

Newcastle upon Tyne Waites Charter 1677

Transcribed from "The History and Antiquities of the Town and County of Newcastel upon Tyne. Vol 2", John Brand (1789)

"Whereas the company of waites and musicioners of the said towne are and have been time out of mind an ancient company incorporated by the name of the fellowship of waites and musicioners and they haveing casually left their said ordinary by which they were so incorporated (as is asserted to us), Know yee that wee the said maior aldermen and sheriffe upon the humble petition of Robert Ward John Bell Thomas Moore Edward Herbert and Thomas Sweeting members of the said societie taking the premisses into our serious consideration doe by these presents grant order establish and decree in manner and forme following First that the said Robert Ward John Bell Thomas Moore Edward Herbert and Thomas Sweeting shall be one society and fellowship called and knowne by the name of the fellowship or company of waites and musicioners in the said towne of Newcastle upon Tyne aforesaid and that they and their successors or the said fellowship or company soe much as in us lyeth according to the ancient customes liberties and lawes of the said towne shall be reputed taken and accepted for ever to be a fellowship or company and shall have perpetual succession within the said towne and county and liberties thereof as other societies and fellowships within the same towne have and that the said Thomas Moore and Edward Herbert shall be stewards for one whole yeare next ensueing the date of those presents and att a convenient place by the said fellowship to be agreed on yearely for ever the said fellowship or society upon the feast day of St. James the apostle in every yeare if it not fall upon the Lord's day and if it be then the next day after two persons of the said fellowship and company shall be elected and chosen by the said brethren or most part of them as in their discretions they shall thinke most meet to be stewards of the said fellowship to rule and governe the said fellowshipo tfor the then ensueing yeare And further wee the said maior aldermen and sheriffe doe by these presents order and appoint soe much as in us lieth for us and our successors that the said fellowship of waites and musicioners shall and may henceforth for ever by the name of the stewards and fgellowshipp of waits and musicioners of the towne and county of Newcastle upon Tyne prosecute sue and implead and be prosecuted sued and impleaded to be

answered and to answer in all manner of actions suites and demands whatsoever within the courts of Newcastle upon Tyne and county of the same. And that the said stewards and fellowship of waites and musicioners or major part of them and their successors for ever shall power and authority to make among themselves such lawful orders and laws as by them shall be thought fitt and convenient for the well quiet and orderly government of themselves and the transgressors and offenders of or against the said orders acts or lawes to punish by reasobable fines or penalties of money as in the discretion of the said stewards and fellowship of waites and musicioners shall be thought fitt and the transgressors and offenders in such case upon refusall to pay the fine or penalty soe sett on him or them to be utterly removed and putt off and from the said fellowship of waites and musicioners to remain removed untill such time as he or they hath or have willingly submitted and reconciled himselfe to the said societie or fellowship of waites and musicioners and also payed his or their fine or fines so sett and imposed upon him or them as aforesaid. And also that every one of the said fellowship of waites and musicioners whensoever he or they shall be warned by the stewards of the said fellowship or either of them or any other person by their or any of their appointment to come to any meeting or assembly of the said fellowship of waites and musicioners either for the makeing or establishing good laws and orders amongst themselves for the well and quiet government or for any other businesse concerninge the said fellowship of waites and musicioners or any of them shall accordingly repaireatt the time hour and place appointed by the stewards for the time being or either of them upon the paine and penalty of sixpence to be paid by every brother of the said fellowship of waites and musicioners who shall willingly neglect to come and upon the paine and penalty of threepence to be paid by every every brother of the said fellowship of waites and musicioners that shall come to such assemblies after the houre and time appointed as aforesaid. The said fines and penalties to be paid to the said stewards of the said fellowship and society for the time being upon demand to the use of the said fellowship of waites and musicioners for every time for offending. And we the said maior aldermen and sheriff doe further order and appoint that whatever brother of the said fellowship of W & M. at any time of their assemblies or conventions shall by uncivill words reproach and revile any brother of the said fellowship of W. & M. such person and persons shall forthwith pay to the said stewards or one of them demanding the same to the use of the said fellowship for every such offence the sume

