

WILTSHIRE ARCHAEOLOGICAL
AND
NATURAL HISTORY SOCIETY

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FOR THE YEAR 1957



MONUMENT TO WARDEN WOODWARD IN NEW COLLEGE CHAPEL

Photograph by J. W. Thomas, Oxford.

PROGRESS NOTES
OF
WARDEN WOODWARD
FOR THE
WILTSHIRE ESTATES
OF
NEW COLLEGE, OXFORD
1659-1675

EDITED BY
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DEVIZES
1957

Second Impression
photographically reprinted by Anton Hain, 1969

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PREFACE

The Branch is indebted to the Warden and Fellows of New College for permission to print these Progress Notes and manorial documents from the College Archives, and to reproduce the photograph of Warden Woodward's monument. This acknowledgement of assistance in furthering the publication of this volume is made all the more warmly since the College is a member of the Branch and still a Wiltshire landowner.

Mr. Rickard has devoted much of his leisure during the past ten years to a study of Warden Woodward's progresses. He has already printed those for the main College properties in Oxfordshire as Volume XXVII of the Oxfordshire Record Society's Publications (1949) and those for Norfolk in the Norfolk Record Society's *Miscellanea*, Volume XXII (1951). The Branch is grateful to him not only for editing here the Progress Notes for the Manors of Alton Barnes, Colerne and Stert, but also for printing the text of various Court Rolls and other manorial documents, which are complementary to the Progresses. Taken together they provide a remarkably detailed picture of the College's administration of these estates during the later seventeenth century.

N. J. WILLIAMS.

Northwood,
December 1956.

INTRODUCTION

PROGRESSES AND MANORIAL COURTS

The three principal documents printed in this volume are three small note-books kept by Michael Woodward, Warden of New College, of the progresses he made round the Wiltshire Manors belonging to the College between 1659 and 1675. From the foundation of the College such visitations have regularly been made to inspect properties, discuss problems with the tenants and to hold courts in accordance with the Statutes laid down by the Founder, under rubric 54.¹ With the abolition of copyhold tenures by the Law of Property Act of 1925, a large part of the business of the progress, the holding of the Court Baron, was abandoned; yet these progresses by the Warden and the Outrider are still held each year. The Outrider represents the body of Fellows of the College, and in Woodward's time kept the purse while on progress. The presiding officer in each Court Baron was, however, the Steward of the Manor, for custom did not permit the Warden to be present in court. Although a number of details about proceedings are mentioned in Woodward's notes, for a full record of the court we must turn to the court rolls, kept by the steward. The text of certain rolls for the manors of Alton

¹ 'Statuimus etiam, ordinamus, et volumus, quod statim post autumnum sine aliqua dilatione vel excusatione, videlicet ad ultimum ante principium mensis Octobris, fiat circuitus et progressus per ipsum Custodem et aliquem Sociorum discretum, aptum, et circumspectum, et ad hoc per Collegium eligendum et deputandum; seu, ipso Custode per gravem infirmitatem seu alias legitime impedito, per Vicecustodem et eundem Socium; quo etiam Vicecustode legitime impedito, per alium Socium ipsius Collegii discretiorem, per dictum Collegium eligendum, una cum Socio alio supradicto et Clerico computi dicti Collegii, ad omnia maneria et beneficia et boscos quoscunque ad dictum Collegium spectantia; ad supervidendum statum maneriorum, beneficiorum, et boscorum, staurumque vivum et mortuum, videlicet equos, affros, boves, vaccas, et earum vitulos, oves, bidentes, et omnia alia animalia et pecora cuiuscunque generis, et ad aestimandum et aestimari faciendum blada ingrangiata et quod idem Custos seu Vicecustos vel Socii praedicti in dicto circuitu praemuniat, seu praemuniri faciat omnes et singulos ballivos, praepositos, firmarios, et alios ministros quoscunque, quod sint parati ad certum diem infra mensem Septembris, seu ad ultimum infra mensem Octobris praedicti, quam citius fieri poterit, per ipsum Custodem seu Vicecustodem vel Socium eis limitandum, pro computis suis in Collegio praedicto apud Oxoniam vel in ecclesiis suis vel maneriis, tunc reddendis.'

The text of this rubric as given in *Statutes of the Colleges of Oxford*, printed by H.M. Commissioners for inquiring into the state of the University of Oxford (1853), Vol. 1, 'Statutes of New College', p. 91, contains various inaccuracies—notably 'apros' for 'affros'.

Barnes, Colerne and Stert during this period are printed here in the Appendix, together with various terriers and rentals which Woodward ordered the bailiffs to produce, and the relevant portion of the rent audit accounts for a specimen year. These documents in conjunction with the Progress Notes provide a remarkably detailed picture of the administration of these Wiltshire properties during the later seventeenth century.

The three manors were purchased by William of Wykeham for the endowment of his new foundation of St. Mary's College of Winchester, in Oxford, commonly called New College. He began to acquire land belonging to the manor of Alton Barnes with Shawe as early as 1370, the final purchase was made in 1375. The Royal licence for the alienation of the manor along with the advowson to New College is dated 3rd June 1385.² In 1387 Wykeham purchased the reversions of the manors of Colerne and Stert from Elizabeth daughter of William and Margaret Burghesh and wife of Edward le Despenser for 700 marks,³ and in the following year conveyed the two manors together with the advowson of Colerne to New College,⁴ and although a period of 500 years has passed the College is still the owner of the land at Alton Barnes and Stert granted to it by William of Wykeham. The property belonging to the Manor of Colerne was sold by the College at various dates in the later part of the nineteenth century, but the advowson still belongs to the College as well as that of Alton Barnes.

PROCEEDINGS BEFORE THE STEWARD

The late Mr. E. C. Ouvry, a former Steward of the Manors, has set out the proceedings of the courts. The Courts Baron, or Customary Courts, of the Warden and Scholars of New College in every Manor are summoned by Notice attached to the door or in the porch of the Parish Church about a week before they are held. "The Court is attended by certain of the copyhold known as 'the Homage'. The Jury being assembled, the Bailiff repeats after the Steward: 'Oyez! Oyez! Oyez! All manner of persons that were summoned to attend at this time and place draw near and answer to your name as you shall be called.' The Steward, having called the names of the Jury from a list supplied by the Bailiff, directs the election of the Foreman by the Homage, who on his election makes oath that he will 'true presentment make of all such matters and things as shall be given

² Cart. No. 37, 3 June, 8 Ric. II, *Registrum Evidentiarum*, Vol. I, fol. 169.

³ Cart. No. 4, 9 Nov., 11 Ric. II, *ibid.*, Vol. III, fol. 95.

⁴ Cart. No. 1, 1 Apr., 14 Ric. II, *ibid.*, Vol. III, fol. 96.

him in charge and present the truth, the whole truth, and nothing but the truth'. The Jury are then sworn, each declaring that 'the same oath that our Foreman hath taken to observe and keep on my part'. The Steward then delivers the charge to the Jury in the following form:—

“ Gentlemen,

The design of our meeting at this time and place is to hold a Court Baron and Customary Court for the Lords of the Manor; it is therefore incumbent on me as Steward to give you in charge such things as are proper and necessary for your Enquiry and Consideration and then it will become your Duty as Jurymen in Justice to yourselves and neighbours and in discharge of the Oath you have now just taken to make due presentment thereof.

“ First you are to enquire who those are that owe Suit and Service to this Court and whether they are here to do and perform the same. As a Homage of the Customary Court you are to enquire what advantages have happened to the Lords since the last Court, either by Death, Alienation or Forfeiture. If you find the death of any Tenant it is your duty to enquire what lands he held of this Manor, and who is the next Taker that he may come in and be admitted. Also, if there have been any Alienation of the Estate held of this Manor, who the purchasers are, that the Lords may know of whom to expect their Rents and Services. Forfeitures happen divers ways the most material of which are:—If any Tenant neglects or refuses to pay and perform his Rents and Services, of which his attendance at this Court is a material part, or if he suffers his Copyhold Tenement to go to decay or fall down, or takes away the buildings from one Estate to repair another or leases it for more than one year without a Licence. Also, you are to enquire if any Rents, Customs, or Services have been withheld or withdrawn from the Lords of this Manor, what they are, out of what lands they issue, and how long and by whom they have been so withheld.

“ All these things are inquirable and presentable by you; and if I have omitted anything which has fallen within your knowledge and which at all concerns the interest of the Lords or Tenants of this Manor are bound by your oaths to present it.'

“ The Jury then, through the Foreman 'present' the death of any of the Copyhold Tenants who have died since the last Court, any Changes in Tenancy of the copyholds or 'copies', and any other matters that may be of importance or interest to the Lords of the Manor. In this would be included any matter of rights-of-way or footpaths affecting the property of the Lords.

“Formerly new Tenants of the copies used to attend and be admitted to their holdings, but admittances were (until Copyholds were abolished by Act of Parliament in 1926), invariably done ‘out of court’ by the Steward, or his Deputy appointed for the purpose in each case.

“At the conclusion of the business the Steward declares the Court closed and discharges the Jury in the following words: — “All manner of persons who were summoned to attend at this time and place may for the present depart and attend again upon a new summons. God save the King.’ The Steward then thanks the Jury for their attendance, and the proceedings are finished.”⁵

In the time of Woodward the manorial courts had more powers than those exercised in more recent years. The Lord held court for his copyhold or customary tenants, but where, according to custom, he had no jurisdiction over the freeholders, he could not oblige them to serve on the jury of a manorial court. Woodward gives an example of this at Kemnal in Chistlehurst, Kent. ‘Wee went unto our manor at Kemming Hall, but our tenants being all freeholders were not come, wee tarried there for them until 4 of the clocke, but they came not, noe Court then held, they all being freeholders.’ On the other hand the freeholder himself had no say at a customary court, except on matters that affected him by custom. The copyholders held their land at the will of the Lord of the Manor, according to the customs⁶ of the manor. They were called copyholders because the only evidences they had were authorised copies of the entries of their admittances to their copyholds in the court rolls kept by the Steward of the Manors. They had an exclusive right of occupation of their tenements, but the freehold and seisin remained in the lord, and all timber and minerals belonged to the lord. Upon the death of a copyholder the customary heir would appear at the Court and request the lord’s steward to admit him to the copyhold on the payment of the customary fine and heriot; and the copyholder who had sold his holding would appear and surrender his land while the purchaser requested admittance thereto.

The amount of such fines was fixed by custom, usually at two, but sometimes at three years rent or value, but custom again might leave them to the will of the lord, in which case he would possibly only claim a reasonable fine. For example, at Stert in 1668, Richard Kingman desired to renew an estate in a small copyhold, worth 40s. per annum. Woodward set him a fine of 50s. ‘telling him what other

⁵ See *The Order of Keeping A Court Leet and Court Baron* (1650) (reprinted by Manorial Record Society, Vol. VIII, 1914), also H. A. L. Fisher, *Pages from the Past*, Chapt. V, pp. 112-125, ‘A College Progress’ (1939).

