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# COLLECTANEA

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AN ASSISTANT KEEPER OF THE PUBLIC RECORDS

WITH A

FOREWORD

BY

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## PREFACE

One of the trials of historical research is the discovery of a document of particular interest, which proves on examination to be too long for publication in a journal, yet too short to form a book by itself. This volume is a collection of several such documents. Each is complete in itself, yet each is concerned with some aspect of medieval Wiltshire. These various items were largely selected by Mr. R. B. Pugh, formerly General Editor now Chairman of the Branch, who found appropriate editors for them from among his friends.

The Branch is indeed fortunate in its contributors to this volume. Mr. J. H. P. Pafford who has catalogued the fifteenth-century deeds is already renowned in his native county for his edition of the *Accounts of the Parliamentary Garrisons of Great Chalfield and Malmesbury*, published as Volume II of our series in 1940, and for his valued service on the Committee of the Branch. Miss Elizabeth Crittall, who edits the Account of the Cellaress of Wilton Abbey, was responsible for the printing of *Andrews' and Drury's Map of Wiltshire* as Volume VIII and also listed the Wilton Borough Records for Volume V. Mr. C. A. F. Meekings, who here contributes jointly with Mr. R. E. Latham the longest work in the collection, the Chippenham *Veredictum*, is now in the final stages of preparing his edition of the *Crown Pleas of the Wiltshire Eyre, 1249*, which, it is planned, will be issued in 1958. Miss Susan Reynolds gives us now an edition of the Pleas heard in the Abbot of Battle's Liberty at Bromham in 1289 and promises us something more for the future ; while Mr. J. L. Kirby adds to his articles on financial records of the later middle ages, that have appeared in various periodicals, a survey of Clerical Poll-Taxes in Salisbury Diocese. A special word is needed about the two Marlborough Accounts. The first, for the building of the mills, was transcribed some years ago by that great Wiltshire antiquary, the late H. C. Brentnall ; but he found himself unable to undertake the labour of preparing it for publication. Miss Sheila Challenger (now Mrs. R. L. Storey) has completed this task, edited the parallel account for the works at Marlborough Castle and provided an introduction for both documents. I have myself compiled the Indexes and the List of Corrections and Additions to previous volumes in our series.

The Branch is indebted to the Mayor and Corporation of Wilton for permission to print the Wilton Abbey Account in their custody and for allowing that document to be brought to London for Miss Crittall to work upon. Thanks are also due to the City Librarian of Bath Public Library for permission to publish the deeds relating to Wiltshire in his custody.

## PREFACE

Finally we are extremely grateful to Professor T. F. T. Plucknett for enriching the whole collection with his Foreword. Although it is a garland of 'other men's flowers', they have all come from soil which he has done much to cultivate himself; far more than the cord which binds them is his own.

Northwood,  
July 1956

N. J. WILLIAMS

## FOREWORD

The volume which is now before the reader can justly claim to possess the special attractions of a miscellany. Six contributions are not too many, and their variety is limited by their common concern with one county, and with the later middle ages. The unity of these papers is, therefore, very real, in spite of the fact that they illustrate many of the salient aspects of medieval English life—notably law, taxation and private accounts.

It is a common complaint that we are apt to get an Old-Bailey view of medieval society. For various reasons legal records have survived exceptionally well and consequently are evident in any attempt to depict medieval life as it was lived by small gentry, burgesses, and inferior clergy. By fixing attention upon one county one may miss litigation which involved great persons and causes, and become immersed in criminal matters where ordinary people rather than bishops and magnates are concerned. All that is illuminating—depressing, even, and compels the reader to consider whether battle, murder and sudden death played so grim a role in medieval life. He will recall reflections such as these when reading over the '*Veredictum* of Chippenham Hundred' which Mr. Meekings and his colleague, Mr. Latham, have edited here. The Chapters of the Eyre and the history of their successive enlargements, have long been known, thanks to the researches of Miss Helen Cam; very little is known of the answers, or *veredictum*, which jurors of the hundred produced in answer to the searching questions contained in the Chapters. A list of other *veredicta* still in manuscript (below, p. 52) is, therefore, a valuable by-product of Mr. Meekings's work upon the rolls now classed as 'Justices Itinerant'.

These *veredicta* are not confined to criminal matters. The rights of the crown, the misconduct of local officials, and an investigation of the tenurial structure of the hundred and its baronies, fees and liberties likewise formed the subject of enquiry and elicited returns which the editors have annotated carefully. Those annotations are the very substance of local history, and readers will appreciate their value.

The date of that *veredictum* is 1281; the next item, chronologically, in this miscellany is from 1289 and illustrates another aspect of the eyre. Miss Reynolds here edits the last two membranes of the Wiltshire Eyre Roll of 1289 which contain Pleas in the Liberty of the Abbot of Battle at Bromham. This abbey, highly favoured as it was, nevertheless was not exempt from the jurisdiction of the eyre, but it did enjoy the privilege of not having to join in the crowd of the rest of the county when there was an eyre, and instead the justices held a special session, associated with the abbey's steward, for all the abbey's estates within the county. It is such pleas, enrolled together on special membranes, which are printed here together with an introduction which discusses the relation between the

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privilege and the charters of the abbey. Both this and the preceding contribution remind us that an edition of the eyre of Wiltshire of 1249, or so much of it as contains pleas of the crown, is being edited for the Branch by Mr. Meekings. There is another aspect of legal sources—and one whose use has been valued by historians for many centuries—namely, charters. The large collections were dispersed (or at least alienated) at the Dissolution of the Monasteries; most of the series at the present day owe much to collectors. The twelve deeds which the Goldsmiths' Librarian of the University of London has catalogued for this volume are certainly Wiltshire deeds, but have strayed to the public library of Bath.

Besides the documents associated with the law, this volume contains several accounts. Miss Challenger of the Public Record Office presents some accounts for work upon the royal mills and castle at Marlborough between 1237 and 1239. They contain much of interest—the use of women for casual labour, the use of fulling-mills, prices and wages, and the technicalities of building, and this last is elucidated by a very useful glossary.

Another account, of a different nature, comes from a date some two generations later, and relates to the duties of the cellaress of Wilton Abbey, 1299. Its presence among the records of the borough of Wilton, where it was found in 1949, is a puzzle. Miss Crittall, who edits it, draws attention to some of the notable features of the account—especially the great occasions (feasts, distinguished visitors, official entertainment) which are reflected in the cellaress's account by the consumption of more luxurious fare than usual. The account covers the entry (a sort of *joyeuse entrée*, no doubt) of Emma la Blounde in 1299 as the new abbess, as well as the entertainment of various notables in connexion with the assizes and the county court, and the visit of the bishop to receive the professions of seventeen novices. The community entertained their counsel (or *narrator*) with a gallon of wine (price fourpence) and swans, peacocks and boars marked the greater occasions. As Miss Crittall observes, the account raises interesting questions by making a distinction between victuals bought, and those taken from stock; it is thus possible to gain some light upon the question of how far a monastic house was economically self-sufficient, and how far it was necessary to purchase supplies in the open market.

A very different type of document is concerned with clerical poll-taxes in the diocese of Salisbury for the years 1377-81. The three fragments edited by Mr. J. L. Kirby are of unusual interest for they do not present large and anonymous totals, which so often serve as our only information about taxation, but detailed lists of names with the contribution of each to the clerical tax. The lists, therefore reveal not merely the higher ranks of the clergy, but also the names of that clerical proletariat whose existence is well known, but which is difficult to trace in any detail—cathedral vicars, canons of collegiate churches, chantry chaplains and at least some who were not beneficed, and some others who were not priests. Some of the religious houses seem to have been very small, at least when compared with Wilton which (below, p. 166) had an abbess and



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fifty nuns in 1380-1 who paid poll-tax, although there were only five canons regular in Edington and four in the priory of Longleat. The cellaress of Wilton whose account has already been mentioned may thus have had to cater for a rather larger house than Miss Crittall contemplated (below, p. 144).

Members of the Branch are very fortunate in having these local records presented to them with the technical skill and learning which they associate with the national records and the university libraries ; indeed, the Public Record Office provides half of our contributors, while others are concerned with the Victoria County History. In local history, however, the distinction between amateur and professional is irrelevant. Indeed it would be a serious omission if a ' professional ' historian were to miss this opportunity of saying how much the history of English law, and of English economic life, is indebted to the publications of the local societies for the large variety of accounts, charters, fines, pleas, episcopal and other registers which contain the raw material from which English legal and economic history must be derived.

T. F. T. PLUCKNETT

# ACCOUNTS FOR WORKS ON THE ROYAL MILLS AND CASTLE AT MARLBOROUGH, 1237-8 and 1238-9

## THE PROVENANCE AND NATURE OF THE ACCOUNTS

The two accounts for building and repair work at Marlborough and Elcot in 1237-9, edited here, are to be found in the Public Record Office in the Exchequer Class known as Queen's Remembrancer, Various Accounts.<sup>1</sup> In addition to their local interest they have the added distinction of being amongst the earliest 'particulars' of royal building accounts yet known to survive.

The nucleus of the large and interesting class of Exchequer Various Accounts derives from the Ancient Miscellanea of the King's (or Queen's) Remembrancer, being the vouchers and other documents from which the king's debtors had compiled, and with which they supported, the accounts presented at the Exchequer for audit and enrolment, together with those accounts themselves. The subsidiary documents and the audited accounts remained in the King's Remembrancer's Office, sometimes in the leathern pouches in which they had been brought to the Upper Exchequer of Account.

Thus it is not impossible that documents from four distinct stages in the rendering of a single account may survive: namely (1) the bills, vouchers and other notes of expenses; (2) the 'particulars of account' drawn up from these, taking various forms but being extremely detailed and including, for example, the names and wages of individual workmen; (3) a somewhat condensed version of this account, particulars, in short, which are still reasonably detailed, but in which workmen will probably only appear as so many masons, carpenters or ditchers, receiving as groups a lump sum in wages; and, (4), a highly condensed version of the account, audited and entered on the great Pipe Roll<sup>2</sup> of the Exchequer. The Pipe Roll, made up after the final audit at Michaelmas each year, contained an account of the annual revenue collected and spent by the sheriffs and other royal farmers, together with the accounts rendered for manors, castles, towns and other possessions of the king which had been given into custody.

The history of a single account is seldom, in fact, so well documented. The existence of the most detailed stage has often to be deduced from such characteristic phrases in the surviving account as *ut patet per particulas*, or . . . *quorum nomina et summe annotantur in quibusdam rotulis de particulis super hunc compotum liberatis*. Even more frequently either stage two or stage three was omitted altogether. If vouchers do not

<sup>1</sup> E101/501/18; E101/476/3.

<sup>2</sup> Or the Foreign Account Roll.

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survive for an account, and they rarely do, it is not usually possible to say whether this lack is the result of separation or loss, or whether no vouchers were handed in. The presence or absence of corrections or cancellations made at, or with an eye to, the audit will normally determine whether the account in the hand is or is not the final draft with which the king's accountant faced the Treasurer and Barons of the Upper Exchequer.

Documents for those works at Marlborough with which we are here concerned survive from stages two and four. In other words, we have what appear to be particulars in the most detailed sense of that word, and the brief versions of them entered on the Pipe Roll for the twenty-third year of Henry III.<sup>1</sup> The former are printed as the text; the latter, for reasons mentioned later, have not been reproduced. The particulars show abundant corrections, and were certainly those presented for audit. If vouchers or tallies were also handed in they were probably deemed of little importance after audit, and either destroyed or subsequently lost.

### THE BACKGROUND TO THE WORKS

Our knowledge of the royal works at Marlborough castle and on the mills at Marlborough and Elcot in 1237-9 does not begin with the Exchequer particulars of account. The two writs which ordered the work to be put in hand issued from Chancery under the Great Seal. They are preserved in the copies entered on the contemporary Liberate Rolls of that Office together with other warrants for expenditure by royal servants, and mandates addressed directly to the Exchequer officials ordering that money be paid out of the Treasury or allowed to accountants at their audit.

The first writ contained instructions for the building and repair of the king's mills and the provision of the necessary timber by the warden of Savernake forest.

*Computabitur de molendinis.* Rex constabulario suo de Merleberge, salutem. Precipimus tibi quod unum molendinum infra gardinum nostrum de Merleberge, et aliud molendinum, scilicet fulericium, subtus molendinum de Elcot' de novo fieri [facias], et molendinum de Elcot' quod deterioratum est reparari facias, ad quod Galfridus Esturmy tibi maeremium necessarium habere faciet de precepto nostro. Et custum quod ad hoc posueris per visum et testimonium legalium hominum computabitur tibi ad scaccarium. Teste rege apud Wudestok', ij die Julii [1237].

*De maeremio ad molendina.* Et mandatum est Galfrido Esturmy quod in foresta de Savernak' eidem constabulario maeremium ad illa duo molendina construenda et ad tercium emendandum habere faciat, et quod talliam ei faciat, cujus altera pars penes ipsum Galfridum remaneat. Teste ut supra.<sup>2</sup>

Some eight months later a second writ of *computabitur* was addressed to the constable, ordering that defects in the castle should be repaired without delay.

Rex constabulario Merleberg', salutem. Precipimus tibi quod domos, muros et kernellos castri nostri de Merleberg' et alia que indigent reparatione in camera regine nostre in eodem castro sine dilacione reparari facias. Et

<sup>1</sup> P.R.O. E372/83, m. 9, covering the financial year from Michaelmas 1238 to Michaelmas 1239. See below p. 5, n. 7.

<sup>2</sup> P.R.O. Liberate Roll, 21 Hen. III [C 62/11] m. 7 (*Calendar of Liberate Rolls* [hereafter referred to as *C. Lib. R.*], 1226-40, p. 278).

## WORKS AT MARLBOROUGH

custum etc. Teste ut supra [sc. Teste rege apud Merleberg', xxiiij die Marcii (1238)].<sup>1</sup>

The constable who received these instructions was Robert de Mucegros, or Muscegros. Knowledge of his previous career is somewhat fragmentary, but enough is known to suggest that the grants of lands and wardships entered on the Chancery Rolls of John and Henry III do in fact testify to royal gratitude for services rendered, and not merely to Robert's alertness and ability to buy in the royal market. A mandate addressed by King John to Mucegros and Andrew de Beauchamp from Angoulême in March 1214, concerning the delivery of 'six barrels of our treasure which is in your custody', indicates that Mucegros was at this time acting as one of the clerks of John's Chamber, the financial department of the Household.<sup>2</sup> His position there may perhaps be explained by the fact that in the same year he is referred to as a knight of the Poitevin Peter de Maulay, who by 1209 was acting as Chamberlain to the king.<sup>3</sup> In the following reign Mucegros' connexion with the royal finances increased, and he was also employed on diplomatic missions overseas. Prior to her marriage with the Emperor Frederick II he seems to have had charge of the household of Isabel, Henry III's sister, paying her expenses on the king's orders and arranging for the reception of her chaplain. Robert was also one of the numerous and assorted company which went with her to Germany in May 1235.<sup>4</sup> From Isabel's service he passed to that of the Queen. In October 1235 Mucegros had been one of the two proctors appointed to conclude the marriage treaty between Henry III and Eleanor of Provence, and it was as Queen Eleanor's steward that Matthew Paris accorded Robert a brief obituary notice.<sup>5</sup>

Mucegros' immediate predecessor at Marlborough castle had been a certain Roger Wascelin. Roger accounted as keeper from 22 July 1232 until 30 May 1234, being paid for the custody of the castles, towns and manors of Marlborough and Ludgershall at the rate of ten marks

<sup>1</sup> Liberate Roll, 22 Hen. III [C 62/12] m. 10 (*C. Lib. R.* 1226-40, p. 319). Known as writs of *computabitur* from their essential phrase, 'and the cost . . . shall be accounted' (or allowed) 'to you at the Exchequer', these mandates were retained by the constable and produced later in his audit at the Exchequer. Thereupon the Treasurer and Barons made allowance to him of the total cost of the works as expenditure authorised *per brevia regis*; see Pipe Roll, 23 Hen. III, m. 9. A further writ dated 4 May 1238, attested by the king on the information (*per*) of the constable and another, ordered Geoffrey Esturmy to provide wood for making two windows in the queen's chamber in Marlborough castle; *Close Rolls* [hereafter referred to as *C.R.*], 1237-42, p. 48. None of these mandates is mentioned by Waylen in his *History of Marlborough* (1854).

<sup>2</sup> *Rotuli Litterarum Patentium*. . ., 1201-16, ed. T. D. Hardy; Record Commission (1835), [hereafter referred to as *Rot. Lit. Pat.*], p. 112.

<sup>3</sup> *Rotuli Litterarum Clausarum*. . . ed. T. D. Hardy; Record Commission [hereafter referred to as *Rot. Lit. Claus.*] I. 1204-24, (1833), p. 169 b. See S. Painter, *The Reign of King John* (Baltimore, 1949), p. 86.

<sup>4</sup> *C. Lib. R.*, 1226-40, p. 233; *C.R.*, 1231-4, pp. 229, 373; P.R.O. Issue Roll, Easter Term, 19 Hen. III [E403/1203], m. 1.

<sup>5</sup> Rymer's *Foedera*. . ., 1066-1383, Record Commission, I. i. (1816), pp. 219-20. *Chronica Majora*, ed. H. R. Luard, V; Rolls Series (1880), p. 535; 'De familia autem reginae speciali, obiurunt dominus Robertus Muscegros, ipsius reginae senescallus; . . . Robert was dead by 23 January 1254; *Excerpta e Rotulis Finium*. . ., ed. C. Roberts; Record Commission [hereafter referred to as *Excerpta* . . .], II. (1836), p. 177. The writ ordering the inquisition post mortem was dated 29 January; *Calendar of Inquisitions Post Mortem*. . ., i. Henry III (1904), p. 82.

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(£6 13s. 4d.) yearly up to Michaelmas 1232, and forty marks (£26 13s. 4d. thereafter.<sup>1</sup> A few days before 30 May 1234 Henry III had appointed Robert de Mucegros keeper in Wascelin's stead,<sup>2</sup> and it was as keeper that Mucegros accounted between 30 May and Michaelmas 1235.<sup>3</sup> By letters patent dated 6 May 1235, however, the king informed the Barons of the Exchequer that he had committed Marlborough and Ludgershall to Robert at farm: he was to keep them at his own expense as from 29 September 1235 during pleasure, rendering £120 yearly to the Exchequer in equal portions at Easter and Michaelmas.<sup>4</sup> Thus, instead of being paid as keeper, he himself was now bound to find a yearly sum, although any profits which might accrue over and above the farm would remain at his disposal.<sup>5</sup> Both as the king's keeper and later as his farmer Mucegros had in his charge the castle and town of Marlborough with the manor and the barton, or home farm of the manor, the hundred of Selkley, and the castle, town and manor of Ludgershall.<sup>6</sup> This was his 'bailiwick' or sphere of authority, which he held until his death in 1254; for throughout his span of office Marlborough and Ludgershall remained in the king's hands. It was not until late in 1262 that they were added to Queen Eleanor's dower lands in England, and even then the grant does not seem to have been operative for many years.<sup>7</sup>

When that enterprising horsewoman Celia Fiennes came to 'Maulbery' on her journey from Wiltshire to London at the very beginning of the eighteenth century she noted that the town had 'a good river that turns many mills'.<sup>8</sup> Some of those which Celia saw were undoubtedly the lineal descendants of mills which were working in the thirteenth century. Identification within a much smaller period of time is, however, our present concern.

The Kennet turned several mills for King John and his son. There was the 'molendinum de burgo' or Port Mill which John granted to

<sup>1</sup> Pipe Roll, 18 Hen. III [E372/78], m. 16, and *C. Lib. R.*, 1226-40, p. 206. In theory the keeper during this period was Peter de Rivaux; *Patent Rolls*, 1225-32; p. 491; *C.R.*, 1234-7, p. 26. The offices heaped upon de Rivaux at the beginning of his period of ascendancy from the summer of 1232 to the summer of 1234 were, however, not given for his own use, even by deputy, but to consolidate his position as a financial reformer. Wascelin is not called his deputy.

<sup>2</sup> *C.R.*, 1231-4, p. 428, 23 May, 1234.

<sup>3</sup> E372/83, m. 9.

<sup>4</sup> P.R.O. Fine Roll, 19 Hen. III [C 60/34], m. 7. The letters patent are dated 18 October 1235; *Calendar of Patent Rolls* [hereafter referred to as *C.P.R.*] 1232-47, p. 120.

<sup>5</sup> That they did accrue is evident from the fact that when Mucegros died and Henry de la Mare was appointed to succeed the temporary custodian Reynold de Acle in the 'bailiwick' of Marlborough and Ludgershall, the annual farm demanded from him was increased by £10; Fine Roll, 39 Hen. III. [C 60/52], m. 13.

<sup>6</sup> This becomes clear when the tersely worded entries on the Chancery rolls concerning Mucegros' appointment are read in conjunction with the Pipe Rolls and the appointments of his predecessor Wascelin and his successor Henry de la Mare.

<sup>7</sup> *C.P.R.*, 1266-72, Appendix, pp. 736-7. Eleanor's dower seems to have been a source of worry from the beginning, and that part of it assigned on Marlborough to have been particularly elusive. The subject lies outside the scope of this Introduction, but can be traced in *C.P.R.*, 1266-72, 1272-81 and 1281-92.

<sup>8</sup> *The Journeys of Celia Fiennes*, ed. C. Morris (1947), p. 330.

## WORKS AT MARLBOROUGH

Robert de Barfleur and confirmed to Robert's son Nicholas in 1204.<sup>1</sup> This is not one of the mills which we need consider further. More to the point, there was John's fulling mill 'situated between Marlborough and Palton' (Poulton). This, with two acres of land lying between the mill and 'the great road which goes from Marlborough towards Hungerford', was granted to Reynold Basset and William de Rowden in 1215 for a yearly rent of one pair of gilt spurs and two shillings for the land.<sup>2</sup> In 1225 a moiety of 'the fulling mill in Marlborough' was in the constable's hands and Henry III granted it to another Reynold Basset,<sup>3</sup> whom we may call Reynold Basset II, to distinguish him from the original grantee, who was dead by July 1224.<sup>4</sup> Since the king mentioned that the other moiety of the mill was held by William de Rowden it would seem that, although said to be 'in Marlborough', this is the same fulling mill earlier described as between Marlborough and the nearby Poulton. Some later information is less specific. Early in 1227 there is a reference to 'the king's mill of Elcot' and 'his new mill under the castle of Marlborough' which proves that both had been working in and since 1224.<sup>5</sup> The royal mill of Elcot needed repair in the summer of 1229, but John de Eston, the then constable, was instructed to defer the work.<sup>6</sup> It is in connexion with this information about royal mills in the neighbourhood of Marlborough in the thirty years or so preceding 1237 that the mills mentioned in the writ sent to Mucegros must be considered.

We have seen that the constable's instructions were to have a mill within the king's garden at Marlborough made *de novo*, likewise a fulling mill below the mill of Elcot. He was also to repair the *deterioratum molendinum* of Elcot. The particulars of account which resulted from these instructions shed some light on the problem of identification, but also provide their own difficulties.<sup>7</sup> The mill within the king's garden turns out, as we might have expected, to be 'below the castle'. It was a water mill and though not specifically described as such, may safely be put down as a water corn mill. Were there two royal mills under the castle at the end of 1237, or was the mill of 1237 the mill of 1224 built anew? To make *de novo*, is, after all, a somewhat ambiguous phrase. The late H. C. Brentnall from his knowledge of the local topography thought there were

<sup>1</sup> *Rotuli Chartarum* . . ., 1199-1216, ed. T. D. Hardy; Record Commission (1837) [hereafter referred to as *Rot. Chart.*], p. 115. Henry III re-confirmed Nicholas in his tenure in 1221; *Rot. Lit. Claus.*, I, p. 466; see also *ibid.*, p. 407. The Port Mill was a corn mill, and after an extremely varied career is still in existence to-day. Vague references to 'the mills of Marlborough' on the early Pipe Rolls are here ignored.

<sup>2</sup> *Rot. Chart.*, p. 218. Fulling and fulling mills are described briefly below, pp. 7-8, with references to a more detailed study of the subject.

<sup>3</sup> *Rot. Lit. Claus.*, II, 1224-7, (1844), p. 23.

<sup>4</sup> *Excerpta* . . ., I. (1835), p. 118.

<sup>5</sup> *C. Lib. R.*, 1226-40, pp. 17-18.

<sup>6</sup> *C.R.*, 1227-31, p. 188.

<sup>7</sup> The enrolled version on the Pipe Roll does not help at all, merely reproducing exactly the terminology of the two writs, and adding the expenditure on each. It has therefore not been reproduced here.

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two.<sup>1</sup> His remarks suggest that the Castle Mill, shown on Andrews' and Dury's map of 1773<sup>2</sup> and on the late nineteenth-century six-inch Ordnance Survey, was the descendant of the mill of 1224. The particulars of account make no mention of a second mill below the castle, and the headings to membranes two and three could perhaps be read to mean that *the* mill under the castle was made anew, while *a* new fulling mill was constructed at Elcot. But it is doubtful whether much reliance can be placed on the phraseology of the membrane headings, and according to the king's instructions both the mill below the castle and the fulling mill at Elcot were to be made *de novo*. The question remains open, for although it is stated that the mill-pool for this mill below the castle was 'enlarged and repaired', the mill itself is constantly referred to in the body of the account as the 'new mill', and it was built from new materials.

Elecote or Elcote, described as 'Elcot without Marlborough' in 1331,<sup>3</sup> is now Elcot Mill in the parish of Marlborough.<sup>4</sup> The hamlet lies on the Kennet at the end of Elcot Lane, and is a little over a mile and a half from Marlborough castle. The mill of Elcot below which the fulling mill was built in 1238 was a corn-mill, the *molendinum blaericium* mentioned briefly in the particulars of account.<sup>5</sup>

Since Henry III ordered Mucegros to repair only one mill, the particulars seem to make the identification of the *deterioratum molendinum* of Elcot with an 'old fulling mill' inevitable.<sup>6</sup> But they add the baffling information that this old fulling mill was removed, carted to Elcot and, after repairs, re-erected.<sup>7</sup> Like Poo-Bah the significant thing about the damaged Elcot Mill, which was apparently an old fulling mill, seems to have been that it 'wasn't there', in March 1238, at Elcot, unless 'carried' is taken to mean 'carried back.' But neither can Elcot Mill be properly described as between Marlborough and 'Palton', nowadays Poulton House and Farm, nor as 'in Marlborough'. Yet this old fulling mill is almost certainly the fulling mill which Reynold Basset I and II and William de Rowden had held by royal grant. Royal fulling mills were not so common in the first half of the thirteenth century: the Bassets and

<sup>1</sup> *A History of Marlborough College* . . . revised and continued by J. R. Taylor, H. C. Brentnall and G. C. Turner (1923), p. 33: 'Henry III's plans for the improvement of the manor' [of Marlborough] 'included the building of a new mill "under the castle". The leet and dam of this mill still persist along "Treacle Bolly", though the mill itself has disappeared within the memory of men still living in the town. This seems to have been completed about 1224. In 1237 another mill was put in hand to be built "within the king's garden".' Brentnall considered that this last was possibly built 'on the site of the later summer-house, and fed by the watercourse beneath the Terrace, which still fell in the eighteenth century over a cascade at its lower end'. No trace of this mill now exists.

<sup>2</sup> *Wiltshire Archaeological and Natural History Society, Records Branch*, VIII (Devizes, 1952), Sheet 12.

<sup>3</sup> See *The Place-Names of Wiltshire*, English Place-Name Society, XVI (Cambridge 1939), p. 301.

<sup>4</sup> Elcot Mill was in Preshute parish until 1901 and in Mildenhall until 1934.

<sup>5</sup> Page 26. The Elcot mill survives to-day, and grinds a little corn as well as generating electricity.

<sup>6</sup> See the heading to membrane three of E101/501/18.

<sup>7</sup> Such at least appears to be the sense of this curiously worded heading. Nothing was said in the king's orders to Mucegros about any removal of the mill which needed repair. There may, of course, have been a supplementary mandate which escaped enrolment.

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Rowden probably held one of the earliest.<sup>1</sup> Moreover it is significant that the heirs of Rowden and Reynold Basset II lost their mill sometime between 1237 and 1238. Henry III took it back into his own hands, assigning the grantees an annual rent of six marks instead, and the act of resumption may well have taken place shortly before the king ordered Mucegros to repair the Elcot Mill.<sup>2</sup>

More problems of identification have now been stated than solved, but further argument from apparently discrepant nomenclature could serve no useful purpose. For while it is doubtless meritorious in a puzzled editor to refrain from finding a scapegoat in the king's Chancery, there is no reason to believe that the department in its routine workings was the repository of exact topographical knowledge about the vicinity of royal Marlborough.

The fulling of cloth was practised in Pompeii and probably in Roman Britain, and the weavers and fullers of Marlborough had laws which in their written form have been assigned to the last quarter of the twelfth century. Fulling consisted in beating or agitating the loosely woven fabric which came off the looms in water containing fuller's earth or some similar detergent. It cleansed, increased the weight, density and life of the cloth and was an essential preliminary to the finishing processes applied to the finer qualities. The fulling mill, which came into widespread use in England and on the Welsh borders between the end of the twelfth and the beginning of the fourteenth century, replaced human labour in fulling by water-power, a mechanization which caused a revolution not only in the technique and organization, but also in the location of the English woollen industry. Professor Carus-Wilson (to whose article the writer is indebted for this information), describes the mechanical method of fulling as a two-fold invention. In the first place the action of hands or feet ' was replaced by that of two wooden hammers, alternately raised and dropped on the cloth as it lay in the trough, and controlled probably by a revolving drum on the tilt-or lift-hammer system. In the second place this revolving drum was attached to the spindle of a water-wheel, and this supplied the motive power' . . . Thus, though the fulling mill ' did not grind (*molere*), it bore a resemblance in one part of its mechanism to the water corn mill. Indeed the building itself, down by the water, with its leet and its revol-

<sup>1</sup> E. M. Carus-Wilson, 'An Industrial Revolution of the Thirteenth Century', *Economic History Review*, XI. no. 1 (1941), p. 46, quoting E101/501/18.

<sup>2</sup> Henry announced his action in letters addressed to Mucegros and dated 26 May 1238. The constable was to pay this annual rent at and from Michaelmas 1238 to Isabel, daughter and heiress of Reynold Basset and ward of Warin son of Gerald, and to Geoffrey de St Maur, husband of William de Rowden's daughter and heiress, 'for the fulling mill without Merleberge that Reynold and William had of King John's gift, which mill the king has taken into his hands, until he shall provide Isabel, Geoffrey and his wife with some certain rent of the yearly value of six marks'; *C. Lib. R.*, 1226-40, p. 335. See also *C.R.*, 1237-42, p. 74 where Henry III orders that Warin son of Gerald shall be assigned forty shillings' worth of fixed rent in Marlborough instead of the forty shillings which the king owes him yearly 'for the mill of Marlborough'. Forty shillings is precisely half of six marks. Early in 1251 Mucegros was ordered to let the parson of Preshute have the tithes from the two fulling mills which, constructed *de novo* on the royal manor of Marlborough, stood then within the parish of Preshute; *C.R.*, 1247-51, p. 415. These must have been the Elcot Mills, the old fulling mill repaired in 1237 and the new one built in that year.



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ing wheel, would be difficult to distinguish externally from a corn mill'.<sup>1</sup> Though the accounts for building the new fulling mill and for repairing the old unfortunately contain hardly any technical information, the flails and hammers ('*flagella et baterell*') which beat the cloth are mentioned.

Little need be said by way of introduction or background to the castle works which were the subject of the second mandate sent to Mucegros, dated from Marlborough itself. At least there is no doubt as to where the castle stood. The results of H. C. Brentnall's long research into its political and architectural history at the Public Record Office are set out with good-humoured scholarship in the early chapters of the *History of Marlborough College*; in his article published in 1939 with a conjectural ground plan of the royal houses and other offices in the original bailey below the castle (part of what Marlburians know as the Wilderness); and in more detail, adding to his Appendix a brief summary of the 1238-9 castle account, in the *Report* of the Marlborough College Natural History Society for 1933.<sup>2</sup>

It should, perhaps, be emphasized that the account now published deals with a very small part indeed of the total works carried out on Marlborough castle in the time of Henry III. Building and repairs went on almost continuously for the greater part of the reign, heralded, as Brentnall put it, 'by a shower of roofing shingles' sent from Chippenham forest in 1223.<sup>3</sup> Orders concerning the king's works are thick upon the Patent, Close and Liberate Rolls, and the architectural history of the three royal chapels, the king's and queen's chambers, the kitchen, the saucery and the almonry can be traced there and in the audited accounts on the Pipe Rolls. Unlikely though it may seem, however, apart from an imperfect membrane relating to works at the castle attributed to 9 Henry III<sup>4</sup> and another for works there in 35 and 36 Henry III,<sup>5</sup> the particulars of account here published are the only ones known to have survived for the reign from what must have been a considerable collection in the Office of the King's Remembrancer.

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Robert de Mucegros lost little time in putting the royal mandate concerning the mill works into effect: it had been dated 2 July 1237 and materials were already being carted for the mill under the castle in the week preceding 25 July 1237. Work may indeed have begun earlier, for the carpentry of the mill was carried out 'at task' and no dates are supplied. This mill was completed, as far as we can tell from the account, about 20 October in the same year. Carriage of wood for the new fulling

<sup>1</sup> 'An Industrial Revolution of the Thirteenth Century', *loc. cit.*, p. 43.

<sup>2</sup> *Wiltshire Archaeological and Natural History Society Magazine*, XLVIII (Devizes, 1939), pp. 133-143; *Report* . . . no. 82 (Cambridge University Press, 1934). This also has a conjectural ground plan based on research.

<sup>3</sup> *Rot. Lit. Claus.*, I, p. 528. As a matter of hard fact the earliest reference noticed to repairs at Marlborough Castle during the reign, as opposed to preparations for a Royal visit, is in a mandate of November or December 1222; *ibid.*, p. 523.

<sup>4</sup> P.R.O. Chancery Miscellanea [C47], bundle 3, file 46, no. 7.

<sup>5</sup> C47/3/43/5.

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mill at Elcot Mill began during the last week of July 1237, though the same *caveat* concerning task work is necessary. The building seems to have continued up to 2 February 1238.<sup>1</sup> Repairs to and the re-siting of the old fulling mill probably went on almost concurrently with the construction of the new. Only one date, however—the week following 18 October, presumably in 1237—is mentioned on the membrane dealing with this work, and that comes towards the end. Severe frost during the winter necessitated some repairs to the work carried out on it previously.

It is thus likely that the mill works had been completed nearly two months before the castle works were ordered. And though in his instructions dated at Marlborough on 24 March 1238 the king, probably making early plans for Christmas, commanded that the repairs should be effected without delay, the work was not put in hand with as much despatch as Mucegros had shown on the first occasion. Operations apparently commenced during the second week in May 1238 and continued until the end of November. There was probably only just enough time to clear up after the workmen and get the apartments ready for the royal party which came to Marlborough from Faringdon on December 3 and stayed for at least five, possibly eight days, before moving on towards Clarendon and Winchester. In the following summer the masons and others carried out some repairs which lasted into September 1239<sup>2</sup>.

Mucegros' responsibility for the building operations cannot have been merely titular, for there was no keeper of the works at Marlborough at this time.<sup>3</sup> Both sets of works were carried out by 'the view and testimony' of Samson de Berewic and Walter Pinnoc,<sup>4</sup> but it is extremely unlikely that they had anything to do with the organization of labour or the design of the building put in hand. Their business was to testify at the Exchequer that expenditure had in fact been in accordance with the accounts presented. The architect and disposer of the works in stone was in all probability the master mason Hugh Blowe,<sup>5</sup> with under him the master stone-setter (*chuchator, cuchator*) John Norreys (*Norensis*). Hugh may have acted as master of the works as a whole, though the work of the carpenters would almost certainly be immediately supervised and co-ordinated by William de Preshute, and that of the skilled and unskilled employees working on thatching, tiling, plastering and ditching by Ralph the master thatcher (*co-operator*), the anonymous master tiler (*teglator*), Robert le Niker, master plasterer (*plastrator*) and John, the master ditcher

<sup>1</sup> It is impossible to fix the duration of any of the works with complete confidence when no dates are assigned to some of the operations recorded.

<sup>2</sup> See E101/476/3, m. 5 and note concerning the year to which it appears to belong. Membrane 6 contains a reference to the cleaning of the castle and the royal houses 'after Christmas'. From it, also, it is possible to infer that building work was still continuing on these houses in June, July and August 1239. The dates given on the membrane are not in chronological order, however, and it may well be that the dates in June, July and August belong to the year 1238 when we know that work was in full swing on houses which the royal household intended to use before Christmas.

<sup>3</sup> The first known reference to keepers of the king's works at Marlborough appears to be in 1244; *C.Lib.R.*, 1240-5, p. 281.

<sup>4</sup> Pipe Roll, E372/83, m. 9.

<sup>5</sup> Hugh is listed in connexion with the Marlborough works by John Harvey in *English Mediaeval Architects* . . . (1954), p. 37.

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(*fossator*). Though the detailed knowledge resided in these men, their general orders would come from Robert de Mucegros as recipient of the royal instructions.

On one occasion, at least, something more tangible was received from Mucegros, in the shape of wages paid *per manum constabularii*.<sup>1</sup> No clerk of the works is mentioned as such, but the *Ricardus clericus* who appears in a cancelled entry in the castle account, and by whose hand payment was made for the carriage of freestone,<sup>2</sup> may normally have been responsible for the payment of wages.

Some 60 persons, including a small but indefinite number of women, were employed in connexion with the mill works, and just under 100 or so, also including several women, about the repairs to the castle.<sup>3</sup> Rather more than a third of the estimated 60 reappear in their various capacities at the castle in 1238-9. The recruiting of labour, if this was Mucegros' responsibility, probably did not cause him much trouble. We have already seen that works of one kind or another had been almost continuous at Marlborough from about 1222. Without further information and in the absence of a keeper of the works it would be rash to think in terms of a semi-permanent organization for building operations. Still, it is interesting to find that eight men employed by Mucegros had worked in the same capacities on Marlborough castle some twelve or thirteen years earlier.<sup>4</sup> In any case Mucegros would have found many of his workmen close at hand. William de Preshute, Richard de Poulton, Adam de Elcot, Robert de Stitchcombe, William de Ogbourne, William de Bedwyn, Richard de Calne and William de Pewsey all proclaim their local origin, and many of those whose names are less informative may also have come from the surrounding countryside. More striking, because less expected, is the evidence that employment on the king's works seems to have become for many a family trade. Four men bearing the surname 'Pictor' and three that of 'Cocus' were working at Marlborough in 1237-9, the wife of Richard Withe is described as his assistant (*coadjutor*) and an Agnes Paste and her daughter helped with thatching. John and Richard Pain (*Paganus*) were brothers, as were William and Roger Aldwin (*Aldwinus*, *Aldewinus*) and Hugh and Roger Blowe.

At 5*d.* a day and every few weeks 1*d.* for gloves Hugh Blowe or Blouwe, master mason, was the most highly paid man engaged by Mucegros.<sup>5</sup> Roger Blowe, freemason (*cissor libere petre*), usually received the same glove allowance as his brother, and 4*d.* a day in wages.<sup>6</sup> This

<sup>1</sup> See below, p. 19.

<sup>2</sup> See below, p. 33, n. 4. A payment by the hand of John the reeve [*prepositus*] is also recorded, p. 20.

<sup>3</sup> Exact numbers cannot be reached, for, as in most accounts, there is the problem of anonymous workmen and workmen who are mentioned only by undistinctive Christian names.

<sup>4</sup> C47/3/46/7. The men were William de Preshute, Vincent, Reynold de Frogmore, William de Pewsey, carpenters, and Adam de Elcot, Adam de Aula, Walter Blering and John Pain, carters.

<sup>5</sup> See below, p. 30, and for a lower wage, below, p. 43, n. 1.

<sup>6</sup> See below, p. 32.

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was also the normal wage paid to William de Preshute, (?master) carpenter, Vincent the carpenter, and John, the master ditcher.<sup>1</sup> John Norreys, master stone-setter, his companion (*socius*), Richard de Preshute, and some other *chuchatores* normally received 3*d.* a day, though John and Richard also shared an occasional 1*d.* for gloves.<sup>2</sup> Ralph, master thatcher, seems to have been paid 2½*d.*-3*d.*, and Robert, master plasterer, 2*d.*<sup>3</sup> A companion was better paid and presumably more skilled than an assistant (*coadjutor*): Walter Cocus, for example, when acting on his own as assistant to the masons, had a daily remuneration of 1½*d.*-1¾*d.*<sup>4</sup>

The women who appear in both accounts mainly performed casual jobs in the wake of the workmen. Five of them are named.<sup>5</sup> The normal wage for a woman seems to have been the daily 1*d.* paid for the carrying of stone and cement<sup>6</sup> or for unspecified aid in thatching.<sup>7</sup> Daily wages of 1¼*d.*, 1½*d.*, and 1¾*d.* were, however, paid respectively to women carrying stones and mortar<sup>8</sup>, helping the masons and collecting stones in the forest.<sup>9</sup> Nowhere in either account is there a suggestion that part of any wage was paid in food or drink.<sup>10</sup> Time rates are most usual in the accounts but piece work or work *ad taschiam* occurs fairly frequently. Since the number of days taken over a task is never mentioned there is no means of comparing the financial value of time with piece rates. Nor do the accounts say anything of daily or weekly hours of work, though feast days are listed with regularity and the number of days put in by the different workmen during any one week is usually stated. Work on feast days was not unknown.<sup>11</sup>

A lodge was built and thatched at the end of September 1237. The accounts make no further reference to it, but from the fact that it was constructed during work on the new fulling mill, when no masons seem to have been employed, it may be put down as a place where any workman might rest and refresh himself, and where perhaps tools were stored. Very few of these in the strict sense of the word are mentioned in the accounts, apart from the pickaxes and draw-hoes which were both made and repaired or refurbished on the site.

Rather more information is given about the provenance of building materials. Wood was available close at hand in Savernake forest, roofing shingles were made there, and twigs and brushwood collected for wattling. When fir-boards were needed, however, they were bought in London.<sup>12</sup>

<sup>1</sup> See below, pp. 19, 41.

<sup>2</sup> See below, pp. 30, 33.

<sup>3</sup> See below, pp. 20, 46-7.

<sup>4</sup> See below, p. 29.

<sup>5</sup> Joan, Agnes Paste, Isabel, Juliana and Maud.

<sup>6</sup> See below, p. 29.

<sup>7</sup> See below, p. 20.

<sup>8</sup> See below, p. 30.

<sup>9</sup> See below, pp. 33-4.

<sup>10</sup> Cf. D. Knoop and G. P. Jones, *The Mediaeval Mason*, Manchester University Press (2nd edn., 1949), p. 114; L. F. Salzman, *Building in England down to 1540*, Oxford University Press (1952), p. 69. Both these books are invaluable for the study of the organization and materials of medieval building works, and both treat the evidence from a comparative point of view, which necessarily has not been attempted here.

<sup>11</sup> See below, p. 33.

<sup>12</sup> See below, p. 41.

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Sand, as the chief ingredient in mortar, was used in great quantities ; it was also employed as an alternative to moss<sup>1</sup> for putting between wood and the lead so often laid on it and spoilt by vegetable acids in the timber.<sup>2</sup> One man and his assistant<sup>3</sup> were employed during almost every week of the castle works in digging sand and, with John the carter, transporting it *de orto in vico*, possibly from the king's garden where it bordered the Kennet into some convenient lane or alley close to the castle. A piece of ground for the digging of sand was also purchased from Ralph. There are various references to the carriage of lime, but from where or how it was obtained is not mentioned.<sup>4</sup> Stone was bought for the masons both as freestone, ready worked at the quarry into *tables, corbels* 'and other stones', and as *grossa petra*, probably block or un-dressed stone. The quarry which may well have been the chief, if not the sole source of supply, is only named once, as 'beside Bath', some thirty-two miles from Marlborough. This distance between the two places brings home to us the problem of carriage, that most costly of all aspects of medieval building operations. The cost of a *cariagium*, or cart-load in transit, varied with the material carried, the distance covered, and possibly, with the type of cart employed.<sup>5</sup> For heavy materials, and stone above all, the cost was disproportionately high. Two hundred (*centenae*) of freestone were bought from the quarry near Bath for 3s., but the cost of its carriage to Marlborough was 22s., more than seven times the original purchase price. Nor is this an isolated case ; it was the normal and accepted figure.<sup>6</sup> A mill-stone on the other hand was much more expensive to buy than to load and cart from Southampton to Marlborough.<sup>7</sup>

### DESCRIPTION OF THE DOCUMENTS

Both particulars of account take the form of rolls made up in Exchequer fashion. That is to say, each consists of several lengths of parchment laid one on top of the other, stitched together across the head and rolled up from the top.<sup>8</sup> The account for works on the mills at

<sup>1</sup> See below, p. 19, 'In musso colligendo . . .'

<sup>2</sup> See below for example, p. 32.

<sup>3</sup> It seems probable that Randolph le Frigg' and Randolph Golin were one and the same person.

<sup>4</sup> When in November 1238 the constable was instructed to complete the tower of Marlborough castle he was told to have a lime kiln made for the works ; *C. Lib. R.*, 1226-40, p. 350. This, however, was not the first to be built there.

<sup>5</sup> The first point is well illustrated in the accounts. William de Preshute, it should be noticed, was sufficiently well-to-do to have his own carter, and Walter Blering a cart and two horses ; see below, p. 33. On one occasion at least the sheepfold cart from the barton was pressed into service ; p. 27.

<sup>6</sup> See below, p. 29 ; quoted in Salzman, *Building in England*, pp. 132-3. Compare the two instances where half a hundred of freestone cost 9d. to buy and 5s. 6d. to carry ; below, pp. 33, 35.

<sup>7</sup> See below, p. 21. The prices alone would have suggested that these mill-stones had been imported from France ; see J. E. T. Rogers, *A History of Agriculture and Prices in England*. . . I. (1866), pp. 145, 515 ff., also *C. Lib. R.*, 1226-40, p. 355.

<sup>8</sup> As contrasted with Chancery practice in which the membranes were sewn head to tail to form a continuous roll. E101/476/3 was repaired and a new parchment guard was added to E101/501/18 about the middle of the nineteenth century.

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Marlborough and Elcot consists of three membranes.<sup>1</sup> At the foot of the second is stated the total expenditure recorded on the roll. Six membranes make up the castle account, the first three being stitched head to tail to form a long rotulet.<sup>2</sup> The foot of this bears the grand total for all six membranes. The longest membranes of medieval Exchequer-style rolls were not necessarily the last, for a long first membrane or one placed centrally served equally well as a protecting cover when the whole was rolled up. The grand total of the roll, if there was one, might well be placed on the longest membrane for convenience of reference. In our case both the headings and the dates of commencing work given on the present first membranes of the accounts leave little doubt that they were in fact intended to be the first.<sup>3</sup>

The state of preservation of the accounts is on the whole extremely good. At the top of membrane two of the castle account the parchment had decayed into holes in numerous places before repair work was put in hand, but only one of these was large enough to leave *lacunae* in the printed text. For whatever the difficulties involved in editing medieval building accounts, at least the repetition of the same names, wages and hours of work (supplemented by a little elementary arithmetic) normally enables the editor to suggest how the gaps caused by wear and tear may be filled. Though recourse to an ultra-violet lamp was necessary to confirm some readings, the only entries which could not be deciphered in their entirety were the galled and partly erased endorsements on membrane two of the castle account.

At least three, and possibly four, hands were employed in drawing up the accounts. No attempt to distinguish and label them has been made: an examination would be lengthy and of little practical value here. The only point of direct interest which arises is that three hands which appear in the roll for mill works can also be identified on the membranes of the castle account.

The lay-out of the two accounts is that of the headed membrane with entries arranged in paragraphs. Placed centrally at the foot of every paragraph is the *summa* or total of the individual items recorded in it, and at the foot of the membrane or rotulet is the *summa totalis* or total of the *summae*. There is no horizontal ruling or scoring on the membranes of either account, but in each a scored margin approximately half an inch wide occupies the lefthand edge of every membrane.

The paragraphs vary considerably in length and character. Sometimes a rule of one week one paragraph seems discernible: at other times all references to the duration of the work described are lacking. Occasionally expenditure is attributed to a single day, and an overgrown paragraph

<sup>1</sup> The first and uppermost measures approximately 14½ by 6 inches, the second 23½ by 6 inches and the third 17 by 6 inches.

<sup>2</sup> This measures approximately 68½ by 5 inches, including two overlaps where the first and second and second and third membranes are stitched together. Membrane four is 19 by 5 inches, membrane five, 23½ by 5½ inches. The sixth and last measures 17 by 5½ inches.

<sup>3</sup> It is also worth remarking that the membranes of E101/501/18 deal with the works on the mills in the same sequence in which those works are mentioned in the writ on the Liberate Roll.

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may embrace six weeks or longer, or list, instead of the usual few, a multitude of various categories of work. These lengthy paragraphs have no indentation, but usually either contain weekly headings or make intermittent use of *Item* within their structure. Underlining of each sum of money in a paragraph makes a brief appearance in the castle account, but this convenient method of drawing attention to individual items of expenditure was soon abandoned. Greater clarity seems, however, to have been the aim of the clerk using pale ink who went through both accounts, perhaps in preparation for audit at the Exchequer, and added marginal paragraph marks and extended lines against most of the centrally placed *summae*. When on membrane three of the account for mill works he came to some cramped and rather untidy entries where the *summae* mostly continued the last line of the paragraph, he used a bracket instead, extending it in such a way as to point clearly to the paragraph total.

In short, although not set out with all the precision and regularity to be found in many similar building accounts of the reign of Edward I and later, these two are not unworthy of their position in the van of medieval particulars of works.

### EDITORIAL METHODS

Thanks to the almost uniformly good preservation of the accounts the problems which arose were in the main questions of editing and presentation rather than of transcription. There was, however, the familiar difficulty of distinguishing between the letters *c* and *t* in words where either, singly or together, might equally well have been used. *Carectarius* or *carettarius*? This was a recurring problem and a consistent attempt to distinguish between the two has been made.

The original lay-out of the accounts has been followed, but not slavishly. The consideration that an edited account should make as pleasant reading as possible, and the desirability that any item of expenditure required for reference may be found easily, both militate against lengthy, undivided paragraphs crammed with names, dates and figures. On the other hand not all accounts can be reproduced in tabular form without undue distortion. This is true of the present accounts and a slight modification of their original paragraph form has been adopted. That is to say, the principle of one week one paragraph has been imposed where that was necessary.<sup>1</sup> For the sake of clarity indentations have been begun in overgrown paragraphs wherever the word *Item* introduced a class of expenditure differing from that immediately preceding it, but not otherwise. The dates inserted in italics in square brackets at the beginning of most paragraphs are those of the feast days or ordinary week days mentioned in the text. Paragraph and membrane totals in the accounts have been checked wherever possible. When necessary *rectius* figures have been added within square brackets, and it is hoped that the care exercised has prevented the introduction of new mistakes.

<sup>1</sup> This, of course, involves no displacement of the *summa*, but merely a division into layers of the paragraph to which it refers.

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Modern usage has been followed with regard to capital letters, *u* and *v*, *i* and *j* and punctuation. All additions to the text have been clearly distinguished, roman letters within square brackets indicating a suggested reading for faded or decayed portions of the rolls, and italic letters within square brackets showing interpolations demanded by the sense of the text or the fallibility of a clerk. A suspension mark retained indicates that for one reason or another the extension is uncertain. Where from internal or external evidence a particular extension appears likely, but still not beyond question, the original reading has been given in a footnote. It has seemed best, however, to print the surnames of Walter Blering and some others exactly as they stand, since in an apparently capricious manner they are sometimes furnished with suspension marks and at other times not. Initial letters standing for known Christian names have been extended. Emendations appear in the text, the slips or errors in footnotes. Perfect consistency in the editing of medieval texts may be devoutly wished for, but it can seldom be achieved. False starts, omissions of minims and erasures which in the editor's opinion are of no significance have not been noted.

The treatment of personal names always presents difficulties and any solution is open to objections of one kind or another. 'Surnames' which consist of 'de' and a place-name are the easiest to handle: Willelmus de Preschut has appeared in this Introduction as William de Preshute and will appear in the Index as Preshute, William de. It is with occupational and descriptive or 'nick-name' surnames that the trouble really begins. In the text capital letters have been given to these; thus le Lorinner, Pictor, le Blake (subsequently 'Blakeman') and le Mak or Make, appear in the Index under Lorinner, Pictor, Blake etc. 'Johannes fossator', however, has been deemed not to have a surname in the accepted sense of the word, and is referred to and indexed as John the ditcher. The members of the Pictor and Cocus families might also have been treated in this way had they not been so numerous. A decisive note of money paid 'Waltero Pictori, carpentario', was, in fact, found, but with regard to the latter family it may truly be said that many cooks (at the same time) make a surname.

### GLOSSARY

The following glossary makes no pretence to completeness. With a few exceptions it contains only those words in the accounts which do not appear in the present edition of the *Medieval Latin Word-List* or vary in form or meaning from others which do. The editor would welcome information about the words whose meaning remains obscure. References are to Salzman's *Building in England*.

### GLOSSARY

- alvus* : radial blade or 'bucket' of a mill-wheel.  
*augea, augia*, for *alv[a]* : trough, wooden channel or 'shoot' conducting water to the mill wheel.  
*baterell'* : hammer, beater.  
*bracki[a]* : ?subsidiary branches or arms of a watercourse.



COLLECTANEA

- caumu*[s], for *caumia* : straw.  
*channu*[m] : hemp.  
*chuchator, cuchator* : stone-setter or layer.  
*chuvell*[us], for *cavilla* : tile-pin, tile-peg.  
*cissor* [*liberae petrae*] : freemason (stone-cutter).  
*cleia* : hurdle, wattle.  
*corbellus, corballus* : corbel, or projecting bracket of wood or stone.  
*corbillo* : basket.  
*covero* : ?roof covering, tile.  
*cribbliu*[s] : sieve, riddle.  
*culmu*[s] : straw.  
*curbia* : curb.  
*fenestra* : (1) window; aperture of window; (2) window frame of stone or wood; (3) shutter.  
*fenestra vitrea* : (4) window pane (see below p. 42).  
*filett*[us] : fillet (architectural).  
*?fornira* : ?smelting; heating of an oven or furnace.  
*gareto* : ?to furnish with a turret. Meaning here uncertain, but cf. Salzman, p. 283, n. 10.  
*hostium, for ostium* : door.  
*jacto* : to cast or found molten metal; to throw up with spade or shovel.  
*lami*[a], ? for *lamina* : sheet or plate of metal.  
*lato* : to cover with laths.  
*ligo* : draw-hoe (classical).  
*lovinner for loviner* : maker of small iron ware or worker in wrought iron.  
*lover'* : louver or louvre.  
*muconatus, for mutonatus or mutunatus* : rammed or beaten.  
*mutuno* : to beat or ram (earth).  
*pala* : pale or stake.  
*pela* : for *pala*.  
*perjacto* : to rough-cast.  
*polayni*[us] : pulley.  
*polus* : ?shaft of a mill.  
*pons vertens* : draw-bridge.  
*praya, praia* : wooden pin used in thatching.  
*rastellu*[s] : small grating, rake (classical).  
*refrigeriu*[m] : food and drink; banqueting hall.  
*roso* : ?to decorate with roses.  
*scaffadura* : scaffold, scaffolding.  
*scendula, cendula, for scindula* : wooden tile or roofing shingle.  
*screnu*[m] : screen.  
*securis* : hatchet or axe.  
*sephum, for sepum* : tallow.  
*sovo* : ?to solder.  
*spolio* : to strip, trim or lop.  
*stamen for stagmen* : tin or pewter. Both are used in soldering, see Salzman, p. 277.  
*staminatus* : tinned.  
*studio* : to stud (a wall); to build with upright timbers or laths.  
*subfullo, for suffulcio or subfulcio* : to underprop, strengthen, support.  
*tabula* : thin, flat stone used for string-courses.  
*tallio* : (here) to check against tallies.  
*terro* : ? to daub with earth or clay; to plaster between rafters.  
*trescencia* : covered passage or gallery (tresance).  
*waldura* : for *walhura*.  
*walhura* : fencing, wattling, or materials for the same.  
*winbargia* : barge-board.  
*wisco* : to wattle.  
*wixo* : for *wisco*.

## WORKS AT MARLBOROUGH

The death of Mr. H. C. Brentnall in February 1955 occurred before I could discuss with him the various problems arising out of the account for mill works at Marlborough which he had himself originally planned to edit for the Society. The account for repairs to Marlborough castle was also well-known to Mr. Brentnall and he encouraged its publication here. It is my hope that he would have approved of the completed work. While assuming sole responsibility for any defects in it, I wish to acknowledge with gratitude the help and criticism which I have received from my colleagues at the Public Record Office, in particular from Mr. N. J. Williams, the General Editor of this series, from Professor E. M. Carus-Wilson, of the London School of Economics, from Mr. John Harvey, F.S.A., and from Mr. E. G. H. Kempson, Assistant Master at Marlborough College.

SHEILA B. CHALLENGER.

## COLLECTANEA

ACCOUNTS FOR THE BUILDING AND REPAIRING OF ROYAL  
MILLS AT MARLBOROUGH AND ELCOT, 1237-8

E101/501/18.

[m.1]

Rotulus de expensis in molendinum sub castro novum faciendum precepto domini regis anno xxj regni regis Henrici, tempore Roberti de Mucegnos.

Item. Willelmo de Prescut' et Vincentio pro carpenteria ejusdem molendini ad taschiam facienda, et pro meiremio in bosco prosternendo et scapulando,<sup>1</sup>iiij li.<sup>1</sup>

Summa illius taschie—<sup>2</sup>iiij li.<sup>2</sup>

Item. Septimana proxima ante festum beati Jacobi Apostoli [*Saturday, 25 July, 1237*], pro quadraginta octo cariagiis, xijs.iiijd.

Item. Septimana proxima post festum beati Petri ad Vincula [*Saturday, 1 August*], pro xxiiij cariagiis, vjs.

Item. Septimana proxima ante Assumpcionem beate Marie [*Saturday, 15 August*]. Waltero Blering' pro vj cariagiis, xijd., et Willelmo de Prest'ch'<sup>3</sup> pro vj cariagiis, xijd.

Item. Septimana proxima ante Nativitatem beate Marie [*Tuesday, 8 September*]. Roberto Nigro pro iiij cariagiis, xijd. Johanni Pagano pro vj cariagiis, xviiid. Ricardo, fratri suo, pro iiij cariagiis, xijd. Waltero Blering [*pro iiij*] cariagiis, xijd., et Matheo,<sup>4</sup> coadjutori suo, infra dictas septimanas per vj dies, xviiid.

Item. Septimana proxima sequenti. Ade de Elcote pro vj cariagiis, xviiid., et Ade Aula, xviiid., et Roberto Nigro, xijd. Johanni Pagano, xijd., et Ricardo, fratri suo, xijd. Et iterum pro xij cariagiis, iijs.

<sup>5</sup>Summa—xxxvs. et iiijd.<sup>5</sup>

*Fossatoribus*

Item. Johanni fossatori pro stagno novi molendini sub castro augmen-  
tando et reparando, xijs.

Item. Septimana proxima ante Nativitatem beate Marie. Pro placia novi molendini deliberanda ubi molendinum debuit<sup>6</sup> assederi, Johanni fossatori et hominibus suis per v dies, iijs. et vjd.

<sup>1</sup>...<sup>1</sup> Written, with a connecting line between it and scapulando, in paler ink.

<sup>2</sup>...<sup>2</sup> Added, with a marginal paragraph mark and connecting lines between the mark and Summa illius taschie and Summa etc. and the figures, in paler ink.

<sup>3</sup> Probably a clerical error for Prestch'.

<sup>4</sup> Extended here and on following occasions from Math'.

<sup>5</sup>...<sup>5</sup> Added, with a marginal paragraph mark and connecting lines, in paler ink. The same pale ink was used to strike out an identical, preliminary total jotted on the extreme right-hand side of the membrane in the dark ink used for the body of the account.

<sup>6</sup> The last four letters of debuit are interlineated with a caret.

WORKS AT MARLBOROUGH

Item. Septimana proxima sequenti post Nativitatem 'beate Marie.<sup>1</sup> Pro loco deliberando ubi augea debet jacere et pro aqua haurienda,<sup>2</sup> vijs. et vjd., et pro magnis clavis ad augiam affirmandam et hostium molendini faciendum, xxd.

Item. Johanni fossatori pro eodem et alio cursu<sup>3</sup> aquarum dirigendis per vj dies, ijs. Item. Henrico le Noreis per vj dies, xvjd., et Symoni per v dies, xiijd. ob. Item. Loyso per iiij dies, viijd., et Waltero de Crofta per iiij dies, viijd., et Petro per ij dies et dimidium, vd. Et Johanni molendinario per v dies, xijd. ob., et Hugoni molendinario per totidem dies, xd.

Item. In ferro et acero ad ligones faciendos, xjd., 'et in eisdem fabricandis, vjd.,<sup>4</sup> et postea in eisdem ligonibus emendendis, iijd., per duas vices.

Item. Septimana proxima ante Exaltacionem beate Crucis [*Monday, 14 September*]. <sup>5</sup>Johanni fossatori per iiij dies, xvjd.<sup>5</sup> Henrico le Noreis per iiij dies, xd., et Waltero Coquo per iiij dies, ix. Item. Symoni de Stutescumbe<sup>6</sup> per v dies, xd., et Johanni molendinario per iiij dies, xd. Item Th[ome] 'Deuleseit'<sup>7</sup> per iiij dies, viijd. Item. Gregorio operatori per ij dies, vjd., et Hugoni molendinario per j diem, ijd., et Bukehorn per j diem, ijd., et Johanni Longo per j diem, ijd.

Item. Waltero le Blake per j diem, ijd.

Item. In musso colligendo, ob.

Item. Loyso per v dies, xd.

Item. Septimana proxima post Exaltacionem beate Crucis. Johanni fossatori per ij dies et dimidium, xiiijd.,<sup>8</sup> et Symoni, coadjutori suo, per totidem dies et Henrico et Johanni molendinario,<sup>9</sup> xxijd. Et Wa[l]tero Blering pro maeremio ad pelas cariendo, viijd.,<sup>10</sup> et Willelmo de Prestch' pro eodem cariendo, xijd.,<sup>10</sup> et Matheo, coadjutori suo, iijd.

Item. Septimana proxima post festum beati Mathei Apostoli [*Monday, 21 September*], Johanni fossatori per iiij dies, xvjd., et ij coadjutoribus suis per ij dies et dimidium, xvd., et j coadjutori per j diem et dimidium, iijd.

Item. Septimana proxima post festum beati Michaelis [*Tuesday, 29 September*] pro eodem. Johanni fossatori per ij dies, xijd., et iiij coadjutoribus suis per totidem dies, ijs.

Item. Septimana proxima sequenti in qua fuit festum beati Dionisii [*Friday, 9 October*], per manum constabularii. Johanni fossatori per iiij dies et dimidium pro eodem opere perficiendo, xviijd., et Simoni et

<sup>1</sup>.....<sup>1</sup> Interlineated with a caret.

<sup>2</sup> Harianda in text.

<sup>3</sup> The r of cursu is interlineated with a caret.

<sup>4</sup>.....<sup>4</sup> Interlineated with a caret.

<sup>5</sup>.....<sup>5</sup> Interlineated with a caret.

<sup>6</sup> Stutescunbe in text.

<sup>7</sup> Probably a joke on the part of the clerk drawing up the account. Thomas may be the Thomas Nelleseit or Nedlehet who figures in the succeeding account for works at Marlborough castle.

<sup>8</sup> Followed by Item. Johanni fossatori per struck through.

<sup>9</sup> Molendinar' in text.

<sup>10</sup>.....<sup>10</sup> Interlineated with a caret.

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Henrico le Norays et Johanni et Gregorio per totidem dies, iijs, et Hugoni, ix d., et Waltero, ix d.

Item. Hugoni le Lorinner pro polo faciendo ad molendinum, vd., et pro j cista 'emenda', xxiiij d.

Item. Per manum Johannis prepositi pro cursu aque deliberando, vd., et iterum per manum ejusdem, xvjd.

<sup>2</sup>Summa—lijs. et. ob.<sup>2</sup>

[*Rectius—lxijs. vjd. ob.*]

Item. Johanni Hurt' et Johanni Hunte pro muro claudendo circa novum molendinum per duos dies et dimidium ante festum beati Dyonisii, xd.

Item. Die Mercurii proxima ante festum beati Luce Ewangeliste [*Wednesday, 14 October*], iij hominibus qui colligerunt virgas, vjd. Et die Jovis sequenti ij hominibus pro wallura facienda, iiijd., et die Sabbati<sup>3</sup> sequenti eisdem pro eodem opere, iij d.

Item. Die Veneris proxima ante festum beati Luce [*Friday, 16 October*], j magistro cooperatori per j diem et dimidium, iiijd. ob., et iij coadjutoribus suis, viij d.

Item. Die Lune in crastino festi beati Luce [*Monday, 19 October*], iij hominibus pro virgis colligendis, vjd. Et die Martis [*Tuesday, 20 October*] ij hominibus pro wallura facienda, iiijd., et eisdem pro eodem opere faciendo per iij dies et dimidium sequentes, xiiij d. Et eadem septimana Radulfo cooperatori per iij dies et dimidium, xd. ob., et Petro Fontayne per vj dies, ix d., et iij feminis, coad' suis, xd. ob. per iij dies et dimidium.

