincoln wedowe alias dicte vxoris relicte Johannis Tauerner nuper de eadem ab intestato defuncto alias dictos Richard Hodge & Stevyn Salman whome I make myne executors off thys my last will in placito debiti

[London ¶ Anthony Robertson, lately of Boston in the county of Lincoln, gentleman, otherwise called Anthony Robertson of Boston in the county of Lincoln, puts in his stead William Kyme against Richard Hodge and Stephen Salmon, executors of the testament of Rose Taverner, widow, administratrix of the goods and chattels which belonged to John Taverner, who died intestate, as it is said, otherwise called Rose Taverner of Boston in the county of Lincoln, widow, otherwise called the relict wife of John Taverner, lately of the same, who died intestate, otherwise called Richard Hodge and Stephen Salmon, whom I make my executors of this my last will, in a plea of debt.]