⁶ The customs for the manors of Alton Barnes, Colerne and Stert are not listed in W. C. Hazlitt, *Tenures of Land and Customs of Manors* (1874).

Lords doe aske, viz. 2 yeares value and $\frac{1}{2}$, that is £5, but I would have of him but 40s., one yeares Rent, nay at the last, to encourage him to repaire his house, I asked only 30s'. At Colerne in 1672, £3 10s. was the fine for a cottage valued at £4 per annum, and for 22s. 6d. another valued at 30s. per annum.

The heriot was the right of the lord to claim the best beast or goods on the tenement at the death of the tenant, but by Woodward's time this had been waived in lieu of a money payment, and only on rare occasions was a beast or goods actually siezed. It can be seen that a great deal of the activity of the village community was governed by custom—the practice, according to Blackstone, that had prevailed time out of mind in a particular district, creating certain special rights and duties peculiar to the dwellers in that district!⁷ Custom fixed the lord's rights; the heriots payable upon a tenant's death, the fines on the admittance of new tenants, and the mode of succession to tenants' heirs; the various rights of the copyholders to common on the lord's waste, the cutting of timber by a tenant on his holding and even extended to certain privileges affecting the social life of the particular community. Customs therefore protected the interests of both lord and tenant; for instance it has been noted that timber and minerals belonged to the lord, and yet it was a trespass on the part of the lord to enter on a holding to cut the timber or dig the minerals unless he was allowed to do so by custom of the manor. But on the other hand the copyholder was not allowed to cut the timber on his copyhold except by special custom. These customs varied in nature in different parts of the country, and the incidents of copyhold tenure differed in various manors, so the tendency of some writers to generalize these incidents may lead to distortion of fact.

TIMBER

The main sources of a lord's income were rents, fines and the sale of timber, and it was one of the duties of the Warden while on 'Progress' to inspect the woods belonging to the College, to mark and price the trees which were to be sold, and also to mark those which were to be allowed to tenants for repairing their copyholds. The 'Lopp and Topp' of trees often caused disputes in the courts, but Woodward was usually very firm in securing it as a right by custom to the College. At Lindsell in Essex, two copyholders were allowed to sell some of the lop upon their copyholds, but to acknowledge the right of the College to the lop, Woodward made them pay to the College 6d. for every load they sold. At Tingewick, in Bucks, the

⁷ *Commentaries*, Vol. I, p. 76.

woodman endeavoured to claim the lop as one of his perquisites, but this was denied after the elders of the village said it was no custom. The villagers of Tingewick, to whom trees had been granted to repair their tenements, also claimed the 'lopp and topp', and in this case Woodward very unwillingly agreed, but even then not as a custom. The use, and sometimes theft, of trees for Maypoles caused Woodward no little anxiety. At Great Horwood, Bucks, May 13, 1661, he states, 'There came at the same time to Horwood some of Preston men who had stollen out of Tyngeswick woods a young tree about 30 foot long for a may-pole. They desired, without a suit at law to compound for it. I asked them for the tree 30s. but condescended to 25s. moreover to pay unto 2 men that watched the woods 2s., and to two of our bailiff's sons 2s., in toto 29s.' On May 14, 1661. 'One small tree in the woods was allowed to Newnton men for a May-pole, they were very desirous to have one, and yet soe honest as not to steale one', this was granted on the condition 'that when the time was past they should take it down and make therewith a ladder for the Church'. Again at Horwood in 1666 Woodward records that 'After dinner the youths who had stolen the tree for a May-pole desired by Mr. Foskett who dined with us, that some reasonable mulct in mony (without writt) might bee taken for the said tree: 6s. was accepted and disposed of in this manner, viz. $\frac{1}{2}$ a crowne unto the looker to the woods, or to the informer, 2s. back again to the youths at 4d. the peece to each one, or groate, as being knaves, and 18d. unto the Coll. for the trespasse to bee upon record, that the like bee not committed in time to come.' At Tingewick, May 30, 1670. 'As wee were in the coppice there came unto us about 7 or 8 of the young maidens of Tyngewick and entreating pardon for being soe bold they desired a tree to make a May-pole. To encrease good neighbourhood and love among them, at Mr. Pentons and Mr. Outriders request, and to weane them from conventicles, a tree was granted to them.'

At Colerne on 19 August, 1674, Woodward complains about the havoc caused among the College woods by his predecessor George Marshall, who had been elected Warden by the Parliamentary Visitation of 1648 (below p. 67). It has been estimated that no less than 5,000 trees in Oxfordshire alone—principally at Stanton St. John—were cut down during Marshall's wardenship. It would be difficult to over-emphasise the great scarcity of timber in seventeenth-century England. Many industries continued to use wood for fuel; the Navy required the best of English oak obtainable for the repairing and the building of ships; great amounts were needed for building houses and the rebuilding of London after the Great Fire made vast inroads on supplies. Wiltshire was rich in woodland compared with most

counties, but even here the clothing and other industries consumed much. It was not unnatural therefore that Woodward laid such stress on his dealings with trees from the College woods; to him timber was a financial as well as an economic asset.

BAILIFF AND TENANT

At a very early period of its existence the College ceased to farm its own land, and as early as 1430 the Manor of Alton Barnes was let to a tenant on the stock and land lease principle.⁸ In Woodward's time many of these tenants were appointed Bailiffs, who submitted their accounts at the Rent Audit.

The duties of the Bailiff were several. He was responsible for the selling of the timber which had been marked by the Warden while on Progress, and also to see that timber allowed for repairs of copyholds by the Warden was used for that purpose only. He also collected small quit rents; Woodward records an attempted seizure of goods by the Bailiff in lieu of rent at Keming Hall, Chislehurst, Kent. 'There is a Quitrent of 4s. per Ann. due unto our Colledge ishueing out of the mannor of Ruxley (scituate beyond Footescray) and out of divers Lands and Tenements adioyning to Footescray. That this Quitrent is due, not only out of the Lands etc. but the mannor also, appears by the Testimony of Christopher Comport our present Tenant who about 35 yeares since was sent by his father Richard Comport to demand a Quitrent for the use of the Warden and Schollers of St. Mary etc.'⁹ The said Quitrent being denied our Tenant Christopher Comport went into the said house called Ruxley and took a Kettle neare unto the value of 10s., and carryed it away the full length of the yard, and then the man's wife of the house, called to him and said that if hee would leave the Kettle he would have his mony, which mony, he saies was paid accordingly.'

RECTOR AND VICAR

It will be noticed that at Colerne reference is made to the Rector as well as to the Vicar of the parish. Richard Witt, fellow of New College, was presented by the College to the Rectory in 1658, which he held until 1685. He had no cure of souls, and had therefore the power to appoint a Vicar in his church to officiate for him. The Rector was

⁸ Traill and Mann, *Social England* (1903), Vol. II, p. 538.

⁹ The corporate designation of New College is 'The Warden and Scholars of St. Mary College of Winchester in Oxford, commonly called New College in Oxford.'

excused from residence and discharged from the cure of souls, and the Vicar as appointed by the Rector was in fact no more than a stipendary curate¹⁰ such as is known at the present day. Under such a system it can be seen that the Vicar was tempted to have little or no interest in the life of the parish, and that religious services were duties to be got over as soon as possible. This is borne out at Colerne in 1672, when Woodward remarks that the Vicar 'before one of the clocke hee Toll'd to Evening Prayers, before wee had dined, soe that I could not goe to them'. Woodward however overcame the difficulty himself by holding another service at 3 p.m., at which he says the company attended, no doubt meaning the steward, servants, etc., the sermon being preached by the Outrider, Mr. Longworth.

The appointment of a non-resident Rector by a patron merely to augment the income of the Rector was a system which dated back to quite early times. William of Wykeham held a number of such livings, and Woodward himself besides being Warden of New College was Rector of Brightwell in Berkshire. This custom lasted right down to the nineteenth century, when it was discouraged by a Statute of 1840 (3 & 4 Vict. c. 113), which enacts that 'all Ecclesiastical Rectories without Cure of Souls in the sole Patronage of Her Majesty, or of any Ecclesiastical Corporation, Aggregate or Sole, where there shall be a Vicar endowed or a Perpetual Curate, shall, as to all such Rectories as may be vacant at the time passing of this Act immediately upon its so passing, and as to all other immediately upon the vacancies thereof respectively, be suppressed.'

In Woodward's time the Vicar was presented by the Rector, who was responsible for the vicarage house, as shown in Woodward's remarks at Colerne, Sept. 4, 1662. 'The charge of repairing that Vicarage is in the Parson, Mr. Witt, who presents the Vicar.' And again in 1663, 'noe Trees as yet assigned to the vicar, and I thinke that the Patron (viz. the Parson) should allow that'.¹¹

MICHAEL WOODWARD

Michael Woodward was born in 1602, the tenth child of Robert and Mary Woodward, of Salford in Bedfordshire; he entered Winchester College as a scholar at the age of eleven in 1613; matriculated at New College in 1621; Fellow of New College 1621 to 1639; he took his B.A. degree in 1625; M.A. 1628; and D.D. in 1660. He was elected

¹⁰ Cripps, *Laws relating to the Church and Clergy* (1845), p. 148; see also Jacob, *Law Dictionary* (1729 edn.).

¹¹ Cripps, *op. cit.*, p. 149: 'The parson, and not the patron of the parsonage, is of common right, the patron of the vicarage.'

a Fellow of Winchester College in 1639; instituted Rector of Ash, Surrey, Aug. 25, 1642; and in 1658, upon the death of George Marshall, was elected Warden of New College, the twenty-third Warden of the College since the foundation. He was also Rector of Brightwell in Berkshire. He died from apoplexy June 16, 1675, and was buried at New College. A monument to him, a photograph of which forms the frontispiece to this edition, is on the east wall of the south part of the ante-chapel at New College, and has under it this inscription:—

Hospes adesdum,
 Quem vel pietatis huc duxit, vel loci studium,
 En ampla tibi ex utroque materies:
 En et quod pie lugere potes, et pie admirari.
 H.S.E.

Michael Woodward, S.T.P. hujus Coll. Custos; Custos (nequicquam reclamte Cromwello) audaci Wiccamicorum suffragio desideratissimus; cujus Magnificentiae, Aedes Sacerdotales ad Ash et Brightwell magna dederunt specimina; at majora dedissent surgentia Coll. hujus maenia, nisi modum aedificanti fata posuissent: nisi annosam Corporis sui structuram Apoplexia solo acquasset, ne vel ipsum Wiccammum aemularetur.

Cumque nec industria, nec pietate, vivus ultra prodesse potuerit, se simul cum opibus in gremium fudit Wiccamicum, Capella, Bibliotheca, Pulpita munificum loquuntur, quasi post mortem statuisset Beneficus vel sibi superesse.

Salford in agro { vivere { caepit { Oct 6 { 1599 { Ao. aet 76.
 Bedford, natus { vixisse { Jun 16 { 1675 {
 Haec Lector Te scire velim et (si possis) imitari.
 (Arms:—Barry of six or and sable, a canton gules.)