Item. In literia ad cooperturam emenda per diversas particulas, iijs. et iiijd.

<sup>4</sup>Summa—xs. ix d. ob.<sup>4</sup>

Item. In ij molis emendis apud Suthamton', lxs. et vjd., cum expensis molendinarii in servicio Willelmi de Preschut' solvendis qui ibidem fuit propter illas emendas, xij d. In j equo locando super quem equitavit, xij d. In cariagio ij molarum, ix s. In ferro emendo ad ferr'<sup>5</sup> faciendum quod infra petram<sup>6</sup> debet stare, xvjd. Fabro pro servicio suo, xvd.

<sup>1</sup>...<sup>1</sup> Preceded by *facienda* deleted by underlining.

<sup>2</sup>...<sup>2</sup> Added, with a marginal paragraph mark and connecting lines, in paler ink. The preliminary total jotted in dark ink at the right-hand edge of the membrane and later crossed out in pale ink was first entered as lxij s. iij d. ob., then altered in dark ink to lxij s. ob. by underlining the iij d. for deletion. None of these totals is correct.

<sup>3</sup> Repeated and not struck through.

<sup>4</sup>...<sup>4</sup> Added, with a marginal paragraph mark and connecting lines, in paler ink. At the right-hand edge of the membrane the jotted total in dark ink, struck through in pale, had previously been altered in dark ink, by underlining for deletion and the addition of the necessary numerals, from vijs. vd. ob. to xs. ix d. ob.

<sup>5</sup> Ferramento ?

<sup>6</sup> Petr' in text.

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ob. In ferro et acero ad ligones<sup>1</sup> faciendos, iijjd. ob., et in servicio fabri, iijjd., et<sup>2</sup> ij<sup>2</sup> coadjutoribus pro magno ferr' faciendō, iijjd.

<sup>3</sup>Summa—lxxvs. et ijd.<sup>3</sup>

Item. In j mola emenda apud Hampt', xxxixs. Et in servicio illius qui molam elegit, et in j equo ad opus suum locando usque ad Hampt' per ij vices, et in expensis suis, ijs. Et Ricardo le Prechur pro cariagio ejusdem mole, vs. et jd., et pro illa carcanda, iijjd.

<sup>4</sup>Summa—xlvs. et vd. Et tallianda est hec summa.<sup>4</sup>

Summa summarum expense predicte—xiiij li. xixs. ixd.<sup>5</sup>

[*Rectius—xv li. xs. iijd.*]

[m. 2]

Rotulus de expensis in uno novo molendino fulleretio faciendō precepto domini regis tempore domini Roberti de Mucegros, anno xxj regni regis Henrici, filii regis Johannis.

Item. Willelmo de Prestch' et Vincencio, carpentariis, pro molendino fulleracio faciendō ad taschiam, cum edificacione domus <sup>6</sup>et proster-nacione maeremii,<sup>6</sup> iij li. vjs. viijd. Preterea perceperunt <sup>7</sup>x.<sup>7</sup> et viijd. <sup>8</sup>pro domo augmentanda et elarganda et molendino melius faciendō.<sup>8</sup>

<sup>9</sup>Summa taschie—iij li. xvijs. et iijjd.<sup>9</sup>

Item. Septimana proxima post festum beati Jacobi Apostoli [*Saturday, 25 July, 1237*]. In <sup>10</sup>liij<sup>10</sup> cariagiis maeremii cariandis, xiijs.<sup>11</sup> et vjd. Et Matheus summavit illas caretas et ivit cum caretariis ad demon-strandum ubi maremium jacuit in bosco per ij dies, ixd.

Item. Septimana proxima post festum beati Petri ad Vincula [*Saturday, 1 August*]. In xlix caretatis maeremii ducendis, xijs. iijd., et Matheo coadjutori<sup>12</sup> per iij dies et dimidium, xijjd. ob.

<sup>1</sup> Ligon' in text.

<sup>2</sup>...<sup>2</sup> Interlineated without a caret over cuidam struck through.

<sup>3</sup>...<sup>3</sup> Written in the dark ink used for the body of the account. A marginal paragraph mark and connecting line was added in paler ink. There is no jotted total. The rest of the membrane is written throughout in pale ink.

<sup>4</sup>...<sup>4</sup> The entry has the usual paragraph mark and connecting lines.

<sup>5</sup> This is a correct addition of the preceding paragraph totals as they were entered by the clerk but as these are not all correct, an incorrect addition of the individual payments recorded on the membrane. At some time the foot of the membrane was cut away, thus rendering illegible a note entered in pale ink below the summa summarum.

<sup>6</sup>...<sup>6</sup> Interlineated with a caret.

<sup>7</sup>...<sup>7</sup> The x is written in paler ink over an erasure, presumably replacing vj., see note 9.

<sup>8</sup>...<sup>8</sup> Added in paler ink.

<sup>9</sup>...<sup>9</sup> Added, with a marginal paragraph mark and connecting lines, in paler ink. At the right-hand edge of the membrane is a jotted iij li. xiijs. iijjd. written in dark ink and struck through in pale, the iijjd. being partly written over an erasure. The Summa taschie was also first entered as this amount but, as a result of the emendation mentioned in note 7, was changed by alteration and addition in pale ink.

<sup>10</sup>...<sup>10</sup> Written over an erasure.

<sup>11</sup> Partly written over an erasure.

<sup>12</sup> Followed immediately by a short erasure.

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Item. Septimana proxima <sup>1</sup>ante<sup>2</sup> Assumpcionem beate Marie [*Saturday, 15 August*]. <sup>2</sup>Roberto Juveni<sup>2</sup> pro v cariagiis, xvd. Roberto Nigro pro vj cariagiis, xvijjd. <sup>3</sup>Johanni magistro pro v cariagiis, xijd.<sup>3</sup> Ade de Elcote pro v cariagiis xvd. Ade <sup>4</sup>de<sup>4</sup> Aula pro v cariagiis, xvd. Ricardo filio Pagani pro iij cariagiis, ixd., et Matheo, coadjutori suo, per iij dies, xijd.

Item. Septimana proxima ante Nativitatem beate Marie [*Tuesday, 8 September*]. Roberto Juveni pro v cariagiis, xvd. Ade de Aula pro iij cariagiis, xijd. Roberto Nigro pro iij cariagiis, xijd., et Matheo, coadjutori suo, per ij dies, vjd.

Item. Ade de Elcote et Ade de la Sale et Ricardo, filio Pagani, et Johanni Pain pro iij lignis ducendis de Firma, xvjd.<sup>5</sup>

Item. Septimana proxima post festum beati Michaelis [*Tuesday, 29 September*]. Ade de Aula pro vij cariagiis, xxjd. Roberto Juveni pro vj cariagiis, xvijjd. Roberto Nigro pro <sup>6</sup>vj<sup>6</sup> cariagiis, xvijjd. Waltero Blering' pro vj cariagiis, xijd. Willelmo de Prestch' pro viij cariagiis, xvjd., et Matheo, coadjutori suo, per iij dies, xijd., et Willelmo le Mac' et Ricardo le Stor per j diem, iijjd.

Item. Pro ij cariagiis ad logam, Roberto Nigro, vjd., et Matheo, coadjutori suo, iijjd. In v trussis ad logam coperiendam, vijd. ob. In prais emptis ad dictam logam, jd. ob.

Item. Septimana proxima ante festum Omnium Sanctorum [*Sunday, 1 November*]. Willelmo de Prestch' pro vj cariagiis, xvijjd., et Ade de Elcote et Ade de Aula et Roberto Nigro pro ix cariagiis, ijs. iijjd.

Item. Septimana proxima post festum Omnium Sanctorum. Johanni Pagano pro iij cariagiis, xijd., et Ricardo, fratri suo, pro iij cariagiis, xijd., et Roberto Nigro pro iij cariagiis, xd. Et Ade de Elcote et Ade de Aula pro x cariagiis, ijs. et vjd., et Johanni magistro pro iij cariagiis, viijjd. Item. Roberto Nigro pro iij cariagiis ad pontem et ad rastellum<sup>8</sup> retro molendinum, xijd., et Willelmo de Preschut' pro iij cariagiis, xijd.

<sup>9</sup>Summa cariagii meiremii lxs. et vd.<sup>9</sup>

[*Rectius—lxijs. et vd. ob*].

Item. Willelmo de Prestch', carpentario, et socio suo pro quodam ponte ad molendinum fulleracium et quodam penticio ante illud molendinum faciendis per v dies et dimidium, iijs. viijjd.

<sup>1</sup>...<sup>1</sup> Interlineated without a caret over post underlined for deletion.

<sup>2</sup>...<sup>2</sup> Interlineated with a caret.

<sup>3</sup>...<sup>3</sup> Interlineated with a caret, a second caret preceding the interlineation itself.

<sup>4</sup>...<sup>4</sup> Interlineated with a caret.

<sup>5</sup> The Magna Firma or le Verme was one of the five bailiwicks into which Savernake Forest was divided during the Middle Ages. This Farm or 'home' bailiwick of the Wardens lay mainly in the area north-east of Burbage: see *The Earl of Cardigan, The Wardens of Savernake Forest* (1949), pp. 8, 9.

<sup>6</sup>...<sup>6</sup> Originally entered as vij and altered by erasure.

<sup>7</sup> Possibly a form of the O.E. word for mate or companion.

<sup>8</sup> Extended here and below from rastell'.

<sup>9</sup>...<sup>9</sup> Written in the same dark ink as the body of the text, as are all the succeeding summae of this membrane except where the contrary is stated in a note. The x of lx is written over an crasure. There is a marginal paragraph mark and connecting line in paler ink, as against all the succeeding summae of the membrane.

## WORKS AT MARLBOROUGH

Item. Eidem Willelmo pro quodam hostio faciēdo in molendino versus orientem<sup>1</sup> et pro iiij planchitiis circa rotam infra molendinum, et pro gradibus de novo faciendis versus stagnum, ijs. et vjd. Et pro v cariagiis ducendis ad illud faciendum, xvd.

Item. Willelmo de Preschut' et Winc' pro rastello retro molendinum faciēdo per j diem, viijd.

Item. In iiij cariagiis ad flagella et baterell' faciēda, xijd., et in eisdem faciendis et aliis corrigendis, viijd.

Item. In ferro emendo et clavis<sup>2</sup> faciendis ad magnam augiam affirmandam, et pro picoysiis<sup>2</sup> corrigendis et faciendis, ijs. et viijd.

<sup>3</sup>Item. Pro iij cariagiis meremii, vjd.<sup>3</sup>

Summa—xiijs.

Item. Johanni fossatori pro stagno molendini de novo faciēdo et placia deliberanda ubi meiremium molendini debuit assederi, iiij li xiijs. et iiijd. de taschia. Et preterea pro cursu aque ante molendinum deliberando et pro quadam fossa circa domum faciēda ad taschiam, vijs. Et eidem pro exclusis trahendis infra stagnum, vij<sup>4</sup>s<sup>4</sup>. In xij cariagiis ad pelas faciēdas, iijs., et in clostura colligēda et cariāda, ijs. et iiijd. Et Matheo, coadjutori suo, vd. ob.

Summa—centum et xiijs. et ob.

Item. Septimana in qua fuit festum beati Martini [*Wednesday, 11 November*]. Johanni Purheyte et Johanni Hunte et Willelmo le Macke et Ricardo le Sture pro wallura colligēda per iiij dies et dimidium, iijs., et Willelmo de Polton', vjd., et Willelmo Horn, ijd. Et Willelmo de Preschut' pro iiij cariagiis, xijd., et Johanni preposito pro v cariagiis, xvd., et Ade de Elcote pro ij cariagiis, vjd.

Et septimana proxima sequenti Willelmo de Polton' pro wallura faciēda per iij dies, vjd. ob., et Ricardo, vjd. ob. Et Willelmo de Preschut' pro vj cariagiis closture et virgarum ad walluram, xviijd.

Item. Septimana proxima ante festum beati Andree [*Monday, 30 November*]. Willelmo le Macke et Johanni Purheyte et Ricardo le Sture pro wallura colligēda et faciēda per iiij dies et dimidium, ijs., et Ricardo de la Wype et<sup>5</sup> Willelmo Crocmete, xviijd. Et Willelmo de Preschut' et Johanni preposito pro vj cariagiis closture et wallure, xviijd., et Petro Fontaine per iij dies et dimidium, vjd.

Item. Septimana proxima post festum beati Andree. Ricardo de la Wypege pro wallura faciēda per iiij dies et dimidium, ixd., et Willelmo de Polton', ixd. et Petro Fontayne, coadjutori suo, vjd.

<sup>1</sup> Oriente in text.

<sup>2</sup>.....<sup>2</sup> Written almost entirely over an erasure.

<sup>3</sup>.....<sup>3</sup> Added in paler ink. The following paragraph total, before being altered by addition and erasure, must thus originally have stood as xiijs. vd.

<sup>4</sup>.....<sup>4</sup> Written over an erasure. The following sentence was added in a slightly paler ink than the rest of the paragraph though in the same small hand. The succeeding paragraph total was altered accordingly, presumably from centum et vijs. et iiijd., the xiiij and the ob. being now written over erasures.

<sup>5</sup> Repeated and not struck through.



## COLLECTANEA

Item. Septimana proxima post festum beati Nicholai [*Sunday, 6 December*]. Johanni Purheyte et Willelmo le Macke et Ricardo le Sture pro wallura et prais<sup>1</sup> colligendis per v dies et dimidium, ijs. iiij. ob. Et Ade de Elcote pro ij cariagiis inde, vjd., et Roberto Juveni pro iij cariagiis, ix. d., et Johanni Pagano pro iij cariagiis, ix. d.

In cooperatura emenda per particulas infra eandem septimanam et septimanam preteritam, xijs. et xd. Et Ricardo de la Wyþege pro eadem domo cooperiendi per iiij dies et dimidium, xjd. ob., et Willelmo Crocmete per ij dies et dimidium, vjd. ob., et uxori Ricardi, coadjutori<sup>2</sup> sue, per iiij dies et dimidium, iiij. ob. Et Osberto per v dies et dimidium, viij. ob., et Johanne per ij dies et dimidium, iij. ob., et Agnete Paste et filie sue per ij dies et dimidium, vjd., et Henrico Jordecote per j diem et dimidium, ijd. ob.

Item. Septimana proxima ante Natalem Domini [*Friday, 25 December*]. Ricardo et Willelmo de Polton' pro pariete molendini claudendo per iiij dies et dimidium, xvij. d., et Johanni Purheyte et Willelmo le Macke pro clostura colligenda per ij dies, vjd. In cariagio, vjd.

Item. Septimana proxima ante festum beati Hylarii [*Wednesday, 13 January, 1238*]. Radulfo le Stainer' pro domo cooperiendi per ij dies, ix. d., et Petro Fontayne cum iij mulieribus, coadjutricibus suis, xiij. ob., et Ricardo de la Wyþege per ij dies, vd., et iij coadjutoribus suis, ix. d.

Et eidem Ricardo pro muro claudendo et wallura faciendi per ij dies, vd., et Willelmo de Polton', vd., et Johanni Purheyte pro clostura et virgis colligendis et muro claudendo per v dies et dimidium, xd., et Willelmo le Macke, viij. ob., et Ricardo le Sture, viij. ob. Et Roberto Blakeman pro iiij cariagiis virgarum et closture, xjd., et Johanni preposito pro v cariagiis, xv. d., et cuidam collectori virgarum per ij dies, iij. d.

Item. Septimana proxima post festum beati Hylarii. Johanni le Hunte et Johanni Purheyte pro clostura et virgis colligendis per ij dies et dimidium, xjd. ob., et Ricardo le Sture et Roberto draperio per ij dies, vjd., et Osberto, ijd. Et Roberto Nigro pro iiij cariagiis, xiij. d., et Ade de Elcote pro ij cariagiis, vjd., et Johanni de Elcote pro j cariagio, iij. d.

Item. Septimana proxima sequenti. Johanni le Hunte et Ricardo le Sture et Johanni Purheyte pro wallura faciendi et pariete claudendo per ij dies, xvjd.

Item. Septimana proxima ante Purificacionem beate Marie [*Tuesday, 2 February*]. iij hominibus pro appentio wallando et cooperiendi, et aliis emendacionibus per ij dies, xjd.

Item. In literio emendo ad parietem wixandum, ijs. et iiij. d., et iij hominibus pro eodem<sup>3</sup> pariete wixando per ij dies, xvij. d.

<sup>1</sup> *Either a vernacular plural, or, for prais, the form used earlier in this account. For a similar use of prais see the following castle account, p. 45.*

<sup>2</sup> *So in text.*

<sup>3</sup> *Eadem in text.*

WORKS AT MARLBOROUGH

Item. In ferro emendo et ij bendis faciendis ad trabem ligandam, xvd. ob.

Summa lixs. viijd.

Item. In quadam parte cuiusdam prati emenda ad unum cursum aque faciendum, xxvjs. viijd. Et Johanni fossatori pro eodem cursu faciundo ad taschiam, et brackiis veteris canelli obstruendis, xviijs. vjd.

Item. In tribus<sup>1</sup> caretatis maeremii ad palas prosternendis, jd., et pro eisdem cariandis, ixd. Et in duabus caretatis clausture colligendis, iijd., et in eisdem cariandis, vd.

Summa xlvjs. viijd.

<sup>2</sup>Summa expense predicte per totum—xix li. xs. jd. ob.<sup>2</sup>

[*Rectius xix li. xijs. ijd.*]

<sup>3</sup>Summa totalis istorum iij rotulorum adjunctorum xlv li. et xxiijd. ob.<sup>3</sup>

[*Rectius xlv li. xiiijs. vjd.*]

[m.3]

Rotulus de veteri molendino foleretio erigendo, sursum de terra trahendo et apud Elcote cariendo.

Item. Magistro Johanni fossatori per iij dies et dimidium, xiiijd., et v hominibus per j diem, xijd. ob. Item. viij hominibus per j diem, xxd., et iterum vij hominibus per j diem, xvijd. ob.

Item. In j gata emenda ad aquam ejciendam, jd., et in ij corbillonibus ad idem, iijjd. ob.

Item. ij hominibus per j diem, iijjd., et in ligonibus emendendis, iijd. Item. Benedicto molendinario pro servicio suo, xijd., et Roberto Pope, vjd., et Symoni Springald,<sup>4</sup> vjd. Et Waltero Blering' pro maeremio cariendo apud Elcote, xijd. Item. Ade de Elcote per ij dies pro eodem, xxd., et Waltero Blering iterum per ij dies pro eodem, xijd., et Roberto de Elcote, xijd., et Matheo, coadjutori suo, per ij dies, vd., et ij aliis coadjutoribus per totidem dies, xd.

<sup>5</sup>Summa—xiiijs. iijd. ob.<sup>5</sup>

<sup>1</sup> Tribis in text.

<sup>2</sup>...<sup>2</sup> Written in paler ink. As was true of the summa summarum of membrane 1, this is a correct addition of the preceding paragraph totals as they were entered by the clerk but an incorrect addition of the individual payments recorded on the membrane.

<sup>3</sup>...<sup>3</sup> Written in paler ink. This, the grand total of expenses for works at the mills was allowed in audit at the Exchequer and entered on the Pipe Roll, 23 Henry III [E372/83] m.9. In point of fact the accepted figure is, in all, 12s. 6½d. less than the correct total of expenses listed in the account here published.

<sup>4</sup> The l of Springald has been changed from an r.

<sup>5</sup>...<sup>5</sup> Written in the same darkish ink as the rest of the membrane, as are all the succeeding summae save where the contrary is stated in a note. A marginal paragraph mark and connecting line was added in the familiar pale ink.

## COLLECTANEA

Item. Henrico Pictori et Vincencio, carpentariis, pro predicto maeremio assedendo, et pro defectibus ejusdem maeremii de novo maeremio faciendis ad taschiam, xxvijs.

<sup>1</sup>Summa talis est.<sup>1</sup>

Item. In novo maeremio prosternendo ad opus suum pro defectibus faciendis, xijd., et pro xxiiij cariagiis ad illud molendinum cariandum<sup>2</sup> vjs.

Item. In clavis ferreis emendis ad augeam affirmandam, ijs. viijd., et alibi ubi necesse fuerit.

Summa—ixs. viijd.

Item. Johanni fossatori pro stagno elargando et placia deliberanda quo molendinum debuit assederi, et pro cursu aque faciendo ante molendinum. Et pro palis faciendis et assedendis ad<sup>3</sup> aquam dividendam inter molendinum fullerium et molendinum blaericium et circa baiam versus aquam, et pro eisdem palis cum claustra bene claudendis, lviijs. xd. ad taschiam.

Summa talis est.

Item. In j ligone emendo, vd., et in bendis ferreis ad trabem ligandam, xijd.

Item. Willelmo le Mak et Johanni le Hunt' et Johanni Purhait et Ricardo le Stoer pro xij caretatis claustra colligendis et spoliandis, ijs., et in eisdem cariandis, ijs. vjd.

Item. In maeremio prosternendo ad palas faciendas et in veteri baia ponendas ad terram bene firmandam,<sup>4</sup> xd. Item. Ade de Elcote pro iiiij cariagiis maeremii ad palas, xijd., et Pagano de Elcote pro iiiij cariagiis, xijd., et Ade de Aula pro iiiij cariagiis, xijd., et Roberto Nigro pro iiiij cariagiis, xijd., et Johanni preposito pro iiiij cariagiis, xijd., et Johanni Pain pro iiiij cariagiis, xijd.

Item. In j ligone emendendo, jd. ob.

Summa—xijs. xd. ob.

Item. Johanni fossatori pro placia facienda ubi domus molendini debuit assederi, et pro palis faciendis et assedendis et claudendis ex omni parte ejusdem placie versus aquas, et pro eadem placia cum terra muconata<sup>5</sup> bene implenda, ad taschiam, vjs.

Item. Eidem Johanni, ad taschiam, ijs. pro palis faciendis et assedendis et claudendis ante novam bayam et desub versus magnum

<sup>1</sup>—<sup>1</sup> Preceded by a short erasure. From this point onwards for the rest of the membrane the usual paragraph marks are replaced by forms of bracket; see Introduction, p. 14.

<sup>2</sup> Cariand' in text.

<sup>3</sup> Repeated and struck through.

<sup>4</sup> Originally written as affirmandum, the a being then incompletely smudged out and the double t left unaltered.

<sup>5</sup> The a of terra is interlined with a caret. Muconata is probably for mutonata; cf. below p. 28, pro defectibus terre . . . mutunandis . . .

WORKS AT MARLBOROUGH

canellum, ad inpediendam aquam exeuntem ne descenderet super domum molendini.

Item. In bordis emendis ad alvos faciendos, xijd.

Summa—ixs.

<sup>1</sup>Summa totius expense predicte—vj li. xijs. et viijd.<sup>1</sup>

Item. Willelmo Aldwino et Rogero, fratri suo, carpentariis, pro carpenteria domus molendini fullericii de Elcote facienda ad taschiam, <sup>2</sup>xvjs.<sup>2</sup>

Summa talis est.

Item. Matheo pro furca et grosso maeremio <sup>3</sup>prosternendo<sup>3</sup> ad domum ultra molendinum fullericiu edificandam per iiij dies, xijd.

Item. Ade de Aula pro vj cariagiis, xvijjd., et Ade de Elcote pro vj cariagiis, xvijjd., et Ricardo Pain pro vj cariagiis, xvijjd. Et Roberto Nigro pro v cariagiis, xvd., et Roberto de Elcote pro v cariagiis, xvd. Et Matheo qui eis maeremium monstravit et auxiliabatur ad carcandum per iij dies, ix.

Item. Septimana proxima post festum beati Luce Ewangeliste [*Sunday, 18 October (1237)*]. Ade de Aula pro iiij cariagiis maeremii xijd., et Roberto Nigro pro iiij cariagiis, xijd. Et Waltero Blering pro iij cariagiis, ix., Ade de Elcote pro iij cariagiis, ix. Et Matheo pro maeremio prosternendo et eis auxiliandis, vjd.

Summa—xijs. ix.

Item. viij hominibus ad grossum maeremium sursum levandum per j diem, xijd.

<sup>4</sup>Summa talis est.<sup>4</sup>

Item. In parietibus studiendis et latandis et plastrandis et hostiis faciendis, <sup>5</sup>et ad unum capud ejusdem domus defectus coveron' ponend' ad taschiam, viijs.<sup>5</sup> Et in maeremio prosternendo ad lathas et hostia facienda, Matheo per ij dies, vd., et in xij cariagiis ibidem cariandis, iijs. et iijjd. Et in uno miliario clavorum ad lathas, xiiij.

Summa—xijs. et xd.

Item. Johanni le Hunt' et Johanni Purhait et sociis eorum pro virgis ad walduram colligendis<sup>6</sup> et pro waldura facienda et domo molendini conperienda<sup>7</sup> ad taschiam, vijs. et viijjd. Et in cariagio virgarum ad walduram, ijs. Et in culmo emendo in grosso ad eandem domum coperiendam vs. et ijd., et in cariagio ejusdem culmi, xijd., preter cariagium factum per caretam Bercherie.

Summa—xvs. et xd.

Summa summarum de edificacione domus—lviijs. vd.

<sup>1...1</sup> Written in paler ink in an otherwise blank space some two inches deep.

<sup>2...2</sup> The xvj was written in paler ink over an erasure.

<sup>3...3</sup> Interlineated with a caret.

<sup>4...4</sup> Added in the paler ink in which the remainder of the membrane is written.

<sup>5...5</sup> The general meaning of this sentence is clear, though the grammar is not.

<sup>6</sup> Colligendam in text.

<sup>7</sup> Doubtless for coperienda or cooperienda.

## COLLECTANEA

Item. In eodem yeme per magnam cretinam fractum est stagnum et excludere submersa sunt. Willelmo Aldwino pro exclusis exaltandis et versus molendinum cum novis planchiis corrigendis, stagno per palas et haya assedendo et defectibus terre adimplendis et mutunandis ad taschiam, xvs. Et in maeremio prosternendo et cariendo ad taschiam<sup>1</sup> vjs.

Summa—xxjs.

<sup>2</sup>Summa tocius expense predicte per hunc rotulum—x li. xijs. et jd.<sup>2</sup>

Summa totalis istorum iij rotulorum adjunctorum xlv li. et xxiiij. ob.<sup>3</sup>

[*Rectius xlv li xiiijs. vjd.*]

<sup>1</sup> Thashiam in text.

<sup>2</sup>...<sup>2</sup> It was probably this total which, preceded by Summa hujus . . . was scribbled in pale ink in the left-hand bottom corner of the membrane and then almost completely erased. On the foot of the dorse Summa—v li. xvijs. vd. ob. is written in dark ink, a memorandum whose context is not now apparent.

<sup>3</sup> Repeated here from membrane 2 for ease of reference, see above p. 25, n. 3.

## WORKS AT MARLBOROUGH

## II

ACCOUNT FOR BUILDING AND REPAIRS AT MARLBOROUGH  
CASTLE, 1238-9

E101/476/3

[m.1.]<sup>1</sup>

Rotulus de operibus castri Merleberg' anno xxij regni regis Henrici, in kernellis faciendis et reparandis et [*in*] muris<sup>2</sup> ad gabulum camerarum domini regis et regine [*reparando*].

Item. Septimana in qua fuit festum Translacionis beati Nicholai [*Sunday, 9 May, 1238*]. Johanni Norensi et Ricardo de Kalna, chuchatoribus, per v dies, ijs. et vjd.<sup>3</sup> Et Hugoni Blouwe, magistro mazon', per iiij dies, <sup>4</sup>xxd., et Waltero Coco, coadjutori suo, per v dies, vijd. ob., Johanni le Sopere, vijd. ob., Thome Nelleseit, vijd. ob., et Simoni, vijd. ob., et ij feminabus que portaverunt petras et cimentum, xd. Johanni caretario pro sabblone et calce cariandis per iiij dies, ijs. In j platia emenda de Randulfo Frig' ad sabblonem habendum, vjd., et eidem Randulfo pro sabblone fodiendo per v dies, vijd. ob., et coadjutori suo qui cariavit sabblonem de orto in vicum, vjd. ob. In meiremio cariendo ad scaffaduras faciendas, ijs. Matheo pro eodem prosterendo, vjd. In cleis faciendis, xxd.

Item. In ij centenis<sup>5</sup> emendis de libera [*petra*] ad quarreyam juxta Baton', iijs., et in cariagio, xxijs. In j buketto ad mortarium super murum portandum, jd.

Summa—xls. et vd.

Item. Septimana <sup>6</sup>proxima<sup>6</sup> ante Pentecosten [*Sunday, 23 May*] in qua fuit festum beati Dunstani [*Wednesday, 19 May*]. Hugoni Blowe per iiij dies, xxd., et Johanni Norensi, magistro chuchatori, per vj dies, xvijd., et Ricardo, socio suo, xvijd., et Waltero Coco, coadjutori suo, per totidem dies, xd. ob., et Simoni, xd. ob. Thome Nelleseit, xd. ob., Johanni le Sopere, xd. ob., et ij feminabus, xvd. Randulfo Goling' et coadjutori suo pro sabblone fodiendo et in vico ponendo, xvijd. Johanni caretario cum j equo et j carecta pro sabblone et calce cariandis per vj dies, iijs. In j cribblio et j gata emendis, iijd. In ligonibus reparandis, ijd.

<sup>1</sup> Membranes 1-3 are stitched head to tail. With one or two exceptions to be noted below all are written in dark ink and no paragraph marks have been inserted.

<sup>2</sup> Mur' in text.

<sup>3</sup> Almost all the small totals of this first paragraph are underlined in dark ink. Subsequently, however, the underlining is sparse and erratic and has therefore been ignored in preparing the account for publication.

<sup>4</sup> Partly written over an erasure.

<sup>5</sup> Written here as ijcc, though elsewhere in the account usually as, e.g., ij cent'.

<sup>6</sup> Repeated and not struck through.

COLLECTANEA

<sup>1</sup>Item. In j centena et j quarterono de libera [*petra*] xxijd. ob., et in cariagio, xiijs. ix*d.*<sup>1</sup>

Summa—xxixs. et xjd. ob.

Item. Septimana proxima post Trinitatem [*Sunday, 30 May*]. Hugoni Blowe per vj dies, ijs. et vjd., <sup>2</sup>et ad cirotecas, jd.,<sup>2</sup> et Rogero, fratri suo, cessori libere petre, ijs., et Stacio, ix*d.*, et Johanni Norensi et Ricardo, chuchatoribus, per vj dies, iijs. Et Ricardo de Calna, xxd., et iiij hominibus coadjutoribus suis per vj dies, iijs. et vjd., cuilibet eorum per diem jd. ob. et quar., et iij feminabus pro petra et mortario portandis, xxijd. ob., cuilibet eorum per diem, jd. quar. In j platia emenda ad sabblonem fodiendum, xijd., et Randulfo le Frigg' et coadjutori suo pro sabblone fodiendo et de orto trahendo in vico per vj dies, xix*d.* ob. Johanni caretario cum caretta sua et j equo pro sabblone cariendo per vj dies, iijs. In j centena et dimidia de libera petra emenda, ijs. et iij*d.*, et in cariagio, xvjs. et vjd.

Item. In ferro et acero ad ligones reparandos iiij*d.*, in fornira,<sup>3</sup> iiij*d.*

Summa—xls. et vjd.

[*Rectius—xls. et vd.*]

Item. Septimana proxima sequenti in qua fuit festum beati Barnabe Apostoli [*Friday, 11 June*]. Hugoni Blouwe per vj dies, ijs. vjd., et Rogero, ijs. et Stacio, ix*d.*, et Johanni Norensi et Ricardo de Preschut', iijs., et iiij hominibus coadjutoribus, iijs., et iij feminabus, xix*d.* ob. Randulfo et coadjutori suo pro sabblone fodiendo et in vico trahendo, xvij*d.*, et Johanni caretario per v dies pro sabblone et calce cariadis, ijs. et vjd. Et in j centena et j quarterono de libera petra emendis, xxijd. ob., et in cariagio, xiijs. et ix*d.*

Summa—xxxijs. et vd.

Item. Septimana proxima sequenti et proxima ante Nativitatem beati Johannis Baptiste [*Thursday, 24 June*]. Hugoni Blouwe per vj dies, ijs. et vjd., et Rogero cessori, ijs., et Stacio, ix*d.*, et Johanni Norensi et Ricardo de Preschut', chuchatoribus, iijs., et iiij hominibus coadjutoribus suis, iijs. et vjd., et iij feminabus, xxijd. ob. Randulfo Goyling' et coadjutori suo pro sabblone fodiendo et in vico trahendo, xix*d.* ob. Johanni caretario pro sabblone et calce per vj dies cariadis, iijs. In liberis petris emendis, computatis tam in corbellis et tabulis quam in aliis petris, ij centenis, iijs. In cariagio, xxijs.

Summa—xlijs. et iij*d.*

<sup>1</sup>...<sup>1</sup> Added later in the same hand and ink, the following paragraph total being partly written over an erasure.

<sup>2</sup>...<sup>2</sup> Interlineated with a caret.

<sup>3</sup> For, followed by three minims and a superior a. Meaning as well as spelling is uncertain, but it is possible that smelting, or the heating of an oven or furnace in the process of making or repairing mattocks is intended, as in the later-known verb *fornio*, to bake. See also below, p. 44.

## WORKS AT MARLBOROUGH

Item. Eadem septimana pro corbellis ligneis faciendis ad gabulum camere plumbate, et pro eodem gabulo corrigendo quod putredine prope perditum fuit, Willelmo de Preschut per vj dies, ijs., et Waltero Pictori, ijs., et Johanni Longo, ijs. Et in 'xviii' cariagiis meiremii, iiijs. vjd., et pro illis prosternendis, ixd.

Summa—xjs. et iijd.

Item. Septimana proxima sequenti in qua fuit festum Nativitatis beati Johannis Baptiste. Magistro Hugoni Blouwe, ijs. vijd., et Rogero per v dies, xxijd., et Stacio, ixd., et iiij hominibus coadjutoribus suis per iiij dies et dimidium, ijs. et viijd., et iij feminabus per totidem dies, xviijd. Et Randulfo et coadjutori suo pro sabblone fodiendo per iiij dies et dimidium, xvd., et Johanni caretario pro calce et sabblone cariandis per iiij dies et dimidium, ijs. et iiijd. In grossa petra emenda, vs.

Summa—xvijs. et xjd.

Item. Eadem septimana pro corbellis perficiendis et pro j nova guteria facienda ad gabulum camere, Willelmo de Preschut per v dies, xxd., et Waltero, xxd., et Johanni Longo, xxd. Et in iiij cariagiis meiremii, xijd. In illis prosternendis, jd.

Summa—vjs. et jd.

Item. Septimana proxima sequenti in qua fuit festum beatorum Apostolorum Petri et Pauli [*Tuesday, 29 June*]. Hugoni Blouwe, ijs. et vjd., et Rogero per v dies, xxd., et Stacio, ixd., et Johanni Norensi et Ricardo, socio suo, ijs. et vjd. Et iiij hominibus coadjutoribus suis per iiij dies et dimidium, ijs. et viijd., et iij feminabus per totidem dies, xviijd., et Randulfo et coadjutori suo, xvd.

Item. Johanni caretario per iiij dies et dimidium similiter pro calce et petra [*et*] sabblone cariandis, ijs. et iijd. <sup>2</sup>Et Petro Pictori et socio suo pro kernellis cum morterio peractandis per v dies, ijs. et vjd., et coadjutoribus suis, xvd.<sup>2</sup>

Summa—xviijs. et xd.

Item. Eadem septimana pro j filetto faciundo et ponendo super murum desuper cameram privatam domini reg[is] et pro cheveronibus elongendis vsque ad filetum de eadem camera qui cum putredine deteriorabantur, <sup>3</sup>et<sup>3</sup> pro guteriis perficiendis et corbellis, Willelmo de Preschut per v dies, xxd., <sup>4</sup>et Johanni Longo, xxd.,<sup>4</sup> et Waltero, xxd. In ferro ad magnos clavos faciendos ad cheverones affirmandos, xd., in clavis faciendis, xd., et pro clavis ad lathas, vd. Et in j miliario tegularum emendo ad cameram illam cooperiendam ibidem quo discooperta fuit,

<sup>1</sup>.....<sup>1</sup> Written over an erasure, as are the following two items of expenditure and the paragraph total.

<sup>2</sup>.....<sup>2</sup> Squeezed in later at the end of the paragraph in the same hand and ink, the paragraph total being altered accordingly by addition and erasure, presumably from xvjs. et jd.

<sup>3</sup>.....<sup>3</sup> Written over a capital R smudged out.

<sup>4</sup>.....<sup>4</sup> Interlineated with a caret.



COLLECTANEA

ijs. Et magistro tegulatori et homini suo per iiij dies et dimidium super cameram illam et alibi quo necesse fuit, ijs. et iiijd. In chuvillis emendis, ijd.

Summa—xijs. et vjd.

Item. Septimana in qua fuit Translacio beati Thome Martiri [*Wednesday, 7 July*]. Magistro Hugoni Blouwe per vj dies, ijs. et vjd., <sup>1</sup>et ad cirotecas, jd.,<sup>1</sup> et Rogero, fratri suo, ijs., <sup>2</sup>et ad cirotecas, jd.,<sup>2</sup> et Stacio, ix d., et Johanni Norensi et Ricardo de Preschut' ijs., et Waltero Coquo, xd. ob., et Willelmo de Peuesia et David' et Hyne, ijs. vjd. ob., et ij feminabus, xvd. Et in emptione unius platie sabblonis de Randulfo Golyn, xijd. Et eidem Randulfo et coadjutori suo per septimanam pro sabblone fodiendo et in vico trahendo, xixd. ob. Et Johanni carettario pro sabblone et calce et petra trahendis, ijs. et vjd.

Summa—xviijs. et iiijd. ob.

Item. Eadem septimana. Cuidam plumbatori de Ba pro plumbo jactando et guteriis de novo retro cameram plumbandis et pro pannis novis super eandem cameram, ponderis ijs. In sabblone ad plumbum desuper jactandum, iiijd. <sup>3</sup>In clavis, vjd. In stamine et sepho, ijd.<sup>3</sup>

Summa—iijs.

Item. Septimana proxima ante festum beate Margarete Virginis [*Tuesday, 20 July*]. Magistro Hugoni Blouwe per vj dies, ijs. et <sup>4</sup>vj d.,<sup>4</sup> et Rogero, ijs, Stacio, ix d., et ij hominibus, coadjutoribus suis, ijs. vjd. ob., et ij feminabus, xxijd. ob., et Randulfo le Frigg' et coadjutori suo, xixd. ob. Johanni carettario, iijs., et carettario Willelmi de Preschut', ijs. vjd. In grossa petra emenda, ijs. et iijd. Hugoni et Rogero ad cyrotecas, ijd., et ij chuchatoribus, jd.

Summa—xixs. xd. ob.

[*Rectius—xixs. iiijd. ob.*].

Item. Eadem septimana. Plumbatori pro camera corrigenda et plumbo ultra magnam portam sovendo et guteriis [*corrigendis*] alibi quo necesse fuit, et homini suo per vj dies, iijs. In stamine, iiijd. ob. In sepho, ob. In clavis ad plumbum, ijd. ob. <sup>5</sup>Et Petro Pictori et Ade Hoeles pro<sup>6</sup> muris retro cameram plumbatam perjactandis, et ij coadjutoribus suis per v dies, ijs. et ix d.<sup>5</sup>

Summa—vjs. iiijd. ob.

Item. Septimana proxima sequenti in qua fuit festum beate Margarete, et proxima ante festum beati Jacobi Apostoli [*Sunday, 25 July*]. Magistro Hugoni Blouwe per v dies, ijs. <sup>7</sup>et ijd.,<sup>7</sup> et Rogero, xxjd.,

<sup>1</sup>...<sup>1</sup> *Interlineated with a caret.*

<sup>2</sup>...<sup>2</sup> *Interlineated with a caret.*

<sup>3</sup>...<sup>3</sup> *Squeezed in later in the same hand and ink. The paragraph total, followed by an erasure, was presumably altered from ijs et iiijd.*

<sup>4</sup>...<sup>4</sup> *The vj is written over an erasure.*

<sup>5</sup>...<sup>5</sup> *Squeezed in later in the same hand and ink, the paragraph total being changed, presumably from iijs. vjd. ob. by alteration and erasure.*

<sup>6</sup> *Per in text, followed by mur'.*

<sup>7</sup>...<sup>7</sup> *Interlineated with a caret.*

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Stacio, ix d., et Johanni Norensi et Ricardo, ijs., et vjd., et iij hominibus, coadjutoribus suis, ijs., et iij feminabus, xvd. Randulfo le Frigg' et coadjutori suo, xiiij d. Et Johanni carectario, ijs. et carectario Willelmi de Preschut', xvij d. Et quarratori pro j centena libere petre computata tam in tabulis et corbellis quam in alia petra, xvij d. Et in cariagio per illam septimanam pro diebus festivalibus, xjs.

Summa—xxvijs. et vjd.

Item. Septimana proxima post festum beati Jacobi Apostoli, et proxima [ante] festum beati Petri ad Vincula [Sunday, 1 August]. Magistro Hugoni per vj dies, ijs. et vjd., et ad cyrotecas, jd., Rogero, ijs., et ad cirotecas, jd., Stacio, ix d., Johanni et Ricardo, iijs., et ad cirotecas, jd. Et Waltero Coco et David' et Hugoni Coco, coadjutoribus suis, ijs. vjd. ob., et iij feminabus, xxij d. ob. Et Randulfo le Frigg' et coadjutori suo, xix d. ob. Johanni carectario, iijs. In ferro et acero ad ligones corrigendos, iiiij d., et in reparacione, iiiij d.

Summa—xviijs. et iij d. ob.

Item. Septimana proxima post festum beati Petri ad Vincula. Magistro Hugoni per vj dies, ijs. et vjd., Rogero, ijs., Stacio, ix d., Johanni Norensi et Ricardo et Ade, chuchatoribus, iijs. et vjd. Et iij hominibus, coadjutoribus suis, iijs.,<sup>1</sup> per vj dies, cuilibet eorum per diem, ijd,<sup>2</sup> et iij feminabus et j garcioni per totidem dies, iijs., cuilibet per diem, jd. ob. Johanni carectario pro petra et sabblone et calce cariandis, iijs. Randulfo et coadjutori suo, xxjd. Et iiiij feminabus pro petra coligenda in bosco, ijs. vjd., et carectario Willelmi de Preschut' pro petra carianda, iijs., et Waltero Blering' per iiiij dies, ijs.

<sup>3</sup>Summa—<sup>3</sup> xxviijs.

Item. Septimana proxima sequenti in qua fuit festum beati Laurentii [Tuesday, 10 August]. Magistro Hugoni per v dies, ijs. et jd., et ad cirotecas, jd., Rogero, xxd., et ad cirotecas, jd., Stacio, ix d. et iij cimentariis, iijs. ix d., et iij hominibus coadjutoribus suis, ijs. xd. ob. Et iij feminabus et j garcioni, ijs. xjd., cuilibet per diem, jd. ob. et quar., et iiiij feminabus pro petra colligenda per iiiij dies, ijs. et iiiij d. Randulfo et coadjutori suo, xvjd. Johanni carectario, ijs. vjd. Waltero Blering' cum ij equis et carecta sua, ijs., et carectario Willelmi de Preschut', ijs.

Item. In dimidia centena libere [petre], tam computata in corballis et tabulis quam in alia petra, ix d. In cariagio, vs. et vjd.

Summa—xxxxs. et vjd. ob.

[m.2]<sup>4</sup>

Item. Eadem septimana pro postis et gradibus retro cameram reg[ine] faciendis, Willelmo de] Preschut' per v dies, xxij d., et Waltero, xxij d.

<sup>1</sup> Followed by an erasure.

<sup>2</sup> Followed by an erasure.

<sup>3</sup>...<sup>3</sup> Written twice, the uppermost word, first entered, having been too close to the last line of the paragraph.

<sup>4</sup> Written on the face of the foot of membrane 1, now a narrow overlap or flap covered by the head of membrane 2, is Ricardo Syward' pro cariagio libere petre per manum Ricardi clerici, xjd struck through. The dorse of the flap is headed Rotulus de operibus castri Merleberg', anno xxij regni regis Henrici.

## COLLECTANEA

Reginaldo, xxijd. . . . . [xvj]d. ob. In xij cariagiis meiremii, iijs., et in meiremio prosternendo, iijd. Et pro . . . . . de aqua trahend' et infra castrum portand', vj operatoribus per iij dies et dimidium et pro pet[ra a] sabblone dividenda et infra castrum similiter portanda, ijs. et ix d.

Summa—xijs. xd. ob.

Item. Septimana proxima post [A]ss[ump]cionem beate Marie [*Sunday, 15 August*]. Magistro Hugoni Blouwe per vj dies, ijs. et vjd., et Rogero, ijs., Stacio, ix d. [et iij] 'chuchatoribus' suis, iijjs. et vjd., et iij hominibus, coadjutoribus suis, iijs. iij d. ob. Et j garcioni[et] iij feminabus, iijs. et vjd., cuilibet per diem, jd. ob. et quar, et iterum iij feminabus pro petra in bosco colligenda, ijs. vij d. ob. Randulfo et coadjutori suo, xv d. Johanni caretario pro sabblone et calce cariandis, iijs. et caretario Willelmi de [Pre]schut' pro petra carianda, iijs. In gatis et aliis utensilibus, vjd. In j corda de channo, viij d.

Summa—xxvijs. et viij d.

Item. Eadem septimana. Quia Willelmus de Preschut' et Reginaldus infirmaverunt, Willelmo Aldewino pro po[sti]s perficiendis et assedendis et pro gradibus faciendis per iij dies et dimidium, xxd., et Rogero fr[at]ri suo], xxd. Et Waltero Pictori per vj dies, ijs. et Johanni Viring', xxjd. Et Martino Crocmete per iij dies et dimidium, [xvjd., et] Ricardo de Polton', xvjd. In 'xij' cariagiis meiremii, iijs., et in meiremio prosternendo, vd.

Summa—xiijs. et ijd.

Item. Septimana proxima sequenti in qua fuit festum beati Bartholomaei [*Tuesday, 24 August*]. Magistro Hugoni per septimanam, ijs. et vjd., et Rogero, ijs., Stacio, ix d., Johanni et Ricardo et Ade, chuchatoribus, iijjs. et vjd. Et Waltero Coco et Hugoni et Francisco, coadjutoribus suis, per v dies, ijs. ix d. ob., et j garcioni et iij feminabus per totidem dies, ijs. et xjd. Et Johanni caretario per iij dies et dimidium, ijs. et vjd.

Summa—xvijs. xjd. ob.

Item. Eadem septimana pro gradibus perficiendis et camera privata<sup>3</sup> garetanda, et pro iij postis<sup>4</sup> levandis, Willelmo Aldewino per ij dies, viij d., Vinc', viij d., Martino Crocmete, vij d., Ricardo de Polton', vij d. Et Waltero Pictori per iij dies et dimidium, xvij d., et Johanni Viring', xvjd. ob. In cariagio meiremii, xijd. In eodem prosternendo, jd. ob.

Summa—vjs. et vjd.

Item. Septimana proxima post Decollacionem beati Johannis Baptiste [*Sunday, 29 August*]. Magistro Hugoni Blouwe per vj dies, ijs. et vjd., et Rogero, ijs., et ad cirotecas, illis duobus, ijd. Item. Eustachio, ix d., et Johanni et Ricardo et Ade, chuchatoribus, iijjs. et vjd., et Waltero

<sup>1</sup>.....<sup>1</sup> *Interlineated above coadjutoribus underlined for deletion.*

<sup>2</sup>.....<sup>2</sup> *Interlineated with a caret.*

<sup>3</sup> *Cameram privatam in text.*

<sup>4</sup> *Poste in text.*

## WORKS AT MARLBOROUGH

Coco et Hugoni et Francisco, coadjutoribus suis, ijs. iiijd. ob., et j garcioni et iij feminabus, ijs. et vjd. In j corda, jd. Johanni caretario pro sabblone et calce cariandis per iiij dies, ijs., et Waltero Blering' pro petra carienda per iij dies, xviijd. In dimidia centena libere petre empta et 'computata' tam in ta[bulis] quam in alia petra, ixd. In cariago, vs. et vjd.

Summa—xxvjs. vijd. ob.

Item. Eadem septimana. Waltero Pictori pro corbellis faciendis ad turellam retro cameram regine, per vj dies, ijs., et Johanni Viring', xxjd. In [iij cariajis] meiremii, ixd. In meiremio prosternendo, jd.

Summa—iiijs. et vijd.

Item. Septimana in qua fuit Nativitas beate Marie [*Wednesday, 8 September*]. Magistro Hugoni Blouwe per septimanam, ijs. et vjd., et Rogero per v dies, xxd., et Stacio, ixd. Et Johanni et Ricardo et Ade, chuchatoribus, per v dies, ijs. et ixd., et Waltero Coco et Hugoni de Preschut' et Francisco, coadjutoribus suis, ijs. i[x]d. ob., et j garcioni et iij feminabus, ijs. Randulfo et coadjutori suo pro sabblone fodiendo, xvjd. Johanni caretario pro sabblone et calce cariandis per iiij dies, ijs., et Waltero Blering' pro petra carienda per iij dies, xviijd.

Summa—xixs. et iijd. ob.

Item. Eadem septimana. Pro corbellis retro cameram regine perficiendis per v dies, Waltero Pictori, xxd., et Johanni, socio suo, xvijd. ob. Et in ij cariajis meiremii, vjd.

Summa—ijs. et vijd. ob.

Item. Septimana proxima sequenti in qua fuit festum Exaltacionis beate Crucis [*Tuesday, 14 September*]. Magistro Hugoni Blouwe per septimanam, ijs. [et vjd., et] Rogero, ijs., et illis duobus ad cyrotecas, ijd. Item. Stacio, ixd. Et Johanni et Ricardo, chuchatoribus, iijs., et ad cyrotecas, jd., et Waltero Coco et Hugoni et Franciso, coadjutoribus suis, per v dies, ijs. ixd. ob., et j garcioni et iij feminabus, ijs. Et Johanni caretario per iiij dies et dimidium pro petra et sabblone et calce cariandis, ijs. iiijd.

Summa—xvjs. vijd. ob.

Item. Eadem septimana. In bordis emendis ad winbargias faciendas ad duo capita magne aule, iijs. et vjd. Et Waltero Pictori pro winbargiis illis faciendis et aliis<sup>2</sup> per loca reparandis per septimanam, ijs., et Johanni, socio suo, xxjd. Et in clavis ferreis ad opus illud, xijd.

Summa—ixs. et iijd.

Item. Septimana in qua fuit festum beati Mathei Apostoli [*Tuesday, 21 September*]. Magistro Hugoni, ijs. et vjd., et Rogero, xxd., Stacio, ixd.

<sup>1</sup> Computatis in text.

<sup>2</sup> Alia in text.

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Et Ricardo et Johanni Norensi, chuchatoribus, ijs. et vjd., et Waltero Coco et Hugoni et Francisco, coadjutoribus suis, per v dies, ijs. ix. ob., et j garcioni et iij feminabus, iijs. Et Johanni caretario per iij dies et dimidium, ijs. et iijjd.

Summa—xvs. vjd. ob.

Item.<sup>1</sup> Septimana in qua fuit festum beati Michaelis [*Wednesday, 29 September*]. Magistro Hugoni Blouwe per v dies, ijs. et jd., et Rogero, xxd., Stacio, ix. ob. Et Ricardo de Preschut' et Johanni Norensi, ijs. et vjd., et Waltero et Hugoni et Francisco, ijs. et ijd. et quar., et iij feminabus, xvijjd. ob. et quar. Et in libera petra<sup>2</sup> emenda, <sup>3</sup>xviijd.<sup>3</sup> et in cariagio <sup>4</sup>xjs. et vjd.<sup>4</sup>

Summa—xiijs. et xjd.

[*Rectius xxijs. et ix. ob.*].

Item. Waltero Pictori eadem septimana pro scendulis parandis et super aulam ponendis per v dies, xxd., et Johanni, socio suo, xvijjd. ob. Et Waltero et socio suo pro scendulis faciendis in foresta per iij dies, [i]js. et vjd. Waltero Blering' pro cariagio scendularum, viijjd.

Summa—vjs. et iijjd. ob.

Item. Septimana in qua fuit festum beati Dionisii [*Saturday, 9 October*]. Magistro Hugoni Blouwe per v dies, ijs. et vjd., et Rogero, ijs., Stacio, ix. ob., Johanni Norensi et Ricardo, iijs. Et Waltero Coco et Hugoni et Francisco per v dies, ijs. ijd. et quar., cuilibet eorum per diem jd. ob. et quar., et iij feminabus per v dies, xvijjd. ob. et quar., cuilibet earum per diem, v quar. Johanni caretario per iij dies, xvijjd. Randulfo le Frigg' et coadjutori suo pro sabblone fodiendo et in vico cariando per ij dies, vjd. ob.

Summa—xiiijs. et ob.

Item. Eadem septimana. Waltero Pictori pro meiremio eligendo ad turrim retro aulam cooperiendam, et pro scendulis parandis et super aulam ponendis per v dies, ijs., et Johanni, socio suo, xxjd. Et Matheo pro meiremio prosternendo per ij dies et dimidium, vjd. ob. In xij cariagiis cariandis, iijs.

Summa—vijs. et iijjd. ob.

Item. Septimana sequenti proxima ante festum beati Luce Ewangeliste [*Monday, 18 October*]. Magistro Hugoni Blouwe per v dies, ijs. et vjd., et ad cirotecas, jd., et Rogero, ijs., Stacio, ix. ob., et Johanni et Ricardo, iijs. Et Waltero Coco et Hugoni et Francisco, ijs. et iijjd. per v dies, et iij feminabus, xvijjd. Et Waltero Hyne per ij dies et dimidium, iijjd. Johanni caretario per v dies, ijs. vjd. Randulfo le Frigg' et coadjutori suo per v dies, xix. ob.

Summa—xvjs. et vjd. ob.

<sup>1</sup> There is a paragraph mark in the margin against this group of entries.

<sup>2</sup> Followed by a partly obliterated j and an erasure. 1s. 6d. was the price of a centena of free-stone, see p. 33.

<sup>3</sup> Written over an erasure.

<sup>4</sup> Preceded by et not struck through. The x has been altered from ij and the vj is written over an erasure.

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Item. Eadem septimana. Willelmo Aldewyno pro meiremio ad turellam scapulando et reparando per iij dies et dimidium, xvd., et Rogero, fratri suo, xiiijd., et Ricardo, xijd. ob., et Willelmo de Bedewynde, xijd. ob. Et Waltero per vj dies, ijs., et Johanni, xxjd., et Willelmo per iij dies et dimidium, xiiijd. Matheo pro meiremio prosternendo, et pro auxiliario ad caret' karcand' per iij dies, xd. In xvij cariagiis meiremii, iijjs. et vjd.

Summa—xiijs. et ix.

Item. Septimana proxima in qua fuit festum beati Luce Ewangeliste. Magistro Hugoni per v dies, ijs. jd., et Rogero, xxd., et Eustachio, ix., et Johanni Norensi et Ricardo, socio suo, ijs. et vjd. Et Waltero Coco et Lowyseo et Hugoni et Francisco per v dies, ijs. vjd., unicuique eorum per septimanam, vijd. ob., et iij feminis per totidem dies, xvd., et Waltero Hine, vijd. ob. [m.3]<sup>1</sup> Et Johanni caretario [pro sabblone et] calce cariandis per v dies, ijs. et vjd., et Randulfo Golin pro sabblone fodiendo, vijd. ob., et coadjutori suo, vijd. ob.

Summa—xvs. jd. ob.<sup>2</sup>

Item. Eadem septimana. Willelmo Aldewino pro carpenteria ad turellam per vj dies, ijs., et Rogero, fratri suo, per v dies, xxd., et Waltero Pictori, xxd. Johanni Viring', xvijd. ob et Willelmo de Ockeburne, xvijd. ob., et Ricardo de Polton', xvijd. ob., et Johann Longo, xvijd. ob.

Summa—xjs. ijd.

Item. Septimana proxima ante festum Omnium Sanctorum [*Monday, 1 November*] in qua fuit festum beatorum Apostolorum Simonis et Jude [*Thursday, 28 October*]. Magistro Hugoni per septimanam, ijs. et vjd., et Rogero, xxijd., et Eustachio, ix., et Johanni et Ricardo, iijjs., et Waltero Coco et Hugoni et Francisco et Waltero Hine, ijs. vjd., et iij

<sup>1</sup> See below, n. 2.

<sup>2</sup> The paragraph to which this total relates and the following two paragraphs, including the three words *summa*, are written in a slightly paler ink, the figures of the *summae*, however, being entered in the darker ink used elsewhere on membranes 1-3.

Membrane 3 is now stitched on half an inch above the foot of membrane 2, only a little way above the original stitching holes. Written on the face of the resulting flap are the following memoranda:

Summa ad tailliandum per hunc rotulum—lxxijs. et xjd. post festum beati Michaelis.

Summa tocius expense per ij rotulos—xxxij li. vs. et vjd. ob.

Both were probably made at the point when the items totalling xiijs. et ix. were the last entered on the membrane. The first is a correct addition of the totals from Michaelmas week (p. 36) to the last complete paragraph on membrane 2 inclusive. The second appears to be an incorrect addition of the sometimes incorrect paragraph totals of membranes 1 and 2 up to the same point, and should stand as xxxij li. xjs. et xd. ob or rectius xxxiij li. xvjs. vd.

On the dorse of the foot of membrane 2, under the heading *Rotulus de operibus castri Merleberg'*, tempore domini Roberti de Mucegros, is Summa xxvij li. xvjs. et vd. and the following memoranda. These, partly rubbed and galled, are not fully legible nor, where legible, intelligible save as interim calculations of the clerk, since the figures do not correspond with recognizable totals in the accounts themselves.

Summa per rotul' in mur' . . . ? vs. et vjd. Summa per alios rotulos in [?camer'] regine et in molendino foleretio—xviiij li. iijjs. et vijd.

Summa totalis ad tailliandum—? ? ix. et jd.

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feminabus, xvd. Et Randulfo Golin et coadjutori suo pro sabblone fodiendo, xvd. In minuta petra emenda, vijd. Johanni caretario per iiij dies et dimidium, ijs. et iijd., et Waltero Blering' per ij dies, xijd. In dimidia centena libere petre, ix. In cariagio prius per particulas, vs. et ix.

Summa—xxiijs. vd.

Item. In eadem septimana. Willelmo Aldwino, carpentario, pro carpenteria ad turellam per v dies, xxiij., et Rogero, fratri suo, xxd., et Waltero Pictori, xxd. Et Johanni Viring per v dies, xvijd. ob., et Willelmo de Okeburne, xvijd. ob., et Ricardo de Poltun' xvijd. ob.

Item. Ade de Aula pro iij cariagiis maeremii, ix. Item. Roberto Nigro pro <sup>v</sup> cariagiis maeremii, xvd., et Waltero Blering pro iiij cariagiis, xijd. Item. Ade de Elcote pro v cariagiis, xvd., et Matheo per v dies pro maeremio prosternendo et eisde[m]auxiliandis, xijd. ob.

Summa—xiiijs. xd.

Item. Septimana proxima sequenti in qua fuit festum Omnium Sanctorum. Hugoni Blowe per v dies, ijs. jd., et Rogero per<sup>2</sup> eosdem dies, xvijd. ob., et Stacio, viijd., et Johanni Norensi et Ricardo de Presch', xxvd. Et Waltero Coquo per <sup>iiij</sup> dies, vjd., et Waltero Hyne, vjd., et Francisco, vjd., et Hugoni chipman, vjd., et iiij femin', xijd.

Item. Johanni caretario per iij dies et dimidium pro sablone cariendo, xvijd. ob., et Randulfo Golin et filie sue pro sablone jactando per iiij dies, xd.

Summa—xjs. vijd.

Item.<sup>4</sup> In eadem septimana Waltero Pictori, carpentario,<sup>5</sup> per iiij dies, xiiijd., et Willelmo de Okeburne, xijd., et Johanni Viring per iij dies, ix.

Item. In ferro et grossis clavis emendis ad turellam affirmandam, xix. ob.

Summa—iiijs. vjd. ob.

Item. Septimana in qua fuit festum beati Martini [*Thursday, 11 November*]. Hugoni Blowe per v dies et dimidium, ijs. jd., et Rogero Blowe, xvijd. ob., et Stacio, viijd. Johanni Norensi et Ricardo de Preschut', ijs. jd., et Waltero Coquo per v dies, vijd. ob., et Hugoni mercatori et Francisco, xvd., et iiij femin', xxd.

Item. Johanni caretario pro sablone cariendo per v dies, xxvd., et Randulfo Golin et filie sue per ij dies, vd., et Petro Pictori et garcioni suo per j diem, iiijd. ob.

Item. In tribus quarteronis libere petre ad quarreyam emendis, xiijd. ob., et in eisdem carilandis, ix. jd. ob.

Summa—xxijs. xjd. ob.

<sup>1</sup> Preceded by a probable x erased.

<sup>2</sup> Pro in text.

<sup>3</sup> Interlineated without a caret over v underlined for deletion.

<sup>4</sup> Followed by prox' partially smudged out.

<sup>5</sup> The first r of this word is interlineated without a caret.

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Item. Septimana in qua fuit festum beati Eadmundi [*Tuesday, 16 November*]. Magistro Hugoni Blowe per vj dies, ijs. vjd., et Rogero Blowe, xxd., et Stacio, viijd. Et Ricardo de Prestch' et Johanni Norensi, cuchatoribus, per v dies, xxijd. ob., et Waltero Hyne per iij dies, iiijd. ob., et ij femin' per iij dies, viijd., et Johanni Coquo per v dies, vd. Et Johanni carectario pro sablone cariendo per iij dies, ijs., et Randulfo Golin et coadjutori suo pro sablone jactando et fodiendo et in vico trahendo per v dies, xvd.

Summa—xjs. vd.

Item. Eadem septimana. Willelmo Aldwino pro quadam portha in turella desuper gradus facienda per vj dies, ijs. vjd., et Rogero Aldwino, ijs., et Ricardo de Polton' per v dies, xvd., et Johanni Longo, xvd. Ade de Aula 'pro' iij cariagiis, xijd., et Ricardo Pain pro iij cariagiis, xijd. Et Matheo pro eisdem prosternendis et eis auxiliandis, iijd., <sup>2</sup>et cuidam alii, jd.<sup>2</sup>

Summa—ixs. iiijd.

Item. Septimana sequenti in qua fuit festum beati Clementis [*Tuesday, 23 November*] et beate Katerine [*Thursday, 25 November*]. Magistro Hugoni Blowe per v dies, ijs. jd., et Rogero Blowe, xvijd. ob., et Stacio, viijd., et Johanni Norensi et Ricardo de Prestch', cuchatoribus, ijs. jd. Et Waltero Coquo per v dies, vjd. <sup>3</sup>ob.,<sup>3</sup> et Francisco, vjd. ob., et Hugoni chupman vjd. ob., et Johanni filio Walteri et ij femin' per v dies, xvd. Et Johanni carectario pro sablone cariendo per iij dies, xxd., et Randulfo Golin per [*v dies*]<sup>4</sup> et coadjutori suo pro sablone jactando, fodiendo et in vico trahendo, <sup>5</sup>xvd.<sup>5</sup>

Summa—xijs. iiijd.

Item. Eadem septimana. Ricardo le Ninnesune pro bordis ad turellam retro aulam coperiendam, viijs. ix. Et Willelmo Aldwino, carpentario, per v dies, ijs., et Rogero, fratri suo, xxd. In clavis ferreis, xvjd. Item. Waltero Pictori per ij dies, vjd.

Summa—xiijs. iiijd.

Item. Septimana in qua fuit festum beati Andree [*Tuesday, 30 November*]. Magistro Hugoni Blowe per v dies, ijs. jd., et Rogero Blowe per iij dies, xiiijd., et Stacio, vjd. Johanni Norensi et Ricardo de Prestch' per iij dies, xxd., et Waltero Coquo, vjd., et Francisco, vjd., et Hugoni chipman, vjd., et Johanni, filio Walteri, et ij femin', xijd.

Summa—vijs. xjd.

Item. Eadem septimana. Willelmo Aldwino pro gradibus turelle et turella percoperiendis per iij<sup>6</sup> dies, xvjd., et Rogero, fratri suo, xiiijd. In clavis, xd. In bordis emendis, xijd.

Summa—iiijs. iiijd.

<sup>1</sup>...<sup>1</sup> Repeated and not struck through.

<sup>2</sup>...<sup>2</sup> Added in paler ink.

<sup>3</sup>...<sup>3</sup> Interlineated without a caret.

<sup>4</sup> The clerk forgot to state the number of days, writing . . . per et coadjutori suo . . .

<sup>5</sup>...<sup>5</sup> Altered, probably from xij.

<sup>6</sup> Altered from iij.



COLLECTANEA

Item. Waltero Pictori et Johanni Viring pro tribus stagiis in eadem turella cum maeremio ante claudendis et infra cum planchiis planchian-  
dis <sup>1</sup>ad taschiam,<sup>1</sup> xs.