of two shillings six pence. And that every brother of the said fellowship of W. & M. which att any time of the said assemblies and conventions shall strike smite or beate any brother of the said fellowship of W & M. shall forthwith on demand made by the said stewards for the time being or either of them pay to the use of the said fellowship for every such offence the sum of 6s. 8d. and the party beaten to be left to his remedy at law for his damage. And further wee the said maior aldermen and sheriff by these presents soe much as in us lieth doe order that when any person or persons are or shall be admitted free in or amongst the said fellowship of W. & M. shall pay to the stewards for the use of the company upon such admission to be free amongst them the sume of ten shillings if he or they come in by service to any brother of the said fellowship and in case he come in by patrimony as the sonne of any brother of the said fellowship then to pay on his admission 6s. 8d. And in case he come in att the orders command and direction of the maior and aldermen of the said towne for the time being or any seven of them whereof the mayor to be one then upon his admission in and amongst the said company, which orders and commands the said fellowship are hereby enjoyned to observe and obey then to pay to the stewards for the use of the said fellowship 20s. and none to be admitted to the benefitt advantage and privilege in and amongst the said company but such as have served or come in by patrimony a saforesaid unlesse the consent approbation orders and commands of the said maior and aldermen be first had and obtained in manner and form aforesaid. And further wee the said maior aldermen and sheriffe by these presents doe order and appoint that noe stranger or other person comeing to this towne professing the science of a musician shall be suffered to teach use or exercise the aforesaid science for his benefit and advantage untill he be first licensed and allowed by the maior of this towne for the time being unon paine of twenty shillings for every time soe offending to be paid for the use of the said fellowship. And that noe stranger or other person professing the said art be suffered to play at any wedding or feast or any other meeting within the said towne and county or liberties thereof unless shuch stranger or other person be allowed by the maior for the time being upon paine of every one offending herein for every such offence to pay 6s. 8d. to the use aforesaid. And that no fidler piperdancer upon ropes and others that pretends to have skill in musicke nor any such as goe about with motions or shoves shall at any time hereafter be suffered to practise in this towne or liberties thereof without the license of the maior of the said towne for the time being being first

had and obtained upon paine of every one offending herein to forfeit ten shillings to the use aforesaid. And wee the said maior aldermen and sheriff by these presents as much as in us lieth doe for the better maintenance and incouragement of the said waites and musicioners and that they may better continue to be men of skill and knowledgin musicke order and appoint that if att any marriage within this towne and liberties thereof the persons to be married or any of their friends be disposed to have any musicke that they shall have the waites before any other. And if any other do serve att such marrieages by the licence and consent of the maior for the time being they shall allow and pay to the said waites 3s. 4d. for every such marriage upon paine and penalty of ten shillings to be poaid by every such person so licensed to serve at such marriages for every time they shall offend herein in the non-payment of the said some to the use aforesaid. All such fines and penalties sume and sumes of money are and shall be had obtained recovered and gotten by action of debt in the court or courts to be held in the Guildhall of the said towne or in such other manner and forme as the maior and aldermen shall appoint nominate or direct. Provided always that the said waites and musicioners and their successors shall for ever hereafter be ready and attendant on all

occasions to doe and performe their duty in all matters and clauses whatsoever belonging and appertaining to the science and imployment and observant and obedient to all such orders commands and directions as shall or may be given by the said maior and aldermen otherwise this present grant and authoritie and all things therein contained shall utterly cease determine and be void whensoever it shall seem fitt and expedient to the said maior aldermen or any seven of them whereof the maior to be one soe to expresse and declare and publish the same. And wee the said maior aldermen and sheriffe doe order and appoint that if any controversie shall arise twixt any brethren of the said fellowship or any other person whatsoever about any fines or other things relating to their fellowship science or imployment that upon application or complaint of the parties grieved to the maior and aldermen and the deliberate hearing thereof whatsoever shall be determined by the said maior and aldermen they shall yeild their conformity thereunto. In witesse whereof wee the said maior and aldermen and sheriffe have hereunto sett our hands and caused the seale of the maioralty of the said towne of Newcastle upon Tine in such cases used to be hereunto affixed the

eighteenth day of September in the 29 yeare of the reign e &c. annoque
Domini 1677.

Ralph Carr, Maior