The facts known about Woodward are few; he has even escaped inclusion in the *Dictionary of National Biography*. There appears to be some doubt about the actual date of his birth. The monument, as we have noticed, gives this as Oct. 6, 1599, but in the Winchester College Election Indenture of 1613 he is stated to be eleven years of age, in the New College Election Indenture of 1620 he appears seventh on the roll aged eighteen, and in the Oxford University Matriculation Register of Nov. 9th, 1621, his age is given as nineteen years.

Anthony Wood¹² mentions that 'Michael Woodward, warden of New College, who much craved to be a Visitor;¹³ who though [he] cringed to the late times in Oxford and Winchester (where he was a fellow) yet,

¹² Anthony Wood, *Life and Times*, Vol. I, p. 362 (edited by A. Clark, 1891-1900).

¹³ Woodward was one of the visitors to visit the University of Oxford.

because he was a man of no spirit, had nothing conferred on him but Brightwell rectory by Wallingford (Berks)'. Later Wood changed his view, after having received some help from the Warden when compiling his *History of the University*, and finally on Oct. 26, 1674,¹⁴ when 'at the Vice-Chancellors accompts, it was ordered that I should have 50 li. for my paines since my book came first to be translated. Dr [Robert] Say, [Gilbert] Ironsyde, [Michael] Woodward, my good friends in this business.'

As Warden of the College he carried out his duties with great dignity, and did much to restore discipline within the College, which at this period was in a very low state. In 1666 the Bishop of Salisbury advised him to treat his rebellious subjects with a high hand: 'Cause the ancient discipline to be revived, and executed with all strictness in respects of externals, and without distinctions of persons and degrees.' Woodward himself, after a quarrel about the outridership, which, it seems, was claimed by two Fellows, Hobbes and Pelham, who both wanted to accompany the Warden on progress, records 'by such cunning tricks as these they impose upon me. And as in this, so in all affairs of the Colledge. Besides, the senior Company will do what they list—as dine in the Exchequer alwaies, keep fires in the Exchequer, read lectures either not at all or at what hours they please. Instead of at 6, Mr Hobbes would read at 8 or 9. In the winter he would not rise. If they will not be governed by me, I hope that another of more power and authority may govern them.'

In the early period of his wardenship Woodward endeavoured to revive all the rights and practices relating to his office, as well as in the College, which were in force before the anarchy of the Commonwealth.¹⁵ He also strove to improve the finances of the Society, and it is interesting to find him complaining in his address to the King, at an audience in 1660, of the very poor gift provided by the College owing to its financial position. Yet with the help of Woodward's administration, within the next few years a new organ was built and the east end of the chapel decorated and repaired at considerable cost. In writing about him Mr. David Ogg comes to the conclusion that 'Woodward was not distinguished for learning, but was a good administrator of the older type'.¹⁶

It is worth noticing the heavy demands made upon the Warden during Progress; for instance in the year 1660 Woodward left Oxford on Saturday, *Aug. 4th*, to go to Newnton Longville, Bucks, he was there all Sunday and breakfast Monday. His itinerary continued as follows: —

¹⁴ *Ibid.*, Vol. II, p. 296.

¹⁵ David Ogg, *England in the reign of Charles II*, Vol. II, p. 700, 2nd edtn., Oxf., 1955.

¹⁶ *Ibid.*, Vol. I, p. 86.

- Aug 6th.* Monday to Steeple Morden, Cambridgeshire, there all Tuesday and breakfast Wednesday.
- Aug 13th.* he was at Great Witchingham, Norfolk, and also went to Weston.
- Aug 14th.* Tuesday to Newmarket, Thursday to Widdington, Essex, there all Thursday and breakfast Friday.
- Aug 17th.* Friday to Birchanger, Essex, there that night and breakfast on Saturday.
- Aug 18th.* Saturday to Takeley, Essex, there all Sunday and breakfast Monday.
- Aug 20th.* Monday to Lindsell, Essex, there that night and breakfast Tuesday.
- Aug 21st.* Tuesday to Writtle, Essex, there all day Wednesday and breakfast Thursday.
- Aug 23rd.* Thursday to Hornchurch, Essex, there all Friday and breakfast Saturday.
- Aug 25th.* Saturday to Harrow, Middlesex, there all Sunday and breakfast Monday. From Harrow Woodward returned to Oxford.
- Sept 8th.* Saturday to Alton Barnes, Wilts, there all Sunday and dinner on Monday.
- Sept 10th.* Monday to Stert, Wilts, there all Tuesday and breakfast Wednesday.
- Sept 12th.* Wednesday to Colerne, Wilts, there all Thursday and breakfast Friday.
- Sept 15th.* Saturday to Kingham, Oxon, there all Sunday and dinner on Monday.
- Sept 17th.* Monday to Swalcliffe, Oxon, there all night and dinner on Tuesday.
- Sept 18th.* Tuesday to Adderbury, Oxon, there all Wednesday and breakfast Thursday.
- Sept 20th.* Thursday to Upper Heyford, Oxon, dinner on Thursday and breakfast Friday.
- Sept 21st.* Friday to Tingewick, Bucks.
- Sept 22nd.* Saturday to Radcliffe, Bucks, dinner on Saturday, there all Sunday and breakfast Monday.
- Sept 24th.* Monday to Akeley, Bucks.
- Sept 24th.* Monday to Great Horwood, Bucks, to bedd, there all Tuesday and breakfast Wednesday.

In this year Woodward did not visit the College Estates in Berkshire, Hampshire, Marshfield, Glos, Stanton St. John, Oxon; London or Keminghall, Kent.

EDITORIAL PRINCIPLES

Concerning the texts, the notes for each Wiltshire manor is in a separate handbook made up of pages 6" by 3½" stitched together. Woodward wrote his notes in a very small and crabbed hand which can be realized when at times he managed to get fifty-six lines of writing on a 6" page. He used a great many abbreviations and contractions such as 'ym' for them, 'ye' for the, 'yt' for that, and the conventional contractions for 'per', 'pre' and 'pro'. All these abbreviations for the sake of clarity have been written out in full in this transcript. As for the rest of the texts, they have been transcribed faithfully, and such words as 'blowen' all appear as in the original. The same also applies to the peculiar habit of the compiler in avoiding the same spelling of a number of more common words if repeated in any sentence. It is also interesting to note the different spellings of names of places; besides the usual way of spelling Corsham, Woodward also uses 'Casum', 'Cawsham', 'Causham', 'Cosham', 'Causame', and 'Casham'. All Woodward's dates are Old Style dates.

The Editor wishes to thank the Warden and Fellows of New College, Oxford, for their permission to publish this transcript. He also acknowledges with gratitude the kind help given him by Mr. H. E. Bell, Fellow of New College; the General Editor of this series, Dr. N. J. Williams; and Mr. E. C. Yorke, Fellow of New College.

R.L.R.

Oxford,
October 1956.

ALTON BARNES

MEMORANDUMS OF ALL THE COURTS THAT HAVE BEEN KEPT AT ALTON BARNES SINCE APRIL THE 12, 1659

Alton Barnes, or Berners: William Ball had a reversion there in one Hall's tenement but recalled the next yeare. However William Ball (as tis thought) had something for it.

This Hall, heretofore of Alton Barnes hath sold his coppiehold unto Mr. Mawks and his two sonnes. Hee now liveth in Hampshire at Fernehams Deane, neere unto Chute Forrest; Enquire of him what hee gave unto William Ball for the surrender of the life that William Ball had in his coppiehold.

Three or 4 trees were cutt downe by one of Overton, out of Wansdich, on that side of it that belongs unto Shaw Downe, the value of them may bee soe much as Mr. Mawks shall find them to be in the iudgment of the old Shepard. Advise with Mr. Rider¹ what is to bee done against him? Mr. Steward² desired Mr. Mawks to goe to that Overton man, and see whether hee will compound for the trees or noe, if soe, and withall will acknowledge the trespasse under his hand, then to take the value of the trees. If not hee must bee served with a writ etc. Aske, God willing, at the audit, what is done.

Mistress Skeeling by her servants soe oft as shee finds either beasts or sheep in Shawe Downe, adioyning to Overton and Huish Common, doth drive them out as pretending that Alton Barnes men have noe right or common of herbage there. In the last tryall, wherein Mr. Skeeling³ was cast, and the soile adjudged unto the Colledge, there was a demurre about the herbage of it, and continues unto this day. Aske the company what wee shall doe in this case.

Mr. Mawks desires that his lease may bee proposed, accounted worth about £80 per Annum.

8 September 1660: Saturday to Alton Barnes, there all Sunday and Munday dinner.

¹ The Outrider.

² The Steward of the Manors.

³ The Warden and Scholars of New College, Oxford v. Edward Skilling. *Registrum Evidentiarum* Vol. III, p. 150, cart 46. Judgement of Court of Chancery 25 February 1628.

One of the Stones, a coppieholder of Alton Barnes desired a tree for the repaire of his cart house, which I allowed unto him from off the premises, to bee viewed, God willing, the next progresse.

The £15 for Mr. Topps herriot, wee expected at Stert, but the mony was paid by Mr. Farley our bailiffe unto young Anthony Mawks before wee came to Stert, and not paid by Mawks at Alton though I spake unto him of it. Require the £15, God willing, at the auditt.

Wee went to see the headspring of the water at Alton Barnes. It ariseth in one Stones ground.

The mill it ancyently stood in a meadow below the mansion house, about a quarter of a mile.

There are 2 houses in Alton built upon the wast, and noe rent at all layd upon them. Let some course bee taken the next Court (God willing) lest either that land bee thought free land in time to come, or concealed land, and soe entitle the King thereto, and bring a greater lord over us. As some land in Colerne was thought to bee such, as paying noe rent (see my abstract of evidences p. 93⁴ ante finem). But confirmed unto the Colledge as haveing been presented to belong to the Colledge, and duely paying some rent.

Rem: to Summon the fellow of Overton for cutting downe Trees upon Wansdich in Shawe Downe.

21 September 1661: Saturday to Alton, there all Sunday etc.

Aske Mr. Mawks what quit-rents hee payeth for Alton or Shaw? and where the acquittances?

Hee saies, that ancyently hee paid none, but now 4s. per annum to the Sheriffe of Wanborough Court, which hath bee[n] paid hee saith not heretofore, but only these 3 or 4 yeares and that for want of re-newing our charter. 6d. of the 4s. is for the mill.

Hath John Stone the coppie-holder repaired his cart-house with the tree allowed unto him? Answer, hee hath new built it, and well.

Hath young Mawks paid unto the Colledge at audit last 1660, Mr. Topps herriot of £15? Paid the last audit to Mr. Bursar Grove⁵ by Bartholomew Finch.⁶

Hath Overton man who cut down 3 or 4 trees in Wansdich satisfied for the value of them? if sufferd any longer, hee will plead the Statute of Limitation. To this young Mawks will give an effectuall answer, either mony, or cause him to bee sued. But nothing done to this day.