Item. Matheo pro maeremio ad turellam planchiandam et clauden-  
dam prosternendo per v dies, xijd. ob. Waltero Blering pro vj cariagiis,  
xviijd., et Roberto Nigro pro vij cariagiis, xxjd., et Johanni preposito  
<sup>2</sup>pro<sup>2</sup> vij cariagiis, xxjd., et Ade, nepoti suo, pro v cariagiis, xvd., et  
Ricardo Pain pro v cariagiis, xvd. Ade Aula pro ij cariagiis, vjd.

Item. Willelmo fabro pro grossis clavis ferreis ad planchias ante  
turellam firmandas, xviijd. In bordis ad hostia turelle, ijs., et in  
vertevellis, gumphis, clavis, haspis et stapellis,<sup>3</sup> xxijd.

Item. In ij stagiis in eadem turella desuper planchiis terrendis,  
<sup>4</sup>ijs<sup>4</sup>.

Summa—xxvjs. iiijd. ob.

Item. In vj pedibus et dimidio plumbi <sup>5</sup>de Roberto le Corc<sup>5</sup> ad  
gutterias supra turellam faciendas et ad curbias juxta murum coperien-  
das, ixs. et ixd. Et in servicio magistri plumbatoris per j diem et  
dimidium, ixd. Et in clavis ad plumbum affirmandum, iiijd.

Summa—xs. xd.

<sup>6</sup>Summa totalis per hunc rotulum—xlij. li. xijs. et iiijd. ob.<sup>6</sup>

[*Rectius—xliij. li. js. et vijd. ob.*]

<sup>7</sup>Summa totalis per istos iij rotulos adjunctos—lviiij. li. iiijs. et ob.<sup>7</sup>

[*Rectius—lviiij. li. xvjs. et vjd.*]

[m.4]

Rotulus de expensis in fenestris ligneis faciendis et aliis necessariis  
et in easdem fenestras cum ferro serandas et pendendas, et in j  
fenestra in gabulo de libera petra [*facienda*] et cum ferro seranda  
<sup>8</sup>anno xxij regni regis Henrici.<sup>8</sup>

<sup>1</sup>...<sup>1</sup> *Interlineated without a caret and again, presumably by error, with a caret immedi-  
ately after xs.*

<sup>2</sup>...<sup>2</sup> *Per in text.*

<sup>3</sup> *Or stapplis : the reading is uncertain.*

<sup>4</sup>...<sup>4</sup> *Altered by incomplete erasure from xij, probably xijd. The meaning of terrendis  
is uncertain.*

<sup>5</sup>...<sup>5</sup> *Interlineated with a caret.*

<sup>6</sup>...<sup>6</sup> *Added in paler ink. This is a correct addition of the paragraph totals of membranes  
I-3 (deemed a single rotulet) as they were entered by the clerk. In the bottom right-hand corner  
of the membrane Summa xlij li. xijs. iijd. ob. was written in dark ink and struck through in pale.*

<sup>7</sup>...<sup>7</sup> *Added in paler ink now much faded and rubbed. This grand total for works at the  
castle was accepted in audit at the Exchequer and entered on the Pipe Roll, 23 Henry III  
[E372/83] m.9., though it is in fact 12s. 5½d. less than the correct total of expenses listed here in  
the account.*

<sup>8</sup>...<sup>8</sup> *Added in paler ink. The rest of the heading and the first paragraph with its summa  
are written in dark ink, the remainder of the membrane in pale ink.*

WORKS AT MARLBOROUGH

Item. Septimana proxima ante Pentecosten [*Sunday, 23 May, 1238*] in qua fuit festum beati Dunstani [*Wednesday, 19 May*]. Willelmo de Preschut' pro meiremio eligendo et prosternendo et pro j miliario scendularum <sup>1</sup>faciendo<sup>1</sup> per v dies, xx d., et Matheo, coadjutori suo, xvd, et Picott', xijd. ob. Et pro scendulis cariandis de Morleya, xijd., et pro xxiiij caretatis meiremii, cariandis, vjs.

Summa—xs. xjd. ob.

Item. Septimana<sup>2</sup> in qua fuit festum beati Barnabe Apostoli [*Friday, 11 June*]. Willelmo de Preschut' pro fenestris ligneis faciendis per v dies, xxd., et Waltero Pictori, xxd., et Johanni Longo, xxd., Johanni Syard', xxd., <sup>3</sup>et<sup>3</sup> Wi[n]centio, xxd.

Summa—vjs. et viijd.<sup>4</sup>

[*Rectius viijs. et iiijd.*].

Item. Septimana proxima sequenti. Willelmo de Preschut' pro eodem per vj dies., ijs., et Waltero Pictori, ijs., et Johanni Longo, ijs., et Johanni Virynd,<sup>5</sup> xxd.

Summa—vijs. et viijd.

Item. Septimana proxima post octabum beatorum Apostolorum Petri et Pauli [*Tuesday, 6 July*]. Willelmo de Preschut' per vj dies, ijs., et Waltero Pictori, ijs., et Johanni Longo, ijs., et Ricardo de Nova Terra, xxd. In ij cariagiis meiremii, vjd.

Summa—vijs. et ijd.

Item. Septimana proxima ante festum beate Margarete Virginis [*Tuesday, 20 July*]. Willelmo de Preschut' per vj dies pro fenestris faciendis, ijs., et Waltero Pictori, ijs., et Johanni Longo, ijs. In j miliario clavorum ad scendulas, xvd. In bordis de sapo emendis et cariandis de Lond', <sup>6</sup>vjs.<sup>6</sup>

Summa—xiijs. et iijd.

Item. Septimana proxima post festum beati Jacobi Apostoli [*Sunday, 25 July*]. Willelmo de Preschut' <sup>7</sup>pro fenestris<sup>7</sup> cooperiendis per v dies, xxd., et Waltero Pictori, xxd., et Johanni, xxd. Et Ricardo Norensi et Willelmo de Peuesia pro j miliario scendularum ad taschiam faciendo in foresta, ijs., et in cariagio scendularum, xijd.

Item. In ij pedibus plumbi emendis ad guterias earumdem fenestrarum et ad easdem fenestras crestandas, ijs. In servicio plumbatori per iij dies, xviijd. cum homine <sup>8</sup>suo.<sup>8</sup> In cariagio sabblonis <sup>9</sup>ad<sup>9</sup> jactandum <sup>10</sup>plumbum,<sup>10</sup> iijd. In clavis, iijd.

Summa—xiijs.

<sup>1</sup>...<sup>1</sup> *Interlineated, with a caret, in paler ink.*

<sup>2</sup>...<sup>2</sup> *Followed by proxima struck through.*

<sup>3</sup>...<sup>3</sup> *Repeated and not struck through.*

<sup>4</sup>...<sup>4</sup> *A correct total for four items of 1s. 8d., the fifth probably being added later in the same hand and ink.*

<sup>5</sup>...<sup>5</sup> *Preceded by Syward' struck through.*

<sup>6</sup>...<sup>6</sup> *Altered by erasure from viijs.*

<sup>7</sup>...<sup>7</sup> *Interlineated with a caret above perficiend' et struck through.*

<sup>8</sup>...<sup>8</sup> *Interlineated with a caret.*

<sup>9</sup>...<sup>9</sup> *Interlineated with a caret.*

<sup>10</sup>...<sup>10</sup> *Interlineated with a caret.*

COLLECTANEA

Item. Septimana proxima post festum beati Petri ad Vincula [*Sunday, 1 August*]. Willelmo de Preschut' per v dies pro fenestris de sapo faciendis ad fenestram novam de petra factam in gabulo camere regine, xxd., et Waltero Pictori, xxd., et Johanni Longo, xxd. Et Ricardo 'de Polton'<sup>1</sup> per ij dies, vijd.

Summa—vs. et <sup>2</sup>vijd.<sup>2</sup>

Item. Magistro Hugoni Blouwe pro fenestra facienda ad taschiam in gabulo camere regine, vijs. In calce carienda, vjd., et in sabblone, vjd. Randulfo Golin et coadjutori suo pro sabblone fodiendo per j diem et dimidium, vd. ob. In iij fenestris prosternendis ad taschiam, xijd.

Summa—xs. ix. ob. cum prosternacione fenestrarum.

Item. Petro Pictori pro iij fenestris dealbandis et lineandis et circa fenestram quo murus fractus fuit, et rosandis similiter ad taschiam, iijs. et vjd. In sabblone de reperia,<sup>3</sup> iijd.

Item. Eidem Petro Pictori pro j fenestra vitrea facienda ad fenestram factam in gabulo ad taschiam, vs. et vjd. In ferramento ad eandem fenestram affirmandam, xvd.

Summa—xjs. et vjd.

Item. In ferro emendo ad barras faciendas ad <sup>4</sup>ij<sup>4</sup> fenestras serandas et ad gunfos et vertevelas et claves et latchis<sup>5</sup> faciendis: Willelmo Heved' pro j veteri triperio, iijs. iijjd., et Ade servienti pro j caudron', iijs., et Hunfrido mercer' pro xxiiij lamiis fereis, vs. et iijd. ob., et Randulfo de Divisis pro xvj lamiis ferreis, iijs. et vjd.

Item. Waltero de Remmesbir' pro ferro, ijs. et vjd. ob.

Item. Willelmo fabro pro operacione iij fenestrarum cum eodem ferro barrandarum et pro xxiiij gunfis et xxiiij vertevellis et clavis staminatis inde faciendis et vj latchis ad taschiam, xvijs.

Summa—xxxiijs. et xd.

[*Rectius xxxiijs. et ix.*]

<sup>6</sup>Summa tocius expense per hunc rotulum—vj li. et iijs. et vd<sup>6</sup>.

[*Rectius vj li. et vs.*].

<sup>1</sup>...<sup>1</sup> Largely written over an erasure.

<sup>2</sup>...<sup>2</sup> Altered from iijjd.

<sup>3</sup> For riperia.

<sup>4</sup>...<sup>4</sup> Interlineated with a caret.

<sup>5</sup> Possibly a grammatical slip on the clerk's part, but probably a vernacular plural; cf. Salzman, *Building in England*, p. 299.

<sup>6</sup>...<sup>6</sup> Written some little way down, at the foot of the membrane. The sum is a correct addition of the paragraph totals as they were entered by the clerk, these being incorrect, however, in the two instances noted.

WORKS AT MARLBOROUGH

[m. 5]<sup>1</sup>

Rotulus de expensis in muris<sup>2</sup> reparandis anno xxij regni regis Henrici.

Item. Septimana proxima post festum beati Kenelmi [*Sunday, 17 July, ?1239*] in qua fuit festa beate Margarete [*Wednesday, 20 July*] et beate Marie Magdelene [*Friday, 22 July*]. Magistro Hugoni Blowe per iiij dies et dimidium xiiij. et Johanni Norensi et Ricardo de Prestchut, cuchatoribus, per iiij dies, ijs.

Item. Roberto de Stutescumbe per iiij dies, vjd., Radulfo Albo, vjd. et Thome Nedlehet, vjd., Ysabelle, iiij.

Summa—vs.

Item. Septimana proxima post festum beati Jacobi Apostoli [*Monday, 25 July*]. Hugoni Blowe per ij dies et dimidium, xjd., et Johanni Norensi et Ricardo de Prestch', cuchatoribus, per ij dies et dimidium, xxij. Et Roberto de Stutescumbe et Radulfo per totidem dies, xjd., et Thome per ij dies et dimidium, iiij., et Ysabelle, ijd. ob. Et Waltero Coquo per j diem, ijd. Et pro ij cariagiis ad scaffaduras faciendas, vjd., et Matheo pro servicio suo, ijd., et Waltero Blering pro cariagio calcis et sablonis, ijs.

Summa—vijs. ob.

Item. Septimana proxima post festum beati Petri ad Vincula [*Monday, 1 August*]. Hugoni Blowe per vj dies, ijs., et Johanni et Ricardo, cuchatoribus, iijs., et Waltero Coquo, ixj., et Thome Nedleshait, ixj., et Francisco, ixj., et Henrico et Roberto, xvij., et Ysabelle, vjd. In ij cribbliis emendis, ijd. Et Willelmo le Mak et Randulfo le Frig' pro sabblone jactando per iij dies et dimidium, xjd., et Waltero Blering pro cariagio calcis et sablonis, ijs. ob., et Ernaldo, ijd. ob.

Item. Forcanon<sup>3</sup> pro sabblone, viij.

Summa—xiijs. iiij.

Item. Septimana in qua fuit festum beati Laurencii Martiri [*Wednesday, 10 August*]. Hugoni Blowe per v dies, xxd., et Johanni Norensi per iiij dies et dimidium, xiiij., et Ricardo per iij dies et dimidium, xd. ob.

<sup>1</sup> *The membrane is written in dark ink with the exception of the last three paragraphs, their summae and the total at the foot of the membrane, for which paler ink was used. The number of the regnal year seems to have been altered from xxij to xxij. Yet the membrane cannot relate to the same year, 1238, as membranes 1-3. Not only Master Hugh Blowe, but other individuals appear as impossibly duplicated in the weeks containing the same feast days. With Blowe receiving 4d. a day on membrane 5, and 5d. a day on membranes 1-3, it might be expected that, despite its position and the alteration, membrane 5 would belong to 1237. This, however, assuming that the working week ended on a Saturday, seems ruled out by a consideration of the calendar. Amongst the possible years thus produced is 1239. This seems the most likely on all counts, and fresh works at the castle, though on the Tower, were in fact ordered in November, 1238; C. Lib. R., 1226-40, p. 350. Hugh Blowe's drop in wages may have been due to a smaller scale of work: it cannot be explained as a seasonal variation.*

*I am indebted to Mr. John Harvey for his help with this problem.*

<sup>2</sup> Mur' in text.

<sup>3</sup> Or Fort- or Forcavon: possibly a nickname.

COLLECTANEA

Et Roberto per iiij dies, vijd., et Henrico per iij dies et dimidium, vd. ob., et Waltero Coquo, vd. ob. Et ij femin' per iiij dies et dimidium, xd., et Stacio per iiij dies, iiijd. In ij cordis emendis, ijd.

Item. Waltero Blering' pro cariagio sablonis, ix d., et pro cariagio calcis, xvjd. ob. Et Randulfo pro sablone jactando per iiij dies et dimidium, vijd. et coadjutori suo per ij dies et dimidium, iiijd.

Item. Pro ferro et acero ad duos ligones, viijd. et pro fornira,<sup>1</sup> vijd. cum reparacione j securi et ij aliorum lignonum.

Summa—xs. ix d. ob.

[*Rectius xs. xd.*].

Item. Septimana in qua fuit festum Assumpcionis beate Marie [*Monday, 15 August*]. Hugoni Blowe per iiij dies et dimidium, xviijd. Et Johanni Norensi et Ricardo de Presch' per iij dies et dimidium, xxijd., et Roberto per totidem dies, vjd. ob., et Henrico, vd. ob., et Waltero Coquo, vjd., et Stacio, iiijd., et Willelmo le Mak, jd. ob., et ij femin', viijd. Waltero Blering' pro iiij cariagiis calcis et v cariagiis sablonis, viijd. ob. In j gata empta, jd. Randulfo Frig' pro sablone jactando, vjd. ob., et filie sue, vjd.

Summa—vijs. xd. ob.

Item. Septimana in qua fuit festum beati Bartholomei Apostoli [*Wednesday, 24 August*]. Hugoni Blowe per v dies, xxd., et Johanni Norensi et Ricardo de Presch' per iiij dies et dimidium, ijs. iiijd., et Henrico, vijd., et Roberto, vijd., et Waltero Coquo, vijd., et ij femin', xd. Et Waltero Blering' pro viij cariagiis calcis, xijd., et pro iij cariagiis sablonis, jd. ob. Randulfo Golin pro sablone jactando, iiijd. ob., et filie sue, iijd. Et Randulfo pro placia sua, iiijd.

Summa—viijs. iiijd.

[*Rectius viijs. viijd.*].

Item. Septimana in qua fuit festum Decollacionis beati Johannis Baptiste [*Monday, 29 August*]. Hugoni Blowe per iiij dies, xvjd., et Johanni et Ricardo, cuchatoribus, ijs., et Waltero Coquo, vjd., et Henrico, vjd., et Roberto, vjd., et ij femin', viijd. Et Waltero Blering' pro vj cariagiis calcis, ix d., et pro vj cariagiis sablonis, iijd.

Summa—vjs. et vjd.

Item. Septimana in qua fuit <sup>2</sup>festum<sup>2</sup> Nativitatis<sup>3</sup> beate Marie [*Thursday, 8 September*]. Hugoni Blowe per v dies, xxd., et jd. habuit ad cirotecas; et Johanni Norensi et Ricardo de Presch', ijs. <sup>4</sup>vjd.,<sup>4</sup> et Roberto, vijd., et Henrico, <sup>5</sup>vijd.,<sup>5</sup> et Waltero Coquo, vijd., et ij femin', xd. Et Randulfo Golin pro sablone jactando, iiijd. ob., et

<sup>1</sup> See above, p. 30, n. 3.

<sup>2,3</sup> Interlineated with a caret. It is partly, and the following twelve words and figures are wholly written over a lengthy erasure.

<sup>3</sup> The last 'ti' in this word is interlineated with a caret, and the first t is missing.

<sup>4,4</sup> The vj is written over an erasure.

<sup>5,5</sup> Altered by erasure from viij.

WORKS AT MARLBOROUGH

filie sue, iijd. Waltero Blering pro xij cariagiis calcis, xvjd. et pro iij cariagiis sablonis, jd. ob.

Summa—viijs. vd.

[*Rectius viijs. xjd.*].

Item. Septimana in qua fuit festum Exaltacionis beati Crucis [*Wednesday, 14 September*]. Johanni Norensi et Ricardo de Preschut', chuchatoribus, per v dies, ijs. et vjd., Roberto, coadjutori suo, vjd. ob., et Waltero et Francisco, xvd., et ij feminabus, xd. Et in calce carianda per ij dies, xijd. In minuta petra emenda, ijs., et in illa carianda Waltero Blering' xiiijd. In sabblone fodiendo per iiiij dies, vjd., et in ducendo in vico, vd.

Summa—xs. et iiijd. ob.

<sup>1</sup>Summa tocius expense predicte—lxxvijs. et viijd.

[*Rectius—lxxvijs. et vjd. ob.*].

Item. Waltero Pictori pro ponte vertenti extra portam subfullendo<sup>2</sup> et plancando et aliis pontibus similiter corrigendis per vj dies, <sup>3</sup>ijs,<sup>3</sup> et Johanni Longo, ijs., et Reginaldo de Froggemore, ijs., et Johanni Viring', xxjd. In meiremio prosternendo, iijd. In meiremio cariando, Ade de Aula pro iiiij cariagiis, xijd., et Ade de Elcote, xijd., et Johanni Pagano, xijd., et Ricardo fratri suo, xijd.

Summa—xijs.

Item. Radulfo le Stainer' pro stabulis et domibus<sup>4</sup> portarii et sauserie et domibus infra turrin cooperiendis per viij dies, xxijd., et ij hominibus coadjutoribus suis, ijs., et ij feminabus, xvjd. In caumo emendo per trussam ad cooperturam, vijs. vjd. ob. In prais, iiijd. ob.

Summa—xiijs. et jd.

<sup>5</sup>Summa tocius expense per hunc rotulum—centum et ijs. et ix d.<sup>5</sup>

[*Rectius—centum et iijs. et vjd. ob.*].

[m.6]<sup>6</sup>

Rotulus de expensis in operibus castri Merleberg' et in domos reparandos et cooperiendos post festum beati Michaelis anno xxij [29 September, 1238] regni regis Henrici.

<sup>1</sup> There is a marginal paragraph mark and connecting line against this entry, as against the summae of the two succeeding paragraphs which are entered a little way further down the membrane. The sum is a correct addition of the paragraph totals as they were entered by the clerk.

<sup>2</sup> The exact meaning of this verb is uncertain.

<sup>3</sup> Apparently altered by erasure from iijs.

<sup>4</sup> Stabul' and dom' in the text here, and in the same context later.

<sup>5</sup> Written some little way down, at the foot of the membrane, above a row of empty stitching holes. The sum is a correct addition of the paragraph totals as they were entered by the clerk.

<sup>6</sup> All the paragraphs of this membrane, together with their summae, are written in dark ink. Against every summa except the last total for the whole membrane, however, a marginal paragraph mark and a line connecting it to the word summa have been added in paler ink.

COLLECTANEA

- Item. Die Mercurii proxima ante festum Omnium Sanctorum [*Wednesday, 27 October, 1238*].<sup>1</sup> In xij trussis de caumo emendis ad cooperaturam, xvd.
- Item. Die Martis proxima post festum Omnium Sanctorum [*Tuesday, 2 November*]. In xiiij trussis de literia, xxjd.
- Item. Die Lune in crastino Animarum [*Wednesday, 3 November*]. Willelmo de Preschut' pro tabulamento<sup>3</sup> ligni ultra stabula reparando et aliis infra castrum corrigendis per ij dies, viijd., et Vinc', viijd., et Ricardo molendinario, vijd. Et Hugoni Blouwe pro tabulamento libere petre ibidem corrigendo per j diem, iiijd., et Johanni Norensi per ij dies, vjd., et Henrico, coadjutori suo, iijd., et Rogero, socio suo, iijd. Iterum eidem Johanni pro stabulis et aliis domibus per loca plastrandis per ij dies et dimidium, vjd. ob., et Henrico et Rogero, coadjutoribus suis, per totidem dies, viijd. In 'terra' fodienda et carianda ad plastrandum, vjd.
- Item. Die Jovis proxima post festum beati Leonardi [*Thursday, 11 November*]. Pro xv trussis, xxiijd. Item. Radulfo, magistro cooperatori, pro stabulis et domibus infra turrim cooperiendis per viij dies et dimidium, xxiiijd., et j homini, coadjutori suo, xiiijd., et iij feminis, ijs. et iijd.
- Item. Septimana proxima ante festum beati Andree [*Tuesday, 30 November*]. Pro xviiij trussis emendis, ijs. et ijd. Et Radulfo, magistro cooperatori, pro domibus portarii et sauserie et columbar' cooperiendis per iiiij dies et dimidium, xjd. ob., et Petro Fontaine et Ricardo Rudel, coadjutoribus suis, xiiijd., et Julian' et Matill', xd.

Summa—xxs. et ijd.

- Item. Septimana proxima post festum beati Martini [*Thursday, 11 November*]. Willelmo de Preschut' pro polaynniis faciendis per ij dies, viijd., et Ricardo molendinario, vijd. In sepho, jd., ad illas unguendas.
- Item. Ad eandem horam et in antea et postea. Ricardo le Wro pro scendulis faciendis, xvjd. et pro domibus per loca corrigendis per viij dies, xxd., et Willelmo de Peuesia, xvjd. In clavis, vjd. ob. In j bord' ad loveria<sup>5</sup> infra turrim, iiijd. In cord' ad loveria, jd. ob.
- Item. Pro chymineis reparandis et alios defectus per loca, Hugoni Blowe per ij dies, viijd. Item. Johanni Norensi, coadjutori suo, et pro hostio camere retro aulam obstruendo per iij dies, vijd. ob. Waltero Nigro et Louuyseo, coadjutoribus suis, ixjd.
- Item. Willelmo de Preschut' pro j magna scala facienda ad taschiam, xijd. In cariagio meiremii, iijd.
- Item. Eidem Willelmo pro pontibus coram porta castri et fenestr' in refrigerio reparandis contra adventum domini regis ante Natalem, et pro magna scala in aula erigenda et loveriis corrigendis et tabulis<sup>6</sup> ponendis per iij dies, xijd.

<sup>1</sup> This was the last day of Henry III's twenty-second regnal year.

<sup>2</sup> It is evident that the clerk has here made a mistake, either in the day of the week or in its position with regard to All Saints' Day.

<sup>3</sup> Tabulament' here and subsequently in the text.

<sup>4</sup> Intertineated with a caret.

<sup>5</sup> Lover' here and subsequently in the text.

<sup>6</sup> Tabul' in text.

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Item. In tegulis emendis ad domos reparandas, xijd. In castro et domibus infra castrum mundandis ante Natalem contra adventum domini regis, Waltero le Blacke per ij dies, iijd., et Lowiseo, iijd. Waltero Blering' pro carecta sua per ij dies, ix. Et post Natalem pro eodem, Johanni le Honte per iiij dies, vjd., et Ricardo Rudel, vjd., et Ade Crey et Johanni Coco, vjd. Et in j parva scala facienda et foras de bosco carianda, viijd.

Summa—xvs. et iiijd. ob.

Item. In screno domini regis faciendo et domine regine, Willelmo de Preschut' per ij dies, viijd. et Vincentio, viijd. et Waltero Pictori, ijd. Et in j bord' ad screnum regine, vjd. Item. Pro j screno faciendo ad taschiam qui missus fuit apud Lutegar',<sup>1</sup> xijd.

Summa—iijs.

Item. Expense in piscaria erigenda. In meiremio eligendo et prosternendo, iiijd. In cariagio, xijd. Et Willelmo de Preschut' pro carpenteria facienda per iiij dies, xvjd., et Martino et Ricardo molendinario per j diem, vjd. In cariagio grossarum petrarum, vjd.

Item. Radulfo le Stainer' pro fossa ante piscariam implenda et ex utraque parte cum sepo claudenda per iiij dies, xd., et Waltero le Blake et Ade Crey et Rogero et Johanni de Crofta, coadjutoribus suis, ijs.

Summa—vjs. et vjd.

Item. Pro elemosinaria<sup>2</sup> et domibus retro capellam latandis et plasstrandis, Vinc' carpentario per j diem et dimidium, vjd., et Ricardo, socio suo, vjd. Et Roberto le Niker, magistro plastratori, per ij dies, iiijd., et Waltero Nigro, iiijd., et Ricardo et Willelmo, coadjutoribus suis, vjd. In cariagio maeremii ad lathas, vjd. Willelmo Punge pro viij pottis terre cariandis ad plastrandum, iiijd., et Waltero Blering pro sablone tunc cariando et prius per particulas, xvjd. ob. Willelmo fabro pro j clave facienda ad seruram cellarii et aliis seruris corrigendis, iijd. In cord' ad loveria, ob.

Item. Johanni le Hunt' per j diem pro herbario claudendo, ijd.

Item. Waltero Pictori per j diem pro herbario plancando et porta reparanda, ijd., et iterum per iij dies, xijd. Et in vertevellis, jd.<sup>3</sup> Hunfrido pro ferro et acerro ad ligones faciendos xjd.

Item. Petro Pictori pro elemosinaria dealbanda et lineanda ad tachiam, vs., et in calce carianda, xviijd., et coadjutori suo, vj denarios. In sablone de ripa, iijd. Item. Waltero Coco pro sablone jactando septimana in qua fuit Translacio beati Thome Martyris [*Thursday, 7 July, 1238*] per iiij dies et dimidium, viijd., et socio suo per j diem, jd. ob.<sup>3</sup>

<sup>1</sup> *The royal castle and manor of Ludgershall.*

<sup>2</sup> *Elemosinar' here and subsequently in text.*

<sup>3</sup> *The whole of this passage is struck through, the items being ignored in the addition of the paragraph total. The following three words, Item Symoni tegulatori are scored by a mistaken extension of the cancellation. For this and the following dates see above, p. 9, n. 2.*



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Item. Symoni tegulatori et homini, <sup>1</sup>coadjutori<sup>1</sup> suo, pro tresencia infra cameram et garderobam retro<sup>2</sup> aulam emendenda<sup>3</sup> per ij dies, xijd.

Item. Petro Pictori pro aula retro capellam dealbanda et lineanda, ijs. et viijd., et pro sablone jactando, vjd.

Item. Eidem, septimana proxima post festum beati Petri ad Vincula [Sunday, 1 August] <sup>4</sup>in gabulo aule refrigerii faciendo,<sup>4</sup> xijd., et in sablone jactando per v dies et dimidium, ix. Item. Waltero Blering pro cariagio calcis, vijd.

Item. Magistro Johanni fossatori pro baya sub castello reparanda, xd., et Symoni, coadjutori suo, per iij dies, vjd., et Ricardo, iijd. per ij dies et Waltero Pictori, carpentario, pro carpenteria per iij dies et dimidium, xiiij.

Item. Waltero Pictori<sup>5</sup> pro exclusis faciendis ad fossatum domini per ij dies et dimidium, xd., et Johanni fossatori pro eisdem exclusis assedendis<sup>6</sup> et cursu aque reparando et erigendo versus gardinum, xd.

Item. Ricardo le Wro et Willelmo, socio suo, pro j miliario cendularum faciendo ad taschiam in bosco, ijs., et eisdem pro cendulis illis preparandis et in domibus ponendis ad taschiam per particulas super parvam aulam et refrigerium et elemosinariam et alibi ubi necesse fuerit, iiij. <sup>7</sup>In clavis ad cendulas, xiiij.<sup>7</sup>

Item. In septimana proxima post festum beati Kenelmi [Saturday, 17 July], in dimidio miliario tegularum, ijs.

Item. Die Lune proxima ante festum beati Kenelmi [Monday, 12 July]. Symoni tegulatori infra castellum tegulanti per particulas, xvjd., et Waltero Blering' pro cariagio sablonis, vjd. Et in clavis et cavillis, jd. ob. Item. Stephano le Willd' pro v centenis clavorum, vjd., et pro dimidia centena magnorum clavorum, ijd. Item. Waltero Blering pro cariagio calcis, jd., et Hamoni pro j corda ad j rete, iijd. In fenestris aule reparandis, jd. Item. In cariagio, Waltero Blering et Johanni magistro pro vj cariagiis cendularum, xiiij.

Summa—xxixs. vijd. ob.

[Rectius xxxs. ijd. ob.]

Item. Hugoni Blowe pro j fenestra in capella beati Nicholai facienda ad taschiam in parte australi juxta altar' sancte Trinitatis, vijs. <sup>8</sup>et vjd.<sup>8</sup>

<sup>1</sup>...<sup>1</sup> Interlineated with a caret.

<sup>2</sup> Preceded by infra smudged and struck through.

<sup>3</sup> Emendendam in text.

<sup>4</sup>...<sup>4</sup> Preceded by pro domo portarii dealbanda struck through, and interlineated with a caret above et aliis perficiendis struck through and xij written over an erasure.

<sup>5</sup> Preceded by Thort struck through.

<sup>6</sup> Assedandis in text.

<sup>7</sup>...<sup>7</sup> Interlineated with a caret.

<sup>8</sup>...<sup>8</sup> Interlineated with a caret.

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Et in sablone jactando ad eandem fenestram, vd. Et Waltero Blering pro cariagio calcis, vjd. Et Petro Pictori pro vitreo illius fenestre reparando, xjd., et Willelmo fabro pro ferramento fenestre, vd. Et Gileberto Pictori pro illa fenestra dealbanda et lineanda et iij aliis, xijd.

Summa—xs. et ix d.

Summa totius rotuli—iiij li. vs. et vjd.<sup>1</sup>

[*Rectius —iiij li. vjs. et iij d.*]

Summa totalis per istos iij rotulos adjunctos—lviiij li. iiijs et ob.<sup>2</sup>

[*Rectius—lviiij li xvjs et vj d.*]

<sup>1</sup> *This total, preceded by summa totalis hujus rotuli is repeated on the dorse of the fact of the membrane under the heading Rotulus de operibus castri Merleberg'.*

<sup>2</sup> *Repeated here from membrane 3 for ease of reference.*

# THE VEREDICTUM OF CHIPPENHAM HUNDRED, 1281

The document here printed consists of the *veredictum* or answers to the articles of the eyre made by the jurors of Chippenham hundred in the Wiltshire eyre of 1281. *Veredictum* or verdict here means facts truly presented, not conclusions reached after trial. The original consists of five membranes, filed head to tail, Chancery fashion, into a small roll. At an unknown date in the past the filing thread joining *mm.* 2 and 3 broke, so that in recent times the roll existed in two parts: *mm.* 1-2 were attached to another, quite unrelated, Wiltshire document under the reference *Justices Itinerant etc.* [*J.I.* 1] roll 1017; *mm.* 3-5 were included in the special collection of *Hundred Rolls* [*S.C.* 5] as roll *Wiltshire* 56. The distinction between these classes is a comparatively recent one, however, for until the early nineteenth century many of the documents in both classes were preserved together. The two parts of the document have now been reunited as *Justices Itinerant etc.* roll 1017 A.

## ARTICLES OF THE EYRE

The eyre for the common pleas, as it was called in the thirteenth century to distinguish it from the eyre for pleas of the forest, was a royal court held in the county, at intervals of several years, by the king's justices commissioned to hold all such pleas, whether of writs (mainly civil actions) or of the crown (mainly criminal actions). Modern historians call it the general eyre or eyre *ad omnia placita*. It seems to have become an integral part of the fabric of judicial administration during the closing years of Henry II's reign; the eyre in a particular county normally formed part of a visitation in two or three circuits which covered the whole or greater part of the country in a few years. So in April, 1281, the justices who came to Wilton had already visited seven other counties, while their colleagues in the northern circuit had visited six counties, since the visitation opened in November, 1278. With the civil pleas side of the eyre we are not concerned, since the articles of the eyre were administered on the crown pleas side. By 1194, from which we have the earliest example, articles of enquiry known as the *capitula itineris* or articles of the eyre had been codified, forming a questionnaire on criminal matters, royal rights, the observance of certain regulations about wine, cloth and measures, the conduct of local officials and the like. The pedigree of individual articles used in 1194 varies: some of those on royal rights go back at least to Domesday; others had been introduced in recent years. By 1194 the justices' jurisdiction in criminal and some other matters had

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been defined to include all the pleas which had arisen since the last eyre or had not then been determined. Many of these pleas were reserved for their judgment ; all were in theory liable to their examination to ensure that the various individuals and communities concerned had carried out their duties properly or, if they had not done so, that appropriate penalties should be imposed. Between 1194 and the end of Henry III's reign additions were made to the articles of the eyre, usually at the beginning of each of the main countrywide visitations, of which there were twelve between 1194 and 1272. Some articles were used only on particular occasions ; but after the earlier years of Henry III's reign any new article on a broad general matter was usually retained even though it had been superseded in whole or part by others. During the same period the interval between one visitation and the next lengthened gradually from about four to about seven years. Then, in 1274-5, Edward I instituted a great enquiry into royal rights and the conduct of local officials, known to historians as the Hundred Rolls enquiry.<sup>1</sup> Arising in part out of this various statutes were enacted in 1275-8. The commissioners who held the Hundred Rolls enquiry were empowered only to take presentments, not to hear and determine the matters presented. It was intended to follow up the enquiry by a visitation of the eyre, but the first Welsh war caused a delay so that the visitation did not begin until November 1278. The articles used in this visitation consisted of the 69 *vetera capitula* in use at the end of Henry III's reign, 39 *nova capitula* which had been used in the Hundred Rolls enquiry and 35 additional articles which were based on the recent statutes : making some 143 in all. The addition of the *nova capitula* and the additional articles has been well described by Professor Cam in *Studies in the Hundred Rolls (Oxford Studies in Social and Legal History, vol. vi)* ; but her account of the evolution of the *vetera capitula* and of the history of the eyre in the same volume requires correction. Professor Cam lists 36 recorded versions of the articles of the eyre (*op. cit.*, 88-90) and analyses the contents, article by article, of 17 of these (*op. cit.*, 92-101). Our Chippenham *veredictum* (*mm.* 3-5 only) occurs as no. 12 in both her list and analysis ; she has also commented on the contents, the articles and their arrangement (*op. cit.*, 61-2). The articles are also printed in *Statutes of the Realm*, i, 232 (from the version in the London *Liber Customarum*, used in the London eyre of 1321) and in Dr. Hubert Hall's *Formula Book of Legal Records*, 196-202 (from a *veredictum* of the abandoned Surrey eyre of 1294). For her standard version of the articles Professor Cam took the *veredictum* made by the jurors of Pucklechurch half-hundred in the Gloucestershire eyre of 1287 ; she assigned numbers to the articles according to their order in the Pucklechurch *veredictum*. This numbering is that now generally used for reference and has been employed in our text and notes.

Professor Cam and Dr. Hall were concerned with the articles rather than with the answers to them ; none of the few surviving *veredicta* have

<sup>1</sup> On this see Professor Cam's *The Hundred and the Hundred Rolls* (1930) ; at p. 44 this has an account of the way the enquiry was carried out in Wiltshire, and Plate II is a photograph of the head and foot of the Elstub hundred presentments.

yet been printed.<sup>1</sup> That few survive is not surprising, for they were documents whose usefulness hardly outlasted the hearing of the pleas and taxing of the ameracements. The difficulty is rather to find why any should have been preserved apart from those of the abandoned Surrey eyre of 1294, for these were obviously preserved against a resumption that never came. In fact, though there were a few eyres after 1294, that year saw the end of the eyre as an integral part of the fabric of judicial administration in England. Because the Surrey eyre was abandoned just after it began, the Surrey *veredicta* cannot be compared with a plea roll. Until recently our Chippenham *veredictum* was the earliest known example completely preserved which could be compared with the plea roll of the eyre, to contrast the account of matters in the *veredictum* with the enrolment (if any) on the plea roll and to discover what action was taken by the justices on the many matters presented to them by the jurors. The discovery of the *veredictum* of the Loningborough hundred jurors in the Kent eyre of 1279 has robbed our *veredictum* of some of its distinction; but Loningborough in the Elham valley, like most of the hundreds in southern England, was a small hundred so that there is much less in its *veredictum* than in that of Chippenham which was among the largest hundreds in the south. The document is, therefore, of some importance in English legal history; moreover, since it contains many facts which, for various reasons, were not subsequently recorded in the plea roll or elsewhere, it is of some importance also for the district which was formerly the foreign hundred of Chippenham. Accordingly it has seemed worth while to print the *veredictum* in an extended Latin text with a full body of explanatory notes.

#### PREPARATION OF THE VEREDICTUM

By 1281 Chippenham hundred had absorbed the small Domesday hundreds of Dunlow and Thorngrove to the north, so that its administrative area included all the places within its boundaries except for the borough of Chippenham itself. Within the administrative area, as our *veredictum* shows (nos. 107-112), there were a number of liberties whose inhabitants did not attend the three-weekly hundred court. These liberties consisted of manors whose lords had obtained or assumed the privilege of conducting in their manor courts the business traditionally belonging

<sup>1</sup> The following is a list of surviving *veredicta* whose dates are known, excluding those from Channel Isles eyres, whose articles differed much from the English version. A few more may yet be discovered among unsorted miscellanea. Loningborough hundred, Kent eyre 1279: *J.I.* 1/1567. Loosebarrow hundred, Dorset eyre 1280 (imperfect): *S.C.* 5/8/5. Cannington hundred, Somerset eyre 1280 (imperfect): *J.I.* 1/1568. North Tawton hundred, Devon eyre 1281 (*m.* 2, imperfect): *J.I.* 1/1569. Penwith hundred, Cornwall eyre 1284 (imperfect): *J.I.* 1/1570. Ploughley hundred, Oxford eyre 1285: *J.I.* 1/1571. Becontree hundred, Essex eyre 1285 (imperfect): *J.I.* 1/1572. Eye township, Suffolk eyre 1286: *J.I.* 1/1573. Pucklechurch half hundred, Gloucester eyre 1287: *S.C.* 5, *Gloucester.* 5. Midhurst township, Sussex eyre 1288: *J.I.* 1/935. Bromham liberty, Bromham (Battle abbey liberty) sessions of Wilts. eyre 1289: *filed* in plea roll, *J.I.* 1/1113, *m.* 27. Blechingley, Guildford, Kingston, Reigate and Southwark towns or boroughs; Blackheath, Brixton, Cophorne, Effingham, Elmleybridge, Farnham, Godley, Tandridge, Wallington and Woking hundreds, Surrey eyre 1294 (which was abandoned after only four pleas, from Godley hundred, had been heard): *J.I.* 1/892-906. Guilsborough hundred and Towcester hundred, Northants eyre 1329 (both imperfect): *S.C.* 5, *Northants.* 2 and *J.I.* 1/1576. Wixontree hundred, Bedfordshire eyre 1330: *J.I.* 1/35.

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to the hundred court. They were : Bremhill Wick, belonging to the Abbot of Malmesbury ; Grittleton, Kington St. Michael and Nettleton, belonging to the abbot of Glastonbury ; Stanley, belonging to the abbot of Stanley ; Corsham, belonging to the earl of Cornwall ; Littleton Drew belonging to the earl of Gloucester ; Castle Combe and Colerne, belonging to the baronial family of Dunstanville ; West Kington, belonging to the grandson of Hugh de Vivona, a distinguished royal servant in the first half of Henry III's reign. But none of these places enjoyed, as for example many similar places in neighbouring Somerset enjoyed, the right of being separately represented before the royal justices in eyre.

After the formal opening of the eyre, on the morrow of Low Sunday [21 April] 1281, the various hundred and borough bailiffs nominated two knights, substantial free-holders or burgesses as electors of juries. The electors then chose ten other men of similar rank, making twelve in all (in a few cases the number differed). So Robert Stoket, who had been bailiff of Chippenham borough and hundred for at least fourteen years, nominated two sets of electors, the borough and hundred being represented by separate juries. The electors for the hundred were Thomas de la Mare, of Leigh Delamere, and William Middelhope, of Surrendel in Hullavington.<sup>1</sup> Thomas was certainly a knight.<sup>2</sup> William may have possessed the property qualifications for knighthood (nominally the holding of £20 worth of land). There is some uncertainty about the names of the men whom they chose as colleagues for (as discussed in note 1) the list of them at the head of the *veredictum* does not agree with the list in the plea rolls of the eyre. They appear to have included at least three men of knightly rank, though possibly unknighthed : John Kayleway of Kellaways (83) and Robert Keynel of Yatton Keynell (90), who in 1285 were both regarders of Chippenham forest,<sup>3</sup> and Henry de la Box, of Box (76), whose father had for long been one of the county's coroners.<sup>4</sup> The others were : Robert de Ashley, who was presumably a tenant in Box ; Reynold Burel, of Langley Burel ;<sup>5</sup> Robert Drew (137) and Walter Drew<sup>6</sup> of Littleton Drew ; John de Hertham, of Hartham, whose family had produced a coroner under Henry III ; Richard Ive, who had an estate at West Kington<sup>7</sup> ; Roger de Pedeworth and Osbert Ruffin, who had estates at Luckington (95) ; and Robert Wayfer, who had an estate at Sherston and Willesley.<sup>8</sup> The only juror whose home is not certainly known is Thomas Royley ; in 1271 he served as a juror along with Robert Wayfer in an inquisition concerning lands in Sherston, while he or a descendant was a juror in other inquests in the Chippenham district in 1300-1304.<sup>9</sup> Kayleway, Box, Pedeworth and

<sup>1</sup> See note 1 and entries 89, 101.

<sup>2</sup> *Abstracts of Wiltsh. Inquisitions Post Mortem 1242-1326* (*Index Library*, XXXVII), p. 148.

<sup>3</sup> *Ibid.*, p. 165.

<sup>4</sup> In the Wiltshire eyre of 1288 Henry was presented for having the property qualifications but being unknighthed : *J.I. 1/1011, m. 50d.*

<sup>5</sup> *Abstracts of Wiltsh. Fines, 1272-1327* (*Wiltshire Records Branch*, I), p. 14.

<sup>6</sup> *Ibid.* p. 3.

<sup>7</sup> *Inquisitions*, p. 399.

<sup>8</sup> *Fines*, p. 55 ; *J.I. 1/998 A, mm. 9, 15.*

<sup>9</sup> *Inquisitions*, pp. 58, 245, 301, 309.

## COLLECTANEA

Ive lived to serve as jurors in the next, and last, Wiltshire eyre, of 1289.<sup>1</sup> An obvious feature of the list is the apparent absence of anyone from the liberties of Glastonbury abbey and the earldom of Cornwall. Several of the jurors may have had connexions with the Dunstanville family. Robert and Walter Drew, Robert Keynel and Thomas de la Mare occur as witnesses to a charter of Walter de Dunstanville III about 1269-70;<sup>2</sup> Robert Drew and Keynel were among the jurors of the Wiltshire inquest held after Walter III's death in February 1270.<sup>3</sup>

After being chosen, the jurors took an oath before the justices, probably in the form given by Bracton: 'This hear, O justices, that I will speak truth on the questions which you will put to me on the king's behalf, nor for any cause will I omit anything, but will act with all my might, so help me God and these holy things.'<sup>4</sup> Having been sworn, the jurors were supplied with a copy of the articles of the eyre by a senior clerk, who was entitled for this to a fee of 6s. 8d., payable when the jury appeared for the pleas.<sup>5</sup> It is possible that the articles were also read out formally to the assembled jurors and officials. Each jury then withdrew to prepare its answers, the *veredictum*, which had to be completed and delivered into court by an appointed time. The only mention of this which normally occurs in the plea rolls is when a jury is occasionally put in mercy for lateness in delivering its *veredictum*. But the jurors had another list to make. Before they withdrew 'the justices tell them privately that if there is anyone in their hundred who is suspected of any evil doing they ought to arrest him if they can; but if they cannot then they must give the justices, privately in a schedule, the names of those suspected. The sheriff will then be commanded to arrest those persons at once and bring them before the justices, so that justice may be done to them.'<sup>6</sup> This schedule of suspects was known as the *privata*. It was essential that the *privata* be delivered as soon as possible so that the sheriff's officers might have time to make arrests and bring the persons to court when the pleas of the hundred were heard. So in the Surrey eyre of 1241 we find juries being put in mercy because they did not deliver their *privata* before the latest day appointed for delivering their *veredictum*.<sup>7</sup> There are many other references in plea rolls which show that the *privata* formed a written document; Maitland noticed one in the roll of the Gloucester eyre of 1221, while in the roll of the Wiltshire eyre of 1249 there is a reference to the *privata* of the Rowborough hundred jurors.<sup>8</sup> This method of secretly indicting suspects was begun by the great criminal

<sup>1</sup> *J.I.* 1/1011, m. 68.

<sup>2</sup> Scrope *History of Castle Combe*, p. 51.

<sup>3</sup> *Inquisitions*, p. 53.

<sup>4</sup> Bracton, *De Legibus Anglie*, f. 116, ed. Woodbine, II, p. 329.

<sup>5</sup> *Selden Society*, LX, p. ciii; *Fleta*, I, p. 19, sections 7-8.

<sup>6</sup> Bracton, *loc. cit.*

<sup>7</sup> *J.I.* 1/869, mm. 1d., 4.

<sup>8</sup> *Pleas of the Crown, Gloucestershire 1221* (1884), Introduction, p. xxvii and no. 254; *Wiltshire Crown Pleas 1249*, no. 254. Since Mr. Meekings' edition of the *Crown Pleas of the Wiltshire Eyre, 1249* is about to be printed as a volume in this series, it has been thought more convenient to refer to paragraphs of this work rather than to the membranes of the Eyre Roll itself.

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codes of the assizes of Clarendon and Northampton (1166, 1176) and was so well-known a feature of eyre procedure that none of the articles of the eyre or the justices' commissions mentioned it. It was open to abuse: there is hardly an eyre roll in which we do not find the justices sifting evidence to discover that an indictment had been maliciously preferred. Nevertheless it provided a weapon against the clever wrongdoer against whom no charge had been sustained and who did not, therefore, appear in the *veredictum*. In the eyres of Henry III for which rolls survive it seems that most of those who were convicted and hanged had been tried on indictment preferred in the *privata* rather than on presentment from the *veredicta* or on appeal.

For the preparation of the *veredictum* more time was allowed, since thoroughness rather than speed was needed. We do not know when first the *veredicta* were written: in the Wiltshire eyre of 1194 the Chippenham jurors recited their *veredictum*.<sup>1</sup> There is, however, plenty of evidence to show that in the eyres of Henry III the *veredicta* were written documents. A clerk in the Buckinghamshire eyre of 1232 saved himself work by omitting to copy on to the plea roll the names of those who did not appear at the opening of the eyre, contenting himself with the notes: 'concerning defaults see in the roll of *veredicta*.'<sup>2</sup> In the Berkshire eyre roll of 1248 we find: 'the jurors did not put this case in their roll.'<sup>3</sup> In the Wiltshire eyre of 1249 there is a reference to the roll of the jurors of Westbury hundred.<sup>4</sup> In the Norfolk eyre of 1250 the jurors from the Ely hundreds were put in grave mercy for making a copy of the roll of their *veredicta* and giving it to the bishop's hundred bailiff.<sup>5</sup> In the roll of the Northamptonshire eyre of 1253 we find: 'the twelve jurors did not present the finder [of a corpse] in their roll.'<sup>6</sup> There are many more references to written rolls of *veredicta* in the plea rolls of Henry III's eyres, and numerous references to *veredicta* which imply a written document though they do not call it a roll.

We do not know who wrote the *veredictum*; it may have been the bailiff or clerk of a leading juror or perhaps a clerk who followed the court and wrote such documents for a small fee. We should not imagine that the hundred jurors themselves were all illiterate country knights and yeomen. Robert le Carpenter, for example, came from a family which regularly supplied a juror for the West Medina in Hampshire eyres, being himself a juror in the eyre of 1256 and probably others.<sup>7</sup> He has left a book in which he preserved the writ of common summons of that eyre and the articles which he and his fellow jurors had to answer.<sup>8</sup> He has also preserved in his book a little tract that an unknown author had drawn up about the middle of Henry III's reign to help jurors and others responsible

<sup>1</sup> *Rotuli Curie Regis, 1194-5* (*Pipe Roll Society*, XIV, 1891), p. 98.

<sup>2</sup> *J.I.* 1/62, mm. 1 (*bis*), 2, 2*d*, 3, 4*d*, 6.

<sup>3</sup> *J.I.* 1/38, mm. 33, 33*d*, 36.

<sup>4</sup> *Op. cit.*, no. 295.

<sup>5</sup> *J.I.* 1/565, m. 4.

<sup>6</sup> *J.I.* 1/615, m. 11 (*bis*).

<sup>7</sup> *J.I.* 1/778, m. 63*d*; cf. *ibid.*, mm. 23*d*, 57 (*bis*).

<sup>8</sup> *Caius College MS.* 205, pp. 430-1, 222-7.



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to compile *veredicta* properly.<sup>1</sup> The author says that the roll should be headed *Veredictum of the Hundred of C.*, gives advice on presenting the criminal matters, leaves his readers to their own devices about the other articles (or perhaps Robert did not copy those then less essential parts) and adds that, when complete, the roll should be endorsed as it was headed and sealed with the seal of a leading juror. He says that when the jurors deliver the *veredictum* they are told when the pleas will be heard. The justices with their clerks and the county officials must have arranged a programme, though it is rare to find any mention of it in the rolls. One of the few examples we have found comes from the eyre which opened at York on 8 June, 1231: the Scarborough jurors were to come on 21 June and the Holderness jurors on 22 June; both places were extra-hundredal liberties, which is probably why the dates were noted.<sup>2</sup> Our eyre opened at Wilton on 21 April 1281, and the main session lasted until about St. John one month [22-29 July], with a Whitsun adjournment [about 29 May-8 June]. After the long vacation there were subsidiary sessions at New Salisbury [about 30 September-6 October] and Marlborough [about 6 October to a little after 13 October]. In the main sessions the crown pleas of 19 boroughs and hundreds were heard before those of the borough and hundred of Chippenham, while those of 24 followed. In the Chippenham hundred pleas an adjournment for the sheriff to produce the widow and executors of an ex-sheriff was made to 3 July (note 43). Also a liberty was ordered to be taken into the King's hand, which on 4 July was ordered to be replevied by a writ from chancery (note 120). The pleas must, therefore, have been heard some weeks before 3-4 July. Similar adjournments in the pleas heard before and after those of Chippenham do not enable us to add much precision to this; but they suggest that our pleas were probably heard not long before or after the Whitsun recess.

## SURVEY OF PRESENTMENTS

We have seen that our jurors had some 143 articles to answer. They presented matter under only 5 of the *vetera capitula* and 16 of the *nova capitula*. To the rest, including all the additional articles, they made nil returns. Under the 21 articles answered there were some 135 presentments. Fifty-nine were presentments under the two articles of crown pleas undetermined in, or arisen since, the last eyre, of 1268. One was the usual presentment of defaulters, those who by their obligations as land-holders should have been present at the opening of the eyre but were not. Thirty-three made up a list showing the tenurial structure of the hundred, the estates held in chief by knight service, serjeanty or frank-almoign or held of the crown as escheats; except for the escheats this list was purely for information. Twenty-nine were presentments under articles concerning royal rights, six of these (to some extent overlapping)

<sup>1</sup> *De Criminalibus Placitis coram Justiciariis Itinerantibus*, which has been printed by Mr. H. G. Richardson and Professor G. O. Sayles in *Selden Society*, LX (1941) Introduction, pp. cci-cciii.

<sup>2</sup> *J.I.* 1/1043, m. 1d; cf. Maitland, *Gloucester Pleas*, Introduction, p. xxvi.

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being concerned with the lordship of the hundred. Thirteen were presentments under the articles dealing with the actions of local officials, all but one directed against the hundred bailiff.

### CROWN PLEAS

In considering the compilation of the presentments of the crown pleas that had emerged since the last eyre we should wholly ignore the picture, drawn by some modern historians, of a harassed group of country gentlemen and yeomen scratching their heads as they try laboriously to recall all that has happened in their hundred since the last eyre. So long as the eyre was a living part of the judicial fabric of the country—that is until the prorogation of the Surrey and Yorkshire eyres in the summer of 1294—there is no reason to suppose that juries normally had any difficulty in answering this article. From an examination of most of the surviving eyre rolls of Henry III, when the period since the last eyre does not span years of civil war, it is generally true to say that when we find the justices discovering that juries have not presented a plea or have omitted some substantial part of a plea then we will find that some or all of the jurors had an interest in concealing the matter. The motive may vary, from a deliberate attempt to defeat justice to an innocent desire to shield a neighbour or an interested attempt to protect a prominent man from annoyance or a money penalty. Of course there are examples which seem to be due to forgetfulness ; but generally the more recorded omissions or misstatements of substance are studied the more do they appear to have been deliberate. This is not very surprising. The leading men of the hundred knew very well that one day the eyre would be held and that they would have to answer the articles. In the earliest days they may have had for remembrancer only the tenacious memories of illiterates. It is unlikely that the thirteenth century had advanced very far before written notes were kept ; and these, like other legal records of the century, must rapidly have reached considerable fulness. The notes did not have to cover so much matter as the second article of the eyre might suggest ; for it was never the practice to present all the pleas which had emerged since the last eyre. The practice was to present only those pleas which fell within the keeping of the coroners ; and, apart from the important non-criminal crown plea *de vetito namio*, heard by the sheriff as a commissioned justice, many crimes such as thefts, robberies, battery and the like, which may have been sheriff's pleas in the twelfth century but were certainly crown pleas in the thirteenth century, were not kept by the coroners. In general they were presented in the hundred court at the twice yearly sheriff's tourn or, where lords had their own leet jurisdiction, before the bailiff of the manor or liberty at a similar occasion ; if the accused were arrested they were tried in gaol delivery. So, in the rolls which survive from eight deliveries of the county gaol of Old Sarum between May, 1275, and March, 1280,<sup>1</sup> we find persons from Chippenham hundred being tried for unspecified larcenies, wool-clipping, stealing fowls,

<sup>1</sup> *J.I.* 3/71.

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horses, cattle, robbery, battery and so on. Most were acquitted, some were hanged. But none of the events on which the charges against them were based are recorded in our *veredictum*. From the eyre rolls of Henry III we can see that the pleas which are presented under the second article of the eyre are, generally, all deaths from violence (including accidents) and suspicious causes, all capital executions by judgment of courts in the county or on persons from the hundred in courts elsewhere, all abjurations of the realm by self-confessed felons and all appeals. For a time it was necessary to present all escapes by felons from prisons or custody, but this was under another article of the eyre.<sup>1</sup> The crimes of thieves and robbers and similar common malefactors, if they had not already been disposed of, were the proper subject for an indictment in the *privata*.

These considerations prepare us for the section of our *veredictum* concerned with crown pleas which had emerged since the last eyre (nos. 3-59). This section lists, with precise details and in almost immaculate chronological order from September, 1268, to April, 1281, fifty-four cases of death from violence, accident or suspicious causes, one resultant hanging and two abjurations by self-confessed thieves ; at the end come bare notes of three appeals. For the writer to be able to record matters with such detail, arranging them in such order, it is plain that he must have been working from records. Perhaps he had at hand a file of small slips, each containing the matter of one or two cases, like the few original coroner's files which survive from the fourteenth century among the King's Bench class known (somewhat loosely) as Ancient Indictments.<sup>2</sup> For procedural purposes the deaths fall under four heads : accident caused by an animal or inanimate object ; accident otherwise caused ; homicide by a known person ; homicide by a person or persons unknown. But the pattern of all presentments follows the same general lines : the date and circumstances of the death, the name or names of those involved ; the name of the first finder and a note that he raised the hue on finding the victim, together with the names of the two sureties who pledged themselves to produce the finder at the eyre, or else a statement that the deceased lived long enough to receive the last sacraments (when he would solemnly have declared that the finder was not the cause of his death or—there is no example—have accused him of it) ; a note that the inquest was held by the coroner. Where accidental death had been caused by an animal or inanimate object the cause of death would be declared deodand at the inquest and it would be committed to a tithing whose members would be responsible for producing it, or its value, before the justices for them to apply its value to some religious or charitable object. Where a known slayer had fled, leaving chattels behind, these chattels would similarly be entrusted to the custody of a tithing to produce before the justices ; after the eyre the value of the chattels would be entered among the financial issues in the Amercements roll and the sheriff would be

<sup>1</sup> Cam, *op. cit.*, no. 32 ; it was in common use in 1235 and probably earlier.

<sup>2</sup> See for example *Ancient Indictments* [K.B. 9], no. 95, a file of John de Wyrsope, a Nottinghamshire coroner, for 37-9 Edward III and no. 112, a file of Richard Leuesone, a Staffordshire coroner, for 37-46 Edward III.

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charged with the duty of collecting the money and accounting for it at the exchequer, unless the felon's lord had, by royal gift, the right of retaining his felons' chattels. In a few cases only there was some additional detail to record : failure of duty by a witness of the deed (no. 44), the sheltering of a slayer after the deed (nos. 51, 53) or his subsequent arrest (nos. 19, 43, 44). The single presentment of abjurations (no. 30) follows normal lines. The three appeals (nos. 57-9) are merely noted with the year in which the appeal was made, the names of appellor and appellees and the alleged offence. This discharged the hundred's liability in the matter, for the proper recording of the stages of an appeal was the duty of the county court, sheriff and coroners. The appeal, except for appeals by approvers, was on the wane ; the rapid growth in the use of the writ of trespass after the Barons' Wars had practically eliminated that body of appeals which bulks so largely in the eyre rolls before 1263, when all manner of batteries, woundings and the like are alleged but the dispute is at bottom about a trespass, often arising from differences over customs, services and agricultural rights. The appeal of homicide was declining in favour of presentment at the coroner's inquest and, if an arrest had been made or followed, trial at gaol delivery. In the eyre of 1249 when only eight years were under review, the justices had seven appeals from Chippenham hundred to consider : one of homicide, one of rape, one of mayhem, one of wounding, one of battery and two of breach of the peace ; our *veredictum* with thirteen years under review presents only one appeal of rape, one of robbery and one of assault.

### FEEES

It is unnecessary to say much about the list of fees (nos. 73-104) at whose head, appropriately, comes the one barony—Dunstanville of Castle Combe—whose *caput* lay in the hundred, followed by the holdings of the lord of the hundred, Sir Geoffrey Gacelyn. It seems certain that this list was copied, with modifications, from an existing list, for two reasons. First, when the clerk reached the end of it he began again, repeating the first three entries before realizing that he had already entered them (nos. 73-5, 102-4). Secondly, in two cases the tenants listed were alive in 1275, at the time of the Hundred Rolls enquiry, but had died before 1281 (notes 76 and 84). Since the article under which these fees were presented was one of the *nova capitula* used in the Hundred Rolls enquiry it looks very much as if the clerk was working from a copy kept locally of the presentments made six years before. But in large hundreds like Chippenham lists of this sort must anyway have been maintained as a means whereby the bailiff and regular suitors of the hundred court could verify the appearance of those owing suit of court, especially at the twice-yearly full courts assembled for the sheriffs' tourn or its equivalent, and solve many problems of liabilities and duties.

### ROYAL RIGHTS

The presentments about royal rights, though with three exceptions (nos. 60, 63) made under the *nova capitula*, could, with one exception (no.

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129) have equally well been made under the articles of the *vetera capitula*. That they were presented under the *nova capitula* must be due to the fact that they had been presented under the same articles in the Hundred Rolls enquiry six years before. Curiously enough the Chippenham hundred return is wanting from the Wiltshire Hundred Rolls<sup>1</sup>—that for the Borough is preserved—and it is just possible that it was lost in those six years or about the time of the eyre, and that to replace it the King's attorney William de Gisleham, who had custody of these Rolls during the eyre, preserved our *veredictum*. Six of the presentments were concerned directly or indirectly with the lordship of the hundred, for the hundred was not in the King's hand but belonged to Sir Geoffrey Gascelyn. Eight presentments of withdrawals of suits from the hundred court (nos. **63, 107-112**) and eight presentments of the exercise of various rights which in theory formed part of hundredal jurisdiction (nos. **113-120**) were to some extent bound up with the lordship of the hundred. If the King upset Gascelyn's right to the hundred, then these withdrawals and liberties might be to the King's damage and he would have actions against those concerned ; if Gascelyn sustained his right, then the withdrawals were wholly, and the liberties partly, a matter for dispute between him and those concerned. The other matters, escheats (nos. **68-72**), rights of free warren (nos. **122-126**), purprestures (nos. **127-8**) and the alienation to mortmain of land held in chief (no. **129**), were wholly the King's concern.

### CONDUCT OF LOCAL OFFICIALS

The presentments concerning the actions of local officials are concerned, with one exception, about the conduct of the hundred bailiff, Robert Stoket, who, of course, owed his appointment to Gascelyn. Presumably they repeat what was said about him in the lost Hundred Roll. For a reason to be explained we have no means of gauging the extent to which they may be a fair presentment of facts. But to anyone familiar with trials on such presentments it will be obvious that most of the actions underlying these presentments might be capable of different interpretations from those placed on them by the jurors. In the nature of things a local officer who executed his duties efficiently was bound to clash with local gentlemen and yeomen or with their free and unfree tenants. Many thirteenth and fourteenth century records show that such acts as distrains, attachments and the levying of fines and ameracements, done reasonably under proper authority, could nevertheless be made the grounds for charges of assault, false imprisonment, robbery, extortion and the like. Moreover the detail of these presentments is much less precise than the details of the criminal presentments. Indications of the date of an offence are rare and when they occur are vague : ' in the time of king Henry ', ' in a gaol delivery at Wilton in king Henry's time ', ' a gaol delivery at Salisbury ' (nos. **130, 136, 139**). There is no extenuating hint that Stoket may have been executing an order of the hundred court or of the sheriff or other higher authority. Two of the alleged offences

<sup>1</sup> *Rotuli Hundredorum* (Record Commission), vol. II.

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were committed against jurors (nos. **137, 139**) neither of whom, curiously enough, is named as a juror at the head of the *veredictum*, though both of them are known from the list of the jury in the eyre rolls to have been members and from the Amercements roll to have acted as the leaders of the jury (see note 1). Still, minor local officers were sometimes guilty of bribery and extortion ; we may legitimately infer from these presentments that Stoket's conduct had caused the leading men of the hundred to believe that he was so guilty and we shall probably not be wrong in believing that the two jurors mentioned, Thomas Roylly and Robert Dru, bore him great resentment.

### THE EYRE

So much in general for the matter contained in the ' verdicts '. We may now consider what was done by the justices. These were Solomon de Roffa (Rochester), Richard de Boyland, Robert Fulconis (Foukes or Fawkes<sup>1</sup>) and William de Brayboef. They presumably began the eyre by sitting in two divisions or courts, one for civil pleas from Wiltshire and other counties in the circuit and the other for the crown pleas. The earliest direct description which we have of two divisions in eyre concern the Rutland eyre of 1253.<sup>2</sup> Then we find two justices sitting in the great hall of Oakham castle for civil pleas and afterwards withdrawing to a less public chamber to tax the amercements while their other two colleagues sat in a grange or great barn of the castle hearing the crown pleas. But there is indirect evidence of such divisions going back to the early years of the thirteenth century. Nothing seems to be known about the accommodation of the courts in Wilton, nor do we know for certain how our justices divided. But it is extremely probable that Brayboef sat at crown pleas, for he had presided over the Wiltshire Hundred Rolls enquiry in March, 1275, had sometimes acted as a justice of gaol delivery in Wiltshire and other southern counties and had been sheriff of Hampshire in 1278-80. Fawkes, a royal servant of considerable experience who had been a regular commissioner for possessory assizes since the Baron's War and who had also been a justice of the Bench, probably sat at the civil pleas. Boyland's known career suggests that he, rather than Roffa, may have been the other crown pleas justice. But in addition to these two divisions the justices had throughout this visitation to form a third court for the King's Pleas or, as they soon became known from the predominant writ on which the actions were tried, the *Quo Warranto* pleas. The records of these pleas have no dated headings for the main sessions of the eyre at Wilton. Their hearing may have been interspersed among the hearings of civil pleas ; in the rolls of the earlier eyres of this visitation the King's Pleas are not recorded on a separate section of the plea roll, but indiscriminately among the civil pleas. The evidence of the adjournments from crown pleas to *quo warranto* and of adjournments in *quo warranto* itself suggests that little Wiltshire *quo warranto* business was done before July. Moreover, the king's attorney who was responsible for prosecuting these pleas,

<sup>1</sup> His name is so spelt in a few of his assize rolls and other records.

<sup>2</sup> *J.I.* 1/1187, m. 14 ; *K.B.* 26/168, m. 17d.

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William de Gisleham, did not receive the Wiltshire Hundred Rolls from the exchequer treasury (where they had been kept since 1275) until 29 May, in the Whitsun vacation.<sup>1</sup> Without these rolls he could hardly have begun to conduct his Wiltshire business, for although the *verdicta* duplicated them he would need to know just what had been presented in the enquiry. In a few of the *quo warranto* pleas there are adjournments *nisi prius*; the justices who may come to take these pleas are Roffa or Fawkes and Brayboef.<sup>2</sup> It therefore seems likely that two or all of these justices sat at *quo warranto* after the bulk of the civil and crown pleas had been disposed of.

### TRIAL OF CROWN PLEAS

At the crown pleas a large panel of the leading knights represented the county and its court. The sheriffs and coroners were present; former officials who had died or retired were (or ought to have been) represented. Richard Cotele alone of the four coroners then in office had held Chippenham inquests (from 1277). The other three coroners who had held Chippenham inquests were dead. Sampson de la Boxe, who, being resident in the hundred, had naturally taken most of them (1268-1275) was represented by his son, Henry, who was also one of the Chippenham jurors. The jurors themselves represented the hundred and its court; the hundred bailiff would be present to answer for his actions. The townships were presumably represented by the traditional reeve and four men. Then there were those other than the accused who had to answer before the justices: tithingmen and their tithings to whose custody deodands and fugitives' chattels had been committed; the finders of corpses; in a few cases the neighbours of the deceased; probably also the bailiffs of the various liberties in the hundred. From what we have already said it will be understood that the justices were as much concerned with examining the actions of all these officials, communities and individuals as with the trial of the matters presented; or rather that such a review formed part of the trial. Most of the accused presented in the *verdictum* were tried in absence. At the start of the Chippenham hearing only one accused was in custody (note 25); two others were arrested and tried before the eyre ended (notes 39, 44). Of the appellees, one had died and one appeared at the start (notes 57-8); four others appeared before the eyre ended (note 59). Of those indicted in the *privata*, four were arrested, including the hundred bailiff himself (notes 64, 66, 67, 145).

In addition to the jury's *verdictum* and *privata*, the justices had (or ought to have had) the rolls of crown pleas kept by the sheriff and coroners since the last eyre. The coroners' rolls may have been files like some of those which survive from the fourteenth century; but it seems to have been the practice for the matter on the files to be transcribed specially for the eyre in an enrolment which set it out under hundreds. The Bedford eyre of 1272 was prorogued on Henry III's death and not resummoned

<sup>1</sup> *Calendar of Close Rolls 1279-88* p. 123.

<sup>2</sup> *Placita de Quo Warranto*, pp. 810, 812, 815.

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until 1276. To this fact we seem to owe the preservation of the only complete examples of such transcripts of coroners' rolls of earlier date than our eyre.<sup>1</sup> Except for slightly more formal language and a naturally more complete record of the proceedings at the inquest and of any subsequent action, the form in which matter is presented in such rolls is identical with that of our *veredictum*.<sup>2</sup> This close correspondence between the form of coroners' records and of presentments in the *veredictum* supports the suggestion, already made, that the leading men of the hundred saw to it that copies were kept of proceedings at inquests for use when answering the articles of the eyre.

A senior clerk of the court had the *veredictum* at hand during the hearing of the pleas and he made notes on them. So we find him adding the details of the tithing (nos. **7, 8, 10, 11, 12, 37, 47, 51, 131**) or household (nos. **22, 31, 50**) of which a fugitive, ordered to be exacted and outlawed, had been a member. He makes notes of facts discovered during trial (nos. **16, 24, 43**) and of orders made by the court (nos. **39, 40, 44, 59**). Once he puts crosses in the margin to indicate that two presentments are to be combined in one entry on the plea roll (nos. **45, 47**). He writes the whole of three entries (nos. **64, 66-7**) which are not presentments made by the jurors, but notes of persons who had been arrested on the indictments in the *privata*. He notes the trial jury's verdict in these cases in laconic fashion with 'b' and 'm'; the accused put themselves on the verdict of a jury for good or ill, *pro bono et malo*, and 'b' stands for *bonum*, that is a verdict of not guilty, while 'm' stands for *malum*, a verdict of guilty. Similar notes, in the same hand, occur on two other surviving *veredicta*, from Cannington and North Tawton hundreds, in eyres which preceded and followed our own in Roffa's circuit.<sup>3</sup> In one of these the same symbols 'b' and 'm' are used with the same meaning.<sup>4</sup> From the annotated *veredicta* the clerks whose business it was to engross the plea rolls made their enrolments.

When we turn to the plea roll we at once perceive two facts. First, many of the cases presented by the jurors are not entered in the roll; secondly, where the cases are entered much of the detail supplied by the jurors is omitted. Comparison of the *veredicta* of Cannington and North Tawton hundreds with the pleas of those hundreds in the Somerset eyre of 1280 and the Devon eyre of 1281<sup>5</sup> shows similar omissions of cases and detail.

The justices had 21 cases to consider in which a verdict of death by misadventure had been given at the inquest. In 18 cases we may assume that they found no procedural fault and confirmed the inquest verdict by giving judgment of misadventure; but only two of these cases are entered in the plea roll (notes **17, 29**). It is not very easy to see why these two should have been enrolled. In each there was a deodand, but in four

<sup>1</sup> *Select Coroners' Rolls, Selden Society*, IX (1896), 1-39.

<sup>2</sup> Compare the roll covering the inquests held for Barford hundred, 1265-72 [*J.I.* 2/46], printed, *ibid.*, pp. 1-24.

<sup>3</sup> *J.I.* 1/1568; *J.I.* 1/1569.

<sup>4</sup> *J.I.* 1/1568, m. 2.

<sup>5</sup> *J.I.* 1/761, m. 5d; *J.I.* 1/186, m. 7.



other cases where there was a deodand no enrolment was made (nos. **10, 12, 18, 20**). Of the other three cases enrolled, two were enrolled apparently because the justices discovered that the deodand had been undervalued (notes **15, 26**) ; in one of these they also rejected the claim of the local lord, an abbot, to the deodand. In the remaining case, the death of an unknown stranger, allegedly from hunger and exposure in winter, the justices discovered more facts, which created a strong presumption of homicide (note **24**), and so gave judgment of murder.

In 11 cases the inquest verdict had been homicide against evildoers unknown. One of these cases, for no obvious reason, seems not to have been enrolled (no. **23**). In the rest the inquest verdict seems to have been confirmed by judgment of murder (notes **5, 14, 16, 20, 32, 36, 37, 41, 45, 47**).

In 21 cases the inquest verdict had been homicide against a known person or persons, but one of these (no. **49**), for no obvious reason, seems not to have been enrolled. In one (note **34**) the accused had been arrested and hanged. Unfortunately the record does not tell us in what court this had been done ; but we may, perhaps, infer that it was not in gaol delivery. The justices had no fault to find with the procedure. In another the accused had been killed while resisting arrest (note **25**). The justices satisfied themselves that this had been unavoidable. The servant of this accused, who had been arrested, was the one person accused in the *verdictum* who was in custody when the hearing of our crown pleas was begun. As he was a boy under age he was released. In a third case (note **19**) the accused had died in prison. In a fourth case, a Gloucestershire man who had been arrested and then bailed was not produced in court by his bailors (note **43**) ; the bailors' names were still unknown at the end of the eyre. In two cases the justices reopened matters by ordering the arrest of persons who had been acquitted in gaol delivery. The acquittal in each case, according to the jurors, had been obtained by a panel drawn apparently from the Borough by the bailiff, Robert Stoket. Two of the men were arrested and for each a trial jury of the twelve hundred jurors and representatives of the four neighbouring townships was impanelled. One man they found not guilty, so he was acquitted (note **39**) ; the other they found guilty, so he was hanged (no. **44**). The other fourteen cases were mostly straightforward, the justices ordering the exaction and outlawry of the absent accused. In one of them some suspicion arose that the sister of the accused man's master had willingly sheltered the accused after the deed. She was ordered to be arrested and, avoiding arrest, was subsequently ordered to be exacted and waived. But before the eyre ended she appeared and was acquitted, so the order for exaction was annulled (note **51**).

The single presentment of abjurations (note **30**) requires no comment. One of the appeals was dropped because the appellee had died (note **57**) ; in the other two the appellees were acquitted (notes **58-9**), but in one the appellees defaulted at first and only appeared after the justices had ordered the appellor to complete his appeal in the county court.

From the crown pleas roll we can infer that the jurors put the names

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of eight persons in their *privata*. Four of these were arrested. The names and alleged crimes of three of them, as we have already noticed, were jotted down by a clerk of the court on a blank space in the *veredictum* (nos. 64, 66-7). For these an ordinary trial jury of the hundred jurors and four next townships was impanelled; it found one man not guilty and a man and a woman guilty, and the normal judgments followed (note 64-67). The fourth person arrested was the hundred bailiff himself, on an indictment of homicide. In the previous eyre he had been appealed on a similar charge and acquitted. This time a special jury of knights (not named) and the hundred jurors found him guilty, so he was hanged. His case is discussed more fully in note 44. His wife had taken sanctuary and abjured the realm after admitting her guilt on a different charge (note 130-5) which must have happened either during the early stages of the eyre or, if the Chippenham pleas were taken just after the Whitsun vacation, during the Whitsun vacation.

The following is a summary of what happened to all the known accused, principals as well as accessories, whose crimes had been the subject of inquests and so presented in the *veredictum* or who appear to have been indicted in the *privata*, apart from those who had taken sanctuary and abjured the realm.

### CRIME WITH WHICH CHARGED

	Homicide		Larceny etc.
	<i>Veredictum</i>	<i>Privata</i>	<i>Privata</i>
Killed in arrest, died in prison	2	—	—
Hanged previous to the eyre	1	—	—
Hanged in eyre	1	1	2
To be exacted and outlawed or waived	19	1	3
Acquitted, after order for exaction	1	—	—
Acquitted	1	—	1
Acquitted, under age	1	—	—
	—	—	—
	26	2	6
	—	—	—

At the end of the eyre the names of those ordered to be exacted and outlawed would be written in a roll, called the Exigent Roll, which would be delivered to the sheriff and coroners, who would cause the list to be proclaimed at five successive county courts. A few years after our eyre it became the practice to file up a copy of the Exigent Roll in the plea rolls of the senior justice, the Roll for the Northamptonshire eyre of 1285 being apparently, the earliest example.<sup>1</sup> If those in exigent had not appeared by the fifth court, they would be solemnly outlawed. If they appeared they would normally be sent to gaol, to await trial at the next delivery. Two of the above 19 who were put in exigent, both men of substance, did appear and were subsequently acquitted in gaol delivery (notes 24, 40).

So much for the purely criminal aspects of these matters. We have

<sup>1</sup> *J.I.* 1/623, mm. 32-3.

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now to consider the justices' examination of the actions of the local officials, communities and other persons. So far as the affairs of Chippenham hundred were concerned, the sheriffs, coroners and county court were not found to have committed any error or omission. The failure to produce or name the bailors of the man who did not answer his bail would have been a dereliction of duty by the sheriff in normal circumstances, but here it seems to have been due to his death a few weeks before the eyre opened (note 43). Next in the hierarchy come the hundred bailiff, bailiffs of liberties in the hundred and the hundred court and courts of liberties. In nearly all the other hundreds and boroughs the first entry in the crown pleas is a laconic note that the bailiff is in mercy for divers contempts and trespasses. With a constant flow of orders from above to execute, with duties to discharge at inquests, hundred and county courts and gaol deliveries, working in a district which was usually a complex of varying liberties, even the best of hundred bailiffs could hardly avoid errors and omissions. But Stoket was in custody on a capital indictment, may indeed have been sentenced early in the hundred's proceedings, so no orders issued against him. Except that the abbot of Kingswood had seized a deodand which arose on his manor (note 15), the justices seem to have found no defects in the hundred and its court or the liberties and their bailiffs and courts. Accordingly, these had to suffer only the fine payable when judgment of murder was given against them. By the mid-twelfth century the *murdrum* or murder fine had ceased to be a punitive police measure and become one of the routine profits of royal jurisdiction. Judgment of murder was given when Englishry had not been presented, which in thirteenth century Wiltshire was done by two from the father's side and one from the mother's side proving the deceased's English ancestry at the coroner's inquest. Naturally it could not be presented when unknown strangers were found killed or dead in suspicious circumstances. But almost as soon as we have eyre rolls we find that Englishry is not being presented in many cases when it could easily have been presented. There are several explanations for this. One is that in certain districts it became customary to present Englishry only when the deceased was a villein. Indeed, the unknown writer of the tract in Robert le Carpenter's book remarks on Englishry that 'some say it is properly said of villeins, whereas murder is proper of freemen.'<sup>1</sup> It also became customary not to present Englishry when the victim, whatever his status, had been killed by unknown malefactors. So we find that in every case in our *veredictum* where the inquest found a verdict against persons unknown, the justices appear to have found from the coroners' rolls that Englishry had not been presented and so they gave judgment of murder (notes 5, 14, 16, 20, 32, 36, 37, 41, 45, 47). Whether the former custom covers the three cases in which the criminals were known but Englishry was not presented is uncertain (notes 8, 11, 19).

Next in the hierarchy come the local communities of the township and the tithing. The justices derived their knowledge of the townships' errors and omissions mainly from the coroners' rolls. The commonest

<sup>1</sup> *Selden Society*, LX, Introduction, p. ccii.

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failing seems to have been the neighbouring townships' neglect to pursue a criminal after the hue had been raised. No doubt the pursuit was often a mere formality ; but the first statute of Westminster, c. 9, had in 1275 reiterated the need for *bone suite fete sur les felons solum doue manere*. Consequently we find many townships being put in mercy for 'not making suit' (notes **5, 7, 10, 11, 12, 14, 16, 20, 22, 32, 33, 36, 37, 45, 47, 48**) ; after a time the enrolling clerk tired of writing the names of the townships, since there was only one amercement however many the offences (notes **31, 41, 51, 53**). One of the reasons why we get fairly full details about the time and place of a crime in our *veredicta* and in coroner records is because the liability of the district varied with these facts. No blame would attach to a community for not arresting the criminal if the deed was done at night, in an out of the way place or at a season when a place would be unfrequented. But when the crime was done by day in such places as the village or at a fair or at the games or in the common fields in spring there was a presumption that arrest should have been made and so we find townships in mercy for not effecting it (notes **10, 13, 30, 40, 50**). In the decade before the reforms of 1258-9 the coroners had interpreted very rigorously the customary rules about the full attendance of townships in inquests on deaths. In the eyre of 1249 some twenty-two townships in Chippenham hundred had been put in mercy for not attending the inquest or not attending fully, in many cases each of the four townships due to attend. This was a grievance, remedied by the provisions of Westminster, c. 24, which in 1259 laid down that there was full attendance if all the males of age in the townships concerned came to the inquest, reasonable excuses for absence being allowed. So in our eyre, covering many more inquests than in 1249, we find only nine townships being put in mercy for not attending the inquest or not attending fully (notes **7, 19, 24, 43**). A few facts about townships would come to light only when the pleas were heard. In two cases townships are put in mercy for undervaluing chattels and a deodand (notes **8, 26**). In two other cases they are put in mercy for permitting a man to live in the community without seeing that he was in a tithing (notes **12, 130**). Tithings were, in Wiltshire, groups of villeins who were mutually responsible for the conduct of their members. So if one of their number committed a felony the rest were answerable for him and would be put in mercy in eyre. Evidence about the tithing to which a criminal belonged may have been included in the coroners' records, but it may only have been given in eyre ; the numerous notes on this head added to the *veredictum* by a clerk in the court (above, p. 63) perhaps suggest that the evidence was given in eyre. Though tithings were essentially communities of persons and not geographical locations, they were gradually becoming the latter. It is, therefore, interesting to find that out of nine tithings put in mercy for the felony of a member, three are referred to as places (nos. **8, 10, 39**) while six are referred to by the name of the tithingman as well as the place (nos. **7, 11, 33, 48** and notes **130, 135**). Unfree men who lived in the mainpast or household of someone of considerable standing did not need to be in tithing ; their lord was responsible for them, and when they committed a

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felony his mainpast was put in mercy (notes **2**, **53** and, cancelled, nos. **22**, **31**). Apart from such households and the defaults of common summons, few individuals were put in mercy in our crown pleas. All those sureties responsible for bringing the finders of corpses to the eyre seem to have discharged that duty. Four persons who had apparently wrongly represented themselves to be the nearest neighbours of a man killed at Bremhill Wick (note **16**) were put in mercy for this ; perhaps what they did was connected with the liberty which the abbot of Malmesbury had there. The bailors who failed to produce a Gloucestershire man would have been put in mercy if their names had been discovered (note **43**). It was in appeals that individuals suffered most often. If the appellor did not appear in eyre, he would be liable to arrest and his sureties would be put in mercy (note **57**). If he came but decided not to prosecute, he would be kept in custody until he made a fine and his sureties would be put in mercy (no. **58**). If the appellee did not appear, his sureties would be put in mercy (no. **59**). In the heyday of the appeal the action was very often not intended to go to trial ; the parties' friends saw to it that the matter was settled by agreement out of court, and the party more to blame then made a fine to cover all the defaults of the parties and their sureties. None of the three appeals in our *veredictum* was so compromised. In all, six persons acting as sureties in appeals were put in mercy, compared with twenty from the hundred in 1249. Finally there were the twelve jurors themselves. We find them put in mercy only twice, and on each occasion the reason is somewhat obscure (notes **15**, **22**). Before the reforms of 1258-9 it had become the custom for the hundred jurors to make a fine, before pleading began, to cover their errors and omissions ; this fine *ante judicium* was commonly the first entry made under the crown pleas of the hundred. This was no longer so.

### PRESENTMENTS CONCERNING ROYAL RIGHTS

We may now turn to the presentments which concerned royal rights. Purprestures had long been dealt with at crown pleas ; on the one that lay within their jurisdiction the justices ordered the obstruction to be removed and put the offender in mercy (note **128**). A start was also made in crown pleas on some of the other matters, namely those concerning the escheats of Normans' lands (notes **68**, **70**), those concerning warrens (notes **122-6**) and those concerning jurisdictional liberties (notes **113-120**). But the proper place for hearing these was now the *quo warranto* division, so at crown pleas matters were left in their preliminary stages. The only order issuing in these matters at crown pleas was one for taking into the King's hand the liberties of Reynold de Grey and the abbot of Gloucester (note **120**) for default of claim.

### QUO WARRANTO

The statute of Gloucester (*Statutes of the Realm*, i, 45-6) in August, 1278, marked the beginning of Edward I's *quo warranto* campaign ; the statute of *Quo Warranto* (*ibid.*, 107) marked its close. Historians differ as

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to Edward's aims in waging the campaign, the extent to which his aims were gained and the extent to which the statute of *Quo Warranto* represented the abandonment of those aims. Important modern studies on the subject include Professor Cam's *The Quo Warranto Proceedings under Edward I*<sup>1</sup> and a passage in Professor Plucknett's Ford Lectures on *The Legislation of Edward I*<sup>2</sup>. Professor Sidney Painter<sup>3</sup> and Mr. Denholm Young<sup>4</sup> have dealt more specifically with the holders of franchises. There is, however, no detailed study which traces through to its end the litigation concerning a large body of typical claims or claims by important magnates.

Litigation conducted by an attorney on the king's behalf was in Henry III's reign usually known as the *privata placita regis*; from the re-establishment of the court *coram rege* in 1234 such pleas had formed an important part of the business of that court, though naturally they could be litigated in any of the other royal courts. Many persons acted on the king's behalf, often for their own interests, but in 1246 came the appointment of a permanent attorney to sue for the king: Lawrence del Brok, who had already had over a decade's experience in the central courts and continued in office until about the end of the reign. Litigation was mainly by writ of right, about estates; but other forms of action, including *quo warranto*, were used as occasion demanded. During the first years of Edward I's reign there was no increase in this sort of litigation in the King's Bench, even after the Hundred Rolls enquiry.<sup>5</sup> The Hundred Rolls enquiry had been designed to obtain a mass of information about the existing claims to hold escheats of Normans' lands and the like and to exercise various liberties, but further action depended on the holding of an eyre visitation, which Welsh and other affairs delayed, as we have seen, until the autumn of 1278. The statute of Gloucester, so far as it concerned the king's pleas, was a preliminary to the eyre. It provided that claims to exercise liberties should be made at the opening of each eyre, liberties that were not claimed being liable to seizure into the king's hand. If the claimants pleaded that they had the liberties by royal grant or had inherited them they could be impleaded by writ; otherwise the matter would presumably be remitted for the verdict of a jury at crown pleas. The first eyre in the southern circuit was that for Hertfordshire; here liberties were claimed and enrolled and some preliminary stages dealt with at crown pleas; but there were no *placita regis*. The justices seem to have had doubts about the validity of litigation by the writ *quo warranto*. During the course of the next, the Kent eyre, these doubts were satisfied by an official ruling.<sup>6</sup> Thenceforward the *placita regis* were prosecuted; but in the plea rolls of the Kent and Surrey eyres of 1279 they were enrolled among the ordinary civil pleas. The first separate section devoted to the king's pleas occurs in the chief justice's roll of the

<sup>1</sup> Reprinted from *History*, July 1926, XI, in *Liberties and Communities in Medieval England*, (1944).

<sup>2</sup> *Op. cit.*, pp. 35-50.

<sup>3</sup> *English Feudal Barony* (1943) chapter iv, Franchisal Resources.

<sup>4</sup> *Seignorial Administration in England* (1937), pp. 108-119: Private Jurisdiction (iv) The preservation of liberties.

<sup>5</sup> The rolls for Hilary terms 1273-8 have been examined.

<sup>6</sup> *Liberties and Communities*, pp. 178-182.

next, Sussex, eyre of 1279 ; but from the Dorset eyre of 1280 the rolls of the chief justice and of the king's attorney usually have a separate section for the king's pleas and all four rolls of our Wiltshire eyre have such a section. Actions outstanding at the end of the Wiltshire eyre were adjourned either to the next, Devon, eyre or to the King's Bench. The outbreak of the second Welsh war caused the whole visitation to be postponed after the Devon eyre ; all actions outstanding at the end of that eyre were adjourned into the King's Bench and continued to be adjourned from term to term until the end of the war permitted proceedings to be renewed there in 1285, the eyre visitation having been resumed in the autumn of 1284. A number of counties had yet to receive *quo warranto* sessions when the end of this visitation merged into the beginning of the next in 1287-8. When the Wiltshire eyre of 1289 was held the *quo warranto* pleadings were enrolled, and were presumably conducted, as part of the crown pleas. The later history does not concern us.

The readily available mass of information on a variety of topics contained in the *quo warranto* proceedings caused the seventeenth century archivists and scholars to make many transcripts and abstracts of them ; the Record Commissioners at the beginning of the nineteenth century fortunately ignored these productions and in 1818 published the *Placita de Quo Warranto* from the originals. But this very valuable work is not comprehensive. It wholly ignores all proceedings in the crown pleas sections of eyre rolls and all King's Bench proceedings, being limited to the king's or *quo warranto* proceedings in eyre. Even here, however, it is not exhaustive. As an example, for our Wiltshire eyre it prints both the Wiltshire and the Foreign Counties proceedings ; but for the Devon eyre it prints only the Devon proceedings, omitting all the proceedings in the Devon eyre on pleas adjourned to it from the Wiltshire eyre. One other source which must have contained relevant matter is now lost : the parliament rolls.

The conduct of the campaign in 1279-82 was largely in the hands of the king's attornies, William de Gisleham acting in the southern circuit. They seem to have decided which claims to challenge and which to leave ; often they seem to have selected one group out of a number made by a magnate or prelate and to have pursued that, leaving the rest unchallenged or in preliminary stages. So Gisleham seems to have chosen to implead the earl of Cornwall over his title and rights in Mere (*Placita de Quo Warranto*, 807-8) rather than over Corsham (notes 68, 115, 122). The abbess of Lacock's local liberties and the Dunstanville liberties at Castle Combe and Colerne also seem to have been left unchallenged (notes 114, 116). The other claims to escheats and liberties were all challenged, but nothing could be done about the withdrawals of suits from the hundred court until Geoffrey Gacelyn's claim to the hundred had been upset (notes 63, 107-112).

There were six claims to hold escheats (nos. 68-72, 75). In three cases the royal charter which gave title was pleaded (notes 68, 71, 75) while in a fourth case it was produced in other proceedings (no. 69). In two cases it was allowed (nos. 71, 75) and in the other two no judgment was made (nos. 68-9), so the claimants continued in possession. In the

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other two cases the claimants owed their title to a conveyance as well as to a royal charter. In one (note 72) the issue went to a jury in eyre, who found for the claimant, so that judgment was given in his favour. In the other (note 70) the case was undetermined at the end of the eyre ; after a series of adjournments into the Devon eyre and the King's Bench it was finally decided in the claimant's favour in 1285.

As to the claims to liberties, the most important, Geoffrey Gacelyn's title to the hundred, though adjourned into the King's Bench from the eyre, seems not to have gone beyond the preliminary stages of pleading (notes 105-6). It rested on the claim that the hundred was appurtenant to the manor of Sheldon and borough of Chippenham and passed with them without specific mention. There were five claims to free warren (nos. 122-6). Four were allowed after the claimants had produced royal charters, which were allowed (notes 123-6) ; the other was the Earl of Cornwall's claim, which does not seem to have been challenged and can have rested only on a general grant or on the liberties appurtenant to Corsham when his father received it in 1243 : no specific grant to him or his father of free warren at Corsham is known. In the eyre of 1289 three of these claims were again made and allowed after the judgments of 1281 had been vouched (notes 122-3, 125) ; the others seem to have lapsed (notes 124, 126). There were eight claims to other liberties (nos. 113-120). One (no. 113) was bound up with Gacelyn's title to the hundred, so that no separate plea on it is to be expected. Four claims, three of which included the right to gallows (notes 114-7), do not seem to have been challenged ; three of these, including two claims to gallows, were repeated in 1289 (notes 114-6) and allowed. The other three claims were challenged. In one (note 118), by the abbot of Glastonbury, the claimant relied wholly on charters, which were allowed. In another (note 119) the claimant relied on a charter for his right to hold the assizes of bread and beer and this was allowed ; for his gallows he could only plead prescription so the issue went to a jury, which found for him. Both claimants were again challenged in 1289 and their claims were allowed after the judgments in 1281 had been vouched. The remaining claim is much more obscure. It was by Reynold de Grey (the future first lord Grey of Wilton, a most important baron) and the abbot of Gloucester to the assizes of bread and beer at Easton Grey (no. 120). The liberty was not claimed at the opening of the eyre and so was taken into the king's hand ; no proceedings have been found against the abbot ; the baron simply defaulted at successive adjournments, until a final adjournment for which no proceedings are found. This claim was not made in the eyre of 1289. It may, therefore, be presumed to have been lost, the only liberty to be lost in the hundred as the result of the *quo warranto* campaign ; the gain, if any, was presumably to the lord of the hundred.

## PRESENTMENTS AGAINST LOCAL OFFICIALS

The trial and conviction of the hundred bailiff on a capital charge relieved the justices of the necessity of examining the jurors' allegations



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about his actions and the jurors themselves of the task of substantiating their allegations. Had this not been so, the presentments would have been dealt with at crown pleas.

### THE FINANCIAL ISSUES

When the main sessions for civil and crown pleas were over, one or more of the justices held a session to deal with the fiscal business. Boyland seems to have presided over this business in all the eyres of our circuit. The Amercements rolls are always filed up with his plea rolls, and when we find a note in the plea rolls pardoning someone who had been put in mercy it is usually said to be on Boyland's authority. The value of fines made to compose offences, of felons' chattels and of the year, day and waste of felons' lands, had been determined during the pleas and been set down and margined in the plea rolls. The principal business of this session was, therefore, to assess the amount due as amercement from those who had been put in mercy during the holding of pleas and to assess the amount due as a murder fine when murder had been adjudged. The ameracements were said to be affeered; that is, a panel drawn from the leading knights of the county and representatives of the hundred concerned assessed the amount which they thought a particular individual or community should pay. No doubt they were guided in doing this by customary precedents. A very brief description of the process is given in *Fleta*, a work which seems to have been written by a lawyer of some eminence, Matthew de Scaccario or Checker, about ten years after our eyre:<sup>1</sup> it is mainly concerned to bring together the few general regulations on ameracements in Magna Carta and the statutes of Marlborough and Westminster. We can infer something by comparing plea rolls and Amercement rolls. The latter were prepared in two main sections, for crown and civil pleas. In the civil pleas section the list follows the order of pleas in the main roll of the eyre; in the crown pleas section it is arranged by hundreds, though not necessarily in the same order as in the plea rolls (that order, unlike the order of civil pleas, being generally the same in all the rolls). One point we soon discover is that although we may find a person or community put in mercy several times in the pleas there are not separate ameracements for each offence but a single amerement, which figures in the list at the place where the first offence occurs in the pleas. It also appears that for the ordinary run of offences, such as those we have already discussed in dealing with townships and tithings, the amount of the amercement seems to have depended on the taxable capacity of the person or community, rather than on the number of times we find them put in mercy in the pleas. The amercement was an accepted feature of all jurisdiction from the customary court of the manor upwards, and there is nothing to suggest that the ameracements imposed in thirteenth century eyres exceeded the normal scales.

Two items normally occupy the same places in all the hundred and borough lists on the eyre Amercement rolls under Edward I: the

<sup>1</sup> *Op. cit.*, book I, c. 48, sections 2-8.

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hundred's murder fine at the head and the jury's amercement at the end. Within the list each person or community normally occurs in the order of the pleas in which they were put in mercy or first put in mercy. Fines, felons' chattels etc. are entered at the appropriate points. There is always a brief description of the reason for the amercement, but in the rolls of Edward I this description seems to be less accurate than in those of Henry III. The clerk, no doubt working under some pressure, often saved labour by a free use of 'for the same' when the cause was not the same as that in the preceding entry. He often failed to summarize correctly the award in the plea. Some attention to such discrepancies has been given in the notes. In a few cases, however, the Amercements roll clarifies the award in the plea roll. The clerk worked from the main roll of pleas (the roll of the senior justice) and, as each matter was disposed of, the appropriate margination in that roll was struck through, a practice that began in eyre in the middle of Henry III's reign and soon spread to the other royal courts. When the business was done, an estreat, or copy, of the Amercements roll was sent to the Exchequer. The exchequer would then make a copy and send it to the sheriff with a summons to collect the amounts due, usually in two instalments. For most of the twelfth century nearly all the individual items in an estreat were also copied into the Pipe Roll for clearance, to be noted there, as payment to the Exchequer or some other discharge was proved. But modifications under Richard I and again in 1226-8 saved the increasing labour involved in this. Instead the estreat itself was made to serve as the main record, through a simple system of annotations in the margin. Until the sheriff had collected the great majority of debts owed, at successive summonses, only the lump sum total of the successive collections was entered in the Pipe Roll, together with some of the big debts on which payment would have to be by several instalments. When only a few debts were still outstanding in the estreat, these were entered in the Pipe Roll; so the estreat was cleared and could be destroyed. For this reason, after about 1226-8 we cannot trace the stages whereby the vast majority of individual debts were cleared. Most of the amount due from eyres was speedily collected. By the time the Wiltshire sheriff's account for the year ending Michaelmas, 1283, was taken, the payment of £1,056 17s. 10½d. from this eyre had been proved; payment of a further £115 2s. 10d. had been proved when his account for the year ending Michaelmas, 1285 was audited.<sup>1</sup> All the debts in the estreats on which partial payment had been made were then transferred to the Pipe Roll; those from Chippenham hundred so transferred were mostly debts from persons or places in the Glastonbury abbey liberties for which the abbot's bailiff, not the sheriff, had to answer at the Exchequer.<sup>2</sup> No attempt has been made to discover when the estreat was finally cleared.

The following summary sets out the details of the Chippenham hundred section of the crown pleas Amercements roll in the order of

<sup>1</sup> *Pipe Roll 11 Edward I (E.372/127) ro. 20 d*; *Pipe Roll 13 Edward I (E.372/130) ro. 13.*

<sup>2</sup> *Pipe Roll 13 Edward I (E.372/130) ro. 13d*, under the heading *Parcialia Itineris S. de Roff'*. They occupy most of the dorse of this rotulet.

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amounts due : (i) from the hundred jury and the hundred ; (ii) from liberties ; (iii) from townships and tithings ; (iv) from individuals ; (v) in respect of felons' goods and lands. References in brackets are to the notes. No amount is entered against two ameracements (notes **53, 128**) ; the fine due from the borough of Chippenham was transferred to the borough's section of the Ameracements roll (notes **45** and **47**).

	£	s.	d.
<i>Hundred</i>			
Jurors' general ameracement (1)	2	13	4
Murder fine ( <b>5, 11, 14, 19, 20, 32, 36</b> )	5	0	0
<i>Liberties (murder fines)</i>			
? Combe barony : Werdescombe ( <b>41</b> )		13	4
Cornwall earldom : Corsham ( <b>47</b> )	1	6	8
Glastonbury abbey : Grittleton, Nettleton ( <b>24, 40</b> )	3	6	8
Malmesbury abbey : Bremhill Wick ( <b>16</b> )	1	6	8
<i>Townships and tithings (ameracements)</i>			
Of £1 : Lacock ( <b>26</b> ), Langley Burrell ( <b>22</b> ), Sherston Magna ( <b>7</b> ).			
Of 13s. 4d. : Alderton ( <b>7</b> ), Biddestone ( <b>5</b> ), Colerne ( <b>10</b> ), West Kingston ( <b>5</b> ), Leigh Delamere with Sevington ( <b>11, 13</b> ).			
Of 10s. : Easton Gray, Gloucester abbey part ( <b>33</b> ), Kingswood ( <b>14</b> ), Luckington ( <b>7</b> ), Slaughterford ( <b>5</b> ), Wraxhall ( <b>5</b> ).			
Of 6s. 8d. : R. le Rede's tithing, Alderton ( <b>7</b> ), Box ( <b>12</b> ), Easton Gray, Gray's part ( <b>33</b> ), Fordway ( <b>50</b> ), Gastard ( <b>19</b> ), Hardenhuish ( <b>11</b> ), Hartham ( <b>11</b> ), Hazelbury ( <b>37</b> ), Kellaways ( <b>48</b> ), Kington Michael ( <b>43</b> ), Peckingell ( <b>32</b> ), Pickwick ( <b>19</b> ), Sheldon ( <b>7</b> ), Sherston Parva ( <b>16</b> ), Stanley ( <b>26</b> ), Sopworth ( <b>32</b> ), N. de la Cornere's tithing, Tytherington ( <b>33</b> ), Yatton Keynell ( <b>10</b> ), West Yatton ( <b>10</b> ).			
Uncertain (see notes) : ' Alinton, Latton ' ( <b>8</b> ), Littleton ( <b>40</b> ), ' Cheslade ' (neither in <i>veredicta</i> nor plea roll).	17	10	0
<i>Individual (ameracements)</i>			
Abbots of Gloucester and Kingswood, William de Laham, dame Parnel de Vivon, John de Vivon ( <b>2, 15, 62</b> ) : £23. 6s. 8d.			
Lesser persons ( <b>16, 57, 58</b> ) : £1 6s. 8d.	24	13	4
<i>Felons' goods and lands</i>			
To be collected by the abbot of Glastonbury's bailiff, goods ( <b>8, 24</b> ) : £8 5s.			
To be collected by the sheriff, goods ( <b>7, 34, 40, 44, 53, 144</b> ) : £21 7s. 5d. ; lands ( <b>40, 144</b> ) : £8 16s.	38	8	5
<i>Total</i>	94	18	5

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### PHYSICAL DESCRIPTION; HANDWRITING

The longer membranes were not trimmed to a uniform width and their width varies up to an inch over the whole. The length and average width of the membranes is as follows : *m.* 1, 23½ by 6½ inches ; *m.* 2, 23½ by 7½ inches ; *m.* 3, 6¼ by 7½ inches ; *m.* 4, 27 by 7 inches ; *m.* 5, 13¼ by 8 inches. The handwriting occupies the whole width of the membranes except for a margin of about ¼ inch on *mm.* 1, 3-5 and about ½ inch on *m.* 2. It appears to be the work of two clerks, with markedly different hands, using differently mixed inks. One wrote the heading to *m.* 1 and the contents of *mm.* 3-5 ; his ink has dried to a rich dark brown. The other wrote the contents of *mm.* 1-2 ; his ink has dried to a pale, almost orangey, brown. An interesting point about them is the use by the latter of the English character yogh (ȝ) in the name *Slaȝteneford'* (6), and the use by the former of the runes *wen* (ƿ) with the value of *w* (Roƿedone, 72 ; West þeytton', 91) and *thorn* (þ) with the value of *th* (Soppeworþe, 75, etc.). All the membranes have been cancelled by a line drawn perpendicularly and roughly down the centre. In the first two membranes (containing the criminal presentments) the cancellation is jerky, as if done from entry to entry ; in the others it is bold and apparently drawn through at a stroke or two.

### EDITORIAL METHOD

All the articles to which presentments were made are given in full in *italics*. As they are much abridged in the manuscript, the additions needed to make them intelligible are supplied [in square brackets] from the Pucklechurch *Veredictum* of 1287 ; the numbers prefixed to such articles are those adopted by Professor Cam for this *Veredictum* (above p. 51). The presentments are given in full, each prefixed by a serial number in bold type for convenience of reference. Interlineations which appear to have been made by a clerk of the court during the hearing of the pleas (above p. 63) are printed within round brackets. The great majority of articles are followed by nil returns—*nichil*, *nichil sciunt*, and the like. These, which include all the Additional Articles, have been omitted, since they have been fully analysed by Professor Cam (above p. 51).

No attempt has been made to reproduce the original punctuation, and the use of capital letters has been standardized. Contracted forms have been extended except where there is any doubt about the correct form : *e.g.* since the forms *nescitur*, *nesciunt*, and *nescimus* all occur, the ambiguous *nesc'* has been left unextended. The word used in the Verdict for a tithing, apparently representing a form *theingga* or the like, appears only in various contractions, which have been approximately reproduced in the printed text. Incidentally, the writer of the interlineations preferred the more scholarly synonym *decena*, which is used also in the Eyre Roll.

As an addendum to the text of the *veredictum* we have, for completeness, given the text of the four entries in the Crown Pleas roll concerning the hundred which do not arise from anything contained in the *veredictum*.

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The notes, which bear the same serial number as the presentments to which they refer, attempt to show what action was taken on each presentment in the eyre or subsequently ; and, where necessary, to elucidate the matter of a particular presentment. General notes on the Articles are introduced at the appropriate point. For most of the presentments which were dealt with at Crown pleas a translation of the plea roll entry is supplied, together with other matter indicated in the general note to nos. **2-59** (note p. oo). For matter dealt with at *quo warranto* or which was within the field of the *quo warranto* enquiry the notes attempt to indicate the grounds of a particular claim and summarize what is known about the course of litigation on it in the eyre, whether at Crown Pleas or *quo warranto*, and subsequently, finishing with what was presented on the matter at the next Wiltshire eyre in 1289. For the list of fees in the hundred no attempt has in general been made to trace the history of subtenancies backwards beyond 1242-1243 ; the search for changes in subtenancies since then has been confined to such readily accessible sources as *Feet of Fines* and *Inquisitions Post Mortem*. (See General Note **73-104**). We have already seen that the presentments about the actions of the hundred bailiff, Robert Stoket, were not dealt with by the justices, because he was hanged on an indictment for homicide. The notes to these presentments are, therefore, mainly explanations of the action alleged.

The editorial work has been divided, Mr. Latham transcribing the Text, compiling the Index and preparing the Notes on Fees (**73-104**) and on no. **129**, the rest of the Notes and the Introduction being the work of Mr. Meekings. Each of us has had the advantage of the other's criticism and advice in his own part and both are indebted to Mr. R. B. Pugh for his helpful interest in the whole.

R. E. LATHAM.

C. A. F. MEEKINGS.

[m.1]

### CHIPPENHAM FORINSECA

Veredictum. xij. liberorum juratorum de Hundredo Forrinseco de Chippenham factum per sacramentum sc.:

**1** *Juratores* : Thomas de la Mare, Willelmus de Myddelhop', Robertus Keynel, Walterus Dreu, Ricardus Yve, Johannes Keylewey, Robertus Wayfer, Johannes de Hertham, Henricus de la Boxe, Rogerus de Pedeworth', Robertus de Asch', Hosbertus Ruffyn, juratores, qui dicunt super sacramentum suum in primis:

[1] *de veteribus placitis corone*

**2** Dicunt quod Reginaldus le Chu appellavit Willelmum le Harre de mahemio et roberia ; qui non venit ad proximum iter, et positus fuit in exigend' per sectam dicti Regill' ; et dictus Willelmus utlegatus fuit.

## CHIPPENHAM VEREDICTUM

[2] *De novis placitis que postea emergerunt [tempore pacis]*

**3** Contigit die Lune proxima post Nativitatem Beate Marie anno regni H. L. secundo [11 Sept. 1268] quod una filia Walteri de Wytewell' sicut ibad extra portam dicti Walteri patris sui per infortunium cecidit in quodam puteo et submersit ; et dictus Walterus ipsam primo invenit ; levavit hutesium et invenit plegios veniendi coram justiciariis sc. Hugonem de Marisco et Willelmum Snel. Inquisicio inde facta coram domino Sampsonem de Boxa coronatore domini regis.

**4** Contigit die Lune proxima post Translacionem Sancti Thome Marteris anno H. L. secundo [9 July 1268] quod Sisilla la Crete habens guttam caducam cecidit in regali via versus Castert et subito obiit de eadem. Willelmus le Crete ipsam primo invenit ; hutesium levavit et invenit plegios sc. Matheum de Lupegate et Johannem Pynnoc. Inquisicio inde facta coram domino S. de Boxa coronatore domini regis.

**5** Contigit die Translacionis Beati Thome Martiris anno L. secundo [7 July 1268] quod malefactores ingn[oti un]de nomina ingnorantur apud Suthputte extra Wrokeshal' Willelmum Lichfot [de] Wrokeshal' et Johannem de Estwell' de comitatu Glouc' euntes versus Marsfeld' insultaverunt verberaverunt et vulneraverunt unde obierunt statim. Walterus Suthurne ipsos primo invenit ; hutesium levavit ; invenit plegios Galfridum El' et Benedictum de Wrokeshal'. Inquisicio inde facta coram S. de Boxa coronatore domini regis.

**6** Contigit Dominica post festum Sancti Albini anno L. tercio [3 March 1268/9] quod Willelmus filius Philippi [de] Sla3teneford veniens de Chatwod' ad pontem de Sla3teneford per infortunium cecidit et submercit. Willelmus de Wytewell' primus inventor hutesium levavit et invenit plegios sc. Hugonem de Slateneford' et Rogerum de Wytewell'. Inquisicio inde facta coram domino S. de Boxa coronatore domini regis.

**7** Contigit Dominica proxima ante Purificacionem Beate Marie anno L. tercio [27 Jan. 1268/9] quod Robertus le Ster et Thomas Abbod ven[erunt] simul de domo Roberti El' et cur[iam] abbatis de Kingiswod' intraverunt luctando, ita quod dictus Robertus dictum Thomam verberavit et vulneravit unde obiit tercio die sequenti ; et habuit jura ecles' ; et dictus Robertus fugit. Catella ejus .ij. den. The'ga de Aldrinton' respondet. Inquisicio inde facta coram domino S. de Boxa coronatore domini regis. (Aldrinton' in decena Rogeri le Rede)

**8** Contigit Dominica ante festum Sancti Valentini anno L. tercio [10 Feb. 1268/9] in crepusculo juxta croftam Roberti Fowelar' quod Robertus Hathewy Robertum de Cruce, quem sepius minabatur pro stipendiis suis ei a retro existentibus, ven[ientem] de domo persone de Netelynton' insultando percussit cum quadam hachia ; et idem Robertus de Cruce ipsum repercussit cum quadam petra, q' volens [sic] cum dicta

## COLLECTANEA

hachia dictum Robertum de Cruce interficere. Et idem Robertus se defendendo vulneravit ipsum Robertum Hathewy cum cnyulo suo, unde obiit ; et fugit. Catalla ejus .xl.vij. sol. The'ga de Nethelynton' respondet. Et Edith' Hethewy prima inventrix hutesium levavit et invenit plegios sc. dictam th'gam et th'ggam [sc. suam]. Inquisicio inde facta coram domino S. de Boxa coronatore domini regis. (In decena Netleton')

**9** Contigit die Mercurii ante Annunciacionem Beate Marie anno L. tercio [20 March 1268/9] quod Johannes Swengedin de etate .iij. annorum per infortunium submersus fuit ad pontem de Boxa sicut vel [*recte* voluit ?] illum transire. Precium planchie de qua cecidit .vj. den. The'ga de Boxa respondet. Willelmus pater ejus ipsum primo invenit et hutesium levavit ; invenit plegios sc. predictam th'ggam et the'gam suam. Inquisicio inde facta coram domino S. de Boxa coronatore etc.

**10** Contigit die Martis post festum Sancti Augustini anno L. tercio [28 May 1269] quod contencio mota fuit inter Ricardum de Crutenham et Ricardum Fotur in camp' de Yetthon' (in decena de West Yatton') ita quod dictus Ricardus Fotur ipsum Ricardum de Cruth' vulneravit cum quadam hachia, unde obiit ; et habuit jura ecles' ; et Ricardus Fotur fugit. Catalla nulla. Inquisicio inde facta coram domino S. de Boxa coronatore domini regis.

**11** Contigit die Jovis ante Inventionem Sancte Crucis anno L. tercio [2 May 1269] quod Robertus le Mey se defendo percussit Johannem le Kent cum quodam cultello, unde obiit ; set habuit jura ecles'. Et dictus Robertus fugit. (Thom' de Benjoie de Sevenhamton') Catalla nulla. Inquisicio inde facta coram domino S. de Boxa coronatore etc.

**12** Contigit in vigilia Sancte Kateryne anno L.iiij. [24 Nov. 1269] quod Ricardus Capon oviavit Ad' de Wynesleh' (in decena de Budeston') in crepusculo ; quem statim verberavit et vulneravit, unde obiit ; et dictus Ricardus fugit. Catalla nulla. Rogerus de Kudele ipsum primo invenit ; hutesium levavit et invenit plegios sc. Willelmum de Kudele et Henricum Appeleyn. Inquisicio inde facta coram domino S. de Boxa coronatore etc.

**13** Contigit in vigilia Sancti Andree anno L.iiij°. [29 Nov. 1269] quod Henricus de Lye insultavit Adam de Morsawe ad domum Roberti de Morsawe ; et idem fugit ad pistrinum ipsius Roberti ; et dictus Henricus ipsum pros[equebatur] et hostium dicti pistrini fregit et intravit ; et Adam predictus ipsum Henricum se defendendo percussit cum .j. cnyulo, unde obiit ; et dictus Adam fugit. Catalla nulla. Et dictus Robertus primo ipsum invenit ; hutesium levavit ; invenit plegios sc. Hugonem Rose et Thomam Atteputte. Inquisicio inde facta coram domino S. de Boxa coronatore domini regis.

## CHIPPENHAM VEREDICTUM

**14** Contigit die Mercurii ante festum Sancte Margarete anno L.iiij°. [16 July 1270] quod quidam malefactor sagittavit ad Alexandrum Seman [et] Johannem Ude venientes de Bristoll' de super Kyngeswod', ita quod vulneravit dictum Alexandrum, unde obiit ; et dictus Johannes hutesium levavit et invenit plegios sc. Rogerum Ede, Gilbertum Ede, Robertum Bron et Thomam Bron. Inquisicio inde facta coram domino R. Pippard coronatore etc.

**15** Contigit die Jovis post festum Sancti Johannis Bapptiste anno L.iiij°. [27 June 1270] quod Henricus de Bysele vulneratus fuit per unam falcem acutando eandem ad unam petram currentem per aquam, unde obiit. Et habuit jura ecles'. Precium falcis .vj. den. (d.d.vjs.) ; precium petre .v. sol. Abbas de Kyngeswod' respondet. Inquisicio inde facta coram domino S. de Boxa coronatore etc.

(Bremelwyk' : Willelmus Parys', Elias Attehide, Gervasius de Foxham, Willelmus Attewyk')

**16** Contigit nocte die Sabbati proxima ante Exaltacionem Sancte Crucis anno L.iiij°. [13 Sept. 1270] quod malefactores extranei et ignoti domum Ricardi Wodeward' fregerunt et ipsum Ricardum interfecerunt et fugerunt. Johannes Chusman primo ipsum invenit ; hutesium levavit et invenit plegios sc. Willelmum Cott et Alexandrum le Wyte de Wyke. Inquisicio inde facta coram domino R. Pippard coronatore etc.

**17** Contigit die Mercurii post Exultacionem Sancte Crucis anno L.iiij°. [17 Sept. 1270] quod Nicholaus Serjant obrutus fuit apud Parvam Scherston per .j. caretam quam ducebat ad colligend' decimas per infortunium, unde obiit ; et habuit jura ecles'. Precium carette .iiij. s. ; precium equi .v. s. Th'gga de Scherston Parva respondet. Inquisicio inde facta coram S. de Boxa coronatore etc.

**18** Contigit Dominica ante festum Sanctorum Fabiani [et] Sebastiani anno L.v°. [18 Jan. 1270/1] quod Ricardus Wytbert invenit Adam Wybird submersum in Wythamstere (?) in quodam fossato per infortunium ; et statim levavit hutesium et invenit plegios sc. Nicholaum Bernor et Ricardum Parax. Inquisicio inde facta coram domino S. de Boxa coronatore etc.

**19** Contigit die Sanctorum Philippi et Jacobi anno L.v°. [1 May 1271] ad gravam de Brockel' [quod] quidam Radulfus nomine Thomam de Bradeford' interfecit cum una hachia et ipsum depredavit et sepelivit ; et postmodum apud Farleh' attachiatus fuit. Henricus Attetoneshend' primo ipsum invenit ; hutesium levavit et invenit plegios sc. Henricum le Cok' et Nicholaum de Eston'. Inquisicio inde facta coram domino S. de Boxa coronatore etc.



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**20** Contigit in aurora diei Veneris ante festum Beati Thome Martiris anno L.v°. [26 Dec. 1270 or 3 July 1271]<sup>1</sup> quod tres extranei malefactores Rogerum de la Forde piscantem in riparia de Wefre verberaverunt et vulneraverunt, unde obiit in crastino. Et habuit jura ecles'. Inquisicio inde facta coram domino S. de Boxa coronatore etc. (Cumbe)

**21** Contigit die Veneris ante festum Sancti Johannis Baptiste anno L.v°. [19 June 1271] quod Johannes de Slatenesford' invenit Wilelmum Edward' de Alington' jacentem per infortunium submersus in stagno molendini de Slatenesford' ; et statim levavit hutesium et invenit plegios sc. Adam Palmer et Willelmum Basely. Inquisicio inde facta coram domino S. de Boxa coronatore etc.

**22** Contigit die Mercurii proxima post Nativitatem Beate Marie anno L.v°. [9 Sept. 1271] quod Walterus Gordan, Gilbertus (le Batur) de comitatu Somers' una cum aliis malefactoribus ingnotis apud Hacheete extra Foxham Ricardum Reud venientem versus Bradenesthok' insultaverunt, verberaverunt et vulneraverunt et fugerunt, unde dictus Ricardus obiit. Petrus le Mercere ipsum primo invenit ; hutesium levavit ; invenit plegios sc. Ricardum le Lavender et Thomam Armyger. Inquisicio facta coram domino Pippard coronatore etc. <sup>2</sup>(De manupastu Walteri Attegate)<sup>2</sup>

**23** Contigit die Nativitatis Beate Marie anno L.v°. [8 Sept. 1271] quod malefactores ingnoti, quorum nomina eorum ingnorantur, in capto [*sic* ?campo] de Langul' Abbatis Ricardum Atteburgate venientem de Bradenestoc' insultaverunt et vulneraverunt, unde statim obiit. Thomas de la Pleystud primo invent' ; hutesium levavit et invenit plegios sc. Hugonem Rose et Nicholaum de Burgate. Inquisicio inde facta coram domino S. de Boxa coronatore etc.

**24** Contigit die Jovis ante festum Sancti Wlstani anno L.vj°. [14 Jan. 1271/2] quod Galfridus le Godegrom invenit unum extraneum et ignotum jacentem mortuum apud Bykstapel' in campo de Grutelynton', qui ibidem fame [et] miseria obiit. Henricus Vincent primo invenit eum ; hutesium levavit et invenit plegios sc. Rogerum Coppe et Rogerum Wrye. Inquisicio inde facta coram domino S. de Boxa coronatore domini regis etc.

(Rogerus Wrye Walterus frater ejus apud Grutelinton')

**25** Contigit die Jovis proxima post Conversionem Sancti Pauli anno L.sexto [28 Jan. 1271/2] quod Stephanus Juvenus et Ricardus de Hoghweye domum Elie le Nuttar' apud Haselholte fregerunt et contra pacem intraverunt ; et superveniens Willelmus [filius] dicti Elie et hoc percepit et tumultum quem fecerunt et monstravit ballivis. Ballivi vero

<sup>1</sup> These alternative dates depend on whether the reference is to the Martyrdom of St. Thomas (29 December) or his Translation (7 July).

<sup>2</sup> This note has been deleted.

## CHIPPENHAM VEREDICTUM

et vicini venerunt ad dictam domum. Idem malefactores posuerunt se indefenso, ita quod dicti Stephanus et Ricardus wlnerati fuerunt ante quam att[achari] potuerunt, unde dictus Ricardus obiit tercio die sequenti in prisona apud Bremel' ubi ipsi malefactores inprisonabantur. Et dictus Elias invenit plegios sc. Stephanum Cohurd, Henricum de Fraxino, Johannem Bynst et Rogerum de Haselholte. Inquisicio inde facta coram domino R. Pippard coronatore etc.

**26** Contigit die Nativitatis Beate Marie anno L. sexto [8 Sept. 1272] quod Johannes Waleys volens inpotare unum affrum ad aquam et per infortunium cecidit de eodem et submersit. Precium afferi .iiij. s. Th'gga de Lacham respondet. Nicholaus filius Roberti ipsum primo invenit ; hutesium levavit et invenit plegios sc. Walterum de Wyk' et Gilbertum Horn. (d.d. di.m.) Inquisicio inde facta coram domino R. Pippard coronatore etc. (Lacok)

[m.2]

**27** Contigit die Mercurii post festum Sancti Thome Apostoli anno L. sexto [23 Dec. 1271] quod Willelmus Jordan ascendit quendam arborem existentem in curia Radulfi de Ponte ad mundandum eundem et per infortunium cecidit et obiit ; et habuit jura ecles'. Precium arboris .vj. d. (vj.d.). Th'gga respondet. Inquisicio inde facta coram domino S. de Boxa coronatore etc.

**28** Contigit die Martis post Epiphaniam anno supradicto L. sexto [12 Jan. 1271/2] quod Rogerus Curnard invenit Johannem de Abinden' in marisco de Abynton', qui ibidem obiit fame et miseria ; et dictus Rogerus hutesium levavit et invenit plegios sc. Henricum Constabl' et Willelmum Snel. Inquisicio inde facta coram domino S. de Boxa coronatore etc.

**29** Contigit in vigilia Exultacionis Sancte Crucis anno L. sexto [13 Sept. 1272] quod quidam aper venit et wlneravit Ricardum le Blont puerum custodientem oves patris sui, unde obiit ; set habuit jura ecles'. Precium apri .j. s. The'ga de Langul' respondet. Inquisicio inde facta coram domino S. de Boxa coronatore domini regis.

**30** Contigit die Lune ante festum Sancti Aldelmi anno L. sexto [23 May 1272] quod Willelmus filius Rogeri et Alfredus Martin' posuerunt se in ecclesia de Lacok et congnoverunt se ad latr[ones] coram domino R. Pippard coronatore domini regis et abjuraverunt terram domini regis Anglie. Catalla nulla.

**31** Contigit Dominica ante festum Sancti Barnabe anno regni regis E. primo [4 June 1273] quod Willelmus Body et Thomas Bochard et Adem Bouer verberaverunt et wlneraverunt Ricardum de Buduston' apud Stockemed', unde obiit in crastino ; et habuit jura ecles'. Et dicti male-

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factores fugerunt. Catalla vero nulla. Inquisicio inde facta coram domino S. de Boxa coronatore domini regis.

<sup>1</sup>(De manupastu Osberti de Avebir)<sup>1</sup>

**32** Contigit die Sabbati ante festum Sancti Luce Ewangeliste anno regni regis E. primo [14 Oct. 1273] quod extranei malefactores apud Pekyngehull' Angnetem la Swones verberaverunt et wlnraverunt, unde statim obiit. Ema mater ejusdem prima ipsam invenit, et hutesium levavit et invenit plegios sc. Willelmum de Pekyngehull' et totam the'gam de Kyngton' Inquisicio inde facta coram domino S. de Boxa coronatore etc.

(In decena Nicholai de la Cornere de Tuderinton')

**33** Contigit in vigilia Sancti Leonardi anno regni regis E. primo [5 Nov. 1273] quod mota fuit contencio in regali via versus Langul' inter Willelmum de Mandevill' et Willelmus [sic] fil' Johannis, ita quod Willelmus de Maundevill' wlnravit dictum Willelmum cum una hachia, unde obiit ; et habuit jura ecles'. Et dictus Willelmus de Mandevill' fugit. Catalla nulla. Inquisicio inde facta coram domino S. de Boxa coronatore etc.

**34** Contigit die Lune proxima ante festum Sancti Valentini anno regis E. secundo [12 Feb. 1273/4] quod Willelmus filius Willelmi intravit grangiam Willelmi Edmund eo quod audivit tumultum in eadem et cepit Nicholaum Emery, qui ipsum prostravit, unde dictus Willelmus wlnratus fuit per sagittam quam habuit sub zonam suam, unde obiit in crastino ; et habuit jura ecles'. Et dictus Nicholaus captus et liberatus W[altero] de Stirch[esle] vicecomiti. Catalla .xij. d. The'ga de Dove respondet. Inquisicio inde facta coram domino S. de Boxa coronatore etc.

**35** Contigit Dominica proxima ante Annunciacionem Beate Marie anno regni regis E. secundo [18 March 1273/4] quod Johanna Cubye invenit Walter' Cocus per infortunium submersum ad pontem de Lace in eundo de taberna Alicie de Tracy ; et hutesium levavit et invenit plegios sc. Nicholaum Pelliparium et Walterum de Wyk'. Inquisicio inde facta coram domino S. de Boxa coronatore etc.

**36** Contigit nocte Sancte Marie Magdalene anno regni regis E. secundo [22 July 1274] quod duo extranei malefactores Walterum Seriso in campo de Soppewrth' verberaverunt [et] wlnraverunt, unde obiit die Martis sequenti ; et habuit jura ecles'. Inquisicio inde facta coram domino S. de Boxa coronatore etc.

**37** Contigit nocte proxima post Inventionem Sancte Crucis anno regni regis E. tercio [4 May 1275] quod extranei malefactores domum Johannis le Noble in parochia de Cosham felonice et intraverunt et ipsum Johannem Aliciam uxorem ejus Willelmum Puk' et Willelmum filium uxoris dicti

<sup>1</sup>.....<sup>1</sup> This note has been deleted.

## CHIPPENHAM VEREDICTUM

Johannis verberaverunt et wlnraverunt, unde dictus Willelmus filius uxoris dicti Johannis le Noble obiit ; et habuit jura ecles'. Et dicti malefactores bona eorum ceperunt et fugerunt. Johannes Noble et Alicia invenerunt plegios sc. totam th'gam de Cosham ; et Willelmus Puke invenit plegios sc. Walterum Attebreche et Thomam de Bruera. Inquisicio inde facta coram domino R. de Mandevill' coronatore etc.

**38** Contigit die Mercurii ante Pentecost' anno regni regis E. tercio [29 May 1275] quod Johannes de Ideshall' veniens de Bathon' extra Chollerne fame et miseria obiit. Reginaldus Benjor ipsum primo invenit ; hutesium levavit et invenit plegios sc. Ricardum le Jevene et Willelmum Ingolf. Inquisicio inde facta coram domino R. de Mandevile coronatore etc.

**39** Contigit in vigilia Sancti Wlstani anno regni regis E. tercio [6 June 1275] quod Elias de la Hele (capiatur) Willelmus Corwy et Ricardus Likefek (capiatur) domum Simonis Langsomer felonice intraverunt ; Willelmum Langsomer [et] Ricardum Langsomer verberaverunt et wlnraverunt, unde idem Ricardus obiit die Jovis post festum Sancte Scolastice anno predicto ; et dictus Willelmus invenit plegios sc. totam the'am de Langul' Burel. Inquisicio inde facta coram domino S. de Boxa coronatore etc.

**40** Contigit die Assumpcionis Beate Marie anno regni regis E. quarto [15 Aug. 1276] quod Johannes Huberd (capiatur) de Stanton' [et] Walterus Harald de eadem Henricum de Clopcote in nudinis de Kyngton' verberaverunt et wlnraverunt, unde obiit ; et dicti felones fugerunt apud Stanton'. Catalla dicti Walteri .xix.s..viiij. d. The'gam [sic] de Stanton' respondet. Inquisicio inde facta coram domino R. de Maundevill' coronatore etc.

**41** Contigit die proxima ante festum Apostolorum Philippi et Jacobi anno quinto [30 April 1277] quod quidam Walterus Edward invenit Walterum Mercatorem jacentem interfectum apud Wordescumb' per malefactores extraneos ; et statim levavit hutesium et invenit plegios silicet Willelmum Bachiler et Johannem Palmer. Inquisicio inde facta coram domino R. Cotele coronatore etc.

**42** Contigit die Veneris post festum Decollacionis Sancti Johannis anno regni regis E. quinto [3 Sept. 1277] quod Robertus filius Galfridi combustus fuit in domo patris ejus, que per infortunium ingne illuminata fuit ; set tamen vixit usque ad tercium diem, et habuit jura ecles'. Inquisicio inde facta coram domino R. Cotele coronatore domini regis.

**43** Contigit die Sabbati ante festum Sancti Petri in Chathedra anno regni regis E. sexto [19 Feb. 1277/8] quod quidam Willelmus de Sent Brelvel et Johannes Crispe simul venerunt de From ; et inter Wadeswyk' et Schawestret dictus Willelmus dictum Johannem et wlnravit et wlnravit [sic] unde obiit. Set habuit jura ecles'. Et dictus Willelmus captus et

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liberatus domino H[ildebrando] de Lond' vicecomiti Wyltes'. Catalla ejus .x.s. The'ga de Haselbur' respondet. Inquisicio inde facta coram domino R. Cotele coronatore etc. ('In decena Atte' Extraneus. Her[edes] Hildebr' Lond' vicecomitis r[espondent] )

**44** Contigit die Sancti Gregorii anno regni regis E. sexto [12 March 1277/8] quod Nicholaus Baron (capiatur) et Rogerus le By venerunt simul de taberna Hugonis Rose enormiter litigando in regia strata ; dictus Nicholaus ipsum Rogerum wlnerauit, unde obiit statim ; et dictus Nicholaus captus et liberatus domino H. de London' vicecomiti. Catalla ejus .xij. d. The'gam de Kyngton' Mich' respondet. Rogerus Pallyncer primus ipsum invenit ; hutesium levavit et invenit plegios sc. Willelmum de Stanton' et Willelmum Russel. Dicunt eciam quod Ricardus Wodeward de Kyngton' presens fuit et hutesium (non) levavit. Inquisicio inde facta coram domino R. Cotele coronatore etc.

**45<sup>2</sup>** Contigit Dominica ante festum Sancti Augustini anno regni regis E. sexto [22 May 1278] quod malefactores extranei et ingnoti apud Wodebrege Johannem Capellanum de Cumbe redeundo de cervis' de Collern' verberaverunt et wlnerauerunt, unde obiit in secunda septimana sequenti ; et habuit jura ecles'. Inquisicio inde facta coram domino R. Cotele coronatore etc.

**46** Contigit die Martis proxima ante festum Sancti Dunstani anno regni regis E. sexto [17 May 1278] quod Walterus North' invenit Angnetem filiam Henrici de Clopcote submersam per infortunium in puteo ejusdem Henrici. Statim levavit hutesium et invenit plegios sc. Willelmum Norh' et Henricum Vincent. Inquisicio inde facta coram domino R. Cotel coronatore etc.

**47<sup>2</sup>** Contigit die Sancti Bartholomei anno regni regis E. sexto [24 Aug. 1278] quod Ricardus Brydel venit inbutus de Cosham et Chippeham et associavit se ad duos extraneos malefactores qui ipsum in eundo versus Stanl' verberaverunt et wlnerauerunt, unde obiit ; set habuit jura ecles'. Inquisicio inde facta coram domino R. Cotal coronatore etc.