Aske Mr. Rider, and Mr. Steward whether not fitt to take some rent of the 2 cottages built upon the wast, lest as holding of noe lord, the

⁴ This abstract cannot be traced in the College Archives.

⁵ Robert Grove, M.A., Fellow of New College, 1627-1663.

⁶ Bartholomew Finch, Cook of New College.

king bee entitled unto it, as in some coppieholds in Colerne. Wee called before us one of the cottagers, Grizells husband, but hee was unwilling to take a coppie or pay any acknowledgment. Hee must hee saies, have an house.

William Stone had a tree granted to him for his cart-house which hee well bestowed. But our bailiffe Mawks should have seen what tree it was, thereby to have given the better account of it.

Mr. Mawks, Mr. Budd⁷ and the 2 Stones, desired that they might enclose their common; Sir Robert Button⁸ they said, was willing to enclose his, and our Parsonage, Farme, and coppie hold would bee the better. Acquaint the company herewith at the audit.

Mr. Budd instead of leading would tile the chancell at Alton Barnes. But I would not suffer it. It will cost him hee saies about £4 or £6. But what a small matter is that for Gods house.

Hee desired some trees from off his share in the common to helpe to planke his barne, build a carthouse and cowhouse. That timber hee thinks is his owne, and soe may cutt it without leave. But would not hee said, without acquainting mee with it. Let Mr. Mawks assigne it.

Mr. Budd and his two parishioners John and William Stone had a contest before us, viz. myselfe, Mr. Rowlandson,⁹ and Mr. Steward concerneing the parsons feeding his horses in lawnes,¹⁰ bawkes,¹¹ or high waies. The farmers pleaded that the parson had noe right unto it. Mr. Budd alleaged the practice of Mr. South¹² and Mr. Wills¹³ his predecessors. They answerd, that the former parsons did it by sufferance only and not of right, and that allway they found fault with it.

But did the parishioners ever drive them out? or impound them for it? they answerd, Noe, and soe their connivance for soe long a time, hath made the parson to have a right there. And probably Mr. South had also an instance to that purpose, of the like useage by his predecessors. And finding fault is not enough, without opposition, and soe Mr. Budd the parson was thought to have right in the said lawnes, bawks etc.

As I was takeing horse at Alton in the gate Mr. Mawks spake unto mee about the renewal of a small coppie in Shaw. But that was

⁷ William Budd, B.C.L., Fellow of New College, Rector of Alton Barnes, 1660-85.

⁸ Sir Robert Button, s. William of Alton Barnes, Wilts., Bart.

⁹ Richard Rowlandson, M.A., Fellow of New College, 1643-1648, 1660-1676. Rector of Wooton, Oxon., 1675-1691.

¹⁰ Unploughed part of an arable field.

¹¹ Dividing Ridge in ploughed land.

¹² Warner South, B.C.L., Fellow of New College, 1606-1619. Rector of Alton Barnes, 1618-1652.

¹³ Obediah Willis, M.A., Fellow of New College, 1647-52. Rector of Alton Barnes, 1652-1660.

Mr. Mawks told mee that hee gave mee a terrar in parchment the last audit 1661, but haveing looked, I find noe such terrar, and this as true, as his planting of 4 elmes in Stert high way, which hee said hee had done, but as our bailiffe at Stert said, hee was never there to any such purpose.

12 September 1663: Saturday to Alton Barnes, there all Sunday, and Munday noone:

1. Whether the Overton man bee sued for cutting downe timber uppon Wans Ditch? Now hee sayes that it is too late to sue him, which I told him of before.
2. Nothing as yet done about the enclosure of Shaw Common. Nothing done.
3. The suite about Broadwell is not yet retrieved, and Mr. Mawks told mee that hee knew not when hee should begin it.
4. There was ancyently in Alton Barnes a pigeon house (ut supra) of 6s. 8d. per Annum, where is it now? Hee saies, there is none, nor any foot stopps of it. Nor ever heard hee of any such thing.
5. Mr. Mawks told mee that hee gave mee a terrar in parchment at the audit 1661, but haveing throughly looked, I find none. Hee now promised to bring mee one the next audit. Enquire for it.

Broadwell is not like to bee sued for any more, except the Colledge will beare all the charges, of the following suite, as the parish did of the former, it cost them about £50, Mr. Mawkes making them believe, that the Colledge in the former suite promised to beare one halfe, but that was false. Hee knows very well how hard it was to obtaine soe much (by Mr. Thomas his pleading for it) upon their resolve of retriiving the businesse. For the 1st tryall for Broadwell, I could never obtaine more of the company than this, viz. their countenanceing of the suite, as they did by Mr. Lowes¹⁸ being twice at the Assizes on their behalfe, with letters from Judge Hyde¹⁹ in Oxon, and our exhibiting all our evidences, yet Mawks told his neighbours as Mr. Budd told mee (14 September 1663) that the Colledge had promised to beare halfe the charges. Challenge him of it, God willing, at the next auditt. .

As for the trees cutt downe upon Wans Ditch, which I required him soe oft to sue the man for, and that out of hand, lest after soe many yeares, hee should plead the Statute of Limitation. Hee haveing neglected to sue the partie to this day, replies unto mee. That his lawyers say that now after 7 yeares hee cannot bee sued, and that

¹⁸ Sir Edward Low, D.C.L., Fellow of New College, 1654-1671. Knighted at Whitehall, 21 January 1672-3.

¹⁹ Sir Robert Hyde (1595-1665), Judge of Common Pleas, 1660, and of King's Bench, 1663.

the Statute of Limitation will excuse him. At audit, God willing, lett him bee blamed before the 13 for this neglect lest the fault should seem to bee in mee, for now in time to come, they will cutt downe trees thence, and instance in the fact of that man, and the Colledge will have nothing but a presentment to answer to the contrary. But my care appeares in the foregoeing memorialls.

At this Court, the sonne of the elder Stone, who had a reversion in the younger Stones coppie hold upon trust only, did with much adoe, and for £15 resigne it againe into the lords hands, and the younger Stone fined for his owne sonne. His fine was £7 worth about £33 per annum.

Memorandum to enquire of Mr. Mawks, whether hee hath examined all his witnesses about the water course? Mr. Hutton his attorney told mee, that Mr. Mawks had leave of the Earle of Pembroke to examine the rest of them.

2. Mr. Mawks promised that hee would search in the Exchequer, whether in the high sheriffe of Wilshire his accounts Annis Henrici sexti 36—37; 37—38; 38—39 as also in the yeares of Edward the fourth 1 et 2; 2 et 3; 3 et 4; 5 et 6 there bee not mention of cert mony for a mill in Alton Barnes viz 3d. If a mill shall bee proved to bee there, the water will bee ours also. Mr. Mawkes in Hilary terme promised Mr. Withers to come to him, but came not: aske why?

10 September 1664: Saturday to Alton Barnes, there all Sunday. Soe in our gests, but our election at Winton being not finishd, by goeing unto the bishop about inter-elections, wee waved the Court at Alton, and began at Stert. Only uppon Munday Mr. Steward dined at Alton, and soe rode to Stert.

18 May 1666: On that day about 4 of the clocke, wee rode from Stert to Alton (by the pasture called Hatfield) Mr. Steward rode to his brother's, Mr. Ernely's. On the morrow, about 11 of the clocke wee went to Mr. Budds to breakfast, and indeed with 2 other neighbour ministers Mr. Baily²⁰ and Mr. Shorter²¹ had a good dinner there. After dinner in his hall there was a contest between Mr. Budd, the 2 Stones; and Mr. Mawks concerneing his common of sheep in Shaw Downe. Mr. Budd sayd that hee ought to keep there 600 as also said old Mr. Mawks, that his father and hee kept soe many, except when they sold off the old and bought in new. Mr. Mawks and Mr. Steward held that they might keep as few as they pleased and that if the parson lost one, the farmer lost 9 parts which hee thought hee would not doe.

²⁰ Francis Bayly, rector of Woodborough, Wilts.

²¹ Nicholas Shorter, M.A., rector of Patney, Wilts.

Secondly Mr. Budd said, that the fold of the 600 sheep which should bee upon the premises, viz. either upon the arable below the hill, or upon the downe it selfe was transferd unto the farmers owne ground in an other parish: as also the hay that grew upon the Colledge land, was carried thence to feed his sheep upon other land. By this meanes Mr. Budd in the arable had the lesse tithe corne, and upon the downe lesse grasse. Noe said Mr. Steward, if a man who hath the common of 600 sheep, keep but 300, shall not they who common with him have the more pasture; yes, it was replyed, but the parson thereby shall have the lesse tithe. At last Mr. Mawks said that hee had condiciond with his tenant at Shaw, that what compost soever or hay, did grow or was made upon the premises, should all bee layd upon the premises, if soe, said Mr. Budd, as to you Mr. Mawks, I have nothing to say, and soe that controversy ended. After this, whilst it yet rained Mr. Outrider Dr. Deane²² and Thomas New²³ tooke horse and rode toward Lamborne to Mr. Garretts, Mr. Steward and Mr. Ernely, to the house of Mr. Ernely. Mr. Budd brought mee to the farme, and soe wee parted.

After Mr. Outrider, and Mr. Steward were gone, Mr. Mawks told mee before the 2 Stones our tenants, that there had been in Alton a felo de se, a poore man, and worth about 20s., when the coroner was paid and his buriall dischargd there remained a little bible, and 5s. in mony. The bible I willed Mr. Mawkes and the two Stones to deliver to his mother, or friends, but that for the 5s. hee should be answerable for them at our next auditt, God willing, that wee may have the instance of the goods of a felo de se, that they belongd unto the Colledge.

Mistress Franklin, Mr. Mawks his under tenant's wife told mee that in Great Alton, the especiall man who had sturr'd soe much in the suite for Broadwell so uniuertly carryed against the Colledge by a packed jury, had within a month or 3 weeks, one cow, that was drownd there, and another that breake her legg, or put out her shoulder. The farmer of Great Alton, one Smith, hath now made a trench from Broadwell leading into his owne grounds, and soe, his grounds being lower than the grounds of Little Alton, hee hath more water to water his grounds than our farmer hath. This is a great preiudice, and the verdict being uniuert, against the verdict of the iudge.

April 1665: Henry Ape's, a youth under 20 yeares old, servant unto William Stone of Alton Barnes in the countie of Wilts did then in the barne of the said William Stone hang himselfe, some-time in the morneing. His goods in all came to 30s., but of which, when they

²² Henry Deane, D.C.L., Fellow of New College, 1654-1668, Chancellor of the Diocese of Wells.

²³ Thomas New, Porter of New College.

had paid the coroner, brought him a shroud, and prepared for his buriall, there remained five shillings and a little bible. The bible his friends desired, the 5s. remaineing were paid unto the Colledge at the audit 1666. The evidence of the young man's hanging himselfe may bee seen in the coroners office at the Devizes. Hee was buryed between the two parishes of Staunton and Alton Barnes, with two stakes thrust thorough him. Mr. Budd would not suffer him to bee buryed in the church yard nor is hee enterd into the booke of burialls.