(in decena Johannis de la Pleysted' in Haselbur')

**48** Contigit Dominica proxima ante festum Sancti Michaelis anno regni regis E. sexto [25 Sept. 1278] extra villam de Natton' quod Ricardus de Boxa in sultavit Walterum de Porta, qui fugit et hutesium levavit ; et dictus Ricardus ipsum felonice pros[ecutus] ; et cum fugisset ad quoddam fossatum evadere non potuit, set se ipsum defendendo ipsum Ricardum wlnerauit cum quodam mangno baculo, unde obiit tercio die sequenti ;

<sup>1</sup>..... *This note has been deleted.*

<sup>2</sup> *There is a cross in the margin against this entry.*

## CHIPPENHAM VEREDICTUM

et habuit jura ecles' ; et dictus Walterus fugit. Catalla nulla. Inquisicio inde facta coram domino R. Cotel' coronatore etc.

**49** Contigit die Sancti Dionisii anno regni regis E. sexto [9 Oct. 1278] quod Ricardus de Clive de Bromham veniens de Bromham in regia strata insultavit Willelmum Flur de Melkesham ; et dictus Willelmus se defendendo ipsum Ricardum wlnervavit cum quadam hachia, unde obiit die Jovis sequenti ; et habuit jura ecles'. Et dictus Willelmus fugit. Catalla nulla. Inquisicio inde facta coram domino R. Cotel' coronatore etc.

**50** Contigit Dominica proxima ante festum Sancti Vincentii anno regni regis E. septimo [15 Jan. 1278/9] quod Adam Crok' de Cristemaleford' una cum aliis ludebat cum .j. pyla apud Forthewey ; et dictus Adam volens percussit [sic] pilam per infortunium percussit Walterum le Byke ludentem cum eis in capite cum baculo, et nullam plagam ei fecit. Set tamen Adam fugit. Catalla nulla. Et postea idem Walterus infirmabatur et obiit ad festum Conversionis Sancti Pauli anno predicto, et habuit jura ecles', de dicta infirmitate ei per ictum predictum. Inquisicio inde facta coram domino R. Cotele coronatore etc.

**51** Contigit die Sabbati post festum Apostolorum Petri et Pauli anno regni regis E. septimo [1 July 1279] quod Willelmus Brunhird serviens Rogeri de Evesham contra portam Willelmum le Crespe, eo quod attachiavit oves ipsius Rogeri in la Frithgrave, wlnervavit cum quadam sagitta, unde obiit quinto die sequenti ; et dictus Willelmus receptus fuit in domo ejusdem Rogeri post dictam feloniam per .iiij. dies, et postea fugit. Catalla nulla. Inquisicio inde facta coram domino R. de Cotele coronatore etc. (Johanna soror Rogeri de Evesham)

**52** Contigit die Martis proxima ante festum Beati Mathei anno regni regis E. octavo [17 Sept. 1280] quod Johannes Buriman invenit Elenam Pippard de etate .iiij. annorum per infortunium submersam in Weyfere ; qui hutesium levavit et invenit plegios sc. Willelmum Selewyne et Willelmum Smyth' de Cumb'. Inquisicio inde facta coram domino R. de Cotele coronatore etc.

**53** Contigit Dominica ante festum Sancti Michaelis anno regni regis E. .viiij°. [22 Sept. 1280] quod mota fuit contencio inter Henricum Molendinarium de Eston' et Walterum Mol de Bromham ad unam tabernam apud Parvam Scherstan, ita quod dictus Henricus ipsum Walterum wlnervavit cum una hachia, unde obiit ; et habuit jura ecles' ; et dictus Henricus fugit ad curiam Reginaldi Grey, et ibidem rec[eptatus] fuit usque ad diem Mercurii ante festum Sancti Luce Ewangeliste. Catalla ejus .vj. s. v. d. The'ga de Eston' respondet. Inquisicio inde facta coram domino R. de Cotele coronatore etc. (De manupastu Reginaldi le Grey)

COLLECTANEA

**54** Contigit die Jovis ante festum Sancti Petri in Chathedra anno regni regis E. nono [20 Feb. 1280/1] quod Walterus Hardyng obrutus fuit de .j. caretta quam ducebat cum fimo in campo de Alyngton', que per infortunium cecidit super eum, unde obiit. Walterus de Wytewell' primo ipsum invenit ; hutesium levavit et invenit plegios sc. Henricum Conestabl' et Johannem Kyng'. Precium affri et carette dimidia m. The'ga de Kyngton' respondet. Inquisicio inde facta coram domino R. Cotele coronatore etc.

**55** Contigit die Veneris proxima ante Annunciacionem Beate Marie anno regni regis E. ix.º. [21 March 1280/1] quod Ricardus Bulloc in reddeundo de campo ubi plant[avit] fabas invenit Henricum filium suum de etate .ij. annorum per infortunium submersum in quodam puteo ; et statim levavit hutesium et invenit plegios sc. Hugonem Rose, Ricardum de Camera. Inquisicio inde facta coram domino R. Cotele coronatore etc.

**56** Contigit die Martis ante festum Pasche anno regni regis E. ix.º [8 April 1281] quod quidam Johannes Kyng' obrutus fuit de lapidibus que super eum ceciderunt in quadam quarrere in quam operabatur, unde obiit. Et Walterus de Foggom', Johannes filius Cecilie, Johannes de Calna, qui presentes fuerunt, hutesium levaverunt ; invenerunt plegios sc. Johannem de Pleyst', Laurencium de Foggom', Johannem Pynnoc. Precium lapidis et utensilium ejus. viij.d. The'ga de Hasbur' respondet. Inquisicio inde facta coram domino R. Cotele coronatore etc.

**57** Anno L. secundo Ricardus Wyther appellavit Henricum Keynel de insultu.

**58** Anno L. sexto Alicia de Burle appellavit Humfridum Payn de raptu.

**59** Anno tercio Galfridus Dolyn appellavit Willelmum Bachiler, Thomam de Ietton' et Willelmum Bachiler Attetoneshend et Johannem Stormy de roberia.

(Dictum est ei quod sequatur ad proximum)

[m.3]

[8] *De serjanciis [domini regis, que sunt et qui illas tenent et per quem et cujusmodi serjancie ille sint et quantum valent et quod servicium reddunt]*

**60** Dictus Galfridus Gaselyn tenet Chippam et Sihildene per serjanciam ut supra.

[21] *De burgatoribus et aliis [malefactoribus et eorum receptatoribus tempore pacis]*

**61** Ut supra dicitur.

## CHIPPENHAM VEREDICTUM

[28] *Item de defaultis . . . de hiis qui summoniti sunt [venire primo die coram justiciariis et non venerunt]*

**62** Dicunt quod Willelmus de Valance non venit ; Willelmus de Laham, non venit ; comes Cornubie non venit ; Johannes de Vivona non venit quia trans mare ante summonitionem ; Johannes Besille non venit ; (abbas Glovernie;) Reginaldus de Grey non venit.

[38] *Item de hiis [qui] substraxerunt sectas [schirarum comitatuum hundredorum post guerram motam inter regem et barones suos per voluntatem vicecomitis vel ballivorum suorum sine assensu et voluntate domini regis]*

**63** Dicunt quod comes Glovernie subtraxit sectam de Littleton debitam domino regi de tribus septimanis in tres septimanas post gerram motam inter H. regem predictum et barones suos etc. Item dicunt quod Willelmus de Valance subtraxit sectam debitam domino regi de Soppeworþe eodem modo.

**64**<sup>r</sup> (Willelmus<sup>b</sup> Corwy pro roberia ecclesie de Chip'ham).

**65** Contigit quod Willelmus Giffard venit apud Serrestone ad domum Johannis le Botiller et in dictam domum intravit et bona dicti Johannis contra voluntatem suam asportavit.

**66**<sup>r</sup> (Rogerus<sup>m</sup> Danvers de Clere pro roberia facta super montem).

**67**<sup>r</sup> (Alicia<sup>m</sup> filia Margerie de Lacok' pro forcer' burgato et denariis asportatis).

[m.4]

[*Nova Capitula*]

[I] *Que<sup>2</sup> et quot dominica maneria [dominus rex habet in manu sua . . . tam de antiquo dominico corone quam de eschaetis et perquisitis, que etiam maneria esse solent in manibus regum predecessorum regis, qui ea tenent nunc, quo warento et a quo tempore et per quem fuerunt alienata]*

**68** Dicunt quod manerium de Cossam (.c.m.) fuit in manu domini regis H. patris regis qui nunc est de escaeta cujusdam Normanni Willelmi Mauveysur et idem H. rex dedit Ricardo comiti de Cornewaille fratri suo in liberum maritagium cum Scencia uxore sua. Et Edmundus filius dicti comitis tenet nunc dictum manerium ; nescitur quo waranto nec per quot feoda.

<sup>1</sup> The letters b and m stand for bonus and malus, respectively ; see notes.

<sup>2</sup> This entry has a cross against it in the margin.



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**69** Item burgus de Chippham cum manerio de Sildone fuit in manu dicti domini regis H. et idem H. dedit Waltero de Dodrevile; et Galfridus Gacelyn tenet nunc dictum burgum cum dicto manerio ; set nesciunt per quot feda nec per quod servitium.

**70** Item manerium de Westkyngton' fuit in manu domini regis H. predicti de eskaet' Normannorum (Radulfi de Feugers) et idem H. rex dedit Hugoni de Vivona et Johannes de Vivona tenet nunc dictum manerium pro servicio .j. militis fac[iendo](.xx. lib').

**71** Item dicunt quod manerium de Serton' solet esse manerium domini regis H. predicti de eskaeta cujusdam Normanni Johannis de Harecort. Deinde H. rex dedit Matheo de Besiles per cartam suam, quod manerium Johannes filius dicti Mathei tenet nunc faciendo servicium quarte partis feodi .j. militis.

**72** Item dicunt quod manerium de Ropedone quod solebat esse in manu domini regis H. predicti. Deinde rex H. predictus dedit dictum manerium Agneti de Ropedon' redd[endo] per annum per manum suam ad scaccarium domini regis .vii. li. x. s. et Nicholaus de la Hese tenet dictum manerium per eundem [sic] servicium de domino rege.

[3] *De feodis [domini regis et tenentibus suis et qui ea modo teneant de ipso in capite et quot feoda singuli eorum teneant et que feoda teneri solebant de rege in capite et modo tenentur per medium, et per quem medium vel medios, et a quo tempore alienata fuerunt et qualiter et per quos].*

**73** Dicunt quod Petronilla de Monfort tenet manerium de Cumbe et Colerne de rege in capite per baroniam per servicium trium militum.

**74** Item dicunt quod Galfridus Gascelyn tenet de rege in capite manerium de Bideston' et alienatum fuit per Matillidem Imperatricem, que dedit dictum manerium Reginaldo de Burneval ; et nesciunt servic' quo.

**75** Item dicunt quod Willelmus de Wallent' tenet dimidium feodum militis in Soppeworpe de domino rege in capite de baronia W. de Pondelarge.

**76** Item comes Lincoln' tenet unum feodum et dimidium in Workehale et Colerne de rege in capite de honore de Treuburge et Galfridus de Workkeshale tenet dictum feodum et dimidium de dicto comite in dominico. Idem comes tenet unum feodum militare in Boxe de rege in capite de dicto honore et Samson de la Boxe tenet dictum tenementum [de] dicto comite.

**77** Item comes de Cornubia tenet .j. dimidium feodum militis in Haselbir' de rege in capite de honore de Wallingef' et H. Crok' tenet dictum feodum de dicto comite.

## CHIPPENHAM VEREDICTUM

**78** Item comes Marc' tenet .j. fedum militis in Lacham de rege in capite de honore de Hest Strogoyl et Willelmus Bluet tenet dictum tenementum de dicto comite.

**79** Item comes Lincoln' tenet unum feodum militis de domino rege in capite de honore de Troubrigge et abbatissa ejusdem loci tenet dictum tenementum de dicto comite.

**80** Item idem comes tenet duo feda militum in Langeleghe et Tidrington' de rege in capite de honore de Trubr' et Rogerus Burel tenet dicta tenementa de dicto comite de dicto comite [*sic*].

**81** Item Johannes Treygosz tenet unum fedum militis in Tiderhinton Lucas de rege in capite de honore Heuyas et Nicholaus Lucas tenet dictum fedum de dicto Johanne.

**82** Item comes Lincoln' tenet dimidium feodum in eadem villa de rege in capite de honore de Treubrigge et Johanna Turpym tenet dictum tenementum de dicto comite.

**83** Item Johannes Giffard tenet .j. fedum et dimidium in Tidrington' Cayllewey de rege in capite et Johannes Kayllewey tenet dictum tenementum de dicto Johanne.

**84** Item Paganus de Chauwurces tenet dimidium fedum militis de [*sic*] Ardevenehywis de rege in capite et Johannes de Cheverel tenet dictum tenementum de Pagano.

**85** Item abbas Glaston' tenet unum feodum militare in Lageleghe, Swynelegee, Cloppcot' de rege in capite et heredes Jordani Sissoris tenent feodum dictum de dicto abbate.

**86** Item abbas Malmesbir' tenet manerium de Bremell' in puram et perpetuam elemosinam de dono regis Hadelstani.

**87** Item abbas tenet manerium de Aven' de domino rege in capite de Trobrigge et comes Lincoln' tenet dictum manerium de dicto abbate.

**88** Item abbas de Glaston' tenet manerium [*sic*] de Kyngton' Michaelis, Gritellington', Netellington' de rege in capite pertinentia ad barroniam in pur'

**89** Item comes Marescallus tenet .j. feodum in Leye de domino rege in capite de Heststrogol' et Thomas de la Mare tenet dictum fedum de dicto comite.

**90** Heredes Johannis filii Alani tenent .j. fedum in Weyttone de rege in capite de honore de Kyvelee et Robertus Keynel tenet dictum feodum de dictis heredibus.

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**91** Item Robertus de Keynes tenet dimidium feodum milit' in West Westþeytton' de rege in capite et Rogerus de Keyneys tenet dictum dimidium feodum de dicto Roberto.

**92** Item comes Herfordie tenet dimidium feodum in Hortham de rege in capite de Constabul' et heredes Martini de Hortham tenent dictum tenementum de dicto comite.

**93** Item comes Glocestr' tenet .j. feodum milit' de [sic] Littletone Dru de rege in capite et Thomas de Donington' tenet dictum tenementum de dicto comite.

**94** Item comes Herref' tenet .j. feodum milit' in Lokynton' de rege in capite de honore Constabul' et Rogerus de Lokynton' tenet dictum fedum de dicto comite.

**95** Item comes Linc' tenet .j. fedum militare in eadem villa de rege in capite de honore de Treubr' et Osbertus Ruffin, Adam Capellanus, heredes Martini de Hertham, Willelmus de Cosham, Rogerus de Lokinton', Rogerus de Pedeworþe, Ricardus filius Reginaldi, Matillis Fassel tenent dictum tenementum de dicto comite.

**96** Item Petronilla de Monfort tenet .j. feodum militare in Parva Serston' de rege et Willelmus Giffard tenet dictum tenementum de dicta Petronilla.

**97** Item Reginaldus le Grey tenet dim' [sic] de Hestton' Grey de rege in capite per serjantiam pro custodiendo et portando falcones domini regis.

**98** Item abbas Glover' tenet aliam mediam de predicta villa de rege in puram et perpetuam elemosinam ; nesciunt per quem alienatur etc.

**99** Item Rogerus de Mortuo Mar' tenet unum fedum militare de honore de Wygemor' in Alditone de rege in capite et Brianus de Bromton' tenet dictum feodum de dicto Rogero.

**100** Item Johannes Giffard tenet terciam partem .j. militis de rege in capite de honore de Clifford' et heredes Martini de Hertham tenent dictum tenementum de dicto Johanne.

**101** Item Rogerus de Mortuo Mar' tenet dimidium feodum de rege in capite in Surredene de honore de Wygemer et Willelmus de Middelhope tenet dictum tenementum de dicto Rogero.

**102** Item Petronilla de Munfort tenet de domino rege in capite Cumbe et Colerne<sup>1</sup>

**103** Item Budeston' tenetur de domino rege in capite unde domina Matillis imperatrix<sup>1</sup>

<sup>1</sup> These entries are bracketed with the note supra dicetur.

## CHIPPENHAM VEREDICTUM

**104** Item Soppeworþe tenetur de domino rege in capite et sunt eskaet' Willelmi de Pondelargage pro feloniam et Henricus rex pater ejus qui nunc est dedit domino Willelmo de Valant', qui nunc tenet.

[5] *Simili modo inquiratur [de] firmis [hundredorum]etc. [et aliorum reddituum quorumcunque et a quo tempore].*

**105** Dicunt quod hundredum de Chippeham forinsec' datum fuit per dominum H. regem predictum Waltero de Godervyle et Galfridus Gacellin' tenet nunc racione uxoris sue.

[6] *Quot etiam hundreda [etc.] sint nunc in manu domini regis et quot et que sint in manibus aliorum et a quo tempore et quo warento et quantum valeant quelibet hundreda per annum].*

**106** Dicunt quod Galfridus Gascelin tenet hundredum de Chipp' et dominus rex percipit per annum de firma dicta [sic] hundredi et valet .v. marcas.

[7] *De sectis antiquis [et consuetudinibus serviciis et aliis rebus domino regi et antecessoribus suis subtractis et qui ea subtraxerunt et a quo tempore et qui hujusmodi sectas etc. sibi ipsis appropriaverunt et a quo tempore et quo warento].*

**107** Dicunt quod quedam secta debita est ad dictum hundredum et subtractum est per comitem Cornub' et quod Cossam debet sectam ad hundredum forinsecum de Chippeham et substraxit se per Ricardum comitem Cornubie a tempore domini regis H. predicti.

**108** Item West Kyngton' deberet sectam ad idem hundredum de Chippam et substraxit se per Hugonem de Vivona a tempore H. regis predicti.

**109** Item Cumbe et Colerne substraxit [sic] se de eodem hundredo per Walterum Dunstrevile a tempore predicto.

**110** Item Kyngton' Mich', Grutelington', Netelington' subtraxerunt se de secta [ad] hundredum de Chippam forinsecum a tempore H. regis predicti per abbatem de Glaton' [sic]; nescimus quo warento.

**111** Item Stanleghe substraxit se de secta ad idem hundredum per abbatem de eodem.

**112** Item Litleton' Dru substraxit se de secta dicti hundredi per comitem Glov' a tempore H. regis predicti.

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[8] *Qui alii a rege clamant [habere returnum et extractas brevium . . . et alias libertates regias, ut furcas, assisam panis et cervisie et alias que ad coronam pertinent, et a quo tempore].*

**113** Dicunt etc. quod Galfridus Gascelin clamat habere returnum brevium et assisam panis et cervisie [et] furcas apud Chippam ; nescimus quo waranto.

**114** Item abbatissa de Lakoc clamat habere assisam panis et cervisie de eadem et furcas ; nesc' quo waranto.

**115** Item Edmundus comes Corn' clamat habere assisam panis et cervisie [et] furcas, nesc' quo waranto, apud Cossam.

**116** Item domina Petronilla de Monfort clamat habere assisam panis et cervisie apud Combe et Colerne ; nesc' quo waranto.

**117** Item dominus Willelmus de Valanc' habet furcas apud Soppewor' ; nesciunt quo waranto.

**118** Item abbas Glaton' clamat habere assisam panis et furcas apud Kyngton' Mich', Grotinlinton', Netlinton' ; nesciunt quo waranto.

**119** Item Johannes de Vivona clamat habere assisam panis et cervisie et furcas apud Westkington' ; nesc' quo waranto.

**120** Item dominus Reginaldus de Grey et abbas Glovern' clamant habere assisam panis et cervisie apud Hesttone Grey ; nesciunt quo waranto.

[9] *De hiis qui habent libertates per reges<sup>1</sup> Anglie sibi concessas [et aliter usi fuerunt quam debuissent, et a quo tempore et quo modo].*

**121** Dicunt [quod] in hundredo forinceco de Chippam non solebant esse nisi duos bedellos pedes [sic] et nunc sunt duo eques et .iiij. pedes et hoc ad magnum gravamen hundredi.

[II] *Qui eciam de novo appropriaverunt sibi liberas chacias [vel warennas sine warento et similiter qui ab antiquo hujusmodi chaceas et warennas ex concessione reg' habuerint et fines et metas eorum concesserint<sup>2</sup> et a quo tempore].*

**122** Dicunt quod comes Corn' habet warannam apud Cossam ; nescimus quo waranto.

<sup>1</sup> *The Pucklechurch verdict reads legem ; Statues of the Realm reads regem.*

<sup>2</sup> *Sic Pucklechurch. Statutes of the Realm reads extorserunt. Recte excesserint?*

## CHIPPENHAM VEREDICTUM

[m.5]

**123** Item Johannes de Vivona habet warennam apud Westkington'; nesciunt quo waranto.

**124** Item abbas Malmesbir' habet warennam apud Bremel; nesciunt quo waranto.

**125** Item abbas Glaston' habet warennam apud Kymton' Mich'; nesc' quo waranto.

**126** Item Rogerus de Lokynton' habet warennam apud Lokinton'; nesc' quo waranto.

[13] *Item de omnibus purpresturis [factis super dominum regem vel regalem dignitatem, per quos facte fuerint et qualiter et quo tempore].*

**127** Dicunt quod abbas de Stanleghe fecit purprestur' super dominicum regis apud [sic] in bruer' infra forestam de Peuesham appropriando et claudendo sibi triginta acras a tempore .viij. annorum.

**128** Item Johannes persona de Keylewey levavit quoddam fossatum super viam regiam in villa de Kaylewey (.j. rodam terre) ad nocumentum vie regie a tempore quinque annorum elapsorum.

[14] *De fedis militaribus cujuslibet [feodi aut terris aut tenementis datis vel venditis religiosis aut aliis in prejudicium regis, per quos et a quo tempore].*

**129** Dicunt quod Henricus Kaynnel de Iatone vendidit .j. carrucatum terre in villa de Iatone cum advocacione ecclesie ejusdem ville abbatis [sic] de Stanleghe in prejudicium regis a tempore duodecim annorum.

[15 and 16] *De vicecomitibus capientibus munera [ut consentiant ad concelandum felonias factas in ballivis suis, et qui negligentes extiterint ad felones attachiandos quocumque favore tam infra libertates quam extra; simili modo de clericis et aliis ballivis] etc.*

**130** Dicunt quod Robertus Stoket ballivus hundredi cepit de Henrico Molendinario de Hestton' Grey dimidiam marcam, qui capi debuit quia [in]dict[atus] fuit ad turnum vicecomitis pro roberia facta apud Soppeworpe super Robertum le Brok tempore patris tempore [sic] H. regis predicti.

**131** Item idem Robertus Stoket cepit (in decena Ricardi le Yonge de Heston' Grey) de Rogero messore domini de Serindone dimidiam marcam

## COLLECTANEA

quia habuit .xvi. multones furatos et dimitteret ipsum ewadere ; et predictus Rogerus fur' meremium in curia domini sui ad valorem .vj. s. et posuit dictum meremium ad domum Ricardi fratris Rogeri in dicta villa de Cerindone ; et ideo dictus Robertus Stoket cepit de dicto Ricardo pro recept[amento] .v. s.

**132** Item idem Robertus Stoket cepit Agnetem le Burg' de Cerindene et eam duxit ad domum suam apud Chippam et ibi eam inprisonavit per unam septimanam ; et interim perexit ad domum Agnetis apud Cerinden' et ibi cepit unum bovem ad valorem .vj. s. et .xix. bidentes dimidium quarterium frumenti dimidium quarterium fabarum et panem de dimidio quarterio bladi ibidem invent' ; et inposuit super dictam Agnetem quod recepit .ij. filios felon' ; et postea dimisit eam ewadere et omnia predicta sibi retinuit.

**133** Item quidam extraneus (Johannes le Waleys fregit) domum domini Osberti de Avenebir' apud Hortam et ibi cepit caseos ; venit ballivus dicti Osberti et cepit latronem cum hutesio et ipsum inprisonavit ; venit Robertus Stoket et cepit ab ipso munera ut posset evadere ; nesc' quid.

**134** Item quidam extraneus transiens per mediam villam de Tiderinton' Lucas ; idem Robertus Stok' venit et inposuit quod fuit latro et cepit ab ipso unam (super)tunicam et dimisit ipsum abire.

**135** Item Walterus Gille de Chippam mactavit uxorem suam et post factum receptus fuit ad domum Roberti predicti Stoket consensu (Eve) uxoris predicti Roberti cum catallis suis per octo dies et postea evasit.

[18] *De vicecomitibus et aliis ballivis [qui ameriaverunt illos qui summoniti fuerunt ad inquisitiones faciendas per preceptum domini regis pro defalta cum per eandem summonicionem persone venerint sufficientes ad hujusmodi inquisitiones faciendas, et quantum ceperint occasione predicta, et quo tempore].*

**136** Dicunt quod predictus Robertus Stoket cepit de Nicholao Albo de Lokintone .iiij.s. .iiij. d., qui summonitus fuit coram justiciariis domini regis apud Wilton' ad deliberacionem gaolie (cum) de falt[a] non fuer[it] coram justiciariis tempore domini regis H. predicti.

**137** Item idem Robertus Stoket cepit de Roberto Dru de Littleton' pro eodem .iii. s. quatuor d.

**138** Item idem Robertus Stoket cepit de Roberto Albo de Nactone pro eodem .iiij.s. .iiij. d.

## CHIPPENHAM VEREDICTUM

[24] *Item qui receperunt debita domini regis [vel partem debitorum et debitores illos non inde acquietaverunt].*

**139** Dicunt quod Thomas Royly americiatus fuit coram justiciariis apud Sarrum ad deliberacionem gayolie in .iij.s. .iiij.d. et solvit dictos denarios Roberto Stoket et non potuit habere ab eo talliam ; iterum lev[avit] pro dicta de falta de dicto Thoma .x.s. et tradidit ei talliam de .iij. s. .iiij.d.

[26] *Item si vicecomites aut ballivi cujuscunque libertatis [non debito modo fecerint summoniciones secundum formam brevis domini regis, vel aliter fraudulentem seu minus sufficienter executi fuerint precepta domini regis prece, precio vel favore, et a quo tempore].*

**140** Dicunt [quod] Robertus Stoket ballivus de Chippeham quoscunquc habuit mandatum domini regis sum[monendi] .xij. liberos et .iiij. villas summonuit omnes liberos et villas de balliva sua.

[28] *De hiis qui habuerunt probatores [imprisonatos et fecerunt eos appellare fideles et innocentes causa lucri et quandoque eos impedierint ne appellarent culpabiles, et per quorum procuracionem talia facta fuerint, et a quo tempore].*

**141** Dicunt quod quidam Johannes Giffard de Westkynttone captus fuit pro latrocinio ; dum modo fuit in custodia Roberti Stoket fecit dictum latronem appellare fideles scilicet Johannes [sic] Artur de Westkinton' et Humfr' de Meredig et Adam de Wyke ; et dictus Robertus Stoket pro appellacione cepit [de] predictis fidelibus .xl. s. ; et postea duxit dictum latronem ad prisonam Sarrum ; et postea suspensus fuit.

[27] *Qui habuerunt felones inprisonatos [et pro pecunia eos abire et a prisona evadere permiserint liberos et impunes] etc.*

**142** Nichil nisi ut supra.

[38] *Item [de escaetoribus et subescaetoribus] cujusmodi terras seysierunt [et per quantum tempus eas in manu domini regis tenuerunt].*

**143** Dicunt [quod] dominus Stephanus de Roys subescaetor seyssiavit medietatem de Ropedone in manu [sic] domini regis, quam Nicholaus de la Hese tenet nunc ; habuit seysinam a festo Sancti Michaelis anno regni regis E. secundo [29 Sept. 1274] usque ad diem Sabbati proximum ante festum Sancti Gregorii proxime sequens [9 March 1275] et cepit de dicta (terra) .vi. li.

De ceteris capitulis tactis nichil quam quod supra dicitur.



COLLECTANEA

[1d] Hundredum forinsecum de Chippam [*contemporary*]

Wiltes' [*seventeenth century*]

Chippenham [*nineteenth century*]

ADDENDA

*The four cases which follow are crown pleas which did not arise from any presentment in the veredictum ; the words and phrases in italic type are those margined in the roll. One case in the Crown Pleas of the hundred [R.47] seems to have been entered there merely for convenience, since none of the persons named in it belonged to the hundred nor were the fines imposed in it included in the Chippenham section of the Amercements Roll. The next case [R.48] is that here numbered 144. Nos. 145-6 are crown pleas that emerged after the opening of the eyre ; they were heard in the autumn sessions at Marlborough, being entered after the pleas of Ludgershall manor [J.I. 1/1005, m.157]. No. 147 is a plaint heard at the Marlborough sessions id., m.166 d.].*

**144** Robertus Stoket, captus pro morte Rogeri le Knyght, venit et defendit mortem et totum et quicquid est contra pacem et de bono et malo ponit se super patriam. Et milites ad hoc electi, simul cum xij juratoribus istius hundredi, dicunt super sacramentum quod predictus Robertus culpabilis est de predicta morte. Ideo etc. (*suspensus*). Catalla eius .xiiij. li. vj. sol. .iiij. d. unde vicecomes respondebit. Idem habuit terram unde annus et vastum .iiij. m. x. s. unde idem vicecomes respondebit. Post venit Nicholaus de la Hese capitalis dominus eiusdem Roberti de quo ipse tenuit in capite et finem fecit pro anno et vasto eiusdem tenementi per .v. m. per plegium Henrici de la Boxe, Walteri Dru, Roberti Keynel et Johannis de Hertham. Et vicecomes inde deoneratur. R.48

**145** Adam Hotheles posuit se in ecclesia de Sherstone et cognovit se esse latronem de pluribus latrociniis et occidisse Rogerum le Noreys, et *abjuravit* regnum coram coronatore. Catalla eius .iiij. s. . unde vicecomes respondebit. Et non fuit in decenna set fuit de manupastu Johannis de Besile; ideo in *misericordia*.

**146** Thomas filius Ade de Puteo de Bremel cecidit de quodam arbore in Bremel unde obiit. Primus inventor venit et non malecreditur, nec aliquis alius. *Judicium infortunium*. Precium arboris .vj. d. . (*margin : deodanda .vj. d. .*) unde vicecomes respondebit.

**147** Presentatum est per juratores hundredi de Chyppenham quod Robertus Kaynel cepit de qualibet caretta mercatoria transeunte per mediam ville de Yatton' duos denarios per annum, nesciunt quo warranto. Et Robertus venit et dicit quod ipse nunquam huiusmodi custumam cepit nec capere clamat. Tamen dicit quod si aliqua caretta a casu transeat ultra terram suam extra viam regiam ipse devadit eis et cepit inde

## CHIPPENHAM VEREDICTUM

emendas; et quod alio modo non capit emendas nec custumam nisi in forma predicta petit quod inquiratur. Et juratores ad hoc electi dicunt super sacramentum suum quod predictus Robertus nunquam cepit aliquam custumam de aliqua caretta transeunte per regiam viam ; set si caretta transeant ultra terram suam sine licencia sua ipse capit emendas prout ei bene licitum est et non aliquo alio modo. Ideo Robertus inde sine die.

## NOTES

**1** There is some doubt about the exact composition of this jury. Thomas de la Mare and William de Middelohe or Middelhohe were the two electors. The calendar in Roffa's roll gives the rest thus : Henry de la Boxe, Walter Dru, John Kayleway, Roger de Pedeworth', John de Hoertham,<sup>1</sup> Richard Ive, Robert de Ashley,<sup>2</sup> Thomas Royley (the whole name written over an erasure, in a different hand), Robert Kaynel, Robert Dru (the surname over an erasure) and Robert Ruffin. In other words it omits one man, Robert Wayfer, who is in the *veredictum* but includes two who are not : Royly and Robert Drew. The calendars in the Rex roll and Boyland's roll, however, both omit Robert Dru but complicate matters by giving yet another name not in the *veredictum* : Reynold Burel, in the place where Roffa's roll has Royley. In addition, the last name in the Rex roll was originally Robert Wayfer, but the surname has been deleted and 'Ruffin' added above. So Roffa's roll has thirteen names and the two other rolls twelve, none agreeing completely with the list of the *veredictum*. None of the jurors is mentioned as such in the crown pleas of the hundred ; but at the foot of a preceding membrane, where some odd notes are jotted down,<sup>3</sup> a clerk has noted that 'Thomas de la Mare, Robert Kaynel, Robert de Asle, Reynold Burel, Robert Wayfer', jurors of Chippenham hundred, are in mercy for contempt.' This suggests that Burel and Wayfer acted. But in the Amercements roll the fine of four marks paid by the jury to cover all their offences (*cf.* notes **15, 22**) is recorded as 'From Thomas Reyly and Robert Dru, a fine for themselves and their fellows' which makes it certain that they also acted. Each one of the fourteen persons concerned can be satisfactorily identified as a tenant in the hundred, so the problem cannot be solved by suggesting that two men each had two surnames.

The foot of a membrane was a place in which clerks often jotted down notes which have no connexion with the pleas above ; two such notes concerning the jury have been found.<sup>4</sup> The first records that twelve jurors of Chippenham hundred and twelve of Bradford are in mercy for an exceeding contempt and are amerced at £10. The other records that Robert Dru and Thomas Royley have fined 10s. for a trespass, by the

<sup>1</sup> The Rex roll has *Horcham* ; Boyland's roll has *Horeham*.

<sup>2</sup> The Rex and Boyland's roll have *Asheley*.

<sup>3</sup> *J.I. 1/1105, m. 122.*

<sup>4</sup> *Ibid., mm. 133, 141.*

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pledges of Henry de Gatestret, John de Hertham, Robert Kaynel and John Bulbe of Chippenham. Neither amercement nor fine appears in the Amercements roll.

**2, 3-59** Articles 1 and 2 form a single article in 1194 ; they are discussed above, pp. 000-0. The record of each plea is given in translation, within quotation marks, being taken from the main roll of the eyre, that of Solomon de Roffa (*J.I.* 1/1005, *mm.* 134-5) ; where no plea occurs the fact is noted. For convenience the pleas have been assigned a number according to their order in the roll ; this number is given at the end as R.1, R.2, etc. Where necessary reference is also made to the parallel record in the subsidiary rolls, the Rex or King's attorney's roll (*J.I.* 1/1001, *mm.* 16-17) and those of the puisne justices Boyland (*J.I.* 1/1003, *mm.* 17/18d-18/19d) and Fawkes (*J.I.* 1/1004, *mm.* 84/87-85/88). These have been collated for the record of pleas but not for minor differences (of which there are few) or for variations in the spelling of proper names. It was the practice of the clerks to marginate certain matters, though they sometimes omitted to do so. Matter which is marginated and occurs also in the text is given in *italic type* ; where it does not occur in the text it is given in *italic type* within round brackets, ( ). The phrases so marginated are : (i), procedural, namely, judgments of murder, misadventure, hanging and acquittal ; orders for arrest, committal to gaol, exaction and outlawry or waiving ; notes of adjournment ; (ii) fiscal, namely, putting in mercy, the value of fines made to compose offences, felons' chattels and the year and waste of their lands ; (iii) notes of deodands and their value. The fiscal marginalia in the main plea roll were deleted when the Amercements roll was prepared.

The Amercements roll, cited as AR, is filed up at the end of Boyland's roll (*mm.* 49-59). The details from it, summarized above (pp. 00-00), are introduced at the appropriate place in the record within square brackets, [ ]. Variations in the spelling of proper names in AR are given in footnotes. Since the plea roll record usually supplies all that is necessary by way of comment on the presentment of the *veredictum* the additional notes are concerned mainly with points arising from the plea roll record and Amercements roll.

There are 48 entries in the crown pleas of Chippenham hundred. The following are translated in full in the notes : nos. **1-37** in notes **2-59** ; no. **38** in note **62** ; no. **39** in note **64-7** ; no. **45** in notes **130-5**. The substance of entries concerning royal rights, nos. **40-44** and **46**, is given in the appropriate notes. The text of no. **48** is given as *Addenda*, no. **144**. No. **47** does not seem to be a Chippenham plea and is, therefore, omitted.

**2** The record of this case in the extant roll of the eyre of 1268 (*J.I.* 1/998A, *m.* 40) shows that some time before that eyre was held Reynold<sup>1</sup> appealed Adam the man of Amisius the clerk of mayhem, wounding and robbery, Amisius himself of commanding the deed, and William Harre of aiding and

<sup>1</sup> He is there called *Reginaldus Cocus de Westkynton*'.

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abetting. Adam did not appear in the county court to stand to right against Reynold's appeal, so he had been outlawed before that eyre began. Amisius and William had both appeared at the second county court at which Reynold made suit and had then been mainprised to answer at the next eyre ; but neither appeared in eyre. Amisius' mainpernors were then dead and so could not be amerced. Reynold was told to make suit against him until he was outlawed, and was allowed to count the eyre itself as a session of the county court to rank towards the five needed for outlawry.<sup>1</sup> William's mainpernors had been : John Mussum of Estbedewynde, Robert Robyn, Nicholas de la Strete, John de Rygge and Adam the clerk of Neuton' ; they were put in mercy and Reynold was similarly told to proceed against William. Like the *veredictum*, the eyre roll has nothing to say about Amisius ; its record is as follows : ' Concerning old pleas of the crown : they say that Reynold le Keu appealed William le Hare of mayhem, robbery and breaking the King's peace, before the eyre of N. de Turri, who last itinerated in this County. It was left unfinished before him, Reynold being told to pursue his appeal in the county until outlawry, if W. did not appear. When the eyre was over R. pursued his appeal in the county until W. was outlawed. The whole county records this. W. had no chattels, nor was he in tithing but he was of the mainpast of Parnel de Vyvoun, so she is in *mercy* [10 li.].' R.1

**3 and 4** These cases do not appear in the eyre roll.

**5** ' Evildoers unknown killed William Lightfot of Wrockeshale and John of Estwell' and fled at once. It is not known who they were. The first finder comes and is not suspected. No Englishry. Judgment : *murder* on the Hundred. The townships of Wrockeshale [10 s.], Abbot's Kington' [1 M.], Sclareford' [10 s.] and Budeston' [1 M.]<sup>2</sup> did not make suit so they are in *mercy*.' R.2

According to the AR the suit in which the townships failed was in not attending the inquest. Biddestone's amercement included another offence recorded in no. **12** below and the amercement of Abbot's Kington presumably included the offence recorded against West Kington in no. **25** below.

**6** This case does not appear in the eyre roll.

**7** ' Robert le Ster and Thomas Abbot fought with each other in the Abbot of Kyngeswod's court<sup>3</sup> so that R. struck T. with a hatchet, whence he died at once. The first finder comes and is not suspected. R. fled at

<sup>1</sup> *Et presens iter allocabitur ei pro uno comitatu.* The justices were probably reckoning from the court at which Reynold had begun his appeal and not from the next court, at which the appellees would first have been solemnly summoned, or exacted ; so Reynold had probably to make suit at two more courts before Amisius and William were outlawed. For a similar allowance made by the justices in our eyre see no. 59 below.

<sup>2</sup> AR gives : Wroxhale, Westkyngton', Slatheneford' and Bodeneston'.

<sup>3</sup> *Curia* has the sense here of courtyard or buildings.

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once and is suspected, so *let him be exacted and outlawed*. His chattels : 2 *d.*, on which the sheriff must answer. He was in the tithing of Richard le Rede of Aderington', so it is in *mercy* [ $\frac{1}{2}$  M.] The townships of Great Sherston'<sup>1</sup> [40 s.] and Shurdon'<sup>2</sup> [ $\frac{1}{2}$  M.] did not make suit, so they are in *mercy*. The township of Lokynton' did not come to the coroner's inquest, so it is in *mercy* [10 s.].'

R.3

In addition to the amercement on Richard le Rede's tithing, the township of Alderton was amerced 1 M. (altered from 40 s.) for not arresting Robert. The amercements on Alderton, Luckington and Great Sherston are said to include other trespasses.

**8** ' Robert Hathewy the servant of Robert de la Croyz<sup>3</sup> waylaid Robert in Netleton' town and insulted him because he had withheld his wages. So R. de la C. struck R.H. in the belly with a knife, whence he died the third day after. R. de la C. fled at once and is suspected so *let him be exacted and outlawed*. His chattels : 100s. 4*d.*, on which the Abbot of Glastonbury must answer. He was in the tithing of Netleton', so it is in *mercy*. The townships of Alinton'<sup>4</sup> [1 M.] and Latton' [10s.] falsely appraised those chattels, so they are in *mercy*. No Englishry. Judgment : *murder* on the town of Netleton', because it does not participate with the hundred [40s.].'

R.4

Nettleton's amercement, and another which it incurred in no. **48** below, is absorbed in the murder fine. The difference in the value of Robert's chattels from that mentioned in the *veredictum* is substantial ; the identification of the two townships responsible for the false appraisal is uncertain. Possibly they are Allington and Yatton.

**9** This case does not appear in the eyre roll.

**10** ' Richard le Fotour and Richard de Grotenham, out of an old hatred between them, fought with each other in Westyatton' town. R. le F. beat R. de G. whence he died the third day after. R. le F. fled at once and is suspected, so *let him be exacted and outlawed*. He had no chattels and was in the tithing of Westyatton', so it is in *mercy* [ $\frac{1}{2}$  M.]. The townships of Culerne'<sup>5</sup> [1 M.] and Yatton' Caynel [ $\frac{1}{2}$  M.] did not pursue, although this happened by day, so they are in *mercy*.'

R.5

The AR appears a little confused over this case, since it describes West Yatton's amercement as for the flight of R. le Futer and Colerne's as for harbouring him outside the tithing, that is, permitting him to live in the place without being in tithing ; from the *veredictum* and the roll it should be *vice versa*. Yatton's amercement seems also to include offences in nos. **24** and **43** below.

<sup>1</sup> The roll has : *magna de Sherston' Shurdon'*.

<sup>2</sup> AR gives : Sholden'.

<sup>3</sup> AR gives : Robert de Cruce.

<sup>4</sup> AR gives : Alyngton'.

<sup>5</sup> AR gives : Colerne.

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**11** ' Robert le May and John le Kent fought each other in Yatton' town, so that R. killed J. and fled. He is suspected so *let him be exacted and outlawed*. He had no chattels and was in the tithing of Sevenhamton',<sup>1</sup> so it is in *mercy*. The townships of Ertham [ $\frac{1}{2}$  M.] and Herdenhewys<sup>2</sup> [ $\frac{1}{2}$  M.] did not make suit so they are in *mercy*. No Englishry. Judgement : *murder on the hundred*.' R.6

Sevington's amercement was originally fixed at  $\frac{1}{2}$  M. ; but then Leigh's amercement, from no. **13**, was combined with this, *Legh'* being added over a caret and 1 M. substituted for  $\frac{1}{2}$  M. which was deleted. This must have been done because the two places were closely connected.

**12** ' Richard Capun and Adam de Wynesle fought each other in Budeston' town so that R. killed A. and fled at once. He is suspected so *let him be exacted and outlawed*. He had no chattels but he was harboured in Budeston' outside the tithing, so it is in *mercy*. The town of Boxe did not make suit, so it is in *mercy* [ $\frac{1}{3}$  M.].' R.7

Biddestone's liability in this case is included in the amercement in no. **5** above.

**13** ' Henry de la Legh' assaulted Adam de Morshagh' in the house of Robert de Morshawe and A., in defending himself, killed H. with a knife and fled at once. He is suspected so *let him be exacted and outlawed*. He had no chattels and was not in a tithing, being a clerk. The town of Legh' did not arrest him, although this happened by day, so it is in *mercy*.' R.8

Leigh's amercement was combined with that of Sevington in no. **11** above.

**14** ' Evildoers unknown killed Alexander Seman in Kyngeswod' wood and fled at once. It is not known who they were. No Englishry. Judgement : *murder on the hundred*. The town of Kingswod' did not make suit, so it is in *mercy* [10s.].' R.9

According to the AR, Kingswood did not come to the inquest.

**15** ' Henry de Bysele was grinding<sup>3</sup> a scythe on a stone revolving in water.<sup>4</sup> The stone broke in two so<sup>5</sup> that H. fell on the scythe, whence he died the second day after. The first finder and the four neighbours come and are not suspected nor is anyone else. Judgment : *misadventure*. The price of the stone and scythe : 6s. (*deodand*), on which the sheriff must answer. It is testified by the twelve that the Abbot of Kyngeswod' took the deodand without warrant, so he is in *mercy* [40s.]. The twelve concealed the deodand, so they are in *mercy*.' R.10

<sup>1</sup> AR gives : Sevenhampton.

<sup>2</sup> AR gives : Herdon' Hywyz.

<sup>3</sup> *mollendinavit*.

<sup>4</sup> *super quendam Petram currentem per Aquam*, presumably a treadle-operated whetstone.

<sup>5</sup> *fregit per medium*.

## COLLECTANEA

Presumably the concealment of the deodand means that the jurors had undervalued it in the *veredicta*.

**16** ' Evildoers unknown killed Richard le Wodeward in Brembelwyk' and fled at once. It is not known who they were. The first finder comes and is not suspected. No Englishry. Judgment : *murder* on Brembelwyk' because it does not participate with the hundred [2 M.]. William Paris', Gervase de Foxham, Ellis atte Hide and William atte Wyke falsely presented themselves as neighbours, so they are in *mercy* [ $\frac{1}{2}$  M.]. The town of Little Sherstan did not make suit, so it is in *mercy* [ $\frac{1}{2}$  M.].' R.11

Little Sherston's amercement includes another offence, in no. **24** below. The AR is confused and in error about the neighbours ; it records the amercement as on William Parys a neighbour, for not coming, and on Gervase de Foxham and Elias atte Heye, his pledges. It does not mention William atte Wyke. Presumably they represented themselves as the four next neighbours at the inquest when they were not so.

**17** ' Nicholas Serjaunt, in loading a cart with corn in the harvest, fell from the cart, whence he died. The first finder comes and is not suspected, nor is anyone else. Judgment : misadventure. The price of the cart and horse : 9s. 6d.<sup>1</sup> (*deodand*), on which the sheriff must answer.' R.12

**18** This case does not appear in the eyre roll.

**19** ' Ralph de la Legh' and Thomas de Bereford were under the grove of Brockeke, where R. killed T., robbed him of his goods and buried him there. He fled at once, was arrested at Farle and sent to Salisbury Castle and there died in prison. He had no chattels. The first finder comes and is not suspected. No Englishry. Judgment : *murder* on the hundred. The towns of Pyckwyk' [ $\frac{1}{2}$  M.] and Gatesterte [ $\frac{1}{2}$  M.] and Cosham [2 M.] did not come fully to the inquest before the coroner, so they are in *mercy*.' R.13

The AR has Pickwick and Gastard amerced for false presentation, which is a mistake. Corsham's 2 M. is said to be due for a murder fine and other offences, implying that its amercement in this case has been absorbed by its liability under no. **47** below.

**20** ' Evildoers unknown killed Roger de la Forde as he was fishing in the river of Wefre. The first finder comes and is not suspected. They fled at once and it is not known who they were. No Englishry. Judgment : *murder* on the hundred. The town of Cumbe did not make suit, so it is in *mercy* [1 M.].' R.14

The AR makes Combe's liability a murder fine, the same as Corsham's in the preceding case, although this murder fine was adjudged on the hundred ; for a possible explanation see no. **41**, below.

**21** This case does not appear in the eyre roll.

<sup>1</sup> The 6 d. is interlineated in the text and seems to be a later addition in the margin.

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**22** 'Walter Gordan and Gilbert le Botour his fellow killed Richard Ryed at Hachiete. The first finder comes and is not suspected. They fled at once and are suspected, so *let them be exacted and outlawed*. They had no chattels, nor were they in tithing being strangers. The twelve made no mention of the finder nor of anyone concerning this sort of felony, so they are in *mercy*. The town of Langevil' Burel<sup>1</sup> did not make suit, so it is in *mercy* [20s.].' R.15

It is not clear from the *veredicta* in what respect the jurors had failed. Langley Burrell's amercement included its liability for another offence in no. **30**.

**23** This case does not appear in the eyre roll.

**24** 'An unknown man was found killed at Bicstapele in the town of Gritelyngton'. It is not known who killed him. The first finder has died. No Englishry. Judgment: *murder* on Gritelyngton<sup>2</sup> because it does not participate with the hundred [2 M.]. The towns of Yatton' and Little Sherston' did not come to the inquest before the coroner, so they are in *mercy*. Later it is testified by the twelve that the stranger was lodged at the house of Roger le Wrie of Gritelyngton' who, together with his brother Walter, killed the stranger and carried him away to the place where he was found. So *let them be arrested*. Later the sheriff testifies that R. le Wrye and W. his brother were not found and, being now summoned, they withdrew themselves and are suspected. So *let them be exacted and outlawed*. Roger's chattels: 64s. 8d., on which the Abbot of Glastonbury must answer. W. had no chattels. Both were in the tithing of Greyelyngton', so it is in *mercy*.' R.16

This case provides an example of additional matter being elicited by the justices when the plea was heard. The first *postea* in the plea roll has every appearance of being written at the same time as the rest of the record; at the same time the clerk must have added the brief note about Roger on the *veredictum*. The second *postea* has been added later in space left blank for a slightly longer conclusion, for the clerk had to allow space for an account of the trial which would have taken place if arrests had been made.<sup>3</sup> In the next eyre, of 1289, among the old crown pleas (*J.I.* 1/1011, m. 49 d.), it was reported that Roger le Wrye, put in exigent in the last eyre, had surrendered, been gaoled and then tried at a delivery before William de Brayboef and John de Grymsted, when he was acquitted. Grittleton's amercement is absorbed in its murder fine; Yatton's amercement is absorbed in its offence in no. **10**; Little Sherston's amercement is absorbed in its offence in no. **16**.

**25** 'Richard de Hyweye and Stephen his groom, who is under age, by cover of night came to the house of Ellis le Nethere of Haselholte, burgled the house and entered it. E.'s son William, discovering this, raised the

<sup>1</sup> AR gives: Langelegh Burel.

<sup>2</sup> AR gives: Gretlynton.

<sup>3</sup> The three other rolls also have both *postea*s.



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hue and the bailiffs and neighbours came and tried to arrest J. and S.<sup>2</sup> J., not allowing himself to be arrested, in defending himself wounded some as a result of which he was himself wounded, so that on the third day after he died. The jury on being asked if he could have been taken in any other way say no. He had no chattels. Stephen was arrested. Since it was established before the Justices that he was under age, they therefore permitted him to go away.' R.17

**26** ' John Waleys, wishing to water a draught beast, by misadventure fell from the beast, whence he died. The first finder comes and is not suspected nor is anyone else. Judgment : *misadventure*. The price of the beast :  $\frac{1}{2}$ M., on which the sheriff must answer. The town of Lacok falsely appraised the deodand, so it is in *mercy* [20s.].' R.18

Lacock's amercement includes another offence, in no. **30** below. Immediately after it in the AR the town of Stanley is amerced  $\frac{1}{2}$  M., also for false presentation and other offences, though it is nowhere put in mercy in the roll.

**27** and **28** These cases do not appear in the eyre roll.

**29** ' Richard le Blund, a boy under age, was wounded by a boar, whence he died. The first finder comes and is not suspected, nor is anyone else. Judgment : *misadventure*. Price of the boar : 2s. (*deodand*), on which the sheriff must answer.' R.19

**30** ' William son of Roger and Alfred Martin, stranger thieves, put themselves in Lacok' church, admitted themselves to be thieves and *abjured* the realm before the coroner. Nothing is known of their chattels or tithings since they were strangers. Because this happened by day and the town of Lacok did not arrest them it is in *mercy*.' R.20

Lacock's liability is absorbed in the amercement in no. **26** above.

**31** ' William Body, Thomas Buchard and Adam Bever beat and wounded Richard de Budeston' at Stokemed', whence he died. The first finder comes and is not suspected. They fled at once and are suspected, so *let them be exacted and outlawed*. They had no chattels nor were they in tithing, being strangers. And the towns which before etc.' R.21

Some towns, probably including Biddestone, did not pursue or did not attend the inquest or did not attend it fully ; they have already been put in mercy for this or another offence, so the clerk does not bother to particularize them.

**32** and **36** ' Evildoers unknown killed Agnes Swones at Pichinghull' and Walter Soriso at Stopeford. They fled at once. It is not known who they were. The first finder [*sic*] comes and is not suspected. No

<sup>2</sup> The roll here makes a series of mistakes. Richard becomes John and at first has no companion ; then Stephen's name was added over a caret. In the next sentence it is Stephen who is wounded and dies, nothing being said of John. For J. read R.

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Englshry. Judgment : *murder* on the hundred. The towns of Pichinghull<sup>1</sup> [ $\frac{1}{2}$  M.] and Stopeford<sup>2</sup> [ $\frac{1}{2}$  M.] did not make suit, so they are in *mercy*.' R.22

The two separate presentments of the *veredicta* were presumably taken together since in each the murderers were unknown and judgment lay against the hundred. Sopworth's amercement included its liability in no. **33**.

**33** ' William de Maundevill' and William son of John fought each other so that W. de M. killed W. son of J. in Langelegh' town. The first finder comes and is not suspected. W. fled at once and is suspected, so *let him be exacted and outlawed*. He was in the tithing of Nicholas de la Cornere of Tyderington', so it is in *mercy* [ $\frac{1}{2}$  M.]. The towns of Kyngeswode, Shopworth' and Eston' Grei [16s. 8d.] did not make suit, so they are in *mercy*.'

R.23

Kingswood's liability is absorbed in its amercement under no. **14** above and Sopworth's under no. **32**. The amercement on Easton Grey was divided, 10s. being assessed on the part held by the Abbot of Gloucester and  $\frac{1}{2}$  M. from the part held by Reynold le Gray.

**34** ' Nicholas Emery burgled the grange of William Edmund. W.'s son William came upon him and tried to arrest Nicholas, who threw him down and wounded him with an arrow, whence he died the third day after. Nicholas was arrested and hanged. His chattels : 12d., on which the sheriff must answer.'

R.24

**35** This case does not appear in the eyre roll.

**36** In the eyre roll this case is combined with no. **32** above, which see.

**37** ' Evildoers unknown killed William son of the wife of John le Noble at Cosham and fled at once. It is not known who they were. The first finder comes and is not suspected. The towns of Westkyngton' and Aselber<sup>3</sup> [ $\frac{1}{2}$  M.] did not make suit, so they are in *mercy*.'

R.25

The Earl of Cornwall's liberty of Corsham did not participate with the hundred and although no judgment of murder is given against it here or in no. **45** it looks as if such a judgment must have been given since its liability under no. **19** is for murder and other offences. West Kington's liability seems to be included in no. **5** above.

**38** This case does not appear in the eyre roll.

**39** ' Ellis de la Hale, William Gorwy and Richard Lykefek' were arrested for the death of Simon [*sic*] Langsomer and were delivered to prison. Afterwards they were acquitted before assigned justices by an inquest

<sup>1</sup> AR gives : Pechynghulle.

<sup>2</sup> AR gives : Sheppeworth.

<sup>3</sup> AR gives : Haselbur'.

procured by Robert Stoket the bailiff from the other hundred. They are still in the country, so let them be *arrested*. Richard Lyckeppek' comes now and denies the death and the whole and for good and ill puts himself on the country. The jurors together with the neighbouring towns say on oath that he is not guilty thereon, so *he is acquitted*. Later it is testified by the twelve that W. died in prison. E., now summoned, withdrew himself on account of the death and is suspected. So let him be exacted and outlawed. He had no chattels but was in the tithing of Langel' Burel', so it is in *mercy*.' R.26

William Spileman and Hereward' de Marisco the 'assigned justices', were commissioned to deliver the gaol of Old Salisbury on 21 December, 1275, and they held their gaol delivery on the Thursday after the Conversion of St. Paul following [29 January, 1276]. Their record of the case is as follows :<sup>1</sup>

'Helias de la Hele and Richard Likepeuke, arrested at Langelie Burel for the death of Richard Langsomer of Langele Burel and for burglary of Richard's house, were imprisoned. They come and utterly deny<sup>2</sup> and put themselves on twelve freemen of the hundred of Chippenham, who come and say that they are not guilty and so *they are acquitted*.'

William Gorwy had presumably died before the date of the gaol delivery. The passage in the eyre roll after the order for the arrest seems to have been added later and the *postea* has undoubtedly been added later.<sup>3</sup> Langley Burrell's liability is absorbed in the *amercement* in no. 22 above.

40 'John Huberd<sup>4</sup> of Staunton' and Walter Hararld<sup>5</sup> killed Henry of Clapcote at Kyngton'. The first finder comes and is not suspected. Walter now withdraws himself on account of the death and is suspected. So *let him be exacted and outlawed*. His chattels : 19s. 8d., on which the sheriff must answer. J. remains in the country, so let him be arrested. Since this happened by day and the town of Kyngton' did not arrest him it is in *mercy* [ $\frac{1}{2}$  M.]. Later it is testified that J. withdraws himself on account of the death. Being summoned now he does not come, so *let him be exacted and outlawed*. He had chattels : 107s. 10d., on which the sheriff must answer. He had land, whose year and waste is 70s., on which the sheriff must answer.' R.27

The *postea* has been written later and part of it had to be interlined as the space left was not big enough for the whole of it.<sup>6</sup> The AR makes the town of Littleton, not Kington, *amerciable* for John's flight. In the

<sup>1</sup> The records of both justices are preserved : *Gaol Delivery* roll [J.I. 3] no. 71, mm. 3 (Spileman) and 9 (de Marisco).

<sup>2</sup> *penitus deducunt*, which appears to be the stock phrase in these gaol delivery rolls for what, in eyre rolls, is generally phrased as *totum defendunt*.

<sup>3</sup> Fawkes' roll omits all after 'let them be arrested' ; Boylund's and the Rex roll have the complete record, as above, but in the latter the passage and *postea* have also been added later.

<sup>4</sup> AR gives : Hubert.

<sup>5</sup> AR gives : Harald.

<sup>6</sup> It is similarly squeezed in in Boylund's and the Rex roll, but is not added in Fawkes' roll.

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next eyre, of 1289, among the old crown pleas (*J.I.* 1/1011, *m.* 49 *d.*), it was reported that John Huberd, put in exigent in the last eyre, had surrendered, been gaoled and later tried at a delivery by William de Brayboef and John de Grymsted, when he was acquitted.

**41** ' An unknown man was found killed in the town of Werdeskumbe. The first finder comes and is not suspected. No Englishry. Judgment : *murder* on Werdeskumbe because it does not participate with the hundred. The towns which before etc.' R.28

The clerk does not bother to particularize towns which have already been put in mercy for some offence. Werdescombe does not appear in the AR but [Castle]Combe is amerced a mark for murder and other trespasses and, since the Dunstanville liberties were quit of participating in the common and murder fines of the hundred, it looks as if it is to be identified with this place.

**42** This case does not appear in the eyre roll.

**43** ' William de Sancto Brevello and John Crips fought with each other so that W. killed J. He was arrested and admitted the deed before the coroner holding inquest. He was sent to the prison of Salisbury Castle, and afterwards, by writ of odio et atia he was delivered to bail in the time of Hildebrand of London, then sheriff, who has died. Hildebrand's executors do not answer now for the bail nor for ten shillings which they received from W.'s chattels. So the sheriff is commanded to cause Nichola, Hildebrand's wife, and the other co-executors to appear to answer about the bail and chattels etc. (*Thursday after the octave of St. John*). The towns of Kyngton' [ $\frac{1}{2}$  M.] and Yatton' did not come fully to the inquest before the coroner, so they are in *mercy*. Nichola comes and says that she is not executrix of her husband Hildebrand's testament nor did she ever administer any of his goods. She begs that she may inquire into whose hands the writs<sup>1</sup> have come so that the justices may be more fully informed of the matter.<sup>2</sup> She is given a day *on the morrow of Michaelmas*, here ; and she puts in her place Richard of Chyselden' or John of Tydolveshyde. Later Nichola comes and says that she cannot find out anything about the aforesaid, nor come by them.'<sup>3</sup> R.29

What the record calls the writ *de odio et atia* was the writ of bail. This writ was issued for William on 25 March, 1278.<sup>4</sup> As the note *Extraneus* added by the justices' clerk and his surname in the plea roll alike suggest, William was a stranger, from Gloucestershire, and in the writ he is called simply 'William le Smale'. Walter Hildebrand of London, the sheriff, died shortly before our eyre began, which may explain the uncertainty about who should answer for William's chattels.

<sup>1</sup> *brevia* ; the other three rolls all have instead *bona*, goods.

<sup>2</sup> *quod plenius inde constare possit Justiciariis* ; the other three rolls have *certiorare*, certify, but likewise have the singular.

<sup>3</sup> *quod nichil potest inquirere de predictis nec advenire* ; so also the Rex roll.

<sup>4</sup> Calendared in *Calendar of Close Rolls, 1272-9*, p. 449. The original (Close Roll 6 Edward I, *m.* 11) runs : *habet litteras vicecomiti Willes' quod ponatur per ballium.*

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William had not been produced by his bailors, so the justices would have to put the bailors in mercy ; this could not be done until the writ was produced with the names of the bailors endorsed, or until someone competent to answer for the deceased sheriff returned their names. Nichola's first adjournment was to 3 July ; her second, to Tuesday 30 September, the opening of the autumn session.

The clerk has added to the *verdictum* a brief note of matters from the first hearing of the plea. In both Roffa's and the Rex rolls the postea recording Nichola's appearances in July and September have plainly been added at those times. Boyland's roll gives only the first, Fawkes' roll omits both. Yatton's liability was merged in the amercement under no. 10, above.

**44** ' Nicholas Barun and Roger le By fought each other so that N. killed R. He was arrested at once. Afterwards he was delivered by an inquest other than of this hundred procured before justices assigned. The twelve suspect him, so *let him be arrested*. Nicholas comes now and denies the death and the whole and for good and ill puts himself on the country. The jurors of this hundred together with the four neighbouring towns say on their oath that he is guilty of the death. So let him etc. (*hanged*). His chattels : 5s., on which the sheriff must answer.' R.30

Nicholas may have been delivered at a special gaol delivery ; his case does not appear in the surviving general gaol deliveries for 1278-1280. The jury there may have been provided by the borough.

**45 and 47** ' Evildoers unknown killed John the chaplain of Kumbe and Richard Breydel of Cosham next Stanleye. They fled at once. It is not known who they were. The first finder [*sic*] comes and is not suspected. The towns of Chipeham and Cosham did not pursue, so they are in *mercy*.' R.31

Chippenham and Corsham were not amerced in the AR but they were liable to murder fines of 40s. and 2M. respectively. The latter seems to relate either to these cases or to no. **37**, but Chippenham's can only relate to this. When the amercements of Chippenham borough were taxed its murder fine of 40s. was carried forward from the entry in the foreign hundred but (with several judgments of murder against it among the borough pleas) this was raised to 5 marks. As with nos. **32** and **36**, two presentments seem to have been combined in one plea simply for convenience, the clerk here putting crosses against them in the *verdicta* to remind him to do this.

**46** This case has an additional cancellation in the *verdictum* and does not appear in the eyre roll.

**47** In the eyre roll this case is combined with no. **45** above.

**48** ' Richard de la Boxe wounded Walter de Porta in the town of Natton'. He fled at once and is suspected, so *let him be exacted and outlawed*. He

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had no chattels but was in the tithing of John le la Pleysted in Haselber', so it is in *mercy*. No Englishry. Judgment : murder on the hundred. The towns of Netelyngton' and Chidelyngton' Kaylewey<sup>2</sup> [ $\frac{1}{2}$  M.] did not make suit, so they are in *mercy*.' R.32

Nettleton's amercement is absorbed in the murder fine in no. 8 above. The AR has no record of an amercement of the tithing ; possibly its liability was absorbed in the amercement on the town of Hazelbury in no. 37 above.

**40** This case does not appear in the eyre roll.

**50** ' Adam Crok' of Cristemeleford in trying to hit a ball at Fordweye struck Walter de Byk' on the head with a staff, whence he died at once. He fled at once and is suspected, so *let him be exacted and outlawed*. He had no chattels nor was he in tithing, being a freeman. Since this happened by day and the town of Fordweye did not arrest him it is in *mercy* [ $\frac{1}{2}$  M.].' R.33

The AR gives Fordway's liability as for not coming to the inquest : a palpable error.

**51** ' William Crepe found the sheep of Roger of Evesham to his damage in la Frithgrave. As he was trying to impound them William Brunyng, R.'s servant, came on him and hit him with an arrow, whence on the fifth day after he died. Afterwards W. Brunyng' was harboured at R.'s house, without R. being aware. The twelve jurors, asked who was together with W.B. in the house, say that Joan, a sister of R. de E., was there. So *let her be arrested*. W. now withdraws himself on account of the death, so *let him be exacted and outlawed*. He had no chattels nor was he in tithing being a vagabond.<sup>3</sup> The towns which before etc. Later it is testified by the sheriff and the twelve that Joan withdrew herself and, being summoned, did not come. She is suspected, so *let her be exacted and waived*. She had no chattels. Later Joan comes. The twelve jurors in no wise suspect her of the deed. So she is acquitted and the exaction is annulled.'<sup>3</sup> R.34

Both the postea's have obviously been added later, at different times.<sup>4</sup> The jurors seem to have been convinced that Roger and Joan were not in any sense accessory to their servant's crime, though Joan had probably acted foolishly. In that case the best thing for her to do would be to appear and be acquitted. No doubt she was at first too frightened to do so. The jurors' *volte face* is more apparent than real ; there are numerous similar instances in eyre rolls in which, all along, the object of the jury seems to be to clear the reputation of a law-abiding and respectable person

<sup>1</sup> AR gives : Tyderington' Caylywey.