10 August 1667: On that day about 12 of the clocke wee rode from Winton College towards Alton Barnes; Mr. Outrider Fauchin²⁴ being weake and sickley desired to putt in at Lurgishall as wee did, and spent there uppon our selves, our men, and our horses 3s. 6d. Goeing thence about a mile uppon the downes, Mr. Bud of Alton, and Mr. Mawks mett us, with whom wee rode to Alton and came in after sunn sett; at night it rained. On Saturday night wee did nothing, upon Sunday in the morneing Mr. Budd preached, for paedobaptismee,²⁵ and catechised in the afternoone concerneing the reverence and allowance due to ministers.

Uppon Munday morneing Mr. Mawks came to mee and showed mee two coppies of a coppie hold in Alton made unto two of his brothers who came from London on purpose to surrender in court their interest in the said coppie hold. After this my selfe, Mr. Budd, and Mr. Mawks did walke toward the parsonage to drinke our mornings draught and eat a neats tonge, and a peece of a gammon of bacon; wee had a glasse of good sacke, good ale etc, ourselves and our servants haveing eaten, with the two Stones, Mr. Steward went to the farme to give the charge; I my selfe, Mr. Budd, Mr. Mawks and William Shaw²⁶ went to see the Warden's coppice uppon Shawe Downe. Coming thither, in all the coppice of almost ten acres, I did not fine one sampler either of the last cutting, or of the cutting before: hee pretended that they were stollen, but surely if any had been left, they would not have stollen all, at lest of both fellings. But to gaine the more underwood, hee would have noe trees at all. From thence wee rode home and dined.

After dinner Mr. Mawks desired to know what fine hee should give for the change of 3 lives in the aforesaid coppie hold as also for an herriot uppon the change. The coppie-hold hee said was rated by the parish at £24 per annum, the rent was 25s. 9d., but Mr. Steward said, that hee lett the coppie hold for £36 per annum, and afterward Mr. Mawks confessed, that it was let for £30 per annum, and hee was

²⁴ Edmund Fauchin, M.A., Fellow of New College, 1661-1667.

²⁵ Baptism of children.

²⁶ William Shaw, groom of New College.

to give for it (said Mr. Steward) £500. The fine I required for 3 lives and heriot also was £24 descending afterward and considering that hee was poore unto £22, and then unto £21 yea to £20, but hee offered only £15, and refusing that, Mr. Steward returned unto him his two coppies discharged the Court, and soe (with Mr. Budd and Mr. Mawks) wee rode toward Stert, but it rained very hard with an easterly wind and wee were somewhat wett. About five of the clocke upon Munday wee came to Stert: vide Stert. Neither our bailiffe, nor Mr. Topp came to meet us.

12 August 1667: On that day being Munday I asked Mr. Mawks whether as yet they had free libertie to drive their sheep from Shaw Downe unto their arable ground, and to fold them there? Hee told mee, that Smith the tenant of Alton Priors would not permitt them soe to doe, but appointed men at the narrow driveing place to affright them backe. They were heretofore presented for this opposition in our courts roles of Alton, but they in Assize tryalls are noe evidence. Quare ergo in the bailiffs accounts of Alton.

Item, as I came from viewing the Warden's coppice, ut supra, Mr. Mawks showd unto mee a peece of inclosure of eight acres which Sir Robert Button had inclosed out of his common, and layd it unto woods, pretending, that the said 8 acres was wood also, but I saw there noe such matter, only a few trees, and bushes, and ferne, and some sheepe. At dinner I acquainted Mr. Steward with it, and what wrong it was to our tenants who had staffhold²⁷ there, as well as Sir Robert Button, Mr. Steward asked the tenants why they sufferd such an incroachment, but they for feare of a law suite, and spending a little mony, will suffer any thing, and soe it hath continued already for about 15 yeares, and will soe continue, for they will doe nothing, expecting that the College should doe it for them, which is unreasonable.

13 August 1667: On that day before dinner Mr. Budd, Mr. Mawks and his two brothers came to us to Stert, and compounded with mee for 2 lives, viz. his owne, and his sonne Johns upon the surrender of his two brothers; the fine for the 3 lives upon Mr. Outriders entreatie was £20, and 2 thirds of that £13 13s. 4d. which Mr. Mawks paid to Mr. Outrider Fauchin, the rest of the £20 hee is to paye when his brother in possession maketh over his right, which Mr. Mawks hath promised shall bee before our audit next, God willing. The remainder of the £20 was paid, and Mr. Mawks his children enstated therein by a Court purchased.

²⁷ Staff-hold or staff-herd = to depasture sheep in charge of a shepherd upon common or forest land.

Friday, 18 September 1668: On that day in the morneing about 9 of the clocke after a meane breakefast and entertainement at Hanney (the beere stunke and as they said, had maggotts in it: wee borrowed some bottles of widdow Dunesden) wee tooke our iourney towards Alton Barnes. I call'd at Lamborne uppon Mr. Hippesley²⁸ and appointed to bee at Lamborne, God willing, either the 1st or 2nd Munday or Tuesday after Michaelmas next. From thence wee rode to Marlborough and putt in there at the Beare to baite our horses who had also been soe ill fedd at Hanney, haveing neither oates, nor old beanes, and pease, and without present mony could not borrow any, his neighbours would not trust him. Toward night I went and saw the mount at Marleborough, at the Lord Seymours,²⁹ a very fine one with water at the topp of it that serveth all the roomes in the dwelling house, it cost mee 4s. 6d. viz. 6d. to the man that caused the doore to bee open'd, 2s. 6d. to the Gardner, 6d. to the fellow who kept the water worke, and 6d. for walking our horses.

At night but very late, my selfe, Dr. Oldys³⁰ (outrider), Thomas Symonds,³¹ Finch, Browning³² and Dr. Oldys his man rode to Alton Barnes. Mr. Steward was gone before, and tarryed about an houre for us in the gate, but would not goe into the house. Noe businesse at all in Alton Barnes at this court.

24 September 1669: On that day in the afternoone about 2 of the clocke wee sett out from Stert, viz. my selfe, Mr. Pro-Outrider Percivall³³ for Mr. Morehead³⁴ (who also rode with us) Mr. Top, and our servants etc (Mr. Steward was gone before with his brother Mr. Earnely unto Sir Walter Earnelye's) wee rode by Hatfield, and there assigned unto Mr. Topp foure trees for the flooreing of his barnes (ut supra in Stert). Haveing left Mr. Topp at Hatfield Gate, wee rode toward Alton Barnes and came thither between foure and five of the clocke; Mr. Mawks mett us uppon the way about 3 miles off. His old father is not there, but two miles off at the house, as they say, of one of his daughters.

25 September 1669: Being Saturday about 10 of the clocke Mr. Steward had all our tenants together in the farmers hall, viz, young Mr. Mawks, and the two Stones brethren. But at this court noe business at all, as Mr. Steward told mee. On the same day in the

²⁸ Richard Hippisley of Place House, Lambourn, Berks.

²⁹ Francis Seymour, 3rd Baron Seymour of Trowbridge.

³⁰ William Oldys, D.C.L., Fellow of New College, 1655-1671.

³¹ Thomas Symmon, Manciple of New College.

³² Browning. The Steward of the Manor's servant.

³³ Beaumont Percivall, D.D., Fellow of New College, 1660-1685. Rector of Broughton, Oxon.

³⁴ William Morehead, M.A., Fellow of New College, 1656-1670.

afternoone wee had wine and ale at Mr. Budds, Mr. Steward tooke horse there, and rode to his brother Earnlys, haveing spoken for a tree to mend Mr. Budds pales as wee goe to the house, and the floore in the hall. Immediately after, my selfe, Mr. Outrider, Mr. Morehead, Mr. Budd and Thomas Symonds rode out to see the coppice about two miles off. Without the coppice there were trees, but they belonged, Mr. Mawks said (quaere) to the coppieholders or tenants. In the coppice there are very few and they lopped also. As wee returned the greyhound caught a rabbet.

On the morrow in the morneing being Sunday September 26th Mr. Morehead preached, pretty well for a while, but afterward, not soe well. In the afternoone Mr. Budd himselfe preached solidly and well, his text was Woe unto mee if I preach not the Gospell,³⁵ his doctrine at this time. That the reading of scripture as well as the expounding of it in sermons was preaching out of scripture texts and Mr. Hooker. After sermon wee walked in the meadowes by the house and dranke againe at Mr. Budds. Uppon Munday morneing after breakefast about 9 of the clocke wee tooke horse and rode by Marleborough (to call Mr. Steward at the Beare, but hee rode not unto Lamborne that way) unto Lamborne rideing there through the church yard unto Mr. Hippislys house. I supped at Coronell Deanes³⁶ etc and on the morrow, about 3 of the clocke haveing finishd at the almes house, I rode with Thomas Symonds and William Shaw unto Hanney, and thence the same night unto Drayton.

27 July 1670: On that day being Wednesday about 11 of the clocke, my selfe, Mr. Outrider Minshall³⁷ substitute for Mr. Sewster,³⁸ Mr. Steward, our servants etc, being lead by a barber of the Vize, came from the Vize to Alton Barnes. Mr. Andrew Topps bailiffe entertained us there, and prettie well, at parting wee had a glasse or two of aqua mirabilis³⁹ which did mee some good, when wee came to Alton, Mr. Mawks was there, but not Mr. Hill our tenant, after dinner Mr. Steward sent for the 2 Stones, and kept the court, and tooke Mr. Mawks his surrender of his coppie hold.

About 4 of the clocke, Mr. Steward and Mr. Minshall went to Mr. Budds, between 5 and 6 I went thither also. A discourse there had been about the allowance of 2 trees uppon the wast for Mr. Budd, which Mr. Mawks would not serve, as belonging, hee said either to

³⁵ I Corinthians, chap. 9, v. 16.

³⁶ Probably Col. John Deane of Lamborne.

³⁷ Christopher Minshall, M.A., Fellow of New College, 1657-1676.

³⁸ Robert Sewster, M.A., Fellow of New College, 1656-1695. Rector of Colerne, 1694-1706.

³⁹ 'The Wonderful Water', prepared of cloves, galingale, cubebs, mace, cardamoms, nutmegs, ginger, and spirit of wine.

the farme, or the tenants. A warrant at last was drawen upp for 2 trees out of the Warden's coppice, and one out of the common to bee marked out by my selfe as I rode to Lamborne. The warrant being signed, about 7 of the clocke Mr. Steward and Mr. Outrider rode to Mr. Erneleys.

About 9 of the clocke at night Mr. Budd being at home received a Letter from Mr. Hill with an other to Mr. Steward desireing to bee excused that hee came not to us. He was taken, hee said, with a looseness but if well would bee with us on the morrow about 10 of the clocke. I tarryed at Alton untill 10 of the clocke the next morneing, and then my selfe, Mr. Budd and my servants rode toward Lamborne. Mr. Budd rode with mee about 2 miles and then returned. I came to Lamborne about 2 of the clocke, see Lamborne accounts.

3 August 1671: On that day being Thursday between 12 and one of the clocke my selfe, Mr. Outrider Sewster (for Mr. Minshall) Mr. Steward and our servants sett out from Stert to ride to Alton Barnes. Mr. Topp and Mr. Lambert his brother rode some of the way with us. Between one and two wee came to Alton Barnes to the farme there, which had noe tenant; wee had a glasse of wine from Mr. Mawkes, and beere, I thinke from Mr. Budd. A court was called and whereas Mr. Hill, unto whom a surrender of Mr. Mawks his coppie hold was made (if I soe pleased to allow of it) did not apply himselfe unto mee within the yeare, and also, whereas at this court Mr. Hill sent a letter to Mr. Steward, that hee would relinquish his right in the said surrender, thereupon for the good of Mistress Mawkes and her children, Mr. Mawks the husband was re-admitted unto the said coppiehold for his life in one coppie, and his two children to have a coppie by themselves for their lives, that Mr. Mawks the father should not hereafter have power to make away the right of his said two children, when this was concluded in court, wee walked to Mr. Budds, where wee had wine, ale and wheet meat.

By almost 3 of the clocke, the company above mentiond and Mr. Budd sett out for Marleborough where wee were by Mr. Hills order to bee entertained, Mr. Hill had sent unto us a side and haunch of venison, the haunch wee gave to Mr. Budd to entertaine his neighbours, if hee pleased, the side was sent to the Angell in Marleborough to bee made into a pastie (as it was) for our supper on Thursday. It was well drest with other meat, and the supper though late, was not troublesome unto mee. Uppon Friday morneing wee had a breakefast there about 9 of the clocke, from Marleborough, the weather being dry, wee rode to Aburne, thence to Lamborne, thence to Wantage, and being weary put in there at the Crowne between 3 and 4 of the clocke. Haveing a little refreshd ourselves for an houre, our-

selves and our men spending 2s. 6d. and our horses iust soe much, wee tooke horse againe for Oxon and arrived there about 7 of the clocke. All of us, horses and all, by Gods blessing, being very well.

24 July 1672: On that day being Wednesday between 11 and 12 of the clocke, my selfe, Mr. Outrider Longworth,⁴⁰ Mr. Steward, Mr. Topp etc. rode from Stert unto Alton Barnes attended by Mr. Budd. Mr. Hill our tenant was not there though hee promised that hee would. I enquired of the two Stones, why they did not with Mr. Hill, begin an action against such as trespassed upon our common? they answered that the Colledge ought to sue for it; as they did in suite against Skeeling. Mr. Hill, as Mr. Budd told mee, did not doe anything, because, that Mr. Mawks would not ioyne with him, and soe, between them our Colledge is like to suffer, but what the Colledge spends in that businesse, I hope, that they will make the farmers and coppie-holders discharge in their greater fines, otherwise the tenants will have all the benefit, and the Colledge the trouble and charge, Mr. Mawks asserting that the trees upon the common were the tenants, and that the lord could not give any trees there upon unto the rector. But Mr. Mawks distinguished, viz, that there was some part of the common, universally common unto all, as this part of the common whereupon the trespasse was made, and where the trees were cutt downe; other parts of the common there are, which lie open indeed, and undivided but each coppieholder and the vicar know their severall shares of the common, and in some of these Mr. Budds trees were granted, and therefore denyed as belonging unto some particular man.

I desired of Mr. Budd, that hee would give mee the names of the trespassers upon our common, and who carryed away the timber, but that at present hee could not doe, but promised in some convenient time to send mee word of it, that if our tenant Mr. Hill, and our coppieholders will not secure the testimony of old Mr. Mawks and Goodman Hall etc, the Colledge may take some course to secure them. But before I came thence, speaking with young Mawks and Mr. Budd, Mr. Budd did say, that hee would send unto Mr. Hill about it and signifie unto him, as I did unto the coppieholders, how earnest I was to have the said testimonies speedily secured, and hee hoped, hee said, that that would bee done by Mr. Hill and the rest and that £5 would doe it, by a petition exhibited in to the Chancery, setting forth how ancient the witnesses were, and the necessity of their testimony.

The same morneing at breakfast I spake to Mr. Ricks to speake unto his brother, Mr. Hills farmer, one of the referees appointed by

⁴⁰ John Longworth, B.C.L., Fellow of New College, 1661-1672.

one of the two Stones to sett out the rectors land in the close by Stones house, that hee would bee impartiall in that affaire, and beware of being sacrilegeous in givinge that unto men which belonged unto God. Mr. Steward went from us uppon Wednesday after dinner unto his brother and sister Ernelyes: and came unto us upon Thursday, July 25 at night unto Drayton. After breakfast at Alton July 25, '72. my selfe, Mr. Outrider Longworth with our servants sett out to ride to Draiton: vide Draiton.

I enquired of Mr. Budd the parson the value of the liveings there in Alton, hee told mee, that Mr. Hills farme was worth £180 per annum, the rent communibus annis £40 per annum; that William Stone his liveing was worth £40 per annum, John Stones £30 per annum. The name of Mr. Hills farmer is Robert Ricks.

26 July 1673: On that day being Saturday, my selfe, Mr. Outrider Percivall, Thomas Symonds, William Shaw, Mr. Outriders man and Adams our bailiffe of Stert did ride from thence to Bishop Lavington to give a visit unto his Lordship of Sarum⁴¹ (see the court booke of Stert), Mr. Steward went to Alton to keep his court, but remembering his duty to, and desiringe the blessing of the said bishop. About 2 of the clocke in the afternoone wee came from Lavington and arrived at Alton about 4 of the clocke. Mr. Hill our tenant was there to speake with mee and to desire the renewall of his lease at Michaelmas next. Hee hath a writt out of the Chancerie to examine witnesses about the cutting downe of trees upon our wast by the tenants of the Earle of Pembroke and intendeth to examine old Hall who was sometimes a tenant in Alton, what hee remembreth, hee liveth at Horford Bridge; and as hee went to London, hee promised to examine him. Old Mr. Mawks is unwilling to say anything for us, hee faineth himselfe to bee a childe, and will not seem to remember Oxon or New Colledge or any thing concerneing the matter in doubt. Mr. Budd had talked with him and told mee this. Mr. Hill and my selfe spake to all the tenants, viz, to young Mawks and the two Rings⁴² to speake with old Mr. Mawks and to gett what they could out of him, they promised also to enquire of the like testimonie from some other old men, and hoped to find some more of them who would attest that they had cutt underwood to the bottome of the ditch, as well as on the topp; which lately hath been cutt away, with the trees and all by some of the officers of the Lord of Pembroke.

I asked them secondly (whereas the benefitt of the common be- longeth unto the tenants, and the trees only unto the lord) whether they would not beare the charge of the suite? one of them answerd that the Colledge had borne it in the suite against Skeeling, and they

⁴¹ See *infra*, p. 36.

⁴² *Sic*.

hoped, that wee would beare it now. But that suite was about the inheritance of the common, this only concerneing a trespasse, and soe they promised at last, that they would severally beare their proportions. This I made them speake out in each others hearing, that noe one of them hereafter might deny his promise, because Mr. Budd had told mee, that without this particular and open promise they would deny it. Only they desired that, in case they did evince their right the Colledge would allow them the value of the timber that the earles officers had cutt downe, this my selfe and Mr. Outrider Percivall, as being but reasonable, did yeild unto, and, for the charge of the Chancery in takeing out a writt etc, Mr. Hill did promise to undergoe it himselfe, and soe this businesse wee hope, may take some effect, which if it doth Mr. Percivall was of the mind, and hoped that the Company would bee soe too, that the tryall concerneing the water, should bee brought about againe, after this discourse Mr. Hill tooke his leave as being to ride about 20 miles.

Then one of the Kings did change a life, and his fine was £10, (the difference about some part of a close between this King and the parson was before concluded, as Mr. Budd then told mee). On the morrow being Sunday July 27, Mr. Budd did preach in the morning and catechised in the afternoone, makeing the children give proof of the doctrines of their faith. Uppon Munday morneing it drizzled a little, but afterward held up, and then after breakfast about 9 of the clocke, my selfe, Mr. Percivall, Thomas Symonds, William Shaw and Browneing rode towards Hanny: vide Hany.

Att Hanney July 28, '73. I signed a warrant unto John King of Alton Barnes, to marke uppon the lords wast or common 2 oakes for the use of Mr. Budd, to helpe to build his barne.

15 August 1674: On that day being Saturday about 9 of the clocke my selfe, Mr. Outrider Hobbs⁴³ (for Mr. Cox)⁴³ Mr. Steward and our servants took horse at Hanny, and rode to Lamborne, there wee turned in and called uppon Mr. Hippesley, and dranke a tankard or two of strong beare, and some cider, and soe rode to Marleborough, where at the Angell wee turned in and refreshed ourselves and our horses, for the way had been somewhat long. Leaveing there, Mr. Steward and young Mason who rode to Mr. Ernely's, wee tooke horse and rode to Alton, comeing thither between 6 and 7 of the clocke, the weather and way very faire and drie. Mr. Hill was not at Alton.

On the morrow being Sunday Mr. Budd did preach in the morning upon the subject that the world should have an end, bee burnt up with fire and utterly annihilated. But whether soe, or noe I

⁴³ Bennett Hobbes, M.A., Fellow of New College, 1663-1680.

⁴⁴ Joseph Cox, B.C.L., Fellow of New College. 1662-1674.

doubted. In the afternoone hee only read prayers, and from church wee walked to the parsonage and had there wine, and ale, and cider, afterwards wee had a walke in the closes, and went unto the place where the mill stood, and saw the lane that lead there unto. In the further close there is a pathe that leadeth through the midst of it, made by some cottagers and poore people that passe from house to house. I found fault with it as an encroachment upon our land, when Mr. Steward and Mr. Mason came to Alton about 11 of the clocke, and had been some time in the court in perfecting the coppie of John Stone, and in signeing of it, my selfe and Mr. Outrider Hobbs went into the court, and I enquired about the path way above mentioned, it was said by John Stone, that hee had often reprov'd the cottagers for it. I asked Mr. Steward whether it would not benefitt to present them in our court, hee told mee that the offenders were not of our court, and we could not call them into it, and therefore will[ed] John Stone, and Mr. Hills tenant to sue them for the trespasse and not only forbid them, or reprove them for it.