<sup>2</sup> *vagabundus*, which the other three rolls have also.

<sup>3</sup> *Et de exigendo nichil*. The marginal *exigatur et wevietur* has accordingly been cancelled by deletion.

<sup>4</sup> They have similarly been added later in the Rex roll. Boyland's roll has not got the second postea, Fawkes' roll has neither of the postea's.

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whom unfortunate circumstances have made the target for local gossip and suspicions.

**52** This case does not appear in the eyre roll.

**53** ' Henry the miller of Eston' and Walter Mol of Bromham fought each other so that H. killed W. in Little Sherston. He fled at once and is suspected, so *let him be exacted and outlawed*. His chattels : 7s. 5d., on which the sheriff must answer. He was not in a tithing but was of the mainpast of Reynold Grey, so he is in *mercy*. The towns which before etc.'

R.35

Since Reynold de Grey was a baron his amercement could not be taxed at the end of the eyre but had to be remitted to the Exchequer for the Barons of the Exchequer to impose. No record of the Barons' action has been found.

**54-56** These cases do not appear in the eyre roll.

**57** ' Richard Wither appealed in the county Henry Kaynel of Iatton, 'who has died', of robbery and breaking the King's peace. He himself does not come now, nor prosecute his appeal. So *let him be arrested* and his pledges for prosecution are in *mercy*, namely William of Hunlavyn-ton' and William Baylemund etc. [ $\frac{1}{2}$  M.]. Since Henry has died, nothing on the appeal.'

R.37

**58** ' Alice de Burle appealed Humphrey Payn in the county of rape and breaking the King's peace. She comes now but withdraws from her appeal, so let her be committed to gaol and her pledges for prosecution are in *mercy* namely Hugh de Beydon' and John de Burle, both of Chippenham [ $\frac{1}{2}$  M.]. Humphrey comes and denies the rape and the whole and whatsoever is against the peace and for good and ill puts himself on the country. The jurors say on their oath that he is not guilty nor have they made a compromise. So he is *quit* thereon. Later Alice comes and makes a fine of  $\frac{1}{2}$  mark [ $\frac{1}{2}$  M.] by the pledges of John de Burle and John Beauvyleyn. The jurors moreover say that Alice appealed H. at the instigation<sup>1</sup> of Margaret de Burle. So *let her be arrested*. Later the sheriff testifies that Margaret has not been found. Since she is not suspected of anything but this instigation she is in *mercy*.'

This appeal was heard among the borough's pleas (*m.* 133 d.) where Alice was presumably resident. John de Burle was a borough juror and in 1289 the bailiff of both hundreds. Whenever an appellor did not appear, or, like Alice, appeared and withdrew the appeal, and the appellee was acquitted, the justices made a practice of enquiring whether the parties had settled the matter out of court ; in the heyday of the appeal this had often been done and the appellee, after being ordered into custody, would make the fine for all concerned. In such cases, in appeals of rape,

<sup>1</sup> . . . <sup>1</sup> Inserted over a caret.

<sup>2</sup> *per abbetum*.

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the parties would sometimes receive the justices' permission to marry or the man be ordered to marry.

**59** ' Geoffrey Dolyn appealed in the county William Bacheler, Thomas of Ietton, William Bacheler atte Tounes ende and John Stormy, of robbery and breaking the King's peace etc. He comes now and the others do not come. Geoffrey made suit against them up to the third county, at which they were attached. W.B. was attached by Robert Kaynel of Yatton' and John le Paumer [ $\frac{1}{2}$  M.]. John was attached by Roger Wither [ $\frac{1}{2}$  M.]. W.B. attetounesende was attached by John le Paumer of Yatton' and Robert Kaynel. So they are in *mercy*. Since W., W. and J. do not come now and Geoffrey made suit against them up to the third county, and this eyre is to be reckoned as the fourth county,<sup>1</sup> Geoffrey is told to go to the next county and if they do not come let them be outlawed etc. Later W. and the others come. The jurors in nowise suspect them, so they are *acquitted*.' R.36

Since the appellees had appeared in the county court and found sureties to pledge them for standing to right to answer the appeal, and since they had until the fifth county court to answer, the justices could not proceed to judgment against them, even though they had made default by not appearing. It was normal practice to remit such incomplete appeals to the county court for completion and here the appellees had wiser second thoughts. The *postea* has plainly been added later in the roll.<sup>2</sup> One would have expected the justices to put Geoffrey in *mercy* for a false appeal but they did not nor does the AR record an *amercement* against him for a false appeal.

**60** This statement is inaccurate and *supra* should be *infra* (see no. **69** and note). Geoffrey held only one virgate at Chippenham by serjeanty ; this was correctly described in the special enquiries of 1236 and 1242-3 and in an inquest of 1250 (*Fees*, pp. 586, 729 ; *Cal. I.P.M., Henry III*, no. 181). His main holding was by knight service ; but there was already local confusion on the matter in 1249, when the hundred jury in eyre said that the estates were held ' by the serjeanty of a quarter part of a knight's fee.' (*Fees*, p. 1421).

**61** The first article of the assizes of Clarendon and Northampton had called for indictments of murderers, thieves, robbers and their harbourers ; but in the articles of the eyre of 1194 this article occurs separately, as article 7. This separation may imply that matter presented under it might not be crown pleas kept by the coroners, who are first mentioned in article 20 of 1194. We have not found presentments *de burgatoribus etc.* in crown pleas rolls after about 1231-2 (*J.I.* 1/1043, m. 7 and *J.I.* 1/62, mm., 5d. 8). Thereafter such matters seem to have been dealt with by indictment in the *privata*. See also note **65**.

<sup>1</sup> *Iter istud computabitur pro quarto comitatu.* Cf. note to no. 2, above.

<sup>2</sup> It has similarly been added later in the Rex roll ; Boyland's roll has it, Fawkes roll omits it.



**62** ' Concerning defaults, they say that William de Valence, William de Laham [1 M.], the earl of Cornwall, John de Vyvon [1 M.], John Besile, the abbot of Gloucester [10 li.] and Reynold de Grey did not come on the first day, so they are in *mercy*.' R.38

This article had, of course, been among the articles from the first ; it was the last in order of the basic articles of 1194 and continued to be the last throughout John's reign but the additions made under Henry III were all added after it, so far as we can tell from the mention of presentments under them in the eyre rolls. It looks as though the jurors may have omitted to present the abbot of Gloucester since his name is inserted above the line over a caret in the clerk of the court's hand ; possibly the abbot's default became known only when his liberties were challenged, cf. notes **98**, **120**, below. Since the visitation of 1254-8 it had been possible for persons owing the duty of being present at the opening of the eyre to obtain from the chancery letters acquitting them from answering the common summons ; the first issue of such quittances of common summons being made in favour of a very few barons and prelates in the visitation of 1246-9. William de Valence, the earl of Cornwall, John Bezill and Reynold de Grey were among those who obtained such quittances for this eyre about January 1281.<sup>1</sup> Accordingly, when the time came for taxing the ameracements, they were not amerced.

**63** The full text of this article is : ' Concerning those who, by the will of the sheriff or his bailiffs, but without the King's assent and will, have withdrawn suit of shires, county and hundred courts since war broke out between King John and his barons.' It was, almost certainly, introduced for the visitation of 1239-41, for presentments under it appear suddenly in the extant rolls of William of York's circuit in that visitation and thenceforward remain common ; we have found none earlier. Our jurors have made it apply instead to the Barons' War of 1264-5, though such withdrawals were covered by the *novum capitulum* no. 7 (cf. notes **107-112**, below). Both the withdrawals here reported were of suit of hundred court and, as explained above, pp. 70, no action seems to have been taken on them. In the previous eyre of 1268 (*J.I.* 1/998 A, m. 40 d.), Sir Geoffrey Gascelyn proceeded against Walter Dreu of Littleton, William Plusbel and Walter the parson's son for withdrawal of suit from Dunlow hundred, which was at least partially absorbed by Chippenham. They came and admitted that they owed suit both for themselves and their villeins ; in consideration of this admission, Gascelyn released his claim for damages from them. This presentment seems to cover similar withdrawals and is repeated in no. **112**. Also in 1268 it was presented that William de Valence withdrew 3s. 6d. due as sheriff's aid from Sopworth, together with his suit due to Dunlow hundred court. Nothing was done about it and this presentment seems to cover the same matter.

**64, 66, 67** The body of m. 3 is occupied with the, mostly nil, presentments to the *vetera capitula* 3-69, leaving a small space at the bottom. In this

<sup>1</sup> *Cal. Close Rolls 1279-88*, p. 111.

space are written nos. **64-7**, nos. **64**, **66** and **67** being in the hand of the clerk of the court who made the numerous additions to the roll. The single letters placed above the persons' names are conventional abbreviations to indicate the jury's verdict at the trial, see above p. 000. Similar notes are found in contemporary gaol delivery rolls, including the gaol delivery carried out by this eyre, but the rival abbreviations, *cul'* (*culpabilis*) and *non cul'* (*non culpabilis*) soon triumphed and remained in use for centuries. The record of the trial is as follows: 'Roger Danver of Clere, arrested for a robbery committed upon the hills of Salisbury, Alice daughter of Margery de la Cok, [arrested] for burgling a coffer (*pro burgaria cuiusdam forsar'*) and stealing money [and] William Gorewey, [arrested] for burgling Chypham church, come and deny the larceny, burglary and the whole, and whatsoever is against the peace, and for good and ill they put themselves on the country. The twelve jurors together with the four neighbouring towns, say on their oath that William is in nowise guilty. So he is *acquitted*. They say that Roger and Alice are guilty. So etc. (*hanged*). They had no chattels.' R.39

**65** This is in the blank space at the bottom of m. 3 (see preceding note), but in the hand of the clerk responsible for all the presentments on ms. 3-5. It may have been intended as a presentment under the article on burglars and other malefactors (see note **61**). Nothing appears to have been done on it in the eyre under Chippenham or the neighbouring hundreds.

**66-7** See note **64**.

#### NOVA CAPITULA

**68-72** These demesne manors were all Normans' lands or Normans' escheats; that is their former tenants had held lands in Normandy and when King John lost the Duchy in 1204 they elected to give allegiance to the King of France, so their English lands escheated to the Crown. Until 1259 when, by the Treaty of Paris, Henry III finally gave up his claim to the Duchy, these lands were normally granted conditionally with the provision that, if the King recovered Normandy and restored the lands to the heirs of the former tenants, he would grant other lands in exchange. Until 1239 the few presentments made in eyres' about Normans' lands were made under the old article of escheats in general [Cam, no. 7]. For the visitation of 1239-41 a new article was introduced [Cam, no. 37] and presentments under it in that and succeeding visitations are extremely common. This article is simply a reformulation of the article of 1239.

**68** Henry III granted Corsham to his brother Richard earl of Cornwall on 9 March, 1242 (*Close R.* 1237-42, p. 400). A month after Richard's marriage to Sancha, daughter of Raymond count of Provence, the grant was renewed by charter dated 25 December, 1243, this time to Richard and his heirs by Sancha (*Cal. Charter R.*, 1226-57, p. 276). The present-

ment was entered in the crown pleas (R.40), along with no. 70. There Richard's son and heir, earl Edmund, was adjourned to the quinzaine of St. John at *quo warranto*. Then his attorney pleaded the charter of 1243 (*P.Q.W.*, p. 803); but no adjournment or judgment is recorded and the proceedings seem to have dropped.

**69** The borough of Chippenham and manor of Suldon had been held by the Norman William Beauvilein and were granted on 27 July, 1231 to Walter de Godardville (*Cal. Charter R.*, 1226-57, p. 138) to be held by the service of 1/4 knight's fee. Walter's name is given wrongly in this entry; it was also given wrongly, as 'Cardevil', when this tenure was presented in the Wiltshire eyre of 1249 (*Fees*, p. 1421). After Walter's death, about the end of 1249, the estate passed to Geoffrey Gacelyn, husband of Walter's daughter Joan (*Cal. I.P.M.*, I, no. 181). No entry was made in the crown pleas nor does the grant appear to have been challenged at *quo warranto*.

**70** Hugh de Vivona, a distinguished servant of Henry III, had been granted West Kington (held formerly by the Norman Ralph de Feugeres) by charter dated 8 August, 1235 (*Cal. Charter Rolls 1226-57*, 211; the place is there wrongly indexed as West Keynton). Hugh died about October, 1249, and was succeeded by his eldest son and heir by his marriage to Mabel daughter of William Malet (*Fees*, 378), who was known as William de Fortibus or le Fort (*Excerpta e Rotulis Finium*, II, 62). William le Fort died about May, 1259 (*Excerpta*, II, 301) leaving as coheirs his daughters Cecily, Joan, Sybil and Mabel, by his wife Maud de Kyme (*ibid.*, 365). William had a younger brother Hugh, who was known by the family name 'de Vivon'. Hugh de Vivona II married Parnel, daughter and heir of William de Putot (*ibid.*, 165); John de Vivon was their son, born on Whitsunday (19 May) 1252 at their Kentish manor of Sellindge (*Cal. Inquisitions Post Mortem*, II, no. 43). Hugh II was killed in the Welsh Campaign of September, 1258, whereupon Parnel received seisin of those of her late husband's lands which were of her own inheritance (*loc. cit.* and *Excerpta*, II, p. 220). Thus John and his father Hugh II were not in the main line of inheritance from Hugh I, to whom West Kington had been granted, so there was a *prima facie* case for challenging his claim.

The presentment was entered in the crown pleas [R.40] along with no. 68; John thereupon pleaded that his father, Hugh II, had died seised of the manor and that he himself had entered as son and heir, which the jury confirmed. The entry concludes with a note that the king was to have a writ if he wished, which presumably means if Gisleham considered that a case could be made out. He did so consider and impleaded John at *quo warranto* (*P.Q.W.*, p. 808). John thereupon vouched his cousins and their husbands to warranty: John de Bello Campo (who died before the end of the litigation) and his wife Cecily; Reynold fitz Peter and his wife Joan; Guy de Rupe Canardi and his wife Sybil; Fulk de Ortiaco and his wife Mabel. The action was adjourned to the

octave of St. Martin (18 November, 1281) in the Devon eyre. The warrantors then essoined, but the essoin is marked as not lying because there had been no summons (*J.I.* 1/185, *m.* 60); in the pleas the sheriff of Somerset reported that he had received the writ too late for execution, so the warrantors were adjourned to the quindene of Easter in the King's Bench (*ibid.*, *m.* 46). However, nothing is found about the action in the rolls for Easter term, 1282; the action is next picked up in Hilary term, 1283 (*Coram Rege Roll* 74, *m.* 3), when Hugh is adjourned to Easter one month, whence (*Coram Rege Roll* 76, *m.* 1d.) he was adjourned to Michaelmas one month, whence (*Coram Rege Roll* 80, *m.* 6) he was again adjourned, to Easter three weeks, 1284. At Carnarvon on the latter date Hugh essoined (*Coram Rege Roll* 84, *m.* 5) and was adjourned to Michaelmas three weeks. However, the King's Bench was not in session that term and we may assume that Hugh was adjourned to Easter term, 1285. Then the issue was finally tried (*Coram Rege Roll* 91, *m.* 2d.). The warrantors then produced a charter whereby their father, William le Fort, had granted West Kington to his younger brother, Hugh II, in fee, binding himself and his heirs to warrant the gift and if their warranty failed to provide lands *ad valorem* from two other estates, in Somerset. But John's case did not rest on this alone. In Michaelmas term, 1278, the coheirresses and their husbands had been impleaded by the king for the Somerset manor of Chewton, which had been given to Hugh I by the same charter as West Kington. They had then produced the charter of 8 August, 1235, which was thereupon enrolled (*Coram Rege Roll* 41, *m.* 6d.), but judgment was stayed until the king had himself inspected the charter; this he did, allowing it. John vouched this enrolment and allowance of the charter by the king. The crown's case thus failed, judgment being given for the warrantors.

Nevertheless, John's title was again challenged in the eyre of 1289 (*J.I.* 1/1011, *m.* 50 d.). The whole case was this time conducted at crown pleas; John vouched the record of the King's Bench proceedings before Ralph Hengham, C.J., in Easter term 1285. This was inspected and judgment was accordingly given for him.

**71** Matthew (*rectius* Mathias or Macy) Bezil, a distinguished royal servant, had been granted Sherston Magna for life by charter of 3 December, 1240, to hold at a yearly rent of £15 (*Cal. Charter Rolls*, 1226-57, p. 255), which was converted by charter of 29 June, 1253, to the service of 1/4 fee (*ibid.*, p. 436, *mutilated*). His son and heir John succeeded in December, 1269, to all the lands held by his father in chief (*Excerpta e Rotulis Finium*, ii, 481), which presumably included this estate. On 6-8 March, 1280, John obtained a confirmation of his right to hold Sherston Magna for life (*Cal. Patent Rolls* 1272-81, p. 366). On being impleaded at *quo warranto* he answered that he only held the estate for life, with reversion to the king; so the king took nothing for the present (*P.Q.W.*, p. 797).

**72** This is apparently the part of the former royal demesne manor of Chippenham valued at £7 10s. which was granted about 1190 to Hodierna the king's nurse for life (*Pipe Roll* 2 Richard I). Successive life grants

included one to James Huse, who died seised in 1249 (*Cal. Inquisitions Post Mortem*, I, nos. 173, 194). It was then administered for a time by the keeper of Melksham and other Wiltshire manors, as the manor of Chippenham (*Pipe Roll* 37 Henry III, Hugh Gargate's account). On 6 February, 1252, the estate was granted to Agnes de Rouden, relict of Geoffrey Seymour, at a fee farm rent of £7 10s. payable to the bailiff of Melksham, in exchange for the surrender by Agnes of her interests in 40s. rent from one of the Marlborough fulling mills (*Pipe Roll* 37 Henry III, Wiltshire account and *Cal. Charter Rolls*, 1226-57, 376). Agnes died and was succeeded by her son Henry Seymour about November, 1259 (*Cal. Inquisitions*, I, no. 449). The estate is then still called the manor of Chippenham and consisted of two virgates and two mills rendering £2 12s. and £4 18s. in rents. In 1268 Henry Seymour was charged with the death of Adam de Lydeierd (*cf.* note 143) and on 18 August, 1268, the estate was granted to Geoffrey Gascelyn, conditionally on Henry's conviction (*Cal. Patent Rolls*, 1266-72, p. 252). From 37 to 54 Henry III the fee farm rent of £7 10s. appears in the Pipe Rolls under Agnes's name without any payments credited. From 56 Henry III to the date of our eyre it appears under Gascelyn's name, the only amounts credited being a pardon by writ for the first two years (*cf. Close Rolls* 1268-1272, p. 203) and an amount credited to Henry Seymour (possibly for 1259-68) in 8 Edward I. However it seems that before his alleged crime Henry had granted a tenancy to Nicholas Huse (*cf.* note 143), which suggests that the Huse family may have retained a tenancy ever since 1249. Nicholas was impleaded at *quo warranto* (*P.Q.W.*, p. 796). He then said nothing about Henry's alleged felony but pleaded that Henry had served under Henry de Hastings in the baronial army after the battle of Lewes, so that after Evesham the estate had been seized by the king and granted to Gacelyn, but that Henry had later redeemed it under the terms of the *dictum* of Kenilworth. The case went to a jury, who confirmed these facts. Nicholas held the estate at his death in 1300; in the inquisition then taken, which supplies a very detailed list of the tenancies in the estate (*Cal. I.P.M.*, III, no. 591; *Wilts. Inquisitions*, p. 245), it is called the manor of Rowedone.

**73-104** The Eyre had not previously been used as a means of obtaining information about fees in general, *ad hoc* enquiries by sheriffs or specially appointed commissioners being preferred. The most recent previous enquiry conducted in this way was that of 1242-3, the Wiltshire returns for which are included in the *Book of Fees*. The presentments under this article cover the fees held in chief. Most of those held by laymen formed part of the holdings of an honor or barony, which is named. Where under-tenants have been enfeoffed their names are given. Where there are no such names the manors were presumably held in demesne; the under-tenants would then be customary tenants of the manor or leaseholders.

**73** (and **102**) Castle Combe and Colerne had been held in 1243 by Walter de Dunstanville (*Fees*, p. 713). On his death in 1270 they passed to his

daughter and heir Parnel, wife of Robert de Montfort (*Cal. I.P.M.* I, no. 729 ; cf. G.P. Scrope, *History of Castle Combe*, p. 59 ; W. Farrer, *Honors and Knights' Fees*, III, p. 39).

**74** (and **103**) Biddestone had been held in 1243 by a namesake of the Reynold de Berneval mentioned here (*Fees*, p. 740), who was succeeded in 1259 by his son Wolfram (*Cal. I.P.M.*, I, no. 428). It is not clear how it passed to Geoffrey Gascelyn.

**75** (and **104**) Sopworth had been acquired by William de Valance under the general grant made to him on 12 March, 1249, of all the lands lately held by Robert de Pont de l'Arche (*Cal. Charter R.* I, pp. 339, 402) whose brother William had been outlawed for complicity in the murder of Henry Clement at Westminster in 1235 (*Close R.*, 1234-37, p. 179). William de Valance pleaded this grant when impleaded on this at *quo warranto*, and judgment was given for him (*P.Q.W.* p. 801).

**76** Wraxall and Box had been acquired by Henry de Lacey earl of Lincoln in 1268 through his marriage with Margaret Longespée the Salisbury heiress, together with the lands named in **79**, **80** and **87**. In 1243 (*Fees*, p. 720) the under-tenants had been Eustace de Wrokeshal and Samson Bigod (*alias* Samson de la Boxe) ; since in 1281 Samson was already dead and his son Henry had succeeded, the mention of him here supports the view that this list of fees was compiled in 1275. Cf. **84**.

**77**, **78** Hazelbury had been held in 1243 by a Henry Crok', and Lackham by the heir of Ralph Bluet (*Fees*, pp. 743, 724).

**79** This evidently refers to Lacock, of which the manor had been granted to the abbey in 1232 by Ela countess of Salisbury in her foundation charter (*Monasticon*, VI, p. 502).

**80** These must be the two fees in Langley Burrel held in 1243 of the earl of Salisbury by Thomas Burel (*Fees*, p. 720). Tidrington is presumably Tytherton Lucas.

**81** In Tytherton Lucas Adam Lucas had held a fee in 1243 of Robert Tregoz (*Fees*, p. 725), father of John (cf. *Exc. Rot. Fin.* II, p. 478).

**82** In East Tytherton Matthew Turpin had held half a fee in 1243 of Roger de Quency earl of Winchester (*Fees*, p. 732).

**83** In Kellaways Ellis de Kaylewey and Godfrey Scudamore had held two fees in 1243 of Ellis Giffard (*Fees*, pp. 717, 746), father of John (cf. *Exc. Rot. Fin.* II, p. 183).

**84** Hardenhuish had been held in 1243 of the honor of Kempford (Glos.) by Payn's father Patrick de Chaworth (*Fees*, p. 728 ; *Cal. I.P.M.*, I no.

417), Simon de Chiverel being one of the under-tenants. Payn was tenant in 1275, but in 1279 (*Cal. I.P.M.* II, no. 310) he died and was succeeded by his brother Patrick. Cf. 76.

**85** Langley Burrel, Clapcott (in Grittleton) and Swinley (in Kington St. Michael). Jordan the Tailor is presumably the Jordan Fitz Urse who in 1243 (*Fees*, p. 732) had held a fee in Nettleton, Grittleton and Kington St. Michael of the abbot of Glastonbury. The Glastonbury chronicler *Adam de Domerham* (ed. Hearne, p. 507) relates how abbot Michael forced him to acknowledge service of half a fee in 'Suenelehe'.

**86** Bremhill. For Athelstan's charter to Malmesbury, dated 21 December, 937, see Birch, *Cartularium Saxonicum*, II, no. 716, and *Registrum Malmesburiense (Rolls Series)* I, pp. 307-309.

**87** Avon. In 1243 this fee had been held by the earl of Salisbury, Lincoln's predecessor, with Geoffrey de Syfrewast as under-tenant (*Fees*, p. 716).

**88** Cf. 85 and *Fees*, p. 743.

**89** Leigh Delamere, similarly held in 1243 by Adam de la Mare (*Fees*, p. 711).

**90** Yatton Keynell. The under-tenant Robert Keynel was the son of Henry Keynel the tenant in 1243 (*Fees*, p. 716; *Feet of Fines, Wilts, Henry III*, ed. Fry, fo. 52, no. 19). In the meanwhile the mesne tenancy had evidently passed from the Chaworth family to the Fitz Alans.

**91** In West Yatton Miles de Keynes had held half a fee in 1243 of William de Keynes (*Fees*, p. 736). Robert de Keynes died in 10 Ed. I (*Cal. I.P.M.*, II, no. 433).

**92** In Hartham Henry de Hertham had held half a fee of the earl of Hereford (*Fees*, p. 723).

**93** In Littleton Drew Thomas de Duninton had held a fee of the earl of Gloucester (*Fees*, p. 724).

**94, 95** In Luckington Richard de Lukinton had held a fee of the earl of Hereford, and Reynold de Sumerford of the earl of Salisbury (*Fees*, pp. 710, 720).

**96** In Sherston Parva Ralph de Pinkeny had held a fee of Walter de Dunstanville, Parnel's father (*Fees*, p. 727. Cf. 73 above).

**97, 98** The falconry serjeanty in Easton Grey goes back at least to 1198 (*Fees*, p. 12; cf. p. 740). It appears from *Hist. Mon. Glouc.* (*Rolls*

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*Series*, III, p. 32) that the abbot of Gloucester held the advowson ; but there is no mention there of a moiety of the town.

**99, 100** In Alderton one third only of a fee had been held in 1243 by Brian de Bromton of Ralph de Mortimer, and three hides had been held by Henry de Hertham of Walter de Clifford (*Fees*, pp. 729, 740).

**101** In Surrendel Richard de Middelhap had held a whole fee of Ralph de Mortimer (*Fees*, p. 729).

**102-104** See **73-75**.

**105-6** Gacelyn's claim to the hundred, and his claim to the liberties of return of writs, view of frankpledge, gallows and assizes of bread and ale (no. **113**) were entered at crown pleas when, with the other claimants to liberties, he was told to answer at *quo warranto* [R.46]. There he pleaded and produced the Godardville charter, to which the king's attorney excepted that it made no mention of the hundred (*P.Q.W.*, p. 803). The parties were adjourned to Michaelmas one month in the King's Bench. The proceedings entered in the King's Bench rolls for Michaelmas 1281, under the morrow of All Souls (*Coram Rege Rolls*, 64 m. 38 d.; 65 m. 13 d.) are simply a copy of the eyre proceedings, with a further adjournment to Easter three weeks. There are, however, no proceedings on the case in the rolls for Easter 1282 nor in any subsequent term down to 1285, beyond which no search has been made. This is possibly due to the death of Geoffrey Gacelyn about January, 1282 (*Cal. Inquisitions*, II, no. 422). His wife, whose inheritance Chippenham was, still held the hundred and its liberties at her death about February, 1287 (*ibid.*, no. 632), as did her son and heir Edmund at his death in 1307 (*Fine Rolls 1272-1307*, p. 235 ; *Cal. Inquisitions*, V, no. 48). The jurors themselves were in no doubt that the hundred was appurtenant to that part of the former royal demesne manor of Chippenham which became Sheldon manor.

**107-112** This article was similar to that introduced about 1239 (note **63**) ; the presentments were not dealt with at either crown pleas or *quo warranto* because of the litigation about the hundred. If the hundred was in the king's hands, then the withdrawal of suits was to the king's damage ; if not, then it was only to the damage of the lord of the hundred, who had a remedy, if need be, through the writ *de sectis subtractis*.

**107** In the Eyre of 1249 the township of Corsham for the first time answered by itself, with six jurors, having previously been represented by the hundred [*J.I.* 1/996, m. 25]. In the 1255 fiscal enquiry it was said that William Crassak', apparently Richard of Cornwall's bailiff, had withdrawn Corsham's suit from the hundred court, a loss to the king of  $\frac{1}{2}$  mark (*Rotuli Hundredorum*, II, 230). Earl Richard's stewards were evidently building up a liberty apart from the hundred. Nothing was presented in the eyre of 1268.



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**108** This withdrawal of suit was not presented in the enquiry of 1255, when it was only said that Hugh de Vivona had view of frankpledge, or in the eyre of 1268. No grant has been found to Hugh I or II exempting them from suits of shires and hundreds, but either of them is very likely to have received such a privilege.

**109** In the eyre of 1268 it was presented that Parnel de Dunstanville had withdrawn the suit of Colerne from the hundred court, Walter de Dunstanville holding the manor. The matter was margined for discussion with the king (*J.I.* 1/998 A, m. 40 d.). No grant of exemption from shires and hundreds has been found.

**110** In the eyre of 1268 (*J.I.* 1/998 A, m. 40) under the *vetus capitulum* (Cam, no. 35) about lords who do not allow the king's bailiffs to enter their lands to make summonses or execute distrains, the Chippenham jurors alleged that the hundred bailiff had always made distrains, the araming of assizes or summonses on the Glastonbury manors until the time when Ralph Russel was sheriff (July, 1261-June, 1264). Then Ralph's under sheriff, Martin de Legh, who was, they said *de familia et manupastu abbatis Glastoniensis et cepit robas ipsius abbatis*, began the practice of sending writs concerning Grittleton, etc., to the abbot's bailiff at Damerham, so by-passing the hundred bailiff. Thenceforward the bailiff of the hundred was impeded; the withdrawal of suit must have begun at the same time. The abbot was on his way to the creation of the separate hundred of North Damerham.

**111** This withdrawal of suit was not presented in 1255 or 1268, nor has any royal grant exempting from shires and hundreds been found.

**112** In 1268 Sir Geoffrey Gacelyn proceeded against Walter Drew for the withdrawal of Littleton's suit (see note **63**), but no withdrawal by the earl was then presented. No general grants of quittance of suits of shires and hundreds for the earl have been found.

**113-120** This article covers those who exercise other royal rights. Throughout Henry III's reign such matters had been governed by an article 'on new customs' (Cam, no. 27) under which numerous presentments are to be found of all the matters presented by our jurors. Where the lord had the return of writs, his bailiff and not the hundred bailiff received from the sheriff the writs from the chancery, courts and exchequer and was responsible for executing them. Where the lord held the assizes of bread and ale, his bailiff was responsible for punishing by exposure in the tumbrel or pillory or by amercement those who infringed the assizes, regulating the sale of bread and beer, which were from time to time published by the king. Where the lord had gallows he held the right of 'infangenethef' or of hanging any of his men convicted of larceny on his lands, and sometimes also the right of 'utfangenethef' or of hanging the felon's of any lord for a crime committed on his lands: the hanging had

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normally to be carried out in the presence of a coroner or other royal official. To the extent that a lord had these rights, his manor was a liberty exempt from the administration of the hundred bailiff. These presentments were entered almost at the end of the hundred's crown pleas [R.46], except that the claims of the abbess of Lacock and the abbot of Glastonbury (nos. **114**, **118**) were omitted and a claim by the earl of Gloucester that is not in the *veredicta*, for assizes and gallows at Littleton, was included. Reynold de Grey and the abbot of Gloucester did not appear, so their liberties were ordered to be taken into the king's hand; the others appeared 'and said that they would answer for their liberties at the king's pleas of *quo warranto*'. However, in five cases no challenge seems to have been offered there. The earl of Gloucester was not impleaded on any of his Wiltshire claims until Michaelmas term, 1281, in the King's Bench, where in this he pleaded that the action could not be tried until judgment had been given in the action about the lordship of the hundred; so this action was stood over (*Coram Rege Roll*, 64, m. 38; 65, m. 13).

**113** If Gascelin's right to the borough and hundred was established he was fully entitled to exercise these rights; these matters were, therefore, merged with that plea (see note **105**).

**114** The abbess's claims do not seem to have been challenged; they were claimed again, in 1289, and were allowed (*J.I.* 1/1011, mm. 50 d, 53 d).

**115** The earl's claims do not seem to have been challenged; they were claimed again in 1289 (*J.I.* 1/1011, m. 50 d, and see note **107**).

**116** These claims were again made in 1289, by John de la Mare in his wife's right, and they were allowed (*J.I.* 1/1011, mm. 50 d, 53 d). They do not seem to have been challenged.

**117** This claim does not seem to have been challenged but it was not presented in 1289.

**118, 125** The abbot was impleaded at *quo warranto* on these claims (*P.Q.W.*, p. 802; *Adam de Domesham*, ed. Hearne, II, pp. 580-3, who gives the date Easter one month—11/17 May—for the plea). The matter of holding the assizes was adjourned *sine die* pending judgment in the action against Gascelyn. For his free-warren the abbot produced a charter (of 6 November 1266, *Glastonbury Chartulary*, Somerset Record Society, I, 172-3), which was allowed. For his gallows the abbot pleaded a charter of 'King Henry' which granted infangenethef and utfangenethef. It is not clear which charter this was, unless it was one of Henry III's confirmations of agreements between the abbot and the bishop of Bath and Wells. It was allowed. In 1289 these claims were again challenged and allowed, the *quo warranto* proceedings in 1281 having been vouched (*J.I.* 1/1011, m. 50 d).

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**119** These claims were challenged at *quo warranto* (*P.Q.W.*, pp. 797-8). For holding the assizes, John pleaded a charter of Henry III (5 March, 1254, *Cal. Patent Rolls* 1247-58, p. 278) granting his father Hugh a Monday market and fair on the eve, day and morrow of St. Dunstan at West Kingston. For the gallows he pleaded old use. The King's attorney demanded a jury, which found for John. In 1289 his claims were again challenged (*J.I.* 1/1011, m. 50 d.) and allowed, the *quo warranto* proceedings in 1281 having been vouched and searched.

**120** We have seen that Reynold's and the abbot's liberties were ordered to be seized because they had not appeared to claim them [R.46]. On 4 July, 1281, the sheriff was ordered to replevy Reynold's liberty of Easton until the next Parliament (*Cal. Close Rolls* 1279-88, p. 93). Meanwhile he had been impleaded at *quo warranto*, but continued to default at successive adjournments to the octave of Michaelmas and Saturday after the octave at Marlborough and the quindene of St. Martin at Exeter (*P.Q.W.*, pp. 804, 809; *J.I.* 1/185, m. 46 d.); at the last, process of *habeas corpus* issued, returnable in the King's Bench at Easter three weeks, 1282. But no record of further proceedings has been found in the King's Bench rolls of that or any other term down to Easter 1285. No proceedings have been found against the abbot. Neither liberty was claimed in the eyre of 1289.

**121** This presentment was dealt with at Crown pleas [R.42]. Geoffrey, by his attorney, answered that in this hundred there used to be one mounted bailiff with his grooms and asked for an inquest to prove that there were not more than there used to be from of old. The clerk added 'And the jurors say' then broke off to note that the King had brought a writ about the hundred as appeared in the King's pleas (see note **105**). So the lesser matter was dropped.

Under Henry III such matters had been presented under the general article 'on new customs' [Cam, no. 27].

**122-126** This article was a reformulation of an article on free chaces and warrens that was introduced among the Articles of the eyre for the visitation of 1246-9 [Cam, no. 50]; before then presentments about this had been made under the general article 'on new customs' [Cam. no. 27]. The claims were entered in the Crown pleas [R.43] when the earl was adjourned to the quindene of St. John to answer at *quo warranto*; the clerk added that 'John and the others came' and there broke off.

**122** By charter of 20 June, 1252, the earl of Cornwall's father, Richard, was granted free-warren in all his demesne lands outside the royal forest (*Cal. Charter Rolls*, 1226-57, 393). The warren was again claimed at crown pleas in the eyre of 1289 (*J.I.* 1/1011, m. 50 d), with the note 'concerning these liberties see elsewhere.'

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**123** John answered in *quo warranto*, pleading the charter of free-warren granted on 28 November, 1240, to his grandfather, Hugh I (*Cal. Charter Rolls*, 1226-57, p. 255), which was allowed (*P.Q.W.*, p. 797). In 1289 the claim was again challenged, and allowed after search of the proceedings in 1281 (*cf.* note **119**).

**124** The abbot and convent had been granted free-warren in all their demesne lands in Wiltshire outside the royal forests by charter dated 3 August, 1252 (*Cal. Charter Rolls*, 1226-57, p. 400 ; *cf.* *Reg. Malm. (Rolls Series)*, pp. 341-2). There does not appear to be a record of any action about it at *quo warranto*, but a warren is not among the liberties claimed by the abbot in 1289 (*J.I.* 1/1011, m. 50 d., though this may be an accidental omission).

**125** See note **118**.

**126** Roger answered at *quo warranto*, producing a charter of Henry III which was allowed. This charter was probably granted during one of the years for which the rolls are wanting or defective ; it has not been found in the *Calendars of Charters Rolls* or (for periods when the king was overseas) of Patent Rolls for Henry III. The warren was not claimed in 1289.

**127-8** This article simply reformulates the old article [Cam. no. 9] on the same subject which had been in use since 1198 and probably earlier. A purpresture was an encroachment on land or water and to be covered by this or the older article had to be to the King's damage.

**127** This is a presentment of an assart made in Pewsham forest and so was a matter for the forest administrators. None of the plea rolls of forest eyres of this period contain pleas of vert for this forest but they contain such pleas for Chippenham forest, in which the abbot is presented for making assarts and produces royal licences for so doing. In the borough pleas (*m.* 133 d.) the abbot was presented as narrowing the course of ' a certain water of Pewe '.

**128** This was dealt with under the crown pleas [R.44] where it is presented that the parson ' appropriated from the King's highway about one rood of land and blocked the way, so that men passing there with horses, wagons and carts cannot pass as they used but have to go a furlong farther, to the detriment of the countryside.' The parson is accordingly in mercy and the obstruction is to be removed at his expense by the sheriff. In its first occurrence on the plea roll ' John ' has been erased and ' Peter ' substituted : perhaps there had been a change of parsons.

**129** Henry Kaynnel is said to have alienated land in mortmain twelve years before (*i.e.* about 1269). It is not clear whether this ranked as an offence. Though such alienation had been forbidden by the baronial

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Provisions of Westminster in 1259, this clause of the Provisions was not re-enacted in the Statute of Marlborough in 1267, but awaited definitive confirmation by the Statute *De Viris Religiosis* in 1279.

**130-5** *Novum capitulum* 15 called for the presentment of sheriffs, bailiffs, coroners and their clerks who had, since the battle of Evesham, accepted bribes to agree to conceal felonies committed within their jurisdiction or to fail to attach persons accused of felonies. In 1275 the statute of Westminster I, c. 9, had dealt with this matter, providing for the punishment of any official convicted of these offences by a year's imprisonment and a heavy fine or, in default of paying the fine, three years' imprisonment. The action to be taken by a bailiff varied to some extent with the crime alleged and reputation of the accused. Anyone accused of homicide was to be imprisoned. Anyone accused of other crimes should also be imprisoned if he was of bad reputation, if the circumstances were very incriminating or if he could not find sureties pledged to bring him to trial ; but a freeman of good reputation against whom the evidence was not very convincing could be attached by compelling him to find sureties. In the Old Salisbury gaol delivery of 17 September 1276 [*J.I.* 3/71, m. 5] Stoket was acquitted on a charge of having delivered three attachments without judgment, that is of trying three cases for which persons had been attached instead of leaving them over until gaol delivery. In the same delivery fifteen persons from the hundred were tried and acquitted on charges of homicide, burglary, robbery, larceny etc.

**130, 131, 133, 135** The three criminals who, it is alleged, bribed Stoket to allow them to escape and the fourth who was harboured by Stoket and his wife after he had committed his crime seem all to have been indicted in the jurors' *privata*. The short heading in the crown pleas rolls—*De Indictatis dicunt*—had been in use since the early part of Henry III's reign to begin entries concerned with those indicted in the *privata*, more especially for those so indicted who had not been arrested. The record is as follows :

' Concerning those indicted, they say that Roger le Hayward of Shorn-done, Henry le Mouner of Eston' Grey, indicted for stealing sheep, John le Waleys [indicted] for a robbery done to Osbert of Aveber' and Walter Gille of Cippesham [indicted] for the death of his wife have all withdrawn themselves and are suspected. So *let them be exacted and outlawed*. Roger was in the tithing of Richard Yunge of Eston' Grey, so it is in *mercy*. The others were not in tithing but Walter was harboured in the town of Cippesham outside tithing. So the town is in *mercy*. Moreover it is testified by the twelve that after Walter committed the felony he was harboured at the house of Robert Stoket, who has been hanged, by the consent and assent of Robert's wife Eve, who harboured Walter and, keeping his goods, allowed him to escape. So *let her be arrested*. Later the coroner records that Eve put herself in Cyppeham church, admitted herself to be guilty of homicide and of harbouring thieves and *abjured* the realm before the coroner. Her chattels are appraised with those of

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her husband, [so] she had no chattels ; but she had land, whose year and waste is worth 16s. on which the sheriff must answer.' R.45

The Wiltshire account in Pipe Roll 11 Edward I shows that Eve's land was held in dower, she having been formerly married to Herbert Oliver.

**130** Henry should probably have been arrested and sent to the sheriff for imprisonment until the next gaol delivery ; or at least have been attached by sureties to answer then. He seems to have subsequently killed a man, for which he had already been ordered to be exacted and outlawed (note 53). In the gaol delivery of September, 1276 [*J.I.* 3/71, *m.* 5] a Henry son of William the miller of Easton was acquitted of a robbery at Sherston. See preceding note.

**131** Roger may have been the hayward of one of the jurors, William de Middelhope (no. 101). As a villein accused of theft from his lord he should no doubt have been imprisoned until trial at gaol delivery.

**132** A similar presentment had been made about Stoket in the previous eyre of 1268 (*J.I.* 1/998 A, *m.* 39). It was said that Stoket had arrested Agnes de Surenden on a charge of harbouring her son John, who had been accused of larceny. He imprisoned Agnes for eight days at his house in Chippenham until she made a fine for her release with a bullock and cow worth 10s. and fifteen sheep worth 11s. Stoket admitted he had done this, but pleaded that he had been executing an order of the sheriff, Richard of Worcester (Easter to November 1267), by which he was commanded to attach Agnes. He said he had delivered to the sheriff the value of the chattels surrendered by Agnes and, on investigation, the justices found that he had done so. It looks as though he had received another order to attach Agnes, had executed it, and that subsequently Agnes had fled.

**133** As John was taken by the hue just after the act and in any case could not have found sureties he should have been sent to the sheriff for imprisonment until trial. It is possible that the cancellation of the note (above, no. 31), when Osbert's mainpast seems to have been marked for putting in mercy, may be due to the record of his bailiff's correct action in this matter. For trial see note 130-5.

**134** The stranger should have been committed to the sheriff.

**135** Walter's case had already been dealt with under the borough pleas : 'Walter Gille, together with Christine Gille, John Gille and Simon Gille, killed his wife Gunnilda. They fled at once and are suspected. So let them be exacted and outlawed and let Christine be waived. No Englishry. Judgment : murder on the borough. Walter's chattels : 7s., on which the sheriff must answer. He was in the tithing of Henry le Chapman of Chippeham, so it is in mercy.' (*J.I.* 1/1005, *m.* 133 *d.*)

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**136-8** When the sheriff received a precept to produce a jury for the trial of civil or criminal matters the writ was forwarded to the hundred bailiff who nominated a panel. If an insufficient number of those in the panel appeared the justices had power to respite the action and to put all the defaulters in mercy. So in the Old Salisbury gaol delivery of 14 October, 1278, a Chippenham case had to be respited for want of jurors and nine defaulting jurors were put in mercy, including Robert Kaynel, Walter Dreu and Thomas Royley [*J.I.* 3/71, *mm.* 2 d. 7, 14]. But if a sufficient number of jurors attended, other members of the panel who did not attend could not be put in mercy for default. Sheriffs and bailiffs had no power to put in mercy for defaults before royal justices, but they were responsible for making amercements at the justices' order. Their duty of producing panels was not an easy one, since men liable to this service were continually attempting to evade it.

**139** Royley's default may well have been that of October, 1278, referred to in the preceding note, for which he was amerced half a mark, no doubt payable in moieties. The allegation seems to mean that for his payment of the first moiety he received no tally; for the second moiety Stoket may have distrained goods worth 10s., giving a tally only for the amount due.

**140** This article covered a wide field of illegal summonses but the jurors are concerned with only one aspect. The normal jury for a coroner's inquest or trial was composed of twelve freemen of the hundred and the representatives of the four neighbouring townships. The jurors allege that instead of summoning in this form Stoket has summoned all the freemen and townships. It is a not infrequent complaint and suggests the other side of the picture, namely the difficulty bailiffs found in producing a properly constituted jury.

**141** An approver was a convicted felon who appealed others of felony or of harbouring felons; if a sufficient number (in theory six, in practice often fewer) of those so appealed were found guilty, the approver was allowed to abjure the realm instead of being hanged. Persons appealed by accusers were usually treated as if they had been indicted at the sheriff's tourn; they were attached or imprisoned until trial in gaol delivery, the trial being at this date usually by jury, not by judicial duel with the approver. The gaol delivery rolls of the late thirteenth and early fourteenth centuries show that indictment by appeal of an approver was one of the most important ways in which accused persons were brought to trial. The same records show that it was the standing practice of justices to invite convicted felons to turn approver. This practice is already evident in the tract *De Corona* (unpublished but existing in many collections of legal manuscripts) which was composed about the beginning of Edward I's reign. Sheriffs and bailiffs were encouraged to persuade persons strongly accused of felony to turn approver so that as many suspects as possible might be made to stand trial. This article calls for the presentment of sheriffs and bailiffs who have either encouraged approvers to appeal

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innocent persons or who have prevented them from appealing the guilty. But guilt or innocence could only be established after the trial of the accused, not before the approver appealed them. Many, perhaps most, of those appealed were acquitted at gaol delivery, for convicted felons with but a slender chance of life were not likely to spare their accusations. Many of the acquitted might have committed a technical fault, such as failure to appear at first hearing of the charge, failure to vouch proper warranty for alleged stolen goods and so on; these faults would render them liable to amercement. In other words an accused person might legitimately have to pay a money penalty, although he was eventually acquitted on the approver's appeal or the approver's charge was quashed. This presentment might, therefore, be a merely biased account of Stoket's actions. But the very usefulness of the appeal of an approver as a means of securing the conviction of other criminals left obvious opportunities to the local officials to abuse it by persuading the approver to appeal really innocent persons who could be amerced for some technical fault, the official no doubt making it plain that if the amercement was paid nothing more would be heard of the approver's appeal. Neither John Giffard nor those whom he appealed occur in the surviving Wiltshire gaol deliveries.

**142** This article called for the presentment of officials who had had felons in their custody and permitted their release or escape for a bribe, or who had had the custody of persons accused of offences for which, by law and custom, they might be replevied and who had extorted money for allowing them to find sureties when they were entitled to find sureties freely. The matters presented already in nos. **130-4** fall also under the first section of this article.

**143** This was entered under the borough pleas (*m.* 133 *d*). In the autumn of 1274, Henry Seymour was charged with killing a man in Warwickshire, was imprisoned in Warwick gaol and his lands were taken into the King's hand, including the moiety of Rowden manor (*cf.* note **72** above) which he had granted to Nicholas. Nicholas then proved that he had been enfeoffed before Henry's alleged crime and so, on 18 February, 1275, the escheator was ordered to restore seisin of this manor to him (*Cal. Close Rolls* 1272-9, pp. 138, 152; *cf. ibid.*, pp. 239, 303-4). The jurors here make a merely routine report of the period during which the sub-escheator Stephen de Roys (or Druce) held the lands and of the revenue received by him in that period.

**144** Nothing is known of the crime for which Stoket was found guilty and hanged [R.48]. What is known about him has mostly been given above (nos. **130-140** and notes **130-5** and **132**). From it we know that he had been in office since 1267, or earlier, and that he had excited considerable animosity in the hundred. The mention of Nicholas Huse as his lord implies that he was a tenant of Rowden manor (*cf.* notes **72** and **143**). By contrast with the hundred's presentments, only two presentments were



made about him by the borough jurors in the Hundred Rolls enquiry of 1275 (*Rotuli Hundredorum*, II, 250) ; neither was unfavourable. As they have been referred to, with some misunderstanding, in the Rev. J. E. Jackson's article on Chippenham in the *Wilts. Archaeological Magazine*, III (pp. 39-40) and thence repeated in Arnold Platt, *History of Chippenham* (p. 9), they may be mentioned briefly. One is a mere routine presentment of Stoket's arresting nine sacks of wool during the shrievalty of Walter de Stirchesleg (1272-4) and the hostilities between the kings of England and the countess of Flanders (1270-3), when many instructions ordering the arrest of wool were issued. The sacks were subsequently released by the sheriff. Platt, following Jackson, wrongly refers all this to the period of the barons' wars (1264-5). The other alleges that when an approver in Salisbury Castle gaol appealed a Chippenham Jew and the sheriff issued his precept to Stoket to attach the Jew, Geoffrey Gacelyn hindered the execution of the precept by insisting on discussing the matter with the sheriff, by which time the Jew had escaped. Platt, following Jackson, ignores the conclusion of this matter, the hearing in eyre in the borough's crown pleas (*J.I.* 1/1105, *m.* 133 *d*). The Jew had subsequently been arrested and hanged in London for clipping coin. Gacelyn denied hindering the execution of the precept, and the jury on which he placed himself gave a verdict in his favour.

Stoket had been appealed of homicide in the eyre of 1268 (*J.I.* 1/998 *A, m.* 39). Julia the wife of Robert Bernard alleged that on Thursday the feast of the Translation of St. Thomas Martyr (no year given, but presumably 1267, 1261 being possible but unlikely), at Lacock fair, between the abbey park and the king's highway, Stoket had assaulted her son Roger so that he died, Roger le Mareschal, John le Sumeter and John Gille (*cf* note 135) aiding and abetting Stoket. The appellees pleaded that Julia had a husband, who should have made the appeal, and that a woman was not entitled to appeal for her son's death. The justices sustained these objections, so that Julia's appeal failed and the case was remitted for trial by jury. The jury found Stoket and John le Sumeter not guilty ; they also acquitted John Gille, who had fled and who was therefore to return if he wished. But they found Roger le Mareshal guilty of giving the fatal blow, so he was hanged. The names 'le Mareshal' and 'le Sumeter' suggest petty officials ; it may be that what lay behind the appeal was an over rough arrest for some minor offence. The condemnation of an accessory and acquittal of a principal is somewhat unusual.

# PLEAS IN THE LIBERTY OF THE ABBOT OF BATTLE AT BROMHAM, 1289<sup>1</sup>

The Abbey of Battle in Sussex was founded by William I near the site of the battle of Hastings as a thank-offering for his conquest of England. It enjoyed royal favour for some centuries and held not only wide lands but also extensive privileges and exemptions from royal jurisdiction. One of these privileges was the right to have independent sessions of the royal eyre, held for all the abbey's lands. In Wiltshire Battle owned the manor of Bromham together with estates at Conholt, in Chute Forest, and East Wick, in Wootton Rivers. The document printed here is the record of a session of the eyre held at Bromham in 1289. It forms the last two membranes of the roll of Thomas Sothinton, one of the justices of the Wiltshire eyre of that year.<sup>2</sup> The first of the two membranes is the official record of a special session of the eyre held for the abbot and his tenants at Bromham by Sothinton and the abbot's steward. On its front are the preliminary formalities of the session and the one civil plea, while the crown pleas and the amercements are on the dorse. The second membrane contains the verdicts of the jurors of the liberty. It is much smaller (about 8 inches long) and is attached to the roll upside down.

Franchises which gave their holders exemption from the eyre or a share in its jurisdiction were not common.<sup>3</sup> A number of lords<sup>4</sup> as well as many of the greater boroughs—Salisbury and Marlborough are Wiltshire examples—enjoyed the right to have all pleas concerning them dealt with within their liberties. Their sessions were held by the full bench of royal justices acting as much in the king's name as they did in the main county session. Complete exemption from the jurisdiction of the itinerant justices, on the other hand, was enjoyed by a very few lords, like the Abbot of Glastonbury, the Archbishop of York in Hexhamshire and by some of the great ecclesiastical lords of East Anglia in their banlieus.<sup>5</sup>

<sup>1</sup> I wish to thank Mr. R. B. Pugh, Mr. C. A. F. Meekings and Miss N. D. Hurnard for their help and advice.

<sup>2</sup> Public Record Office Assize Roll [J.I.1] 1013 mm. 26, 27. *Rotuli Parliamentorum* (Record Commission edition 1767) II pp. 15, 16 contains a transcript of a copy of the roll which was apparently in the abbot's possession in 1328. It was, it seems, printed from Hale MSS. V in the possession of Lincoln's Inn, which is itself a much later transcript. This text continues, with some differences from the present one, only so far as the beginning of the crown pleas. Some of the differences, for instance in the spelling of certain of the jurors' names, seem to be mistakes in copying, but others, like the spelling of the justice's name as 'Suthington' throughout (compare pp. 136, 137), would indicate that the original of the *Rotuli Parliamentorum* version was not an exact duplicate of this roll. All other manuscript references are to documents preserved in the Public Record Office.

<sup>3</sup> For a discussion of them, see N. D. Hurnard, 'The Anglo-Norman Franchises,' *E.H.R.* LXIV (1949), pp. 289-327, 433-60.

<sup>4</sup> E.g., the Earl of Gloucester at Tonbridge, the Abbot of Reading at Reading, the Honor of Wallingford, and the liberty of Rayleigh (see Eyre Rolls for Kent, Berks. and Essex, *passim*).

<sup>5</sup> *E.H.R.* LXIV, p. 315; *V.C.H. Cambs.*, IV (1953), pp. 8-9, 13; M. D. Lobel, 'Ecclesiastical Banleuca' in *Oxford Essays in Medieval History presented to H. E. Salter* (1934), pp. 132-3.

These lords appointed their own justices and held their own 'eyres' at the same time as the king's justices visited the counties in which their liberties lay.

The Abbot of Battle's franchise, which was granted to him by a charter of 28 or 29 October, 1271, ranks midway between these two kinds. Henry III then granted the abbey the privilege that whenever an eyre was held in any county where the abbey held lands, the chief justice of the eyre was to depute one of his fellows who, sitting with the abbot's steward, was to hold a special session in the place concerned for all civil and crown pleas concerning the abbot and his tenants.<sup>1</sup> This franchise was of an unusual nature, though it does not seem to have been unique. Beaulieu Abbey, for instance, appears to have had a rather similar session at its manor of Faringdon (Berks.), in connexion with the Hampshire eyre of 1228.<sup>2</sup> The Archbishop of York claimed that one or two of the justices were to sit with his justices for his manors of Beverley and Ripon.<sup>3</sup> He also claimed, though possibly without justification, that the royal justice was only to be an observer and was to keep no roll.<sup>4</sup> A similar position has been suggested<sup>5</sup> for the royal justice at the Battle sessions, but there seems to be no evidence that any such claim was made, much less fulfilled.<sup>6</sup> The chief characteristic of the franchise was in any case the joint exercise of jurisdiction by king and lord, and the relative status of their justices might well depend as much on particular circumstances, and the experience of each, as on the strict terms of the grant. Although similar liberties were claimed by other lords,<sup>7</sup> the evidence for their actual exercise is generally lacking, and I have not seen any record of a joint session which is quite comparable to the various records of sessions held in Battle liberties.<sup>8</sup> The extension of such a franchise to all its holder's lands was particularly unusual, though Byland Abbey may have had a similar privilege.<sup>9</sup> I have not been able to discover any particular reason why the charter was granted at just this time.<sup>10</sup>

The evidence for Battle's exercise of its liberty is not complete. In cases where the actual record of the session has disappeared it can sometimes be assumed to have taken place, possibly by the enrolment among

<sup>1</sup> *Cal. Pat. Rolls, 1266-72*, pp. 601-2; the charter is recited on p. 137. *Cal. Pat. Rolls* gives the date as 29 October, but it is 28 October in a recital of the charter in J.I.1/913 m. 22d.

<sup>2</sup> *Close Rolls, 1227-31*, p. 31.

<sup>3</sup> *Placita de Quo Warranto* (1818), pp. 221-2.

<sup>4</sup> A roll was certainly kept on one occasion: J. I. 1/1043 mm. 20-4.

<sup>5</sup> *Oxford Essays in Medieval History*, p. 127.

<sup>6</sup> The liberty, when it was claimed at all in the Quo Warranto proceedings, was claimed according to the terms of the charter: *Placita de Quo Warranto*, pp. 333, 364, 746.

<sup>7</sup> *Placita de Quo Warranto*, pp. 72-3, 348; *V.C.H. Berks.*, III (1907), p. 344; Just. Itin. 1/40 mm. 11-14, 28d; *Hist. Northumberland*, VIII (1907), pp. 210, 216-21.

<sup>8</sup> There is no roll for the Hants. eyre of 1228. In the York eyre of 1231 the crown pleas of the various liberties, including those of the archbishop, were listed in turn, and then their civil pleas, so that each session was much less separate and complete in itself than the Battle ones: J.I. 1/1043 mm. 20-4.

<sup>9</sup> *Cal. Chart. Rolls I*, 314; *Placita de Quo Warranto*, pp. 223-4.

<sup>10</sup> There is no record of payment for the charter in the Fine Roll of 56 Henry III or of the preceding year, which had just ended (C 60/68-9). The Pipe Rolls of 1271-2 and succeeding years (E.372/116-18) contain no reference to it.

## PLEAS AT BROMHAM

the civil pleas of a writ ordering it to be held, or by a recitation of the abbot's charter of 1271, or again, where the abbey lands constituted whole hundreds, by the absence of these hundreds from the crown pleas, calendar and roll of amercements.

Two eyres were held in Wiltshire after 1271. In that of 1281, the charter of 1271 was produced and recited in the roll,<sup>1</sup> but no writ was enrolled and a suit to compel certain persons who were probably tenants at Bromham<sup>2</sup> to do suit to Calne hundred was adjourned to Exeter without any apparent objection from the abbot's attorney.<sup>3</sup> The session whose record is here presented was held at the only other eyre. In 1328 the Abbot of Battle made a petition to parliament for a gaol delivery at Bromham, giving as a precedent the session of 1289. The chancery officials had refused him his claim as they had no record of any gaol delivery at Bromham.<sup>4</sup> No record of one either before or after 1328 appears to have survived though the liberty of Bromham was represented by a separate jury before justices of trailbaston in 1305.<sup>5</sup> For long afterwards Bromham was frequently referred to as a liberty. While the two lesser estates of Conholt and East Wick became merged once more in Kinwardstone hundred, Bromham remained detached from Calne, and eventually became part of Potterne and Cannings.<sup>6</sup> In Sussex, where the abbey held two hundreds as well as other scattered estates, sessions can be presumed to have been held, though no records survive, in the eyres of 1271 and 1288.<sup>7</sup> In 1279 the session was ordered to be superseded until provision for such cases had been made by the king and council.<sup>8</sup> In Kent, sessions for the hundred of Wye and its members were held in 1294 and 1314<sup>9</sup> and almost certainly in 1279.<sup>10</sup> In Surrey, where the abbey held the manors of Limpsfield and Willey, there is no evidence for or against a session in the eyre of 1271,<sup>11</sup> for which no crown pleas have survived. There is no writ enrolled among the civil pleas, but that enrolled in the Sussex eyre may have applied equally to Surrey.<sup>12</sup> A session was

<sup>1</sup> J.I. 1/1005 m. 20.

<sup>2</sup> They were Gilbert de la Roche, Nicholas le Eyr, Robert le Blund, John de la Forde, Osmund 'Milis', Humfrey de la Clyve, Richard le Hyr and William son of Gilbert. Compare the names of the jurors on p. 00, and of tenants of the manor in *Customals of Battle Abbey* (ed. S. R. Scargill-Bird, Camden Society, N. S. XLI (1887), p. 72).

<sup>3</sup> J.I. 1/1005 m. 41d. The abbot apparently withdrew his tenants' suits from the hundred from 56 Henry III—the year the charter was granted: *Hundred Rolls* (Record Commission, 1818), II, pp. 246, 247.

<sup>4</sup> *Rotuli Parliamentorum*, II, pp. 15, 16.

<sup>5</sup> J.I. 1/1015 mm. 8d, 17, 18(i)d.

<sup>6</sup> *V.C.H. Wilts.*, VII, (1953), pp. 177-8.

<sup>7</sup> Writ and charter enrolled: J.I. 1/913 m. 22d. Writ alone enrolled: J.I. 1/929 m. 2. Battle and Alciston hundreds did not appear.

<sup>8</sup> Writ enrolled: J. I. 1/918 m. 7d; *ibid.*/921 m. 1d. Battle and Alciston hundreds did not appear.

<sup>9</sup> J.I. 1/378A and B and *ibid.*/384A and B are records of the sessions.

<sup>10</sup> Charter recited in answer to plea against abbot: J.I. 1/368 m. 1. Memorandum enrolled concerning session: J.I. 1/369 m. 44d. Wye hundred did not appear: J.I. 1/369 m. 41d.

<sup>11</sup> J.I. 1/875.

<sup>12</sup> The chief justice was ordered to allow the liberty *in hoc itinere vestro*, without a county being specified. The justices went from Sussex to Surrey, having visited Kent just before the charter was granted.

probably held in Surrey in 1279.<sup>1</sup> There is no evidence whether one was planned for the abandoned eyre of 1294.<sup>2</sup> As late as 1352 a special session was held in the abbot's liberty here by justices of the peace and of labourers.<sup>3</sup> There were sessions for Brightwalton (Berks.) in 1284<sup>4</sup> and Crowmarsh (Oxon.) in 1285.<sup>5</sup> There is no evidence about the Essex eyre of 1272.<sup>6</sup> The justices were ordered to hold a session there in 1285,<sup>7</sup> but presumably they failed to do so during the eyre, for, after the issue of a new writ, a session was held in 1287 at Hutton, the chief estate of the abbey in the county.<sup>8</sup> There was probably a session in 1280 in Hampshire,<sup>9</sup> where the abbey had apparently acquired lands for the first time in 1275.<sup>10</sup> Battle also held lands in Devon, Norfolk and Suffolk, as well as in Brecon, but I have not searched the rolls of these counties.

It has been suggested that the charter of 1271 did not convey an entirely new privilege.<sup>11</sup> The evidence for this rests upon three facts. The first is the wording of the charter itself, which seems to imply that Henry had already granted the abbey the right to hold its own courts in the eyre, but that the privilege had been ineffective through lack of those special provisions which the charter made.<sup>12</sup> This on its own might mean little,<sup>13</sup> but in the Sussex eyre roll of 1262 a slightly ambiguous and curiously phrased remark about the abbey's coroner suggests that there may have been a session within the liberty in 1255: 'Radulphus de Greston coronator istius libertatis et fuit per ultimum iter infra leucam'.<sup>14</sup> Thirdly, in 1194 one Hugh Peverell claimed the abbey's jurisdiction (*petit curiam ecclesie sancti Martini*) over a plea in the Essex eyre.<sup>15</sup> The significance of this is not clear, and it might indicate some such immunity from eyre jurisdiction as was granted in 1271. On the other hand, it might equally refer to the abbot's right, enjoyed under a charter of Henry I and later to be confirmed by John, that he and his men were to be impleaded only in his own court or before the king.<sup>16</sup> Against the suggestion that the charter of 1271 was a confirmation of privileges already enjoyed, is the fact that when sessions were held afterwards the abbot's claim was

<sup>1</sup> Writ and charter enrolled: J.I. 1/877 m. 19.

<sup>2</sup> J.I. 1/882 m. 9; *ibid.* 1/904 m. 3.

<sup>3</sup> J.I. 1/907 m. 3.

<sup>4</sup> Writ enrolled: J.I. 1/48 m. 15. Session recorded: *ibid.* m. 43 d, 51 d, and also on subsidiary rolls, e.g. J.I. 1/46 m. 18d with list of amerancements.

<sup>5</sup> Writ enrolled: J.I. 1/710 m. 2. Session recorded: *ibid.* mm. 58d, 61d, and not on subsidiary rolls.

<sup>6</sup> J.I. 1/238.

<sup>7</sup> Liberty claimed and writ enrolled: J.I. 1/247 m. 11d. Writ also enrolled in Close Rolls: *Cal. Close Rolls, 1279-88*, p. 367.

<sup>8</sup> Session recorded: J.I. 1/1260 m. 19.

<sup>9</sup> Liberty claimed and charter enrolled: J.I. 1/788 m. 1d.

<sup>10</sup> *V.C.H. Hants*, II (1903), p. 477.

<sup>11</sup> N. D. Hurnard in *E.H.R.* LXIV, pp. 434, 435n.

<sup>12</sup> See p. 137.

<sup>13</sup> It might refer to a charter granted two years earlier: Dugdale, *Monasticon* (1817-30 edn.), III, p. 251.

<sup>14</sup> J.I. 1/912 m. 37.

<sup>15</sup> *Curia Regis Rolls, 1194-5* (Pipe Roll Society, XIV, 1891), p. 33.

<sup>16</sup> Dugdale, *Monasticon*, III, 247; *Rot. Chart. 1199-1216* (Record Commission 1837), p. 19.