Then I asked whether Mr. Hill according to his writt out of Chancery had examined all his witnesses concerneing the trees or word cut downe upon the Colledge ground by the tenants etc of my Lord of Pembroke? they answered, that they could not tell. Mr. Hill only knew that, but Mr. Budd told mee, that hee was with old Mr. Mawks, and asked what hee knew of such wood trees etc? hee answerd that hee remembred noe such place, or trees, or New College or any thing, but yet at the last hee said, that if his sonne will get a coach and carry him to the place hee would speake what hee knew of it. His sonne young Mawks doth owe him a great deale of mony, and will not come neere his father. The farmer, Mr. Halls tenant complained, that the parishioners did not goe their perambulations and that men of out parishes did know their bounds better than they. I spake to Mr. Budd to goe the perambulation, which hee promised to doe. Again hee complained, that Mistress Skeeling when alive (shee is now dead) did put in her sheep into our tenants coppices or woods soe soone as cutt downe, but John King said, that hee never knew that those wood grounds inclosed, and soe possibly being enter commoners⁴⁵ each with other (if this bee soe) their sheep might mutuallly have pasture in the woods as well as elsewhere.

As wee were at dinner at Alton Barnes, Mr. Butler schoolemaster of Marleborough and Mr. Choke⁴⁶ of New College came unto us, they eat what they found, a mutton pasty, with 2nd course etc and soe after dinner tobacco takeing and the like about 3 of the clocke wee tooke horse for Stert: vide Stert.

⁴⁵ Intercommoner=one who participates with others in the use of common pasture.

⁴⁶ Hussey Elwes Hinton Choke, B.A., Fellow of New College, 1670-1675.

STERT

MEMORANDUMS OF ALL THE COURTS THAT HAVE BEEN KEPT ATT STERT SINCE APRIL THE 12, 1659

Stert, 30 August 1659: In the afternoone, wee came to Stert, to Mr. Topps.

Mr. Topp desired that at Michaelmas his lease might bee proposed. Hee seemd to acknowled his farme to bee worth (above the rent) about an £100. Attesting againe and againe and assuring us, that hee would make it good that whosoever would give him an £100 per annum and discharge his rent hee should have it of him.

I viewed the woods there, where the tellers or saplins are not soe many, for ought I sawe, as the statute requires, yea none at all, and the trees soe loppd, as by their growing below, at the topp they die. Take care for the future.

Philip Ellis one of the millers there hath a lease of two mills. Hee desired some trees from off the premises to reparaire it, and desired that his lease might bee proposed as Mr. Topps.

Thomas Line another miller in the same place desired that his lease might bee also proposed.

The custome of the mannour at Stert are three lives, and a widowes estate.

10 September 1660: Munday to Stert, there all Tuesday and breakfast Wednesday.

The farme and coppiehold there by the death of Mr. Topp are now to bee divided.

Lett an exact terrar¹ if possible, bee made of them, that the lands belonging unto each, may severally bee knowen.

Wee have a survey of Stert mannour, but in that, what land belongeth unto the farme, and what to the coppie hold doth not appeare. Require an exact terrar of it from the present tenant.

Wee looked uppon a barne of a poore woman in Stert, that was fallen downe, and allowed her off the premises 2 small trees dead at the topp to mend the said barne in the sills thereof, and of her

¹ See *infra*, p. 95.

dwelling house with a pent house to the window etc. At our next progresse, God willing, see that this be done.

Mr. Topp loppd our timber trees in Foxholes.

The renewall of a cottage of 4s. per annum I deferred untill the next court, untill the poor man could gett some mony.

Mr. Mervins coppie-hold, lately Mr. Topps of about £30 per annum was not fully knowen of what value it is, and therefore putt off untill the next court. That the farmer and coppie holder in the interim might make an agreement, their lands of late being promistuously mingled each with other.

Mr. Farleigh our bailiffee changed his wives life for his sonne in lawes, paid the mony at this court but kept another life to surrender October 10, 1660, when also there was to bee given licence of alienation for one peace of ground of [*blank*] acres.

The bed-ridden Stockwells sonne had two trees of oake given unto him to enlarge his barne, and our bailiffe had a charge to see them rightly disposed of, and others sett in their stead.

The next winter a coppice is to bee felld and in the spring some small trees dead at the topp to bee sold.

23 September 1661: Munday to Stert there all Tuesday. This yeare also, as in the former, we were entreated to goe to Devizes, dyetting and lodging there. But in divers respects tis very inconvenient, and a promise was made unto us by Mr. Tanner, that it should bee soe noe more, and soe for this 2nd time also, I bore with it.

From Devizes between 10 and 11 of the clocke wee rode to Stert where I viewed the dwelling house and for the covering all was reasonably well, it did not raine into the house in any part, thence I went unto the outside, the viewed the foundations, where at the bottome in divers places there was somewhat amisse, I will'd Mr. Tanner to see it mended and new pointed. Thence I went unto the barnes, which are large and faire, and only the outmost next unto the field wanteth a new floore. They desired a couple of trees out of a ground about 2 miles off. But neither the father old Mr. Topp, nor his sonne appeareing to entertaine us (and thereby seeming to slight us) I forbore the warrant for those 2 trees for this yeare, untill, if it please God, I come again in the next yeare, when being at the house I may have time and leasure to go and see the trees that are to be appointed for that worke.

Mr. Farley our bailiffe desired two trees out of our coppice at Stert to build him a stable and hay-house, to keep a gelding or two, my selfe and Mr. Rider allowed them unto him, at the cutting of the next coppice neere the water. Hee tooke noe warrant as being our

bailiffe, and haveing a warrant by word of mouth, that saved him 12d. the trees are cutt, but the barne not built.

One widdow Osburne haveing a well at fault desired a small tree uppon the premises to mend it, viz. in the cover, and other parts of it. Shee had a warrant, see whether mended.

Old goodman Line haveing severall sills of his house at fault, viz. in his house next to his neighbours (one Dorchester) gate, and by his doore within his owne gate, had 2 trees granted unto him to mend them, and a warrant for them, see also that this bee done.

Mr. John Marvin our new coppieholder at Stert gave £40 for his fine, to bee paid partly in hand (about £30) and partly by his brother in law, Dr. Creed² in Oxon about a fortnight after. At present giving us a bill of his hand for the payment thereof. The condicion between us was, that whereas the life at present put in (one Burdo) should live about two yeares, and Mr. Mervin should change his life for another that then the Colledge should take nothing for that change. But if hee chance to die within two yeares, then Mr. Marvin is to fine, as for other lives. Philip Ellis, the foreman of the jury went away to his house to dinner, and thereby the rest of the homage could not bring in their presentments. I blamed him for it.

Memorandum: to peruse Mr. Topps lease of Stert to see whether the trees of the coppices bee demised unto him, of the lopps of them, if not, why are they soe shredded. At present it is demised, but at the next renewing, God willing, lett hopps bee left out.

About 5 a clocke in the afternoone wee returned to the Devizes, and thence uppon Wednesday about 12 a clocke wee sett out for Colerne, for the 1st part of the way it rained, but afterward faire.

2 September 1662: Tuesday to Stert, there all Wednesday.

One Tuesday about foure a clocke wee came to Stert, neither old Mr. Topp the father nor younge Topp the sonne did come to meet us, or were at their owne house to entertaine us all the time.

The same Tuesday night my selfe and Mr. Rider viewed the coppices by the house, where Mr. Farleigh at the last cutting did leave about 4 or five younge saplings, but noe more, and according to our grant the last yeare for the building of his stable etc, had cutt downe 2 trees, but as yet not removed out of the wood. But when timber is allowed to Mr. Topp for the flooring of his barne, hee then intendeth to fetch them.

3 September 1662: On that day in the morneing I rode to Hatfield, where I viewed all the common full of ferne, furzes, rushes and the

² William Creed, D.D., Canon of Christ Church, Oxford; Regius Professor of Divinity; Rector of Stockton, Wilts.; Archdeacon of Wilts.

like. There are many old oaks (but wind shaken) therein, and many of them might bee sold, for they are too old, and decaying, and the best of them left for repaires, tis probable that when Mr. Topps ancestors built the east end of their house and the new barne, that they had their timber thence, a very great quantity. Leaveing only that which is wind shaken. There is in this farme prettie store of arable, great store of meadow, pasture etc, tis surely worth, above the rent, about an £100 as Mr. Topp himsele confessed, but as ioyneing Mr. Marvins coppiehold with it.

All the afternoone my selfe and Mr. Rider, and Mr. Steward expected the homage, but they came not untill about six a clocke, the foreman Ellis being almost drunke (they made us waite on them the last yeare also, ut supra) bee sure to punish them for it.

There should a sort of mony (called My-mony or myth-mony) bee paid unto the Colledge yearely, viz. 5s, but what it is, or for what to bee paid, they would not say. Some of them pretended that the my-mony was to bee paid by Mr. Farleigh, who holdeth a peece of land, about 4 or 5 acres called the My, or the Myth, but if soe the mony would bee required of one man only, and not of all the tenants. Old Line therefore attested that in his memory, the said my-mony was gather'd by the tithing man, and paid by the tenants according to the rate of one penny for each cow, and an old man, one [*blank*] alias Cooke who had been a servant to Mr. Topp, did attest before some of the tenants, and in court, that hee the said Cooke, had gather'd the said my-mony, viz. 5s. per annum whereof 19d. was paid by Mr. Topp himsele, and the rest of the 5s. by the tenants. At 1st hee said it was gather'd by the tithingman, but afterward Mr. Topp appointed him, the said Cooke to gather it for him, and soe hee said hee did, though the tenants were very unwilling to heare of it. Peruse the courts roles, and bailiffs accounts to know, if possible, what this my-mony was.³

Timber allowed heretofore, and not yet imployed. 1st to widdow Osburne to mend her well lidd etc. One tree, cutt downe, but not used.

2. To goodman Line, to mend his sills against old Dorchesters gate. 2 trees, cut downe, but not imployed.

3. To old Stockwell to enlarge his barne, two trees, but as yet not used.

Item. given at this court.

1. Two trees to one James Want, an old servant unto Mr. Topp, to mend the floore of his loft.

2. To young Mr. Topp for the repaire of his barnes floore, that is all decayed, 5 tunne of timber. Item. for the repaire of the planks

³ *Infra.*

of his stable, one tunne, they have promised that all should bee done out of hand.

It was afterward confessed by the homage as Mr. Steward told mee at dinner, that they kept in the parish fourescore kine, which at one penny the cow, doth come unto 6s. 8d., whereof 5s. is paid unto the Colledge, and 20d. allowed unto the tithingman for the gathering of it, wee required that it should bee soe gather'd against the next court.

Such as have widdowes estates, when they die, doe pay noe herriotts as Mr. Steward found by the death of one widdow Phelpe, as I remember and soe, for the death of a widdow at this court, wee tooke no herriot.

I spake to Mr. Tanner against the next court to provide a terriar of the farme, well written in parchment.

Our farmers at Stert, as they have the demeasne lands of the Colledge, soe they hold the impropriation also of the king, and pay unto him 40s. per annum, as they say. The tythes of the coppieholders are paid unto the vicar. The tithes of Mr. Marvin's coppiehold are in controversie, because as for that coppiehold Mr. Topp did hold it with the farme, and of late payed noe tythes, but the vicar now doth challenge the payment of them.