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always based upon it and not upon the grants of earlier kings. At Brightwalton it was made clear that this was the only liberty which the abbot did not claim under charters of William I. At Bromham in 1289 the abbot claimed various liberties which he said had been granted by William and confirmed by Henry III, but these did not include the eyre liberty.<sup>1</sup> Where the abbey lands constituted hundreds, the appearance of the hundred in the calendar and among the crown pleas of the county, with no separate dating to show that the justices had moved their place of meeting, provides evidence that no special session was held. This evidence is forthcoming for both the counties concerned whenever complete crown pleas rolls survive, namely for Kent in 1227 and 1241,<sup>2</sup> and for Sussex in 1248 and 1262.<sup>3</sup> No roll has survived for the Sussex eyre of 1255,<sup>4</sup> to which the remark made about the coroner in 1262 relates. It is curious that if a session was known to have been held in the liberty in 1255, the precedent was not followed in 1262. Outside these two counties the evidence is less clear. The mention of vills by hundred juries as if they were ordinary members of the hundred generally proves little, since this happened on several occasions when sessions are known to have been held, notably in Wiltshire in 1289, when the juries of Calne and Kinwardstone hundreds were obviously unaware of the particular position of Battle lands and tenants.<sup>5</sup> On the other hand if the abbot was impleaded in the eyre and either answered the plea in the normal way, or replied by saying that he should only be impleaded *coram rege*, according to John's charter,<sup>6</sup> then it can be assumed that a special session was neither claimed nor planned. On each of the occasions, either in Kent and Sussex or elsewhere, when I have found the record of a suit against the abbot, one of these two things did happen, and on several occasions the abbot himself brought suits in the eyre in the ordinary way.<sup>7</sup> There are no writs authorizing special sessions before 1271 enrolled in the eyre rolls of the various counties dealt with.

In the face of this evidence it seems clear that special sessions were not generally held for Battle lands before 1271. Battle naturally enjoyed very wide liberties by royal grant,<sup>8</sup> but it seems to be increasingly accepted that wide criminal jurisdiction was seldom held in Norman and later times without specific royal grant, and such royal grants have seldom been proved. Further, the eyre seems to have had jurisdiction over many of those liberties which might before have had comparative

<sup>1</sup> See pp. 139-40, 141.

<sup>2</sup> J.I. 1/358 m 20; *ibid.*/359 mm. 25d, 32d.

<sup>3</sup> J.I. 1/909A m. 29d; *ibid.*, 912A mm. 37, 40d, 48, 48d.

<sup>4</sup> Information about dates of visitations etc. is taken from Mr. C. A. F. Meekings' typescript list of eyres.

<sup>5</sup> J.I. 1/1011 mm. 48, 52d. The full presentments are not entered on Sothinton's roll.

<sup>6</sup> *Rot. Chart.* 1199-1216, p. 19.

<sup>7</sup> Cases when the abbot submitted to jurisdiction in the ordinary way: J.I. 1/37 m. 17 (Berks.); *ibid.*/231 m. 22d (Essex); *ibid.*/363 m. 20d. and /365 m. 42d (Kent); *ibid.*/867 m. 12d (Surrey); *ibid.*/909A mm. 11d, 17d, 14d and /912B mm. 1d. 18d, 22 (Sussex). Cases where he pleaded John's charter: J.I. 1/874 m. 1d (Surrey); *ibid.*/998A mm. 1d, 7d, 15d (Wilts.).

<sup>8</sup> *Regesta Regum Anglo-Normannorum*, ed. Davis and Whitwell, I (1913), no. 290; Dugdale, *Monasticon*, vol. iii, pp. 247, 251.

immunity. Since it is known that Battle never enjoyed complete exemption from the eyre, the greatest liberty it might be expected to enjoy is the right to have a special session held by the justices for the lowey of the abbey. This may be what took place in 1255, although it did not in either the preceding or following visitation. Outside Sussex and Kent, the fact that the abbey did not exercise its right to exemption from shire and hundred courts, which had been granted by successive kings, makes it less likely that higher jurisdiction was ever claimed.

The sessions held after 1271 were not always strictly in accordance with the terms of the charter. Only crown pleas appear to have been heard at Hutton in 1287. In Berkshire in 1284 all the justices held the session, apparently without the steward, and dealt only with crown pleas. The writs authorizing sessions on other occasions sometimes implied or stated that all the justices would visit the liberty,<sup>1</sup> but this may not mean that they always did so, since on one such occasion at least, only one justice in fact visited it.<sup>2</sup> Where joint sessions were held and the evidence survives, procedure seems to have been fairly uniform. Though no writ survives for the presumed Wye session of 1279, the first step seems to have been the sending of a writ to the justices in the county concerned. The writs took substantially the same form as that for the Bromham session, except where they directed all the justices to hold the session or where, in 1279, the Surrey writ referred to the session as being *hac vice de gracia nostra speciali*.<sup>3</sup> The Sussex eyre of 1271 was already in session when the charter of 1271 was made and the writ for that occasion was dated two days after the charter itself. The writs were generally enrolled among the civil pleas of the eyre: only one of these ever seems to have been enrolled in chancery.<sup>4</sup> In Wiltshire in 1289 the abbot's attorney apparently claimed the liberty while the crown pleas of Calne and Kinwardstone hundreds were being dealt with and the writ was enrolled among the Kinwardstone crown pleas. In Kent in 1314 the claim was only allowed after the rolls of the previous eyre had been searched, while in Hampshire in 1280, although the abbey had apparently acquired its property there since the last eyre, 'the knights of the whole county' said that the abbey had exercised its liberty since the making of the charter. In Kent in 1279 a memorandum was made that the crown pleas of Wye hundred were to be delivered to the justices when they arrived there.

Except for the Hutton session which was held two years after the previous Essex eyre, presumably because there had not been an opportunity for it before, the sessions were held immediately after or between the sessions of the county eyre. In 1289 the Wiltshire eyre ended on 25 February<sup>5</sup> and the Bromham session was held on 28 February.<sup>6</sup> The

<sup>1</sup> Sussex, 1279 and 1288; Surrey, 1279; Oxon. and Essex, 1285.

<sup>2</sup> Oxon., 1285.

<sup>3</sup> Probably because of pending *quo warranto* proceedings. It might also be connected with the fact that the Surrey eyre followed the Sussex one in which the Sussex session had been adjourned until after the king and council had discussed such liberties. See above, p. 131.

<sup>4</sup> *Cal. Close Rolls, 1279-88*, 367.

<sup>5</sup> The dates of the main sessions are taken from Mr. Meekings' typescript list of Wiltshire eyres.

<sup>6</sup> See p. 136.

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sessions had jurisdiction over all Battle's lands in the county concerned : the Bromham roll refers to ' members ' of Bromham manor and one of the abbot's tenants at East Wick was presented by the jury of the liberty for default.<sup>1</sup> The organization of the eyre by counties cut across the usual manorial organization of the Battle manors, for Conholt usually owed suit to Brightwalton in Berkshire.<sup>2</sup> In each case for which its record survives, a session held for a Battle liberty formed a complete miniature eyre, quite independent of that of the county.<sup>3</sup> It was probably because of the smallness of the Bromham roll that it was sewn up with Sothinton's Wiltshire roll, instead of being left on its own as were the Wye ones. In each of these cases there is no record of the Battle session on the rolls of the justices who did not take part, its jury finds no place in the county calendar and it has its own amercements roll. The Crowmarsh session of 1284 was recorded on the roll not of Robert Fulkes, who held it, but of the chief justice, and the jury is entered at the end of the chief justice's calendar. In this case the crossing-out of the marginalia, which distinguishes the chief justice's or main roll from the subsidiary ones, is continued in the Crowmarsh record, while in Sothinton's roll of 1289 only the marginalia in the Bromham section are crossed out. The Hutton session is recorded on the assize roll of the royal justice who held it along with the abbot's steward and who was then on a commission of assize in Essex. Two copies were made of each of the Wye rolls, one with the marginalia crossed out and marked with the royal justice's name. The other roll was marked ' Abbas ' and is comparable perhaps with the ' Rex ' roll of an ordinary eyre. The abbot evidently kept a copy of the Bromham roll after 1289, for it was in existence in 1328.<sup>4</sup>

In each of these cases the record of the Battle session has a heading similar to that of a county eyre. There follows the recitation of the writ and at Bromham of the charter as well. Then, except at Hutton, where none were heard, come the civil pleas. There was only one at Bromham, and an assize was empanelled and the verdict delivered. There was one plea at Crowmarsh, which was adjourned, and several dozen in the much larger liberty of Wye. In 1314 there were also *querele* and *transgressioniones* tried at Wye, and a roll of attorneys. The crown pleas are headed by the usual statement that the manor—or in the case of Wye the hundred—came by twelve men, and by the list of the electors and jurors. At Crowmarsh the jury list was added instead on to the county calendar. There is also a statement about the officials of the liberty and about such of the county officials as were concerned with it. Both the sheriff and coroner appeared at Bromham. The sheriff answered for the performance of his duties except in so far as the abbot had return of writs. The abbot had a coroner of his own in Bromham in 1384,<sup>5</sup> but no such claim had been made by 1289. In 1314 his claim to have a coroner recurred at several

<sup>1</sup> See pp. 140, 141.

<sup>2</sup> *V.C.H. Berks.* IV, 49.

<sup>3</sup> Compare the record of the sessions held for liberties in Yorks : *J.I.* 1/1043 *mm.* 20-4.

<sup>4</sup> See above note 2, p. 129.

<sup>5</sup> *K.B.* 27/492.



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parts of the Wye roll. The crown pleas follow in the usual way. No ameracements roll has survived for Crowmash, but the Wye sessions have separate rolls of ameracements, and the short Bromham list forms the last item on the single membrane of the record.

The verdicts of the jurors at the Bromham session were also preserved, possibly by accident. Each paragraph was struck through by a stroke down the membrane. The verdicts can be compared with the crown pleas to which they gave rise. Presentments were made under only four articles. One of the items in the crown pleas, concerning the theft and flight of Walter de la Forde, was not included among the verdicts: this omission may have been the concealment for which the jury were amerced.<sup>1</sup> The circumstances in the cases of death and defaults are dealt with more fully in the verdicts, while the recital of the abbot's liberties is almost the same in each place. The proceedings in court upon each presentment are naturally found only in the roll. The presentment of the taking of unjust tolls was made under the abbey's early charters. The failure of three neighbouring villages to attend an inquest in Bromham was recorded, and the clerk noted that he did not enter their ameracements since they had already been amerced at Wilton as appeared in the estreats. Only two of them in fact appear on the ameracements roll of the county, and they had failed to attend another inquest.<sup>2</sup> The additional amercement may have been entered on the estreat although omitted from the ameracements rolls, but the incident increases the probability that the Bromham record was made up quite separately from the main Wiltshire rolls.

In the following transcription the use of capital letters and the punctuation of the original document have been altered where necessary to conform with modern usage. Contracted forms have been extended. Marginalia are given in footnotes. The sign § has been used to represent the scribe's paragraph mark.

SUSAN REYNOLDS.

### PLEAS AT BROMHAM, 1289

[m.26] Placita tam de juratis et assisis quam de corona de libertate abbatis de Bello capta apud Bromham infra libertatem eandem coram magistro Thoma de Sodintone et fratre Rogero de Pevenese senescallo predicti abbatis<sup>3</sup> die Lune proxima post diem cynerum anno regni regis Edwardi filii regis Henrici septimo decimo

§ Dominus rex mandavit justiciariis suis itinerantibus apud Wylton' in comitatu isto breve suum in hec verba: Edwardus dei gracia etc.

<sup>1</sup> See p. 140.

<sup>2</sup> J.I. 1/1008 m. 29.

<sup>3</sup> The words 'et fratre . . . abbatis' are written over the line.

## PLEAS AT BROMHAM

justiciariis suis itinerantibus in comitatu Wylton' salutem. Cum bone memorie dominus H. rex pater noster per cartam suam concesserit abbati et conventui de Bello quod omnia placita ipsum abbatem et homines suos coram quibuscumque justiciariis infra regnum Anglie itinerantibus in itineribus illis contingencia infra libertatem ipsorum abbatis et conventus in comitatibus in quibus itinera illa fuerint secundum legem et consuetudinem regni nostri placitentur et terminentur, vobis mandamus quod omnia placita ipsum abbatem et homines suos coram vobis in predicto itinere vestro tangencia infra libertatem eorundem abbatis et conventus in comitatu predicto ad certum diem quem ad hoc provideritis placitetis et terminetis juxta tenorem carte supradicte sic in aliis itineribus hactenus a tempore concessionis predictae fieri consuevit. Teste Edmundo comite Cornub' consanguineo nostro apud Westmonasterium xx die Januarii anno regno nostro septimo decimo. Et super hoc venit senescallus predicti abbatis et profert cartam domini H. regis patris domini regis nunc in hec verba : Henricus dei gracia rex Anglie dominus Hibernie et dux Aquitanie omnibus ad quos presentes littere pervenerint salutem. Cum per cartam nostram concessissemus dilectis nobis in Christo abbati et conventui de Bello hanc libertatem videlicet quod de omnibus hominibus suis per totum regnum nostrum habeant justiciam per se tenendam coram quibuscumque justiciariis nostris itinerantibus ad omnia placita videlicet tam de illis que ad coronam nostram spectant placitanda et terminanda quam de aliis quibuscumque dictos abbatem et conventum et homines suos infra regnum nostrum contingentibus, nos quia ipsi sine auxilio nostro utiliter libertate illa uti non possunt sibi gratiam facere volentes specialem concedimus eis pro nobis et heredibus nostris quod iidem abbas et conventus in quocumque itinere justiciariorum nostrorum ubi terre et tenementa sua consistunt et homines habent habeant unum de eisdem' justiciariis nostris qui ex discrecione capitalis justiciarii nostri eorundem justiciariorum comodius vacare possit una cum senescallo eorundem abbatis et conventus ad omnia placita ipsos et homines suos tangencia in hujusmodi itineribus placitanda et terminanda infra libertatem suam prout secundum legem et consuetudinem regni nostri fuerit faciendum. Nolumus autem quod racione hujus concessionis nostre prejudicium aliquod quo ad alias libertates suas imposterum generetur. In cujus rei etc. Et quia in predicto brevi continetur quod justiciarii predicti placita omnia ipsum abbatem et homines suos tangencia infra libertatem eorundem abbatis et conventus ad certum locum quem ad hoc providerint placitent et terminent juxta tenorem carte predictae et in eadem carta continetur quod predicti abbas et conventus habeant unum de justiciariis eisdem qui ex discrecione capitalis justiciarii comodius vacare possit una cum senescallo eorundem abbatis et conventus ad omnia placita infra libertatem suam placitanda et terminanda infra libertatem predictam predictus magister Thomas de Sodinton' unus de societate predictorum justiciariorum ad predictum locum predicto die accessit ad placita ipsorum abbatis et conventus infra libertatem predictam placitanda et terminanda ex discrecione S. de Roff' capitalis justiciarii

<sup>1</sup> MS. 'eisdem', and so throughout.

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itineris predicti simul cum fratre Rogero de Pevenese senescallo predicti abbatis etc.

§ Assisa venit recognitura si Willelmus Gyffray et Johannes le Clynch injuste etc. disseisiverunt Emmam uxorem Johannis Bonclerk' de communa pasture sue in Bromham que pertinet ad liberum tenementum suum in eadem villa post primam etc. Et unde queritur<sup>1</sup> quod disseisiverunt eam de communa sua in tribus acris pasture in quibus communicare solebat cum omnimodis averiis suis per totum annum etc.

Et Willelmus et Johannes veniunt. Et Johannes dicit quod ipse nichil clamat in predicto tenemento nec aliquam injuriam seu disseisinam ei fecit. Et de hoc ponit se super assisam etc. Et Willelmus dicit quod predictum tenementum in quo etc. fuit aliquando cujusdam Ricardi patris sui qui illud tenuit in suo separali et postea de separalitate sua feoffavit inde quemdam Walterum de Sandrigge tenendum in separalitate ad terminum vite ipsius Ricardi tantum qui quidem Walterus sic illud tenuit tota vita ipsius Ricardi. Et dicit quod post mortem ipsius Ricardi patris sui ipse recenter in eodem tenemento intravit per formam feoffamenti inde facti predicto Waltero. Et dicit quod ipse hucusque tenementum illud tenuit in suo separali sicut ei bene licuit et sicut Ricardus pater suus tempore suo tenuit absque hoc quod predicta Emma umquam aliquam comunam habuit in eodem tanquam pertinentem etc. ita quod inde potuit disseisiri. Et de hoc ponit se super assisam etc.

Et Johannes Bonclerk' et Emma dicunt quod predictus Ricardus pater predicti Willelmi dedit quedam tenementa simul cum predicta<sup>2</sup> communa predicto Waltero quodam viro ipsius Emme in liberum maritagiū cum ipsa Emma per quod donum ipsi Walterus et Emma fuerunt in seisina de predicta communa tota vita ipsius Walteri et similiter ipsa post mortem ipsius Walteri tanquam pertinentia etc. quousque jam duobus annis elapsis quod predicti Willelmus et Johannes ipsam inde injuste etc. disseisiverunt sicut queruntur. Et quod ita sic petunt quod inquiratur per assisam. Et Willelmus similiter. Ideo capiatur assisa.

Juratores dicunt super sacramentum suum quod predicta Emma nullum habet liberum tenementum ad quod aliqua communa pertinere potest nec eadem Emma umquam aliquam comunam habuit in predicto tenemento ita quod potuit inde disseisiri. Ideo consideratum est quod predicti Willelmus et Johannes inde sine die. Et predicti Johannes et Emma nichil capiant per assisam istam set sunt in misericordia pro falso clamio etc. Misericordia pardonatur per justiciariis quia pauperes etc.<sup>3</sup>

§<sup>4</sup>

[m.26d]. Petrus<sup>5</sup> de Badenham capitalis ballivus juratus

Electores :	Nicholas le Eyr	juratus
	Thomas de la Clench	juratus

<sup>1</sup> MS. ' queruntur '.

<sup>2</sup> MS. ' predictam '.

<sup>3</sup> In margin, cancelled : ' misericordie '.

<sup>4</sup> There is a paragraph mark at the foot of the membrane with no entry after it.

<sup>5</sup> In margin : ' Bromham '.

## PLEAS AT BROMHAM

Johannes de la Roche	juratus
Robertus de la Clive	juratus
Rogerus de la Forde	juratus
Willelmus de Albem'	juratus
Moyses le Wyte	juratus
Johannes Winte	juratus
Adam Miles	juratus
Walterus le Pestur	juratus
Johannes de la Forde	juratus
Willelmus Geffray	juratus

§ Memorandum quod abbas non habet coronatorem proprium infra libertatem suam set quod Philippus Strugge coronator domini regis de corpore comitatus predicti respondet de tempore suo de placitis tangentibus coronam domini regis infra libertatem dictam. Et similiter Johannes de Wotton vicecomes domini regis ad communia placita respondet salvo predicto abbati quod ballivi sui plenum returnum habent omnium brevium tangencium quoscumque infra libertatem suam. Et inde respondent vicecomes comitatus. Et idem vicecomes coram justiciariis ulterius etc. per testimonium eorundem ballivorum etc.

Manerium de Bromham venit per xii juratores.

§ Jurata presentat quod Walterus Arnaud frigore subpressus obiit in villa de Bromham anno regni regis nunc nono et sepultus fuit per visum Philippi Strug coronatoris. Primus inventor obiit. Nullus inde malecreditor. Judicium infortunium. Et ville de Bromham, Etendon', Stokkelegh', et Stodlegh' non venerunt plenarie ad inquisitionem coram coronatore. Ideo in misericordia.<sup>1</sup> Et quia predictae villate de Etendon', Stokkelegh', et Stodlegh' sunt extra libertatem istam licet ratione propinquitatis ipsius libertatis coram coronatore ad inquisitionem coram eo faciendum venire debeant simul cum predicta villa de Bromham, nichil de misericordia earundem villarum hic eo quod extra libertatem istam et eciam pro eo quod coram justiciariis apud Wylton' ea decena amerciantur prout patet in extractis etc.<sup>2</sup>

§ De defaultis dicunt quod Willelmus Wither, Petrus de la Clenche, Ricardus le Tuf, Gilbertus de la Roche, et Angnes de Stokkelegh' non venerunt primo die. Ideo in misericordia.<sup>3</sup>

§ De indictatis dicunt quod Willelmus filius Walteri de la Forde subtraxit se pro tribus boviculis. Jure et solempniter vocatus non venit et inde malecreditor. Ideo exigatur et utlagetur. Catalla ejus dimidia marca unde abbas de Bello<sup>4</sup> respondet. Et fuit in decena Johannis Ichefeld'. Ideo in misericordia.<sup>5</sup>

§ De libertatibus dicunt quod abbas de Bello clamat habere returnum brevium domini regis assisam panis et cervisie furcas pillorium tumberel-

<sup>1</sup> *In margin, cancelled* : ' misericordie '.

<sup>2</sup> *The words* ' nichil . . . extractis etc. ' *were inserted after the next line was written.*

<sup>3</sup> *In margin, cancelled* : ' misericordie '.

<sup>4</sup> *The word* ' vicecomes ' *was originally written. It was crossed out and* ' abbas de Bello ' *inserted over it.*

<sup>5</sup> *In margin* : ' exigatur utlagetur dimidia marca misericordia '.

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lum visum franci plegii de tenentibus suis in Bromeham et Estwyk' et tenere placitum de vetito namio per cartam domini H. regis patris domini regis nunc. Et super hoc seneschallus predicti abbatis profert cartam cujusdam domini Willelmi regis que testatur quod idem dominus rex Willelmus conquestor Anglie fundator abbtanie de Bello concessit eis omnem justiciam ita quod nullus minister suus vicecomes aut alius infra libertates predicti abbatis ingrediatur nec de aliquo se intermittat. Et quod idem abbas et successores sui non cogantur venire ad quoslibet comitatum vel shir' vel hundredum set quod habeant per omnia maneria et terras suas propriam curiam suam cum regia dignitate et libertate et consuetudine per omnia et in omnibus et dicunt quod idem abbas et predecessores sui a tempore predicto hucusque sine interrupcione per cartam predictam usi sunt libertatibus predictis. Profert eciam cartam domini H. regis patris domini regis nunc que testatur quod idem dominus H. rex confirmavit et concessit abbati de Bello omnes libertates quas antecessores sui reges Anglie abbati et ecclesie de Bello concesserunt. Et juratores quesiti si predictus abbas predictis libertatibus plenarie usi sunt<sup>f</sup> dicunt quod sic. Ideo predictus abbas quo ad hoc sine die salvo etc.

§<sup>2</sup>

Fines et amerciamenta tam de juratis et assisis quam de corona de libertate predicta.

§ De villa de Bromham cum membris quia non venerunt ad inquisitionem .....	xl s.
De Wilhelmo Wyther pro defalto .....	<sup>3</sup>
De abbate de Bello de catallis Willelmi filii Walteri de la Forde fugitivi .....	dimidia marca
De decena Johannis Ichefelde pro fuga ejusdem Willelmi .....	xl d.
De Nicholao le Eir et Thoma de la Clenche de fine pro se et sociis suis xij juratoribus pro conclamento et aliis transgressionibus.....	xx s.

[m.27] Bromham.<sup>4</sup>

§ De veteribus placitis corone que alias fuerunt coram justiciariis et non fuerunt terminata : nichil.

De novis placitis corone que postea emeruerunt tempore pacis : Dicunt quod contigit die Martis in festo apostolorum Symonis et Jude anno regni regis Edwardi nono in villata de Bromham quod quidam Walterus Arkenald pauper et mendicus veniebat de quadam taberna que fuit ad domum Walteri Godefray de Bromham et in regia via super

<sup>1</sup> Sic.

<sup>2</sup> A paragraph mark here is followed by a space. The amercements which follow are at the foot of the membrane.

<sup>3</sup> A space is left here and no amercement entered.

<sup>4</sup> This membrane is sewn to the roll upside down. The word ' Bromham ' is enclosed in a ring and each of the succeeding paragraphs is struck through by a line down the centre of the membrane.

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Northulle frigore et miseria afflicto subito obiit. Robertus Harald primo invenit eum et non levavit hutesium set ea que vidit dicenario<sup>1</sup> suo de Bromham monstravit qui cum decena sua abiit ad dictum locum et hutesium levavit et prosecutus fuit. Plegii dicti Roberti Johannes de Fraxino et Willelmus de la Forde. Philippus Strug coronator fecit officium suum.

§ De hiis qui summoniti fuerunt venire primo die coram iusticiariis et non venerunt : Dicunt quod Ricardus de Suthcote<sup>2</sup> qui tenet de feodo abbatis de Bello in Estwyke non venit nec Willelmus Wyther qui manet super feodo dicti abbatis nec est in decena nec in francho plegio nec venit ad aliquam laweday. Item dicunt quod Petrus de la Clenche et Ricardus le Tuf sunt conversantes super feodo dicti abbatis et non veniunt nec sequuntur ad aliquam laweday. Item dicunt quod Gilbertus de la Roche non venit. Item dicunt quod Agnes de Stockelegh non venit primo die.

§ Qui eciam alii a rege clamant habere retornum etc. : Dicunt quod abbas de Bello clamat habere retornum omnium brevium domini regis furcas assisam panis et cervisie pillorium tumberellum et alias libertates regias per cartas regis H. patris regis nunc et visum franci plegii et libertatem placitandi placitum de namio vetito.

§ De hiis qui ceperunt superflua vel indebita theolonia etc. Dicunt quod ballivi burgi<sup>3</sup> de Dyvises et ballivi de Calna capiunt de hominibus abbatis de Bello theolonia contra cartas regum Anglie.

§ De ceteris capitulis et articulis : nichil sciunt.

<sup>1</sup> Sic.

<sup>2</sup> The name is crossed out and ' infirmus languidus ' written above it.

<sup>3</sup> The word ' burgi ' is written over the line.

## FRAGMENT OF AN ACCOUNT OF THE CELLARESS OF WILTON ABBEY, 1299

The account transcribed below was found amongst the records of the borough of Wilton early in 1949.<sup>1</sup> At that time the Wilton borough records were stored away, unsorted, in two large chests and two small hutches and had apparently not been examined for a long time.<sup>2</sup> As will be seen, the account covers a time when an Abbess of Wilton was being installed so that as a record of important events it was probably preserved with special care, but how an account from the abbey came to join the records of the borough it is impossible to tell.

The manuscript consists of four membranes sewn head to foot. The first membrane measures  $19\frac{1}{2}$  inches in length and  $7\frac{1}{4}$  inches in breadth. The head of this membrane has been torn across, and the nature of the tears show that it has been torn along the line of stitches joining it to an upper membrane. The second membrane measures  $21\frac{3}{8}$  inches in length and 8 inches in breadth; the third  $19\frac{7}{8}$  inches in length and 8 inches in breadth. This third membrane has a stain measuring approximately  $7\frac{1}{4}$  inches by  $6\frac{5}{8}$  inches extending from the left hand margin. The fourth membrane, which brings the account to its close, measures  $9\frac{1}{2}$  inches in length and  $7\frac{7}{8}$  inches in breadth. It also has stains covering an area of approximately  $2\frac{1}{2}$  by  $1\frac{3}{4}$  inches in the middle of the membrane. It is cut straight across the bottom, but a row of about eight stitch marks in the middle of this edge shows that at one time something was attached.

The manuscript is clearly part of an account roll, but since the earlier membranes are missing it is an account without heading or date. The surviving membranes, however, show it to be a weekly account of the food and drink supplied day by day for the convent of nuns at Wilton. The accountant, whose name was Thomas, was presumably a clerk in the cellaress's department. He accounts for both the money spent on food and drink and also for all provisions taken from the abbey's stock or store. These items from stock have been underlined in the account and this feature has been retained in the transcript. At the end of membranes 1, 2 and 3 the total of corn accounted for in each of those membranes is set down, and at the end of membrane 3 the total of meat accounted for in that membrane is given as well. The account covers a period of 16 weeks and three days, from 7 June until Michaelmas day (29 September). It may be presumed, therefore, since the medieval financial year ran from Michaelmas to Michaelmas, that it is part of an account of the daily issues of food and drink over a period of one year. Indeed, the total expenditure (£97 18s. 11 $\frac{1}{4}$ d.) given at the foot of the fourth, and last, membrane is

<sup>1</sup> I am indebted to Mr. R. B. Pugh for assistance and advice at every stage of my work.

<sup>2</sup> They are now listed in *Wiltshire Borough Records Before 1836* (Wiltshire Records Branch V, 1951), pp. 86-102.

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clearly seen to be an annual total, when the expenditure (£20 10s. 7½d.) for the four months for which the account survives is noted.

The date of the account can fortunately be determined precisely from internal evidence. In the margin against the account for Sunday 13 September are the words *Introitus domine E. abbatisse* and record follows of a feast held to mark the installation of a new abbess. The only Abbess of Wilton whose name began with E in the thirteenth or fourteenth centuries—and the hand in which the account is written limits the date to these two centuries—was Emma la Blounde, who was elected in 1299.<sup>1</sup> In support of this deduction, moreover, 1299 is a year in which the saints' days fell on the same days of the week as those on which they occur in the account. For example, the feast of St. John the Baptist fell on a Wednesday, the feast of St. Peter and St. Paul on a Monday and Michaelmas day on a Tuesday—as they do in the account.

Wilton Abbey was a house for nuns of the Benedictine Order.<sup>2</sup> According to tradition it was founded in the ninth century, King Alfred being one of its founders. This may or may not be true, but the house certainly existed in the tenth century. From its earliest days it was a convent for women of the highest rank and it gained special distinction as being the home and burial place of St. Edith, daughter of Wulfthryth, later Abbess of Wilton, and King Edgar. After Edith's death on 16 September, 984, the abbey church was placed under her patronage, and the account bears witness to the style in which the convent celebrated the anniversary of her death. By 1086 Wilton was one of the most richly endowed nunneries in England with large estates in Wiltshire and smaller properties in Hampshire and Dorset. It continued throughout its history, in spite of frequent financial difficulties, to rank as one of the most important nunneries in the country, with its abbess holding her extensive lands in chief by knight service.

Unfortunately very little is known about the organization of the household. As in all the larger nunneries, the daily business of the community was in the hands of a number of obedientiaries. A chantress and a cellaress are mentioned in the thirteenth century and there were doubtless all the other usual officers. Information about the administration of the abbey's estates is also sadly lacking. On examining the items on the account which were taken from stock, it will be remarked that little beyond grain comes from that source and that the nuns were apparently not drawing regularly upon supplies from a home farm, or indeed from any of their numerous estates. Almost all supplies were bought, but we do not know, and the account does not tell us, what were the sources of revenue allocated to the cellaress for the discharge of her duties.

It would also add greatly to the value of the account if it were known for how many the cellaress was catering. It seems to be for the whole convent of nuns, their guests and, occasionally at least, for some of their servants. The only clue given in the account as to how many nuns were

<sup>1</sup> Unless otherwise stated all information about Wilton Abbey comes from the article on that house written for the forthcoming *V.C.H. Wiltshire*, III.

<sup>2</sup> See note <sup>1</sup> above.



at Wilton in 1299 is the considerable number of novices mentioned. On Sunday 16 August 17 were said to be taking the veil, and later in the account there are two other references to the veiling of a number of novices. What the proportion of novices to professed nuns was at this time can only be guessed. It may perhaps be just worth mentioning that over 160 years later when there were 17 novices in the house the number of professed nuns was 23. At the time of the dissolution of the house on 25 March, 1539, there were 31 nuns in addition to the abbess and prioress.

Since, as in all households, special events are often reflected in an increase in the amount of food and drink consumed, the Wilton account by recording these increases contains some most interesting incidental information. It seems that the meeting of the county court, which we know was held every fourth Tuesday at Wilton,<sup>1</sup> had a special significance for the accountant, for in the margins against weeks 2, 6 and 10 he notes the word *Comitatus*. Exactly what the significance was is not known. Possibly a room or hall within the abbey precincts afforded a meeting-place for the court and perhaps hospitality had to be offered to some of the suitors, although there is no striking increase in the provisions for the Tuesdays in those weeks. The visit of the justices of assize, John de Batesford and Roger de Hegham, to Salisbury on 2 July, 1299, clearly concerned the accountant. It was probably the custom for the house to entertain the justices when they visited Salisbury or Wilton, and possibly when they were at Wilton the court was held in the abbey.<sup>2</sup> On this occasion extra and special food was required both in the convent and for sending to Salisbury. In addition to exceptionally large purchases, a whole sheep, two sides of bacon, three capons and a cheese were taken from the abbey's stock. Wood was bought for kindling (*esca*)<sup>3</sup>, 42 pies were made, 42 gallons of beer were bought and the justices themselves seem to have been responsible for the purchase of three sesters of wine. The abbey was not involved in any of the pleas entered on the assize roll for this session,<sup>4</sup> but that the house was engaged in litigation at this time appears from the fact that the cellaress had to provide wine for a counsel (*narrator*) when the justices were again at Salisbury a month later.<sup>5</sup> It is in fact known that the long-drawn-out dispute between the abbess and the Crown over the right of presentation to the church at Chalke had already begun, and a case concerning the king's and the abbess's nominees was before the Common Bench in Trinity term, 1299.<sup>6</sup>

It is understandable that a visit from the bishop should call for very

<sup>1</sup> J. F. Alexander, 'The dates of County Days' in *Bulletin of the Institute of Historical Research*, III (1925), p. 93.

<sup>2</sup> An example of such hospitality by another religious house comes from Dunstable Priory, *Annales Monastici* ed. H. R. Luard (Rolls series, 1866), III, p. 174. At one time sessions of justices were held in St. Mary's Abbey, York, T. P. Cooper, *History of the Castle at York*, p. 93.

<sup>3</sup> This word is not given in the *Medieval Latin Word-List*, ed. J. H. Baxter and C. Johnson (1934), but it appears with the translation given here in *Glossary of Later Latin* ed. Souter (1955). See also Du Cange, *Glossarium*.

<sup>4</sup> Public Record Office, Assize Roll [J.I. 1], no. 1315 mm. 11, 12.

<sup>5</sup> *Ibid.*, m. 27.

<sup>6</sup> Public Record Office, De Banco Roll [C.P. 40] no. 129 ro. 8.

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special provisions. On Sunday 16 August, when the 17 novices took the veil, Bishop Simon of Ghent preached at the convent. Beef, 10 pigeons, 24 chickens, 18 of them expressly for the novices, and a sester of wine were bought; a sheep and six pigeons were taken from stock.

Of the special occasions, the most interesting are probably those reflecting the events and ceremonies attendant upon the installation of the new abbess. We know that royal assent to the election of Emma la Blounde as abbess was given on 14 May, 1299.<sup>1</sup> On 24 May the escheator south of Trent, Walter of Gloucester, was ordered to restore the temporalities of the house to the abbess.<sup>2</sup> Just over three weeks later, presumably in performance of this duty, the escheator was at Wilton, for wine had to be bought for him and extra fish and eggs were needed. The tenants of the hundred (*hospites de hundredo*) who came to the abbey on 22 August, and for whom extra fish had to be bought, were probably the tenants of the hundred of Chalke come to do homage to the new abbess.

The great feast which was held to mark the introit of the abbess is naturally recorded in detail. It took place on Sunday 13 September and seems to have been intended to celebrate as well St. Edith's day (16 September) which that year fell on a Wednesday—a day of abstinence when only fish could be eaten. In point of fact the festivities appear to have continued for several days. It is unnecessary even to summarize here the bill of fare for the feast since it may so clearly be seen in the account for the fifteenth week. Among the more unusual dishes were 16 swans, 13 peacocks, 13 partridges and three boars. Sixty gallons of milk, two casks of wine and 2,550 eggs were bought. Twenty-seven quarters of malt were used for beer. Plates, dishes and saucers were bought by the 800. Leaden and other utensils were hired, 13½ quarters of coal were bought and large quantities of candles were either bought<sup>3</sup> or made.

Other less outstanding events in the life of the community have also left their mark upon the account. Visits from the steward of the abbey called for extra quantities of food on several days. He was present when the escheator came to the abbey in June. On 23 July beef had to be bought for his journey to London, no doubt on business for the nuns. Extra fish of the cheaper kinds such as herrings or eels was needed on at least eight occasions between 22 June and 11 September for labourers carting dung, stones or wood. Wood came once from Bramshaw (now in Hants) and twice from Savernake where the abbey had land. In the third week a side of bacon was sent to Marshwood (in Dinton) where wood was being cut, and in the same week a conger eel was sent to Semley where the abbey had a manor.

So far we have noticed the entries in the account which for one reason or another were exceptional, but even more interesting in some ways is the information provided by the ordinary everyday entries about the daily

<sup>1</sup> *Calendar of Patent Rolls, 1292-1301*, p. 415.

<sup>2</sup> *Ibid.*, p. 417.

<sup>3</sup> In this account candles bought are always described as 'of Paris' from whence they apparently came, J. E. Thorold Rogers, *History of Agriculture and Wages in England* (1866) I, p. 413.

fare in a thirteenth-century convent. Fish was eaten on Wednesdays, Fridays and Saturdays. Either cod (*mulvel*) or herrings formed the main dish on almost every day of abstinence. These were frequently accompanied by mullet, mackerel, trout, eels, including conger eels, and by some small fish appearing on the account as *menus*<sup>1</sup>. Other fish eaten, although somewhat less frequently were perch, bream, salmon, pilchard, plaice, gurnard and red mullet. Sometimes it is stated whether the fish was salted or fresh, but, as is the case with meat, there seems to be little consistency about recording this fact. All fish, whether salt or fresh was bought except in the case of eels by the stick which came from stock. Beans were sometimes bought to eat with the fish on days of abstinence.

On the Saturdays of the 3rd, 5th, 6th, 7th, 8th and 11th weeks a small extra quantity of either cod or herrings was purchased the reason given being 'on account of Alwyne' (*propter Alwyne*). The identity of Alwyne has not been discovered, but a family of that name held land of the abbey in Knighton (in Broad Chalke)<sup>1</sup> and it seems very likely that at some time, possibly very much earlier, a member of the family bequeathed money to provide the community with this small addition to their diet.

Beef was the meat most often eaten, appearing on nearly every day that was not a day of abstinence. It was almost always bought, but for the introit and on six other days it was taken from stock. Very much smaller quantities of mutton were purchased, which is only to be expected in view of the value of sheep for wool. Only on special occasions, such as a visit from the bishop or at the time of the sessions of the justices at Salisbury, was any mutton taken from the abbey's stock. Small amounts of veal, pork, and very occasionally venison (*venacio*), were purchased and at the beginning of the account a fair number of sides of bacon were withdrawn from stock. A very large number of chickens were eaten and were very nearly always bought, while pigeons, also eaten in large numbers, usually came from stock. Geese, eaten more rarely, were bought, while capons came from stock. On one occasion larks (*alaude*) were eaten.

The bread and eggs consumed were summarized at the end of every week. Usually between 2 and 3 quarters of corn were used for bread every week, and between 2 and 3 hundred eggs, which were always bought, were consumed. Malt for brewing was also summarized weekly and was of two qualities, 2 quarters of the better quality and 5 of the inferior being used most weeks. The only vegetables mentioned in the account are beans and peas and these only in very small quantities, but both vegetables and fruit from the garden may have been added to the daily fare without entry upon the account. How much variety was given to the food by means of cooking it is hard to guess. On one or two occasions fat (*gressia*) was bought for making some dish.<sup>2</sup> Heads of garlic (*allei*) were bought three times and there is one reference to saffron and two to pepper.

Although the account is only fragmentary and provokes a number of

<sup>1</sup> Sir R. C. Hoare, *Modern Wiltshire. The Hundred of Chalke*, p. 143.

<sup>2</sup> Called *mul'* in the account. This may have resembled the 'moile'—bread soaked in dripping—eaten at St. Swithun's, Winchester in the fifteenth century, *Obedientary Rolls of St. Swithun's*, ed. G. W. Kitchin (Hampshire Record Society, 1892), p. 500.

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unanswerable questions, its re-appearance amongst the manuscripts at Wilton is most welcome. Very few separate obedientaries' accounts for nunneries have survived. Three fragments of a cellaress's roll for Lacock Abbey have been preserved, two of late-thirteenth-century date and one of mid-fourteenth-century.<sup>1</sup> There are also cellaresses' accounts for the abbeys of Syon and Barking, but they are later.<sup>2</sup> None of these has been printed in full. The Wilton account is, therefore, a rarity claiming the attention of students of ecclesiastical history and diplomatic alike.

The text of the account is printed below in full with abbreviations extended wherever it was felt that this could be done with reasonable certainty. Roman numerals have been converted throughout into arabic and sums of money have been expressed in the modern £ s. d. notation. For the quantities the abbreviations qr. bz. and lb. have been used. Punctuation has been modernized. The very numerous initial capital letters used by the accountant have frequently been replaced by lower case letters in the transcript. The membranes have been numbered with arabic numerals in square brackets placed centrally at the beginning of every membrane. A number, in bold type has been given to every week, and the day of the month of the Sunday in each week has been added in square brackets. Where the membrane is badly stained on the third and fourth membranes three dots have been used where it seems that only one word is illegible, and six dots were two or more words cannot be read. Notes in the margin of the manuscript have been indicated by footnotes.

ELIZABETH CRITTALL

[m.1]

**1** [7 June] Dominica Pentecostes<sup>3</sup> de instauro 1½ baco, 1 capo. In carne bovina recente . . .<sup>4</sup> 5½d. In carne vitulina 10d. In 6 pulcinis emptis 5d. Die Lune sequente de instauro ½ baco. In carne vitulina 3d. In 6 pulcinis 5d. Die Martis sequente de instauro 1 baco. In carne bovina 5d. In carne vitulina 12d. In 2 aucis emptis 4d. In 4 pulcinis 3½d. Die Mercurii in 3 mulewell' emptis 16½d. In mackerell' emptis 3d. Die Jovis de instauro ½ baco, 2 capones. In carne bovina recente empta 9d. In carne vitulina 12d. In 2 ancilis emptis 4d. In 2 pulcinis 2d. Die Veneris in 3 mulewell' emptis 18½d. In brayn et mulettis emptis 10d. Die Sabbati in 3 mulewell' emptis 17d. In menus' emptis 3d. In 100 ovis emptis pro tota septimana 4½d. tantum expen'

<sup>1</sup> The thirteenth century accounts form the binding-leaves of William Brito's Dictionary, which is preserved at Lacock; the later account the binding-leaves of the Old and New Cartularies, also at Lacock, an edition of which is in the course of preparation.

<sup>2</sup> Eileen Power, *Medieval English Nunneries* (1922), pp. 136, 697-8.

<sup>3</sup> *Sic.*

<sup>4</sup> *MS. torn.*

COLLECTANEA

propter liberacionem denariorum ad altum altare per totam septimanam. In pane ad aulam 2 qr. frumenti. In braseo capitali 1 qr. In braseo cursali 3 qr. et non plus quia de instauro alterius septimane.

Summa in denariis 12s. 10¼d.

Summa instauro 3½ bacones, 3 capones.

Summa panis 2 qr.

Summa brasii 4 qr.

- 2 [14 June] Dominica in festo sancte Trinitatis de instauro 1½ baco, 2 capones. In carne bovina recente 12d. In ½ vitulo empto 14d. In 2 pulcinis emptis 1¾d. In 1 auca empti 2d. Die Lune de instauro ½ baco, 2 capones. In carne bovina recente 8d. In carne vitulina 7d. In 6 pulcinis 5½d. Die Martis de instauro 1 baco, 2 capones. In carne bovina recente 12d. In carne porcina 8d. In 2 aucis emptis 4d. In 5 pulcinis 5¼d. Die Mercurii in mulewell' emptis 21d. In mulettis et bars emptis 18d. tantum propter escaetorem et senescalum. Die Jovis de instauro 1 baco. In carne bovina recente 6d. In carne vitulina 3d. In venacione empti 9d. Die Veneris in mulewell' emptis 16d. In truta empti 5d. In 1 galone vini empto propter escaetorem 4d. Die Sabbati in mulewell' 16d. In makerell' empt' 1½d. In anguillis emptis 3d. In 250 ovis emptis pro tota septimana 11½d. tantum propter escaetorem. In pane ad aulam 1½ qr. frumenti. In braseo capitali 2 qr. In braseo cursali 5 qr.

Summa in denariis 16s. 1½d.

Summa instauro 4 bacones, 6 capones.

Summa panis 1½ qr. frumenti.

Summa brasii 7 qr.

- 3 [21 June] Dominica sequente de instauro 1½ baco. In carne bovina recente 6d. In venacione empti 9d. In 2 aucis emptis 4d. In 2 pulcinis 1½d. Die Lune de instauro 1 baco. Item ½ baco apud Merswode ad carpent'. In<sup>2</sup> venacione 6d. In carne vitulina 2d. In 3 pulcinis 3d. In carne bovina empti 6d. Die Martis in vigilia beati Johannis Baptiste in mulewell' emptis 19d. In anguillis 4½d. Die Mercurii in muluwell' emptis 7d. In truta empti 6d. Die Jovis de instauro ½ baco. In carne bovina recente 4d. In carne vitulina 3d. In venacione 6d. In 8 pulcinis emptis 7½d. Die Veneris in mulewell' emptis 17d. In barz empt' 8d. In makerell' emptis 9d. tantum propter senescalum et alium supervenientes. Die Sabbati in mulewell' emptis 21½d. tantum propter Alwyne. In 1 congruo recente empto et misso ad Semelee 11d. In anguillis emptis 3d. In ovis emptis pro

<sup>1</sup> Comitatus has been set in the margin against the line beginning with this word.

<sup>2</sup> Cariatium meremii et petre has been set in the margin against the line beginning with this word.

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tota septimana 4½*d.* In pane ad aulam 2 qr. frumenti. In braseo capitali 2 qr. In braseo cursali 5 qr.

Summa in denariis 13s. 11½*d.*

Summa instauri 4 bacones.

Summa panis 2 qr. frumenti.

Summa brasii 7 qr.

**4** [28 June] Dominica in vigilia Apostolorum Petri et Pauli de instauro 1½ baco. In carne bovina recente 2½*d.* In venacione 6*d.* In carne vitulina 2½*d.* Die lune de instauro ½ baco. In carne bovina 2*d.* In 9 pulcinis emptis tantum propter senescalum et supervenientes 9*d.* Die Martis de instauro 1 baco. In carne bovina recente 10*d.* In carne porcina 8*d.* In 5 pulcinis emptis 5*d.* In fabis ½*d.* Die Mercurii in muluwell' emptis 14½*d.* In mulettis emptis 12*d.* In brayn 8*d.* Die Jovis ad Sar' et in aula de instauro 2 bacones, 3 capones, 1 caseus. In carne bovina recente<sup>1</sup> empta 22*d.* In carne porcina 16*d.* In ½ car' multonis empto 12*d.* In 9 gallinis emptis 16*d.* Item de instauro 1 multo. In fabis 3*d.* In gressia empta 3*d.* In bosco empto ad escas faciendas 8*d.* In 42 pyes faciendis 11*d.* In 3 sexteriis vini emptis cum exenniis justitiariorum 4s. In pipere empto 7*d.* In 42 lagenis cervisie emptis 3s. 6*d.* Die Veneris in mulewell' emptis 16*d.* In anguillis 12*d.* In makerell' 1½*d.* In truta empta 4½*d.* In fabis 1*d.* Die Sabbati in mulewell' emptis 13*d.* In mulettis 4*d.* In fabis ½*d.* In 250 ovis pro tota septimana 12½*d.* In pane ad aulam 2 qr. frumenti. In braseo capitali 2 qr. In braseo cursali 5 qr.

Summa in denariis 27s. 11*d.*

Summa instauri 5 bacones, 1 multo, 3 capones, 1 caseus.

Summa panis 2 qr.

Summa brasii 7 qr.

**5** [5 July] Dominica sequente de instauro 1 baco. In carne bovina recente 10*d.* In 5 pulcinis emptis 5*d.* In gressia empta ad mul' faciend' 2*d.* Die Lune de instauro ½ baco. In carne bovina 6*d.* In 5 pulcinis 5*d.* Die Martis de instauro 1 baco. In carne bovina 8*d.* In carne porcina 3½*d.* In 7 pulcinis emptis 7*d.* tantum propter esceatorem. Die Mercurii in mulewell' emptis 12*d.* In makerell' 2*d.* In fabis 1*d.* In truta 2½*d.* In pisis siliquatis ½*d.* Die Jovis de instauro ½ baco. In carne bovina recente 8*d.* In carne multonis 6½*d.* In 6 pulcinis 6*d.* In fabis ½*d.* tantum propter senescalum. Die Veneris in mulewell' 10½*d.* In makerell' salsis propter cariagium fimorum 9*d.* In congruo recente empto 5*d.* Die Sabbati in mulewell' 16½*d.* tantum propter Alwyne. In anguillis 3*d.* In fabis ½*d.* In 300 ovis emptis pro tota septimana

<sup>1</sup> Dies Assise has been set in the margin against the line beginning with this word.

COLLECTANEA

15*d.* In pane 2½ qr. frumenti. In braseo capitali 2 qr. In braseo cursali 5 qr.

Summa in denariis 12*s.* 2*d.*

Summa instauro 3 bacones.

Summa panis 2½ qr. frumenti.

Summa brasii 7 qr.

6 [12 July] Dominica sequente de instauro 1½ baco. In carne bovina 2½*d.* In 1 pulcino 1*d.* Die Lune de instauro ½ baco.<sup>1</sup> In carne bovina 5*d.* In 2 pulcinis 2*d.* Die Martis de instauro 1 baco. In carne bovina 12*d.* In carne vitulina 3*d.* In 5 pulcinis 5*d.* In fabis 1*d.* Die Mercurii in mulewell' 12*d.* In makerell' propter cariagium fimorum 8*d.* In anguillis 3*d.* Die Jovis de instauro ½ baco. In carne bovina 13*d.* In carne vitulina 1½*d.* In 3 pulcinis 3*d.* Die Veneris in mulewell' 13*d.* In makerell' propter cariagium fimorum 7*d.* In congruo 6*d.* In anguillis 3*d.* In fabis ½*d.* Die Sabbati in mulewell' 16*d.* tantum propter Alwyne. In makerell' 2*d.* In 100 ovis pro tota septimana 5*d.* In pane ad aulam 3 qr. frumenti. In braseo capitali 2 qr. In braseo cursali 5 qr.

Summa in denariis 10*s.* 4½*d.*

Summa instauro 3½ bacones.

Summa panis 3 qr. frumenti.

Summa brasii 7 qr.

Summa bladi istius rotuli 13 qr. frumenti.

[m.2]

7 [19 July] Dominica proxima ante festum sancte Margarete virginis de instauro ½ baco. In pulcinis emptis 1¼*d.* Die Lune de instauro 1 qr. carnis bovine cum die precente. In 3 pulcinis emptis 3¾*d.* Die Martis de instauro 1 qr. carnis bovine. In carne multonis 3*d.* In carne vitulina 3*d.* In 5 pulcinis emptis 5¼*d.* Die Mercurii in 50 allecis emptis 7*d.* In anguillis 4*d.* Die Jovis de instauro 1 qr. carnis bovine. In 3 pulcinis 3¾*d.* Item in carne bovina empta ad opus senescali versus Lond' 18*d.* et ad liberationes propter dies carniū.<sup>2</sup> In 3 pulcinis emptis ad idem 3½*d.* Die Veneris in 50 allecis emptis 7*d.* In 1 truta empta 6*d.* In menus' 3*d.* Die Sabbati in 100 allecis 14*d.* tantum propter liberationem Alwyne. In 200 ovis empta pro tota septimana 10*d.* In pane ad aulam 2½ qr. frumenti. In braseo 2 qr. capitalis et 5 qr. cursalis.

Summa in denariis 7*s.* 9½*d.*

Summa instauro 3 qr. carnis bovine, ½ baco.

Summa panis 2½ qr. frumenti.

Summa brasii 7 qr.

<sup>1</sup> Comitatus has been set in the margin against the line beginning with this word.

<sup>2</sup> This and the preceding five words have been inserted above the line.

WILTON ABBEY ACCOUNT

8 [26 July] Dominica sequente de instauro 1 qr. carnis bovine. In carne bovina empta propter liberacionem 13*d.* Item de instauro 8 columbelli. Die Lune in carne bovina 16*d.* In 2 pulcinis emptis 2½*d.* Item de instauro 8 columbelli. Die Martis in carne bovina empta 23*d.* In carne multonis 6*d.* Item in 4 pulcinis emptis 4½*d.* Item de instauro 4 columbelli. In alleis emptis 1*d.* Die Mercurii in 100 allecis emptis 10*d.* In sormulettis 3*d.* In salmone 4*d.* Die Jovis in carne bovina empta 18*d.* In 5 pulcinis emptis 5*d.* Item de instauro 5 columbelli. Die Veneris in 75 allecis emptis 8*d.* In mulewell' 5½*d.* tantum propter cariagium petre. In congruo empto 8*d.* In 1 lagena vini empta 4*d.* propter narratorem ad Assisam. Die Sabbati in 150 allecis emptis 18½*d.* tantum propter Alwyne. In congruo recente 8*d.* In sormulettis emptis 6*d.* In 240 ovis emptis pro tota septimana 12*d.* In pane ad aulam 3½ qr. frumenti. In braseo ad eandem 2 qr. capitalis et 5 qr. cursalis.

Summa in denariis 14*s.* 9*d.*

Summa instauro 1 qr. carnis bovine, 25 collumbelli.

Summa panis 3½ qr. frumenti.

Summa brasii 7 qr.

9 [2 August] Dominica sequente. In carne bovina empta 2*s.* 4*d.* In gressia ad mul' 1½*d.* Item in 6 pulcinis emptis 5¾*d.* Item de instauro ½ baco, 6 columbelli. Die Lune in carne bovina empta 19*d.* In 1 pulcina empta 1*d.* In gressia empta 1½*d.* Die Martis in carne bovina empta 20*d.* In 4 pulcinis emptis 4½*d.* Die Mercurii in 50 pulcher' emptis 3*d.* In allecis emptis 4*d.* In mulewell' emptis 6*d.* In anguillis emptis 7*d.* tantum hac die propter cariagium bosci de Bremelsaz Die Jovis in carne bovina empta 12*d.* In carne multonis empta 6½*d.* In 4 pulcinis emptis 4*d.* Item de instauro 6 columbelli. Die Veneris in mulewell' emptis propter liberacionem 6*d.* In 100 pulcher' empt. 7*d.* In menus' emptis 3*d.* Die Sabbati in 60 allecis emptis 9*d.* In 50 pulcher' 3½*d.* In sormulettis emptis 3*d.* In 200 ovis emptis pro tota septimana 10*d.* In pane ad aulam 3 qr. frumenti. In braseo capitali 2 qr. In braseo cursali 5 qr.

Summa in denariis 14*s.* ¼*d.*

Summa instauro ½ baco, 12 columbelli.

Summa panis 3 qr. frumenti.

Summa brassii 7 qr.

10 [9 August] Dominica sequente in carne bovina empta 2*s.* 1¼*d.* In 5 pulcinis emptis 5*d.* Die Lune in carne<sup>1</sup> bovina empta 21*d.* In 4 pulcinis emptis 4*d.* Die Martis in carne bovina empta 22*d.* In carne multonis empta 6½*d.* in loyene empt' 5*d.* In 9 pulcinis emptis 9*d.* Item de instauro 7 columbelli. Die Mercurii in allecis emptis 8½*d.* In

<sup>1</sup> Comitatus has been set in the margin between the line beginning with this word and the next line which begins 22*d.*



COLLECTANEA

sormulettis emptis  $7\frac{3}{4}d.$  Die Jovis in carne bovina empta 2s.  $3\frac{1}{2}d.$  tantum propter cariagium bosci de Savernak'. Item de instauro 6 columbelli. Die Veneris in 100 allecis emptis 10d. In anguillis  $4d.$  Die Sabbati in 100 allecis emptis 10d. In 200 ovis emptis pro tota septimana 10d. In pane ad aulam 3 qr. frumenti. In braseo capitali 2 qr. In braseo cursali 5 qr.

Summa in denariis 14s.  $7\frac{1}{2}d.$   
 Summa instauro 13 columbelli.  
 Summa panis 3 qr. frumenti.  
 Summa brasii 7 qr.

**11** [16 August] Dominica sequente in carne bovina empta 3s. 5d. In 10 columbellis emptis  $3\frac{1}{2}d.$  In 6 pulcinis emptis 6d. Item de instauro 1 multo, 6 columbelli tantum propter adventum Episcopi Sar' ad predicandum. Item eodem die in 18 pulcinis emptis ad professionem 17 dominarum  $21\frac{1}{4}d.$  Die Lune in carne bovina empta 2s. In 2 pulcinis emptis  $2\frac{1}{2}d.$  Item de instauro 7 columbelli. In 1 qr. piperis' empto 7d. In croco empto 3d. Die Martis in carne bovina empta 12d. In 3 pulcinis emptis  $3\frac{3}{4}d.$  In gressia empta ad mul'  $1\frac{1}{2}d.$  In 9 columbellis emptis  $3\frac{1}{2}d.$  Item de instauro 8 columbelli. Die Mercurii in allecis emptis 8d. In congruo recente empto 5d. In anguillis emptis 2d. Die Jovis in carne bovina  $16\frac{1}{2}d.$  In carne multonis empta 6d. In 4 pulcinis  $4\frac{1}{2}d.$  Die Veneris in 60 allecis 5d. In anguillis emptis 3d. Die Sabbati in 140 allecis emptis 11d. tantum propter Alwyne. In menus' 3d. In trutis emptis propter hospites de hundredo 10d. In 150 ovis emptis pro tota septimana  $7\frac{1}{2}d.$  In 1 sexterio cervisie empto propter adventum episcopi. In pane ad aulam 3 qr. frumenti. In braseo capitali 2 qr. in braseo cursali 5 qr. unde ad caritatem conventus 3 qr.

Summa in denariis 19s.  $4\frac{1}{2}d.$   
 Summa instauro 1 multo, 21 columbelli.  
 Summa panis 3 qr. frumenti.  
 Summa brasii 7 qr.

**12** [23 August] Dominica sequente in carne bovina empta 2s. 3d. In 3 pulcinis emptis 3d. In 6 columbellis 3d. Die Lune in carne bovina empta 10d. In carne multonis 4d. In 2 pulcinis emptis 2d. Item de instauro 6 columbelli. Item de instauro 1 qr. baconis. Die Martis in carne bovina empta 18d. In carne multonis 4d. Item de instauro 1 qr. baconis, 6 columbelli. Die Mercurii in 100 allecis emptis  $10\frac{1}{2}d.$  In menus' 1d. In truta empta  $4\frac{1}{2}d.$  Item de instauro 1 stikk anguillarum tantum propter cariagium bosci de Savernak'. Die Jovis in carne bovina empta 12d. In carne multonis empta 4d. In 2 pulcinis emptis 2d. Die Veneris in 100 allecis emptis 10d. In menus' emptis

<sup>1</sup> MS. has peperis.

WILTON ABBEY ACCOUNT

4½*d.* Item de instauro ½ stikk anguillarum. In alleis emptis 3½*d.* Die Sabbati in 100 allecis emptis 10*d.* In menus' emptis 2*d.* In 50 ovis emptis pro tota septimana 2½*d.* In pane ad aulam 2½ qr. frumenti. In braseo capitali 2 qr. In braseo cursali 5 qr.

Summa in denariis 11*s.* 5½*d.*

Summa instaurei ½ baco, 12 columbelli, 1½ stikk anguillarum.

Summa panis 2½ qr. frumenti. Summa brasii 7 qr.

Summa tocus frumenti istius rotuli 17½ qr.

[m.3]

**13** [30 August] Dominica proxima ante festum sancti Egidii in carne bovina empta 2*s.* 8*d.* In carne multonis 3½*d.* In 1 auca empta 5*d.* In 3 pulcinis emptis 3*d.* Item in 39 pulcinis emptis ad professionem dominarum eodem die 3*s.* 3*d.* Die Lune in carne bovina empta 19*d.* In 3 pulcinis emptis 3*d.* Die Martis in carne bovina empta 17*d.* In carne porcina 2*d.* In 1 auca empta 5*d.* In 4 columbellis emptis 2¼*d.* Die Mercurii in 50 allecis emptis 5*d.* In plays et sormulettis emptis 7*d.* Die Jovis in carne bovina 17*d.* In 2 pulcinis 2*d.* In 8 columbellis emptis 4¾*d.* Die Veneris in 100 allecis emptis 9*d.* In menus' 1*d.* In 1 lb. candelarum paris empto 2½*d.* Item de instauro ½ stikk anguillarum. Die Sabbati in 100 allecis emptis 9*d.* In menus' emptis 2*d.* In anguillis emptis 2*d.* In 100 ovis pro tota septimana 5*d.* In pane ad aulam 3 qr. frumenti. In braseo capitali 2 qr. In braseo cursali 5 qr.

Summa in denariis 16*s.* 5*d.*

Summa instaurei 1\* stikk anguillarum.

Summa panis 3 qr. frumenti.

Summa brasii 7 qr.

**14** [6 September] Dominica sequente in carne bovina empta 2*s.* 2*d.* In carne multonis empta 4*d.* In 1 auca empta 5*d.* Item de instauro 6 columbelli. Die Lune in allecis emptis 13*d.* tantum propter liberaciones. Die Martis in carne bovina empta 2*s.* In carne multonis 4*d.* In 1 auca empta 5*d.* Item de instauro 12 columbelli. Die Mercurii in 200 pulcher' emptis 14*d.* In 1 truta empta 3*d.* In menus' emptis 3*d.* Die Jovis in carne bovina empta 22*d.* In carne multonis 4*d.* In 8 pulcinis emptis 8*d.* In 1 auca empta 4*d.* Item de instauro 1 gallus. Die Veneris in 300 pulcher' emptis 18*d.* In 5 gurnardis emptis 5*d.* In 1 truta empta 2½*d.* tantum propter cariagium bosci contra introitum. Die Sabbati in 300 allecis 22*d.* In 12 sormulettis emptis 9*d.* In barz empt' 18*d.* In plays empt' 3*d.* Item in 55 pulcinis emptis 4*s.* 4*d.* ad professionem dominarum die Natalis beate

\* *MS sic.*

COLLECTANEA

Marie. Item in 250 ovis emptis  $12\frac{1}{2}d.$  In pane ad aulam  $2\frac{1}{2}$  qr. frumenti. In braseo capitali 2 qr. frumenti et 5 qr. braseo cursali.

Summa in denariis 23s. 5d.

Summa instauri 1 gallus, 18 columbelli.

Summa panis  $2\frac{1}{2}$  qr. frumenti.

Summa brasii 7 qr.

**15** [13 September] Dominica<sup>1</sup> in vigilia exaltacionis sancte Crucis in introitu domine in carne bovina de instauro 11 carcosii. Item de instauro 27 car' multonum, 19 porci, 3 apri, 13 cigni. Item in 3 cignis emptis 15s. Item de instauro 13 pavones. In 3 bestiis venacionis emptis 8s. 3d. Item de instauro 256 auce: Item de instauro 166 capones. Item de instauro 142 pulcini. Item in 47 pulcinis emptis 4s.  $2\frac{1}{2}d.$  Item de instauro 75 columbelli. Item in 31 columbellis emptis 16d. In 13 perdricibus emptis 16d. Item in 2,550 ovis emptis 10s.  $7\frac{1}{2}d.$  In 60 galonibus lactis emptis 2s. 10d. In alleis emptis 6d. In 11 lb. candelarum parisienc' emptis 2s. 6d. In cepo empto ad candelas minutas 20d. Item in 300 cyphis emptis 18s. In 800 platellis emptis 18s. 8d. precium 100 2s. 4d. In 800 discis emptis 10s. 8d. precium 100 16d. In 800 salcer' emptis 5s. 4d. precium 100 8d. In 12 gatis emptis 18d. In 300 picheriis emptis 6s. In ollis terreis emptis 4d. Item in plumbis et aliis utensilibus locatis 13d. Item in  $13\frac{1}{2}$  qr. carbonis emptis 7s. 9d. Item in 6 colours' emptis 10d. Item in lichinis emptis et in candelis faciendis 2d. Item in 2 congruis emptis 18d. In salmone empta  $13\frac{1}{2}d.$   
In pane furniata ad eundem introitum 24 qr. frumenti. Item in wastellis furniatis ad idem 4 qr. frumenti. Item in cervisie braciata ad idem 27 qr. brasii de quibus 12 qr. brasii capitali frumenteam 1 bz. frumenti. Item 2 dolea vini.

Summa in denariis £6 os.  $14\frac{1}{2}d.$

Summa instauri 11 carcosii bovum, 27 car' multonum, 19 porci, 3 apri, 13 cigni, 13 pavones, 256 auce, 166 capones, 142 pulcini, 75 columbelli.

Summa panis 24 qr. 5 bz. frumenti.

Summa brasii 27 qr.

**15 contd.** . . . de instauro 1 quarterius carnis bovine. Item in pastill' et piis factis 42 caponibus, 20 pulcinis de . . . 36 columbell' cetera omnia de instauro diei precedentis. Die Martis de instauro 1 qr. carnis bovine . . . auc' 4 porcelli. In 6 pulcinis emptis 6d. cetera omnia de instauro ut prius. Die Mercurii in . . . . . 450 allecis emptis 5s. 2d. In congruis salsis emptis 4s. 6d. In . . . . .  $\frac{1}{2}d.$  In barz 18d. In plaiz  $18\frac{1}{2}d.$  In menus' 19d. In lacte . . . . . In 250 ovis emptis  $12\frac{1}{2}d.$  Die Jovis de instauro 1 car' multonis.  $\frac{1}{2}$  . . . . . 6 auce 4

<sup>1</sup> In the margin slightly below this word are the words Introitus domine E. abbatissc.

WILTON ABBEY ACCOUNT

porcelli. In 1 auca empta 5*d.* In 10 pulcinis emptis 8*d.* In 2 lb. candelarum paris' empta 6*d.* In cepo empto ad candelas minutas 8*d.* Die Veneris . . . in 85 allecis emptis 21*d.* In congruis salsis emptis 20*d.* In plaiz empt' . . . In . . . et 3 mulettis emptis 2*s.* 10*d.* tantum propter supervenientes. Die Sabbati . . . . . empt' 18*d.* In congruis salsis 20*d.* In salmonibus 13½*d.* In barz 12*d.* . . . . . d. Item in 400 ovis emptis pro tota septimana excepto die beate Edithe 20*d.* Item in pane ad aulam 1 qr. frumenti cetera de instauro introitus. Item in cervisia braciata ad eandem 8 qr. brasii quorum 2 qr. capitalis reliquum de cursali.

Summa in denariis 35*s.* 2¼*d.*

Summa instauri 1 carcosium bovis, 1 car' multonis, 10 auce, 42 capones, 20 pulcini, 36 columbelli, 8 porcelli.

Summa carcosorum<sup>1</sup> tocium rotuli 13.

Summa multonum 30.

Summa baconum 36. rec' 22.

Summa frumenti istius rotuli 31 qr. 1 bz.

[m.4]

**16** [20 September] Dominica in vigilia beati Matthei apostoli in carne bovina de instauro ½ carcosium, 1 car' multonis, 2 porcelli. In 6 aucis emptis 2*s.* 6*d.* In 8 pulcinis 8*d.* Die Lune de instauro 1 qr. carnis bovine, 1 car' multonis, 20 columbelli. In 36 . . . emptis . . . *d.* In 5 pulcinis emptis 4*d.* In 1 lb. candelarum paris' empta 3*d.* Die Martis de instauro 1 qr. carnis bovine, 1 car' multonis. In 6 aucis emptis 2*s.* 6*d.* . . . . . In 1 lb. candelarum paris'. Die Mercurie in 200 pulcher' . . . 2 congruis salsis. In salmone 6*d.* In . . . 18*d.* . . . . . empt' 3*d.* Die Jovis de instauro ½ carcosium carnis bovine, 1 car' multonis. In . . . empt' 20*d.* In 6 pulcinis 5*d.* 1 lb. candelarum paris' 3*d.* Die Veneris in . . . allecis emptis 19½*d.* In salmonibus 18*d.* In plaiz et mulett 2*s.* In 1 lb. candelarum paris' empta 3*d.* Die Sabbati in 50 allecis salsis emptis 5½*d.* In 50 allecis recentibus . . . In congruo recenti 20*d.* In barz et braign' emptis 9*d.* In 600 ovis emptis pro tota septimana 2*s.* 6*d.* In 1 lb. candelarum paris' empta 3*d.* Item in pane ad aulam pro tota septimana 4½ qr. frumenti. In cervisia braciata ad eandem 2 qr. brasii capitalis, 6 qr. brasii cursalis unde pro die sancte Edithe ad caritatem ad conventus 3 qr. . . . In 36 galonibus . . . emptis 3*s.*

Summa in denariis 32*s.* . . .

Memorandum de 11 aucis liberatis ad opus conventus pro die sancte Edithe ultra certum redditum

Summa instauri 1½ carcosium, 4 car' multonum, 2 porcelli, 20 columbelli.

Summa panis 4½ qr. In cervisia 8 qr. ut patet.

<sup>1</sup> Above this word the words *excepta minima cedula preponita have been inserted.*

COLLECTANEA

17 [27 September] Dominica sequente. In carne bovina de instauro  $\frac{1}{2}$  carcosium, 1 car' multonis, 5 auce. In 6 pulcinis emptis  $5\frac{1}{2}d.$  In alaudis  $1\frac{1}{2}d.$  Die Lune de instauro  $1\frac{1}{2}$  car' multonis. In 1 qr. carnis bovine empto 2s. In 26 columbellis  $12\frac{1}{2}d.$  In alaudis  $4d.$  In 1 lb. candelarum paris'  $3d.$  Die Martis in festo beati Michaelis de instauro  $1\frac{1}{2}$  car' multonis, 1 auca. Item in 5 aucis emptis 2s.  $1d.$  Item in 11 pulcinis emptis  $10d.$  Item de instauro die Lune  $\frac{1}{2}$  stikk' anguillarum.

Summa in denariis 7s.  $1\frac{1}{2}d.$

Summa instauri  $\frac{1}{2}$  carcosium carnis bovine, 4 car' multonum, 6 aucis,  $\frac{1}{2}$  stikk' anguillarum.

Summa panis 1 qr. frumenti.

Summa cervisie 7 qr. quorum 2 capitalis reliquum cursalis.

Summa tocius expensarum et liberacionem  $\text{£}97$  18s.  $11\frac{1}{4}d.$

Et sic debet domina dicto Thoma 2s.  $1\frac{1}{2}d.$  Et acquietabit dominam versus quoscunque de omnibus dictum compotum tangentibus.

# CLERICAL POLL-TAXES IN THE DIOCESE OF SALISBURY, 1377-81

The normal tax paid by the clergy to the Crown in the later Middle Ages was the 'tenth'. That was the tenth of their income according to the assessment of 1291, which is known as the *Taxation of Pope Nicholas*. Although some modifications were made from time to time, it had become by the end of Edward III's reign a fixed and arbitrary sum.<sup>1</sup> In the diocese of Salisbury the tenth then produced £1,421 7s. 6½d.<sup>2</sup> which sum was derived in roughly equal parts from the four archdeaconries of Dorset, Salisbury, Wiltshire and Berkshire. Clerical taxation was voted by the Convocations of the two provinces of Canterbury and York, but these bodies were usually content to follow the lead of Parliament in such matters; and when Parliament tried the experiment of poll-taxes in the years 1377-81 the clergy had two good reasons for doing likewise. First the total sums demanded of them by these new taxes were less than they had to find for the tenth, and secondly poll-taxes being spread over all the clergy fell less heavily on the rich bishops and abbots who dominated convocations.

The surviving records of the poll-taxes illustrate the development of this experiment in taxation, with its successive attempts to increase the yield and to spread the burden over the different classes of the clergy. But they do more than this. The local collectors made complete lists of the clergy, both regular and secular, in their areas and of the sums which they had to pay. Had all these records survived we should have had a complete census of religious houses, and of cathedral and parish clergy. Unfortunately only a very small fraction of the collectors' accounts have survived, and Salisbury diocese is among the less fortunate in this respect. Its surviving accounts are all mere fragments mostly without date or heading, so that they can only be identified from internal evidence, and it is not always possible to be certain of their dates.

The first clerical poll-tax was granted early in 1377, in the closing months of the reign of Edward III. All religious persons with property or benefices had to pay one shilling, and unbeneficed clerks 4d.<sup>3</sup> The Bishop of Salisbury appointed the Abbot of Cerne to collect this tax in Dorset and Salisbury archdeaconries, and the Abbot of Reading in Wiltshire and Berkshire. Where, as in this case, no record of the collection has been found, the names of the collectors and the sums which they paid

<sup>1</sup> See W. E. Lunt, 'The collectors of clerical subsidies' in *The English Government at Work, 1327-36*, ed. W. A. Morris and J. R. Strayer, II (1947), esp. pp. 241-3.

<sup>2</sup> Public Record Office, Exchequer, L.T.R. Enrolled Subsidies [E 359] 15.

<sup>3</sup> 'xij d. de qualibet persona ecclesiastica possessionata et beneficiata et iij d. de qualibet persona ecclesiastica minime beneficiata.' Collector's account for the archdeaconry of Chester, Public Record Office, Exchequer, K.R., Clerical Subsidies [E 179] 15/2 Cf. *Wykeham's Register*, ed. T. F. Kirby (Hampshire Record Society Publications, XIII, 1899), II, 268-9.

into the Exchequer may be found on the receipt rolls.<sup>1</sup> However the chances of tracing every entry are small, and even if all were found they would only furnish the net total of the collectors and not the gross yield of the tax. The total found for this occasion amounts to £70 and comparison with other taxes and other dioceses suggests that this represents the greater part of the yield, a small sum compared with the £1,400 produced by a tenth. The inadequacy of this tax was clearly recognized in the next year, when the Convocation of Canterbury voted with unusual generosity a double tenth. This time the collectors were the Abbot of Abbotsbury for Dorset, the Rector of Edington for Salisbury, the Prior of Bradenstoke for Wiltshire and the Abbot of Reading for Berkshire. Each of these four collected about £700 making a total of £2,843.<sup>2</sup>

In the following year, 1379, Parliament decided to try another poll-tax, but this time in order presumably to increase the yield and the fairness of the assessment imposed an elaborate scale for different classes of society. The Convocation of Canterbury agreed to an exact copy translated into clerical terms on 9 May.<sup>3</sup> The Archbishop was to pay £6 13s. 4d. and bishops and mitred abbots £4 each. Other heads of houses and beneficed clergy were to pay sums ranging from 5s. to £3 according to their wealth. Holders of benefices valued at under £10 were to pay 2s., and monks, canons and nuns were assessed at 3s. 4d., 1s. 8d., 1s., or 4d., according to the revenue of their houses. Finally unbeneficed clerks were rated as in the earlier tax at 4d. each.

This time the Abbots of Cerne and Abingdon were the collectors in the two pairs of archdeaconries. Once more the only indication of the total yield are the figures found on the receipt rolls. There the two abbots are credited with having paid in about £300. Clearly there was a big advance on 1377, but the total was still far below that of a tenth.

From the Abbot of Abingdon's records of this tax there are two survivals, the beginning of his original account roll<sup>4</sup> and a file of three documents.<sup>5</sup> The beginning of the roll is unfortunately a mere fragment, and even where the parchment has survived the ink has faded away. The heading is almost complete, and it then begins by listing Ralph, Bishop of Salisbury, and the collector himself, Peter, Abbot of Abingdon, each being rated at £4. Then comes the Prior, William Thodenham, who paid 3s. 4d. There are forty-eight other names, mostly apparently monks of Abingdon, paying 3s. 4d. each and that is all. Of the three documents on the file, the first is a writ dated 8 June 1380, ordering the treasurer and barons of the Exchequer to account with the Abbot for his arrears. It is endorsed with a reference to the Berkshire membrane of the pipe roll for the first year of the reign, where a note of the account may still be found. The second document is a list of the clergy in Windsor and Wallingford

<sup>1</sup> Public Record Office, Exchequer of Receipt, Receipt Rolls [E401]525-539 cover the period 51 Edward III to 4 Richard II.

<sup>2</sup> E 359/15.

<sup>3</sup> Wilkins, *Concilia* (1737), III, 141. The oft-quoted scale given there is apparently incomplete. A better version is in *Wykeham's Register*, II, 302.

<sup>4</sup> E 179/52/5.

<sup>5</sup> E 179/52/4.

## CLERICAL POLL-TAXES

castles, for whom the Abbot claimed and secured exemption from the tax. At Windsor there were eleven canons assessed at 5s. each, twelve chaplains at 2s. each and a deacon and subdeacon at 4*d.* each. At Wallingford the Dean would have paid 10s., three chaplains 2s. each, and the remainder, four clerks, a deacon and an acolyte, 4*d.* each. The third document on this file appears to be a list of arrears. It gives the Christian names only of a number of chaplains and clerks in thirty-three Wiltshire and eighteen Berkshire parishes. It does not appear to be an exhaustive list of the clergy of these parishes.

Of the records of the other collector of the poll-tax of 1379, the Abbot of Cerne, there is one possible survival. This is the fragment called 'Document A' of which a transcription is appended.

In the third year of the reign Convocation, differing a little from Parliament this time, attempted to combine a reformed tenth with a modified poll-tax. In the view of account<sup>1</sup> of the Abbot of Malmesbury, collector of this tax in the archdeaconries of Wiltshire and Berkshire, it is described as a subsidy of sixteen pence on the mark (i.e. one tenth) on all ecclesiastical goods and benefices whether normally taxed for the tenth or not, and of two shillings each from all priests, advocates, proctors, registrars and notaries public, who were unbeneficed and not contributing to the lay subsidy of a fifteenth. This summary account also shows the total which the Abbot collected, namely £730 12s. 6*d.*, or £40 more than the value of a tenth in these two archdeaconries. One might guess that the problem of finding a satisfactory alternative to the tenth had been solved, but, be that as it may, this tax was never repeated. The other collector of it in Salisbury diocese was the Abbot of Bindon, who had to find £786 4s. 4½*d.*,<sup>2</sup> but unless 'Document A' already mentioned was really a record of his, he has left us nothing except an unimportant note of one or two exemptions which he claimed.<sup>3</sup>

It was in November of this same year, 1380, that Parliament voted the last poll-tax, the tax whose collection was to provide the occasion for the Peasants' Revolt in the following summer. In December the clergy granted their version of this unfortunate tax. The graduated scale of 1379 was abandoned and a return was made to the simple classification of 1377 at higher rates. This time beneficed clergy, monks, canons and nuns were assessed at 6s. 8*d.* each and unbeneficed clerks at 1s.<sup>4</sup> However on this occasion the clergy appear to have been wiser than the laity. On 22 December Simon Sudbury, Archbishop of Canterbury, sent out instructions to the bishops for the collection of the tax.<sup>5</sup> All the clergy in each diocese were to be listed, and the total subsidy worked out. The regular clergy were to be charged 3s. 4*d.* each, that is half of the prescribed sum, and the other half was to be raised by a tax on all benefices according to their value whether normally taxed for the tenth or not. The result of

<sup>1</sup> E 179/52/6A.

<sup>2</sup> Public Record Office, Exchequer, L.T.R. Memoranda Rolls, [E 368/152], 3 Ric. II. Status et visus compotorum, Trin.

<sup>3</sup> E 179/52/6B.

<sup>4</sup> Wilkins, *Concilia*, III, 150.

<sup>5</sup> *Wykeham's Register*, II, 590.



## COLLECTANEA

this adjustment was a return to the principle of the combined property and poll-tax. The Bishop of Coventry passing this instruction on to his collector in the archdeaconry of Stafford fixed the rate of the levy on benefices as one twentieth, and this the collector enforced.<sup>1</sup> Over the country as a whole some collectors appear to have levied the tax according to the original grant, as in the diocese of Chichester and the archdeaconry of Shropshire, whilst others as in Canterbury and Salisbury dioceses followed the Archbishop's instructions.<sup>2</sup> In Canterbury the rate of the levy on benefices is not specified, but in Salisbury it was  $6\frac{1}{2}d.$  in the pound.<sup>3</sup>

In the archdeaconries of Berkshire and Wiltshire the Abbot of Reading was once more the collector for this tax. One surviving membrane<sup>4</sup> appears to have formed part of his account roll for this tax. This document, without beginning or end, is mainly concerned with the deanery of Newbury. It shows that unbeneficed clerks were charged 1s. and the holders of benefices taxed at less than ten marks, 3s. 4d. For richer benefices, when the taxable value and the assessment are both given, a little calculation reveals that the rate of assessment was  $6\frac{1}{2}d.$  in the pound, a sum which suggests some arithmetical skill on the part of all concerned. The abbot's total liability was at first said to be £249 1s. 4d., representing apparently 731 persons at half a mark and 108 at 1s., but he secured exemption once more from collecting from the canons of Windsor, who were outside the Bishop of Salisbury's jurisdiction. He also persuaded the barons of the Exchequer that he was not bound to account to them for the  $6\frac{1}{2}d.$ s collected, because they arose from the bishop's instructions, and were not mentioned in the original grant by Convocation.<sup>5</sup>

Two other fragments concerned with this tax are reproduced below as 'Documents B and C'. Both are believed to have formed part of the records of the Prior of Farleigh, collector in the archdeaconries of Dorset and Salisbury. It will be seen that the assessments agree with those administered by the Abbot of Reading. In two places the  $6\frac{1}{2}d.$  is mentioned, although the parchment is so worn that it can hardly be read without a little imagination.

The Prior was held by the Exchequer to owe £325 8s. 4d.<sup>6</sup> It will, therefore be seen that the yield of this tax in the diocese of Salisbury was a good deal less than that of a half tenth. It cannot be held that these poll-taxes gave the clergy cause for complaint, but the Revolt of 1381 convinced Parliament that such experiments were dangerous, and when Parliament went back to its fifteenths, the clergy returned to their tenths.

J. L. KIRBY.

<sup>1</sup> E 179/15/8B.

<sup>2</sup> E 179/11/9, 12 (Chichester), E 179/15/8A (Salop), E 179/8/2B (Canterbury). For Salisbury see below.

<sup>3</sup> Exchequer, L.T.R., Memoranda Roll, 5 Ric. II [E 368/154] Status et visus compotorum, Hilary *ro.* 2.

<sup>4</sup> E 179/52/15A.

<sup>5</sup> L.T.R., Memoranda Rolls, Status et visus compotorum, 4 R. II, Easter *ro.* 10 ; 5 R. II, Michaelmas, *ro.* 3 and Hilary *ro.* 2 [E 368/153 and 154]. The details given are insufficient to show what sum was finally paid.

<sup>6</sup> L.T.R., Memoranda Roll, [E 368]/153, Status et visus compotorum, Easter, *ro.* 12.

CLERICAL POLL-TAXES

DOCUMENT A

Public Record Office, Exchequer, Queen's Remembrancer, Clerical Subsidies, E 179/52/14. This is a single membrane, about 6 inches wide which has clearly formed part of a roll. Its date is probably 1379, because that was the year in which the holders of benefices under £10 were charged 2s. and the unbeneficed 4d. In the following year, 3 Richard II, the persons paying 2s. were described as unbeneficed, and there is not known to have been any class paying 4d. However the status of the chaplains listed here is not very clear.

Nomina virorum ecclesiasticorum civitatis Sar' non habencium vicarias  
Robertus rector ecclesie sancti Thome nil hic causa [sic] supra in Claus' Sar'

capellani	{ Edwardus capellanus ibidem	ij s
	{ Willelmus " "	ij s
	{ Rogerus " "	ij s
	{ Thomas " "	ij s
	{ Johannes " "	ij s
	{ Johannes " "	ij s
	{ Laurencius " "	ij s
	{ Thomas " "	ij s
	{ Johannes " "	ij s
	{ Johannes " "	ij s
	{ Willelmus " "	ij s
	{ Johannes " "	ij s
	{ Thomas " "	ij s
	{ Johannes " "	ij s
	{ Rogerus " "	ij s
	{ Adam " "	ij s
	{ Johannes " "	ij s
	{ Thomas " "	ij s
	{ Willelmus " "	ij s
	{ Nicholaus " "	ij s
{ Edwardus " "	ij s	
Johannes diaconus ibidem	iiij d	
Summa xlij s iiij d		

Nomina capellanorum et clericorum in ecclesia [sic] Sancti Edmundi Sar' et Sancti Martini ibidem

Adam prepositus sancti Edmundi et vicarius sancti Martini habens beneficium ad valorem x li [v s]<sup>1</sup>

Rogerus capellanus sancti Edmundi ibidem ij s

Johannes capellanus ibidem ij s

Johannes " " ij s

Barnabas " " ij s

Willelmus " " ij s

Hugo " " ij s

Johannes " " ij s

<sup>1</sup> The ink has been rubbed off at this point. Supplying 'vs' makes the total add up correctly. It would also be the right assessment for 1379 and would confirm that date.

## COLLECTANEA

Johannes	..	..	ij s	capellani domus
Johannes	..	..	ij s	scolarum de vall'
Johannes	..	..	ij s	Sar'
Johannes	..	..	ij s	
Thomas	..	..	ij s	Johannes capellanus
Robertus	..	..	ij s	ibidem ij s
Thomas	..	..	ij s	Ricardus capellanus
Ricardus	..	..	ij s	ibidem ij s
Robertus	..	..	ij s	
Johannes	..	..	ij s	Summa iiiij s
Thomas	..	..	ij s	
Ricardus clericus			iiiij d	
Johannes clericus			iiiij d	
Johannes capellanus sancti Martini			ij s	
Johannes capellanus ibidem			ij s	
Thomas clericus ibidem			iiiij d	
Willelmus clericus ibidem			iiiij d	
Johannes capellanus de Stratford iuxta castrum			ij s	Summa xlviij s iiiij d

## DOCUMENT B

Public Record Office, Exchequer, Queen's Remembrancer, Clerical subsidies, E 179/277/8. This consists of two membranes, six inches wide, sewn end to end, formerly part of a roll. At the beginning the left hand side is torn away so that only the ends of the lines remain. Much of the ink is faded.

It is clearly an account of the poll-tax of 4 Richard II, 1380-81, because :

- (1) the names of the heads of houses fix it within a few years of this date.
- (2) this was the only year in which any persons were assessed at 6s. 8d.
- (3) this was the only year in which the poll-tax of 3s. 4d. was combined with a property tax.
- (4) this was the only year in which unbeneficed clerks were assessed at 1s.

This document is probably unique amongst such accounts in having the collector's notes of his receipts on it. The letters '*qt*' for *quietus* appear either in the margin or between the lines against almost every name. Most entries have also '*sol' med*' against them, presumably the amounts were paid by two instalments. These letters were sometimes written over erasures. Against each paragraph the number of persons is also indicated marginally. These, together with auditors' marks and other marginals, mostly very faded, make the margins into a confused medley, difficult to disentangle and impossible to reproduce intelligibly. The number of persons has been placed in the total line under each paragraph. Where a name has '*qt*' alone against it, this is indicated by a \*. Where both '*sol' med*' and '*qt*' appear, the fact is indicated by a †. Auditors' marks have been omitted, and some other marks may have been missed owing to the worn state of the document.

CLERICAL POLL-TAXES

		v s v d
		x s x d
	de Combe vij s ij d ob.q.	
de Swalueclif	}	x marc'
Heyghtredbury		
de Uphaven xl marc'		ij s vij d ob.
de Chesynbury	}	x li vj s
... dar' pro porcione		
in Bereford		vij d
[R]ob[ertus] Walsham rector de Westbury i marc'		xj d q.
prebendarius prebende de Heightredbury xij li		xviiij s ob. xj s xj d
*Magister Willelmus Frank prebendarius prebende de Hornyngsham	c s	xl d
*Johannes Lyndeseye prebendarius prebende altaris partis ibidem	c s	xl d
*Johannes prebendarius prebende de Netherbury <sup>1</sup> tax xx li		y s x d
<sup>2</sup> Summa	iiij li xviiij s	ixd ob.q <sup>2</sup>
	Summa c s ob. q.	

Nomina vicariorum in ecclesia cathedrali Sar' <sup>3</sup>

Robertus Doudyng	xl d	Robertus Askeby	xl d
Willelmus Bukke	xl d	Johannes Druwery non sacerdos	xij d
Johannes Wolf	xl d	Rogerus Netton	xl d
Robertus Okford	xl d	Walterus Warwyk	xl d
Walterus Dene	xl d	Johannes Duyler	xl d
Johannes Salve	xl d	Adam Wynchestre	xl d
Ricardus Durant	xl d	Petrus Melkyscham	xl d
Johannes Spycer	xl d	Johannes Dene	xl d
Johannes Hullyng	xl d	Henricus Romayn	xl d
Walterus Wyght	xl d	Johannes Boor	xl d
Ricardus Jacob	xl d	Willelmus Mel	xl d
Ricardus Uphavene	xl d	Johannes Cerne	xl d
Ricardus Arnald	xl d	Nicholaus Gyffard non sacerdos	xij d
Johannes Farle	xl d	Johannes Shoppe	xl d
Johannes Red	xl d	Ricardus Frankeleyn	xl d
Willelmus Stokes	xl d	Johannes Clerc	xl d
Johannes Bottenham non sacerdos	xij d	Thomas Dyer non sacerdos	xij d
Johannes Wadyng	xl d	Ricardus Antribussh	xl d
Stephanus Betewell non sacerdos	xij d	Johannes Symond	xl d
Johannes Bokelond	xl d	Johannes Harnham	xl d
Robertus Warde	xl d	Johannes Brytton	xl d
Johannes Iwern	xl d	Willelmus Kylmeston non sacerdos	xij d
Georgius Upton non sacerdos	xij d		
xluiij			
solverunt in toto vicarii supra			
summa vicariorum presbiterorum	vj li iij s iij d		
summa vicariorum non presbiterorum	vij s		

Nomina presbiterorum habencium cantarias perpetuas in ecclesia cathedrali Sar'

*Richardus Boxe capellanus cantarie ad altar' beate Marie Magdal'	xl d
†Johannes Malweyn capellanus ad altar' reliquiarum	xl d
*Stephanus Gow capellanus cantarie ad altar' sancti Stephani	xl d
†Willelmus Heryng capellanus cantarie ad altar' sancti Marci	xl d

<sup>1</sup> Altered from ' Netherhaven '.

<sup>2</sup> This total is struck through.

<sup>3</sup> All the names in this section have ' sol' med' ', but not ' qt ' against them. However, diagonal lines are drawn through it, indicating perhaps that all had paid.

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*Johannes Homyngton capellanus cantarie ad altar' sancti Andr'	xl d
†Willelmus Nedeler capellanus altar' cantarie ibidem	xl d
†Johannes . . . yng capellanus cantarie ad altar' beate Marie Magdal' <sup>1</sup>	yl d
vj	Summa xx s

Nomina capellanorum infra clausum Sar'

*Ricardus Queryndon capellanus matutinalis in ecclesia predicta	xl d
*Johannes Martyn capellanus sancte Crucis in eadem ecclesia	xl d
†Johannes Bron capellanus magistri Johannis Turke	xl d
†Johannes capellanus domini Willelmi Okeborn	xl d
*Ricardus Chytterne capellanus precentoris Sar'	xl d
*Galfridus Malmesbury capellanus domini Johannis Henney	xl d
†Rogerus Monel' capellanus cancellarii Sar'	xl d
†Johannes capellanus magistri Willelmi Byde <sup>2</sup>	xl d
viiij	Summa xxvj s viij d

Nomina clericorum infra clausum Sar'

*Magister Walterus Weryng magister scolaram in civitate Sar'	xij d
†Magister Johannes Okeden advocac' in conc' <sup>3</sup> Sar'	vj s viij d
†Willelmus Hauk	vj s viij d
*Thomas Cherdesle notarius publicus <sup>4</sup>	vj s viij d
Willelmus Domerham notarius magistri Willelmi Byde <sup>4</sup>	vj s viij d
Johannes Dunham clericus accolitus	xij d
*Willelmus Strowe diaconus cum magistro Johanne Stratforde	xij d
†Gylbertus Seyteyn	xij d
†Edwardus Penston' Seyteyn	xij d
†Johannes Croyser	xij d
†Robertus Netton	xij d
†Johannes Golde	xij d
†Robertus Dene	xij d
†Willelmus clericus sancte Katerine	xij d
†Johannes Caundel clericus misse matutinalis	xij d
†Willelmus Andreston clericus reliquiarum	xij d
†Johannes Wesbury clericus Sancte Margarete	xij d
†Stephanus Wynard clericus Magistri Johannis Cheyne	xij d
xviiij	Summa xl s viij d

[m.2]

Civitas Sar'

Nomina capellanorum in ecclesia sancti Thome civitatis Sar'

*Edwardus Helyon	xl d	†Rogerus Farneborgh	xl d
*Willelmus Borgeys	xl d	*Willelmus Wodye	xl d
Thomas Stapilford	xl d	†Johannes Thorp	xl d
†David Wagton	xl d	†Walterus Huys	xl d
*Johannes Stille	xl d	*Nicholaus Odyham	xl d
*Thomas Portesham	xl d	*Edwardus Mowr	xl d
†Rogerus Brif	xl d	*Johannes Toly	xl d
*Willelmus Uphaven	xl d	†Nicholaus Mason	xl d
†Willelmus atte Wode	xl d	*Johannes Vale	xl d
*Willelmus Prest	xl d	†Willelmus Bat	xl d
†Simon Crokhorn	xl d	†Johannes Adam	xl d
*Thomas Anne	xl d	*Johannes Fox	xl d
*Thomas Togode	xl d	*Johannes Frewyn	xl d
xxvj	Summa iiiij li vj s viij d		

<sup>1</sup>...<sup>1</sup> This line is struck through.

<sup>2</sup> According to W. H. Jones, *Fasti* (1879), ii, 428, William Byde was prebend of Warminster, 1361-91. He quotes Wyville 288, Dunham 118. See also nine lines below.

<sup>3</sup> Conclistorio ?

<sup>4</sup> The reading of these lines is doubtful.

## CLERICAL POLL-TAXES

### Nomina clericorum in dicta ecclesia et parochia eiusdem <sup>1</sup>

*Johannes Betenham diaconus	xij d	Johannes Mathew non tal'(?)	xij d
*Johannes Michel diaconus	xij d	*Thomas Bell	xij d
*Willelmus Eyles subdiaconus	xij d	*Ricardus Neller	xij d
*Radulphus Marhen	xij d	*Thomas Welneston	xij d
*Edwardus Chedenham	xij d	*Johannes Eyles	xij d
*Willelmus Friend clericus	xij d		
	Summa x s		

### Nomina presbiterorum ecclesie colleg' domus sancti Edmundi Sar'

†Adam Charles prepositus dicte domus habens ecclesiam sancti Edmundi et vicariam sancti Martini Sar' in proprios usus taxatas ad xj li xiiij s iiij d vj s iij d q.			
†Johannes Pope	xl d	†Johannes Lange	xl d
†Johannes Wroxhale	xl d	†Johannes Eschurch	xl d
†Barnabas Kendale	xl d	†Johannes atte Wode	xl d
†Henricus Modford	xl d	†Ricardus Stephne	xl d
†Willelmus Lodr'	xl d		
	Summa xxvj s iij d q.		

### Nomina presbiterorum annal' celebrancium in dicta ecclesia sancti Edmundi

†Johannes Hennore	xl d	†Johannes Colford	xl d
†Johannes Shirborn	xl d	†Ricardus Martyn	xl d
†Johannes Bytterley	xl d	†Walterus capellanus Thome	
†Thomas James	xl d	Brythford	xl d
†Ricardus Gomeldon	xl d	†Thomas Brytton	xl d
		†Willelmus Comb	xl d
		†Thomas Comb <sup>2</sup>	xl d
x [sic]	Summa xxxiiij s iiij d		

### Nomina clericorum in ecclesia sancti Edmundi Sar'

*Johannes Budel diaconus	xij d	Johannes Doksay junior	xij d
†Thomas Rede	xij d	*Johannes Ball junior	xij d
*Stephanus Edyndon	xij d		
v	Summa v s		

### Nomina presbiterorum celebrancium in ecclesia sancti Martini Sar'

*Hugo Rychman	xl d	†Robertus Kenebell	xl d
*Johannes Dene	xl d	*Nicholaus Broune	xl d
iiij	Summa xiiij s iiij d		
*Thomas Tygheler clericus subdiaconus in dicta ecclesia			xij d
	Summa xij d		

### Nomina presbiterorum celebrancium in domo de Vall' Sar'

*Ricardus Wyttenham			xl d
*Thomas Bat			xl d
ij	Summa vj s viij d		
*Willelmus Glym clericus in dicta domo			xij d
	Summa xij d		

### Nomina fratrum hospitalis sancti Nicholai Sar'

*Edwardus Fox presbiter			xl d
*Johannes Swyndon presbiter			xl d
*Rogerus Staunton presbiter			xl d

<sup>1</sup> The reading of all the names in this section is doubtful.

<sup>2</sup> The last name was added later, and is not included in either total.

COLLECTANEA

Nomina religiosorum commorantium infra archidiaconatum Sar'

Decanatus de Potern

- \*Willelmus Preston(?) prior de Farley habens spiritualia et temporalia in archidiaconatu Sar' taxata ad xxxix li vij s vjd xxj s iij d ob.q  
viiij
- \*Item octo monachi ibidem per capita xl d xxvj s viiij d

Decanatus de Wylton

- sol' prima' med' viz' vij li xviiij s iiiij d ob.q  
\*Domina Margareta Boklond abbatissa de Wilton habens spiritualia et temporalia in archidiaconatu Sar' taxata ad cclxxvj li xvj s j d  
Inde de libra vj d ob vij li ix s xj d q.  
l \*Item l moniales ibidem per capita xl d viiij li vj s viiij d

Decanatus Ambresbury

- \*Domina Elionora priorissa monasterii de Ambresbury habens spiritualia et temporalia in archidiaconatu Sar' taxata ad clxxvj li xiiij s xd  
iiiij li xv s viiij d q.  
xxviiij
- Item xxviiij moniales ibidem per capita xl d iiiij li xiiij s iiiij d  
Nomina fratrum in dicto monasterio de Ambresbury
- |  |      |                                  |      |
|--|------|----------------------------------|------|
| *Dominus Johannes Wynterborn presbiter | xl d |                                  |      |
| *Johannes Daubeney                     | xl d | *Johannes Spicer                 | xl d |
| *Willelmus Canynges                    | xl d | *Robertus Duryngton              | xl d |
| *Johannes Golsmyth                     | xl d | *Johannes Colynborn              | xl d |
| *Willelmus Hendon                      | xl d | *Willelmus Hertham frater laicus | xl d |

- ix Summa xxx s
- †Dominus Rogerus Virgo prior monasterii Ederosi habens spiritualia et temporalia in archidiaconatu Sar' taxata ad xxvij li x s viiij d Inde de libra vj d ob. xiiij s x d ob.q.
- v \*Item sunt quinque canonici regulares ibidem xiiij s iiiij d

Decanatus de Wyly

- Dominus Edwardus Frome prior de Maydenbradele xl d
- x Item sunt in eodem prioratu x canonici xxxiiij s iiiij d
- \*Dominus Ricardus Axebrugge prior de Langlete habens temporalia in archidiaconatu Sar' taxata ad xxx s vijd xl d
- iiiij \*Item sunt quattuor canonici regulares ibidem xiiij s iiiij d

Decanatus de Chalk

- sol' v s per manus militis  
Johannes Frethyngnam preceptor de Ansty ordinis sancti Johannis Jerusalem' habens ecclesia de Ansty in proprios usus non taxata
- iiiij Frater Thomas Wykham } fratres eiusdem ordinis  
Frater Willelmus Nathwode }
- Summa totalis archidiaconatu Sar' residencium in eodem preter fratres de Edyndon qui [sunt]\* in decanatu de Potern xxxiiij li xviiij s vjd
- Nomina religiosorum habencium temporalia et spiritualia in archidiaconatu Sar' et non residencium in eodem

[end of membrane]

\* ? misit, nusit ?

CLERICAL POLL-TAXES

DOCUMENT C

Public Record Office, Exchequer, Queen's Remembrancer, Clerical subsidies, E 179/52/12. This is a single membrane of approximately the same size as the others, and apparently the last of a roll. It is clearly an expanded version of the previous document, and an earlier draft in all probability. It does not contain collector's notes such as '*quietus*'. The calculations at the end may have formed part of the calculation of the assessment.

	Summa personarum iij	
	Edwardus Frome prior [de] Maydenebradelegh	
	Robertus Jakes	
	Willelmus Chitterne	
	Rogerus Stoure	
	Johannes Wodehay	canonici ibidem cum priore xj
	Thomas Stylt	
	Johannes Budel	quilibet ad xl d
	Henricus Colshull	
	Johannes Mayne	
	Willelmus Engly[sh]	
	Johannes Lightf[oot]	
xxx s vij d		
	Ricardus Axebrug prior de Langelete	xvj d ob.q.
	Rogerus Wondestrowe	
	Johannes Oldenelde	canonici ibidem cum priore vj
	Ricardus Bustowe senior	
	Ricardus Bustowe junior	quilibet excepto priore ad xl d
	Willelmus Chuton	
xxvij li x s viij d		
	Rogerus Virgo prior Ederosi	xiiij s xj d
	Johannes Wodebold	
	Henricus Bonde	canonici ibidem cum priore vj
	Ricardus Walton	
	Thomas Hyndon	quilibet excepto priore ad xl d
	Petrus Wernour	
alt'[?] dj marc'		
	Johannes Ferthyngam preceptor ordinis sancti Johannis Jerusalem apud Ansty	
	Johannes Wikham	
	Willelmus atte Wode confratres eiusdem preceptoris	
	Summa iij	
S[umma per]sonarum cxlv[j]'	Inde subsidium xlvij li xiiij s iiij d	
Summa a[. . .]'	xxxvij li iij s j d ob.	
Summa totalis solvencium subsidium dj marc'		D
	Inde subsidium [. . .]'	clxvj li xiiij s iiij d
Summa personarum solvencium subsidium xij d		cvijj
	Inde subsidium cvijj s	

<sup>1</sup> Square brackets indicate a lacuna in the document.



# WILTSHIRE DEEDS IN THE BATH PUBLIC LIBRARY

The following Catalogue is of a collection of twelve fifteenth century Wiltshire deeds now in the manuscripts collection of the Bath Public Library where they are numbered 860 to 870—one, a duplicate of 862 having been given no separate number. They are all in Latin written on parchment, and all fall within the reign of Henry VIth—the earliest being dated 17 July, 1437 and the latest 24 December, 1460.

They were presented to the Public Library in March, 1923, by the late Edwin J. Smart of Bath who remarked at the time that he had received them from someone living at Lacock. Nothing else is known of their provenance, but certain of the deeds refer to the same, or related, transactions; the same personal names, both in the parties and in the witnesses, frequently recur, and the transactions are limited to places in north-west Wiltshire in and around Lacock. The probability that the deeds are related is, therefore, strong and they may well have formed part of a collection of a family living in the Sherston-Lacock-Melksham district. This probability is further strengthened—as noted below—by the similarity of hand and ink in some of the endorsements.

The deeds—consisting of six Gifts, three Quitclaims, one Bond, one Grant and one Letters of Attorney—refer to lands, etc. in Alderton, Broughton Gifford, Lacock, Luckington, Melksham, Sherston and Yatton Keynell and a few other places chiefly in that area. The family names occurring most frequently are Gore,<sup>1</sup> Hungerford, Kaynell and Long.

For the present catalogue the deeds have been arranged in chronological order and have been numbered 1 to 12 for that purpose since the Bath numbering does not give an exact chronological sequence. The Bath numbers are, of course, given in each entry, and, in parentheses in the first references to the deeds in this note.

The deeds are catalogued according to the method of abstracting used by Mr. R. B. Pugh in his *Calendar of Antrobus Deeds before 1625*, 1947 (Wiltshire Archaeological and Natural History Society. Records Branch. III) pp. liv-lv.

No English occurs anywhere in the deeds except in the endorsements to 4 (862) and 7 (864). All abstracts have been translated and the endorsements are translated in full. Personal names are given in their

<sup>1</sup> An apparently unpublished and important manuscript on this family is in the Library of the Victoria and Albert Museum in its Clements Collection of Armorial Bindings (Press-mark:—Clements S.7. Inventory No. :—L.1376-1948). It is entitled:—*Syntagma Genealogicum, or A genealogical treatise of the family of the Gores of Aldrington or Alderton . . . Containing a true . . . account of their Armes, Births, Baptizings, Marriages, Issue, Lands, Last Wills . . . Deaths . . . Inventories . . . By Thomas Gore, Esq.* The MS. is undated but appears to be after 1670 and before 1700. The Gore armorial stamp is on the covers and the bookplate of Thomas Hedges, of Alderton, is inside the front cover. See also:—G. D. Squibb, *Wiltshire visitation pedigrees*, 1623. Harl. Soc. 1954.

## TWELVE WILTSHIRE DEEDS

full, normal, uninflected, English form : family names are expanded when necessary, and when this can be done with certainty, but otherwise are spelt as given : place names are treated in this same way with the exception of the name of the county which has been printed without the *e* although it is in the deeds usually written *Wiltes*. As noted below parts of the endorsements on eight deeds are in reddish-brown ink ; apart from these all writing on the deeds is in black.

The seals, which are all in red wax, have been described according to the rules in the booklet issued by the British Records Association : *Report of a Committee on the Cataloguing of Deeds*. London, 1938.

Three deeds are dated at a given place—**3** (870) at Broughton [Gifford] and **6** (863) and **8** (865) each at Alderton. Numbers **1** (860), **4** and **5** (862), **9** (867) and **10** (866) are endorsed 5.6. in what appears to be the same hand and ink. This would appear to be the number of a bundle or file. Number **6** (863) is endorsed 6 followed by a diamond shaped o and Number **12** (869) with a K. These appear to be in the same ink as the 5.6. endorsements and may also be file markings. Numbers **1**, **4**, **5**, **6**, **9**, **10** and **12**, together with Number **11** (868) all have an endorsed date in a reddish-brown ink and apparently the same hand, and Numbers **4**, **10** and **12** also have an endorsed description in this same ink and hand. The endorsements on **2** (861) and **3** (870) appear to be in one other hand and yet another one hand seems to have written the endorsements on **7** (864) and **8** (865). It will thus be seen that the endorsements link the deeds into one group of 8 and into two pairs.

It may be noted that although none of the transactions appear to be recorded in *The Tropenell Cartulary* Ed. by J. Silvester Davies (2 vols Devizes, 1908), yet every place name and most of the personal names in these deeds are to be found in that excellent edition of the Great Chalfield cartulary.

The deeds are published by kind permission of Mr. R. W. M. Wright, City Librarian of the Bath Public Library until his retirement in 1954, who readily made the deeds available and supplied information on their acquisition. Particular indebtedness has been incurred to Mr. R. B. Pugh who has checked the whole article.

J. H. P. PAFFORD

**1** (860) Bond.

17 July, 15 Hen. VI [1437].

Bond in £20 by John Dewall and Thomas Hasard to William Gore the younger.

Condition for defeasance if Joan Stradelyng late wife of John Stradelyng knight shall obey the award of John Hody arbitrator chosen by Joan and of Robert Longe arbitrator chosen by the said William and by William Gore the elder concerning the right in an annual rent of 6 marks and arrears, thereof, if any, issuing from the manor of Wynterborne

## COLLECTANEA

Dauntesey, Wilts. Provided that the award be made and sealed by the quindene of Michaelmas next. 17 July, 15 Hen. VI.

*Unsigned.*

*Seals* : Originally 2. One missing, one damaged and imperfect ; round ; 13 mm ; device—animal (? horse and rider), illegible inscription (roman) circling device ; pendant.

*Endorsements* : 5. 6. (? 16th century) 17 July 15 Hen. 6 1437 (? 16th-17th century in reddish-brown ink).

### 2 (861) Quitclaim.

6 December, 19 Henry VI [1441].

Quitclaim by Roger Tut and William Phelpys otherwise Ode to William son of Thomas Gore of their right in all lands and tenements, fields, woods, meadows, feedings, rents and reversions which they recently had by gift of Thomas Gore, of Henton, in Broghton Gyffard, Melkesham, Benacre, Shawe and Whytley, Wilts. Further exclusion from all legal action and claim.

*Witnesses*: None.

*Seals* : Two, both damaged and imperfect. Two tags. 1 Round. 8 mm. Device:W. 2 Round 10 mm. Device: Circle, enclosing oblong, containing cross intersected by saltire.

*Endorsements* : Broughton 17° Hen. 6. (?contemporary) 6° Dec. (16th-17th century).

### 3 (870) Gift.

Broghton, 7 December, 19 Hen. VI [1441].

Gift with warranty by William Gore, of Broughton, son of Thomas Gore, of Henton, to Robert Hungerford knight and Thomas Tropenell of his lands and tenements, meadows, woods, pastures, feedings (*pasuis pasturis*), rents, services and reversions in Broghton Gyffard, Melkesham, Whytley, Shawe and Benacre, Wilts which he recently had by gift of Thomas the father.

*Witnesses* : None.

*Seal* : One. Tag. Same as first seal to 2 (861).

*Endorsements* : Broughton (?Contemporary). Broughton 7° Dec. : 19 Hen. 6 (?16th-17th century).

### 4 (862) Gift.

Assumption of the Virgin, 20 Hen. VI [15 August, 1442].

Gift indented in tail (*tradidimus dimissimus et hoc presenti scripto nostro confirmavimus*) by Robert Longe, William Darell, esquires, John Comeley, clerk and John Burnell the younger to Giles Gore, son of William Gore the younger, of a tenement in Mylkesham called Hanyndonys lying in le Newetowne : a tenement called Stubbys next to the close of Baldewenys tenement (*iacens iuxta clausum tenementi*) which Henry Clerke holds and [which] extends beyond the close of the Prioress of Ambresbury called Kynggs Parroke : a tenement called Barbys in Melkesham between the

## TWELVE WILTSHIRE DEEDS

tenements late of William Jagarde and that of Thomas Skynner : a tenement there called Maweclerkys between the tenement late of Robert Reyner and that of Alice Reyner, with all lands, meadows, pastures, feedings (*pascuis pasturis*), rents, services and reversions which they recently had by gift (*traditione et dimissione*) of William Gore the elder. Reversion to William Gore the elder.

*Witnesses* : Thomas Burton, lord of Lokyngton, Richard Moreman, Walter Everard, Richard Kaynell, Thomas Godfelawe, Thomas Gore of Henton, Thomas Capel, William Juwet, Robert Cowold.

*Seals* : 4, two on each of 2 tags.

1. Round, 20 mm. (? 3 heads above a portcullis with a standing figure on each side?)

2. Round or oval, 20 mm. Imperfect. (? coronet over horizontal bars or animals.)

3. Round, 8 mm. Bird (? eagle) with illegible roman inscription around.

4. Oval, 25 mm. by 17 mm. Animal in centre with illegible roman inscription around.

*Endorsements* : Robert Long and William Darell, esquires, confirmed unto Gyles Gore son of William Gore the younger certain lands in<sup>2</sup> Melkesham 20 Hen. 6, 16 Aug.<sup>2</sup> 1442<sup>3</sup> 5. 6.<sup>4</sup> [All written in English]. Concerning lands and tenements in Milkesham and Newetowne in the County of Wilts. [In Latin and black ink, ? contemporary.]

5 (862) Gift.

15 August, 1442.

A duplicate of 4 (862).

*Seals* : 4 (as on 4 (862)). Numbers 1 and 2 imperfect).

*Endorsements* : 25th Mar. 20 Hen. 6 1442 (reddish-brown ink ? 16th-17th century). 5.6.

6 (863) Gift.

Aldryngton, Conversion of St. Paul [25 January, 1448].

Gift indented (*dedi, concessi et hac presenta carta mea indentata confirmavi*) by William Gore son of William Gore to Edmund Hungerford, knight, John Boteler, Thomas Poynes, John Dewall, Robert Blake, Henry Longe, John Lyght, esquires, Master Hugh Thomas, clerk, Robert Unwyn, Thomas Hasard and Richard Kaynell of his manor of Aldryngton and all his lands and tenements, meadows, pastures, feedings, rents, services and reversions in Melkesham, Yatton Kaynell, Aldryngton, Sherston, Lokynton and Lacok except a messuage and a cotland (*cottellata terre*)<sup>5</sup> in Melkesham called Jhoseppes and a messuage and 2 virgates of

<sup>1</sup> So far in ? 16th-17th century hand in reddish-brown ink.

<sup>2</sup> Melkesham . . . Aug. in black ink and another hand.

<sup>3</sup> 1442 in reddish-brown ink.

<sup>4</sup> 5. 6 in black and another hand.

<sup>5</sup> Cottellata. This is apparently the only recorded use of the word.

COLLECTANEA

land in Aldryngton called Kyngeswodes Grange. Covenant for re-entry and distraint if the feoffees shall, on request, refuse to re-eneoff the donor, or, after his death, his son Thomas.

*Witnesses* : Thomas Burton, esquire, Walter Everard, John West, Robert West and William Kaynell.

*Seal* : One, tag, rectangular shield with notch at top and bottom. 8 mm. × 11 mm. Device animal's (? bull's) head.

*Endorsements* : The names of the witnesses then present when possession was delivered to Hugh Thomas and Thomas Hasard in the names of themselves and of the other feoffees on the last day of January A.D. MCCCCXLVIII

John Harres of Cheppynham.

Thomas Gore son of the said William Gore.

Nicholas Gore.

John Tanner.

Nicholas Pont'

William He . . .<sup>1</sup>

Richard Lucane } of Aldryngton.

John Bacon.

John Neline.

William Hobbys.

6 O

25 Jan. 27 Hen. 6. 1448. (*In reddish-brown ink* : ? 16-17th century.)

7 (864) Quitclaim.

Eve of the Annunciation, 29. Hen. VI [24 March, 1450].

Quitclaim by Thomas Hasard to Edmund Hungerford, knight of his right of 15s. 5½*d.* yearly rent which John London father of John London used to pay to Richard Carsewell for lands and tenements in Alderton, viz. for the tenement in which William Moyn now lives, 10s. per annum, for the tenement called Slomannys 18*d.* per annum, for the tenement called Godales 3s. 0½*d.* per annum, and of the services of all tenants of the said tenements as well as the said rents.

*Seal* : One, missing, tag.

*Endorsements* : Aldryngton. Thomas Hasard release to Edmund Hungerford of a certain sum of money in Aldryngton. 29 Hen. 6. 24 Mar. 1450. [Mixture of Latin and English. ? 16th-17th century].

8 (865) Grant.

Alderton, Tuesday after Palm Sunday, 29 Hen. VI. [20 April, 1451.]

Grant (*dedi concessi et hac presenta carta mea confirmavi*) with warranty by Edmund Hungerford, knight to Richard Kaynell and Edward Basyng of 15s. 5½*d.* yearly rent which John London father of John London used to render to Richard Carsewell for lands and tenements

<sup>1</sup> Four illegible letters.

## TWELVE WILTSHIRE DEEDS

in Alderton [and] which Edmund Hungerford late had by gift from William Gore of Alderton.

*Witnesses* : William Besyle, Nicholas Halle, esquires and William Basyng.

*Seal* : One, tag, round, 9 mm. Two sickles facing. In centre *e h* with mark below (? a star).

*Endorsement* : Aldrington 29 Hen. 6 1451 (? 17th century).

### 9 (867) Gift.

4 June, 36 Hen. VI [1457].

Gift indented (*tradidimus, dimisimus, feoffavimus, liberavimus et hac presenta carta nostra indentata confirmavimus*) by John Whittokesmede<sup>1</sup> and Thomas Neuton perpetual vicar of Milkesham to Giles son of William Gore and Elizabeth his wife daughter of the above John of the site of their manor of Aldryngton and all houses, messuages and buildings on that site and all lands, meadows, pastures and feedings (*pasuis et pasturis*), woods, stanks, waters, demesnes of that manor, also the said manor, except the tenures and tenements of tenants of the manor and the Courts, fines, heriots and reliefs of the tenants, also their lands and tenements, meadows, pastures and feedings, rents, reversions and services in Milkesham, Sherston, Lokyngton and Lacok which they recently had *inter alia* by gift (*ex tradicionem, dimissione et confirmacionem*) from Edmund Hungerford, knight, John Botiller, Thomas Poynes, Henry Longe, esquires, Hugh Thomas, clerk, Richard Kaynell and the said William Gore son and heir of the aforesaid William Gore which they had with John Dewall, Robert Blake, John Lye, esquires, Robert Unwyn and Thomas Haserd, now dead, by gift from William Gore the son.

*Witnesses* : Phillip Baynard, John Longe, William Besylez, Nicholas Halle, esquires and John Halle.

*Seals* : 2, two tags, one seal on each. 1. Oval 13 mm. A deer facing an oak. Above deer *Whyte*. Below *med*.

2. Round. 10 mm. Device illegible. Imperfect.

*Endorsement* : 4 June, 36 Hen. 6 1458. (Reddish-brown ink) 5. 6.

### 10 (866) Letters of Attorney.

20 July, 35 Hen. VI [1457].

Letters of attorney of Edmund Hungerford, knight, John Botyller, Thomas Poynez, Henry Longe, esquires, Hugh Thomas, clerk, Richard Kaynell and William Gore son and heir of William Gore the elder appointing Thomas Craas, Nicholas Wager, John Selman, John Seynge<sup>2</sup> and Thomas Chepman to deliver seisin to John Whittokesmede and Thomas

<sup>1</sup> *Whittokesmede* : Other references to this name are in : J. Aubrey, *Wiltshire Topographical collections*, 1862 ; *W.A.M.*, xiv, 1874, p. 272 ; *W.A.M.*, xlvii, 1937, pp. 293-8 ; *Wills. Notes and Queries*, No. 46, June, 1904, pp. 465-6 ; G. J. Kidston, *History of . . . Hazelbury* (1936), pp. 282-3 ; G. D. Squibb, *op. cit.*

<sup>2</sup> *Seynge perhaps Soyng.*

## COLLECTANEA

Neuton perpetual vicar of Milkesham of their manor of Aldryngton with appurtenances in Milkesham, Yatton Kaynell, Aldryngton, Sherston, Lokyngton and Lacok which manor, lands and tenements, meadows, fields, pastures and feedings, rents, reversions and services they lately had, together with John Dewall, Robert Blake, John Knyght, esquires, Robert Unwyn and Thomas Haserd, now dead, by gift of William Gore the son. Whittokesmede and Neuton to hold the said manor, lands, etc., according to the form and effect of a deed made to them by Edmund Hungerford, and the others, ratifying and confirming whatever the aforesaid attorneys may do in the premises. (*secundum vim formam et effectum cuiusdam carte nostre eis inde confecte ratum et gratum habiture quicquid praedicti attornati nostri fecerint vel unus eorum fecerit in praemissis.*)

*Seals* : Originally 7, one missing, two damaged. Tags, one seal on each.

1. As to 8 (865) but handles of sickles shorter and star (?) more doubtful.
2. Oval 12 mm. × 9 mm. Device (?) an urn. Damaged.
3. As no. 3 to 4 and 5 (862).
4. Round, 15 mm. Leaf (? Holly) with 5 minims (? a word) each side.
5. Octagonal. 13 mm. Pointed shield bearing a bird and motto (illegible) each side.
6. Missing.
7. Apparently the same as 6 (863). Damaged.

*Endorsements* : Edmund Hungerford, knight, John Botyller, esquire and others, etc. 20 July 35 Hen. 6. 1457. (Reddish brown ink. c. 16-17th century). 5. 6.

### 11 (868) Gift.

Last day of March [1460].

Gift (*dedimus, concessimus et hac presenti carta nostra confirmavimus*) with warranty by John Cornewale and Cecily his wife, daughter and heir of William Swaynes, to John Cheyny, Nicholas Seyntlo,<sup>1</sup> esquires and John Austell, clerk, of the tenement called Swaynes in Yatton Keynell, Wilts.

*Witnesses* : Walter Rodeney, knight, Richard Arthur, Richard Hampton, esquires, John FitzRychard and John Meteyeve, vicar of Chewe.

*Seals* : Two, each on a tag.

1. Oval 10 mm. × 15 mm. Device: an animal (? dog) and at top roman word (? vmbles).
2. The same.

*Endorsements* : Concerning lands in Yatton Keynell called Swaynes. (Black ink ? contemporary). 31 Mar. 38 Hen. 6. 1460. (Reddish-brown ink ? 16th-17th century.)

<sup>1</sup> *Seyntlo* : References to this name are in Aubrey, *Wiltshire Topographical Collections* (1862) ; *W.A.M.*, III (1857) pp. 197, 204 ; XIII (1872) pp. 145-7, 229 ; XXIV (1889) pp. 178, 180 ; XXVI (1892) pp. 214, 352, 358, 360 ; XXXIII (1904) p. 319 ; XXXIV (1906) p. 166 ; XXXV (1908) p. 465 ; XLVII (1937) pp. 190, 204, 213 ; LIV (1952) p. 423 ; H. C. Johnson, *Proceedings in Sessions* (Wiltshire Records Branch IV, 1949) p. 130 ; G.S. and E. A. Fry, *Abstracts of Wiltshire Inquisitions*, Charles I (1901) pp. 121-2 ; and Squibb, *op. cit.*

TWELVE WILTSHIRE DEEDS

12 (869) Quitclaim.

24 December, 39 Hen. VI [1460].

Quitclaim with warranty by John Cornewale, otherwise Melyor, and Cecily his wife to Richard Kaynell of their interest in a tenement called Swaynes in Yatton Kaynell.

*Witnesses* : Robert Baynard, John Croke, William Kaynell, Thomas Pakat, John Peny and William Geffreys.

*Seals* : Two, each on a tag.

1. Oval. 8 mm. × 14. W surmounted by a small (?) fleur-de-lys or (?) crown.

2. Same size. R surmounted as 1.

*Endorsement* : Concerning land (?)s and tenement (?)s in Yatton called Cornewales<sup>1</sup> Swaynes.<sup>2</sup> 24 December 39 Hen. 6. 1460.<sup>3</sup> K<sup>4</sup>.

<sup>1</sup> *So far in 2 contemporary hand. Cornewales underlined.*

<sup>2</sup> *In later hand.*

<sup>3</sup> *In reddish-brown ink 2 Sixteenth to Seventeenth century.*

<sup>4</sup> *In a heavy black ink.*



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## CORRIGENDA ET ADDENDA

The following list has been compiled from information sent to the General Editor by members of the Branch and by editors of various volumes in the series. He is interested in being informed of further corrections and additions to these and to subsequent volumes. Supplementary lists will be issued at intervals; other additions are expected, in particular, for *Wiltshire Borough Records Before 1836* (Vol. V), for which blank pages were provided at the end of that volume.

### VOLUME I

- p. xiii, line 25. For ancestor read ancestor*
- p. 48, line 7. For def. read pl.*
- p. 140, s.v. Bourcoubme. For Borcombe read Burcombe*
- p. 159, s.v. Insula Bona, de. For Lylleton read Lyllebon*

### VOLUME II

- p. 12, line 19 from foot. For oo read 79*
- p. 17, footnote 2. Add Further attempts at tracing Goldborne have failed. The source is in a letter from the Committee for Both Kingdoms to the Committee at the Army, dated London, 2 Nov. 1644, which states that 'the enemy is fortifying two houses near Salisbury, viz. at Wilton and Goldborne' (Public Record Office, State Papers Domestic, Committee for Both Kingdoms [S.P. 21] Vol. 19, p. 113). No place named Goldborne, Coldborne or Colborne can be traced near Salisbury, in Wiltshire or outside the county. The spelling may be an error for Goldborough and the reference may be to a house owned by the royalist family of this name (Goldesborough, etc.) in Mere or Knoyle. Goldborough near Wootton Bassett seems to be too far from Salisbury and not to have a large enough house.*
- p. 23, line 24 from foot. After cattle insert at this time of year*
- p. 102, line 9 from foot. After Chalfield, fortifications add 18*

### VOLUME III

- p. xxi, line 11 from foot. For subtraction read subtraction*
- p. xxxii, line 6 from foot. For translation read transaction*
- p. xl, footnote 1. For clauses read clause and delete 77 and*
- p. xli, line 9. For of "fine" read or "fine" and in footnote delete comma before Hist.*
- p. xliii, last line. For entailed read curtailed*
- p. liv, footnote 1. For whose read whole*
- p. 27, line 4 from foot. For grandfather read great-grandfather*
- p. 88, lines 11 and 12. For Richard Wheler and James Kirton esquires read Edward earl of Hertford*
- p. 88, line 3 from foot. For Tenant read Tenants and for Edward earl of Hertford read Richard Wheler and James Kirton esquires.*
- p. 128, under Amesbury, meadows, Bocker Meade, add 28*
- p. 130, under Amesbury, West, after fields of add the following new entry manor of, court of, 37.*
- p. 139, under Daungens, William, add 37.*
- p. 141, top of second column. For abstracted in this column read incidentally mentioned.*

### VOLUME IV

- p. vii, line 25. Delete two volumes; line 26. Delete 1929,*
- p. 220, s.v. Strugnall. Add Strugnall, and for 86 read 46.*

# CORRIGENDA ET ADDENDA

## VOLUME V

- p. 1, line 13 of text.* For 1684 read 1683.
- p. 2, line 26.* After Branch insert the following footnote. Edited by A. W. Mabbs, 1953, as Vol. VII in this series.
- p. 3, below item 5.* Add the following : An additional accumulation of borough records for Calne has been found in the custody of Messrs. Spackman, Dale and Hood, solicitors, of Calne, of which the following are earlier in date than 1836 :—
- 6 File of names of the two guild stewards, 1762-1835, and of the borough constables, 1762-1833.
  - 7 'Calne Borough Stocking' book, comprising records of landlords, tenants, stockers, cattle and money, in connexion with the grazing of cattle on the borough commons, as on May 14 in each year from 1781 to 1813. The number of holdings varies from 145 to 153.
  - 8 File of affidavits of guild stewards for making a true return of members of Parliament for the borough, 1790-1830.
  - 9 Twenty-four indentures between the sheriff of Wiltshire and the guild stewards (until 1835, subsequently the mayor), being returns of members of Parliament for the borough, 1790-1847.
  - 10 Paper volume entitled 'Swaddon's Charity. To be disposed of by the Borough Constables of Calne... 1826': an account book of receipts and payments made under Dr. Swaddon's Charity, 1826-1835, with one loose sheet of accounts undated, another of 1826 and two papers of correspondence, 1833.
  - 11 Bundle of papers, chiefly comprising letters from the Secretary of State about the Reform Bill, 1831-1833.
  12. 'Borough of Calne : Poll Book at the Election of Councillors for the said Borough, 26 December 1835' : paper volume also containing record of poll for the election of four councillors 8 January 1836 and for two auditors and two assessors 1 March 1836.
- p. 4, line 11 from foot.* For the road known as Maud Heath's Causeway read the causeway from Chippenham to Calne
- p. 20, below item 345 add :* The following additional records in the custody of Devizes Corporation have recently come to light :—
- 346 1636. Gift by letters patent to William Scriven and Philipp Eden, esquires, of [*inter alia*] the borough of Devizes with the rents of assize of burgages there, an annual rent of £5 and fines over 40s. Annual rent for the borough £15.
  - 347 1636. Bargain and sale from William Scriven and Philip Eden, esquires, to Edward Northey the younger, gentleman, [and others] of the borough of Devizes [etc. as in 346] to hold of the King as of the manor of East Greenwich in trust for the mayor and burgesses.
  - 348 1658. Bargain and sale from Robert Nicholas to Edward Pierce [and others] of the borough of Devizes [etc. as in 346].
- p. 35, line 5.* After merchant insert the following footnote : A guild merchant had existed from 1163 (Pipe Roll 9 Henry II rot. 4d.).
- p. 37, line 15.* After 1657 insert the following footnote : One man was both town clerk and recorder in 1565 (Visitation of Wiltshire, 1565).
- p. 37, note 2.* Add In 1548 there were two serjeants-at-mace (Charter of J. Thimbleby penes Messrs. Porter and Long, Marlborough).
- p. 52. Other documents, line 4.* For 227 below read 184
- p. 68, line 6.* For round brackets read bold type
- p. 81. Below entry 164 add this new entry.* 1596-7. File of documents comprising copies of orders from and to the county justices and copies of letters from Salisbury Corporation.
- p. 102, entry 227.* For Kington read Knighton.
- p. 103. Delete paragraph 4 and substitute :* The surviving records are on loan to the Wiltshire County Record Office (Accession 253). They belong to the Wootton Bassett Town Trust, which was appointed by the Charity Commissioners to administer the property of the defunct corporation.



## CORRIGENDA ET ADDENDA

### VOLUME VII

- p. xix, line 7 from foot. For arriors read errors*  
*p. 56, line 2. For [1647] read [1637].*

### VOLUME X

- p. xvii, note 1. Delete Setherampton*  
*p. 25, line 23 from foot. For Paremhof read Parenhof*  
*p. 179, column 1. Transfer entries Disson to Dobbes between Dismore and Dodington; and entries Dodson and Dodymead between Dodington and Doggett.*  
*p. 184, s.v. Goddard, Thomas. For West Overton read East Overton*  
*p. 187, s.v. Harding, John. For Manton read Winterbourne Monkton*  
*p. 202, line 25. For Paremhof read Parenhof*  
*p. 205. Delete lines 11-13 and substitute Popyngay, Popejoye, Robert, of East Overton, 4, 123*  
*p. 206, s.v. Pyers, John. For West Overton read East Overton*  
*p. 211, s.v. Sloper, Thomas. For Manton read Winterbourne Monkton*  
*p. 214, s.v. Stephens, William. For West Overton read East Overton; and s.v. Stile, John. For Manton read Winterbourne Monkton*  
*p. 218, s.v. Vizer. Delete John, of Salisbury, alien, 66 and substitute Voclere, John, alien, 66*  
*p. 226, s.v. Brodehinton. Insert Hinton and between See and Hinton*  
*p. 230, lines 1, 2. Between Hinton and Henton insert Brodehinton; and after 3 add, 133*  
*p. 231, s.v. Manton. Delete Mownton and 103; s.v. Mownton. For Manton read Winterbourne Monkton; and s.v. Odes. For 136 read 134*  
*p. 232, s.v. Ogbourne Maizey. For in Ogbourne St. George read in Ogbourne St. Andrew; s.v. Overton, East. Before 123 add 4; s.v. Overton, West. Delete 4; and line 22. After Oxenwood add Oxenwod,*  
*p. 234, s.v. Wilsford. Before 13 insert [in Swanborough Rowborough Regis and Studfold hundred] and delete, 126. After Wilsford add the following new entry Wilsford [in Underditch hundred], 126.*  
*p. 135, s.v. Winterbourne Monkton. Before 23 insert Mownton and after 23 add 103.*

### VOLUME XI

- p. 156, line 21. For ooo read p. 119*  
*p. 171, line 17 from foot. For Connins read Collins*  
*p. 188, s.v. Marston, formerly in Potterne. For 443 read 444*