At my coming from Stert I spake to Mr. Tanner, and Mr. Farleigh to fetch home the three trees that Mr. Topps under-tenant had cutt downe and intended to carry to his mill, and build that. If hee may cutt downe three hee may cutt downe all upon that ground which are many, and as they say, hee is knave enough to do it. Enquire what done at the next court, God willing.

As for migh-mony, Mr. Steward as hee saith searched in our court roles and bailiffs accounts but could find nothing as hee told mee. Insist therefore uppon the parishioners confession (ut. p. 21 ante finem).

14 September 1663: Munday to Stert and there all Tuesday. About 5 a clocke at night wee came thither. But neither our bailiffe Farleigh, nor Tanner, nor Mr. Topp came to meet us. Farleigh pretended that I forbade them, but that is false. I my selfe and Mr. Steward told him of it againe, and hee said, that hee intended noe manner of disrespect unto mee, but they had a catching harvest.

Then I examined my memorialls of the last court, and 1st of all Mr. Farleigh had not fetchd home the 2 trees in the coppices, allowed to him [for] a stable by his house. Hee replyed, that the coppice wherein they were, being to bee cutt, as hee thought the next yeare (though that I thinke is false) hee would now tarry until the next felling. But this I believe is but an excuse to deferre the taking of

them for some time, and then (as out of mind) to sell them, but remember, and if possible, prevent it.

Secondly The homage promised to bring in their verdict this yeare, sooner than the last, and not make us to waite on them. 3. My-mony at this court was enquired after, and old goodman Line (I thinke) did put it upon the kine of the parish. 19d. upon Mr. Topp and six upon some, 5 or 3 or the like upon others which in all by his reckoning did make up 5s. 4d. viz. 5s. for the Colledge and 4d. for the tithingman or collector, but the over-plus (ut supra) should bee 20d.

Trees allowed. first widdow Osburne hath mended the lidd or curbe of her well etc at Ashington. 2. Goodman Line with his two trees hath in part mended his sills against Dorchesters gate, but hath not imployed all (enquire the next court). 3. Old Stockwell is dead, the enlargement therefore of his barne with the 2 trees allowed must bee required of the widdow, in her widdows estate. The 5 tunne of timber allowed to Mr. Topp to mend his barnes floores, and 1 tunne for planks in the stable, are cutt down in Hatfield at the last barking time, but as yet not sawed out, or brought home, (the harvest being catching) they promised to fetch them very suddenly (Enquire of that).

Mr. Tanner hath not yet delivered in his terriar, but promised to bring it in at the next audit. Enquire of that. Mr. Steward would putt it off to the next renewing, but that I denied.

The 3 trees cutt downe in a lease-hold belonging to Mr. Topp in the tenure of Thomas Hewett, to mend Sir Walter Ernelyes mill, are not yet fetched home to the farme according to order. They have promised to doe it on the morrow morneing September the 26, 1663. But then their teame went to Lavington with corne, and promised to fetch them when they came home. But these are only shiftan.

[In] September 24, 1661. Mr. Farleigh had 2 trees allowed unto him out of the coppice to bee cutt downe the next felling (ut supra) if soe, how will hee tarry for the fetching them out untill the said coppice bee againe cutt downe. I feare that hee meanes to cosen the Colledge of them. But remember yearely to take notice of them. Hee had noe warrant for them to save 12d. to Mr. Stewards man.

At this time there seemes to bee a footpath through the coppices and a stile, but Mr. Farleigh saies, it is only to fetch out wood, to goe and gather nutts etc, but noe highway there. I will'd him, that if any man made a common footpath that way, that hee should present them, see the next progresse.

Part of the coppice was cutt downe in this yeare, but the standards, or young saplings I doubt very few, yet as many Mr. Farleigh said, as could bee. The morneing was wett, and I could not see them.

Widdow Stockwell, hath promised, that her barne should be en-

larged and all mended about her house by the next court. Her fine was £10 11s.

Philip Ellis, as hee saith had some trees allowed unto him to mend his mill, but how many, or out of what place (in my former memorandums) I find not. Enquire of it. Mr. Steward saies that some were allowed unto him, I forgatt to aske Ellis, how many, or where.

Faults in the farme house, 1st the south end of the great barne unthatched. secondly a gutter over the porch not clenched, it may bee soe the next yeare also. I told Farleigh of it. thirdly some part of the tileing is amisse in the house next the church-yard, and some pointing or plastering, at the end of the house over my chamber.

Allowed unto Mr. Marvin to repaire his house, and board the walls of his barne 2 trees. Hee changed a life (viz. Mr. Durdoes) for one of his own sonnes. This hee was to have for nothing and secondly hee bought out his brothers life, soe that now, all is in himselfe and his 2 sonnes. His licence to lett, is renewed for 5 yeares (two being spent).

12 September 1664: Munday to Stert there all Tuesday. Soe in our gests,⁴ But our election at Winton being not finish'd, by goeing unto Farneham to the Bishop. Mr. Outrider Fowke⁵ and Mr. Steward kept the court there by themselves. There were some lives voyd but the renewalls deferrd unto the next court, God willing. The small pox was much in that place.

16 May 1666: On that day about 6 of the clocke at night, from Colerne wee came to Stert. On the morrow wee kept the court, and then Mr. Steward required of the tenants their migh-mony, viz. 5s. per annum (ut supra). Before I admitted of the takeing of any estates, I required by Mr. Steward that they should pay their arreares of migh-mony, viz. for eight yeares ending at Michaelmas 1665, at 5s. per annum, in toto 40s. Mr. Topp the farmer, paid for 10 beasts at a penny the cow for each yeare, 6s. 8d. Mr. Marvin for his coppie hold payd for nine beasts, Mr. Farley for 7 beasts at the same proportion, but Mr. Farley had the charge of one cow from the land which hee had bought of another tenant. His tenement originally had but 6 beasts common, and soe paid but 6d, now 7d. And soe the rest in proportion payed some for 6 beasts some for 3, 2 etc, as in the court roles of this yeare.

17 May 1666: The tenants there present did all pay and that pretty willingly. Old Line about 76 yeares old began, and paid his arreares for migh-mony, the rest in order following. Afterward I called up

⁴ Various stages of a journey.

⁵ Thomas Fowkes, M.A., Fellow of New College, 1645-1669.

Mr. Farley into my chamber, and asked him about the tenants houses, whether they were in repaire, hee told mee, yes, and particularly that Mr. Marvin had built his barne, and had boards ready sawed in the house to lay the floores. Philip Ellis afterward in the court did tell mee, that they were layd, and that all the tenants houses, who had trees allowed unto them (ut supra) were well repaired. I spake also with Mr. Farley concerneing the 2 trees, that formerly I allowed unto him. Hee cutt them in that part of the coppice, which was not cutt downe untill this yeare, they are yet in the coppice as also a 3rd which hee said was hollow, and therefore desired another for it, but the said tree is hollow only in the side of it, the most of it may bee sound. All these three, the tenant now in possession of the land that Mr. Farley had, viz. one John Frie, or Brie, desireth to have to build the stable that Mr. Farley promised to build, and upon condicion that hee make the stable substantiall, I doe not care if they bee granted unto him. Then I asked him why hee did not fetch home the 3 trees, which one Thomas Hewitt, Mr. Topps under tenant had cutt downe from the Colledge lease-land intending to imploy it upon Sir Walter Earnely's mill (ut supra). Hee told mee, that the said under tenant did threaten Mr. Farley soe, that hee durst not meddle with him, or fetch away the trees from his ground. I told Mr. Topp of this, requireing him to send for his tenant who should waite upon mee, hee said, the next morneing. But for time to come hee had bound him upp, that noe more trees should bee cutt downe by him.

The floores of Mr. Topps barnes are layd with the timber allowed, viz. 6 tunne (ut supra) for the floores of his barne, and stable, the dwelling house also and barnes are well in repaire, the gutters clenched etc. I often demanded a terrar of Mr. Topps land from Mr. Tanner, but could never gett one of him, but now I have spoken to Mr. Top himselfe, who hath promised within a quarter of a yeare to provide a terrar, and to send it to the Colledge. I required him also, to suffer noe path-way through the coppice except there was an ancyent way through it. After dinner I asked Mr. Steward about Mr. Marvins licence to lett his coppiehold, his licence in my notes, was but for 5 yeares, and they at Michalmas next are expired, Mr. Steward thought, that his licence was for more yeares, the roles were not here, at home hee would enquire into it.

Afterward, with Mr. Farley I walked into the coppice now felled, and saw some old decayed oakes, but not one sampler, of either oak or ash. I challenged his bailiffe for this, that hee had transgressed the statue,⁶ and done the Colledge wrong. Mr. Top and hee both desired pardon and promised that for time to come they would leave standards etc.

⁶ 35 Hen. VIII, c. 17.

Mr. Topp desired posts and railes to fence in Hatfield from Ashendon, but the length threof being very great, and requireing very much timber. (Hee had 6 tunne but 3 yeares since) I could not allow it, they must ditch it, and sett it with quick setts.

An under tenant of Mr. Topps haveing noe trees upon his owne ground desired a tree from off Mr. Topps farme (which was also desired by Mr. Topp) but 2 peeces of elme did⁷ in the gate, which I told Mr. Top might serve his turne without cutting any other tree. But the trees in his gates are hollow, and soe another to bee taken downe for his tenants.

The bailiffe Mr. Farley, haveing sold his coppie hold, and liveing elsewhere, I spake unto Thomas Adams, Mr. Topps man, and to Mr. Topp that the said Thomas Adams might annually gather up our quit rents and other dues, as migh-mony etc. and pay them in unto us at the audit with his masters rent, this hee promised to doe. As I was takeing horse another tenant one Kenning spake unto mee for a tree to floore his barne, it was in the way as wee rode to Hatfield. This tree, Mr. Rider, Dr. Deane and my selfe allowed unto him, appointing Thomas Adams to see it well employed.

Wee rode to Alton by Mr. Topps pasture ground called Hatfield to see the bounds thereof between that pasture and Ashendon mead and common. There is a ditch there newly cast up, but Mr. Top desired some posts and pales to set thereupon, to keep all cattell from goeing either out or in. The length thereof is about 200 lugg⁸ or more, which will take up very much timber. I was very unwilling to allow any. But Mr. Steward sayed, that Hatfield was part of the premises and that wee could not iustly cutt downe any trees from thence, as I rode out of Hatfield I told Thomas Adams, that for the present the fence was good, and that as now, I had noe time to appoint any trees, if I came againe, God willing, and had more time, I should assigne some trees unto him, and soe wee rode to Alton, but in some raine.

24 October 1666: At that time Mr. Topp, and Mr. Rives⁹ comeing to mee, and desireing the renewall of Stert lease. I demanded of Mr. Topp the promised terrar (ut supra). At the court hee promised to send mee a terrar within a quarter of a yeare but none brought in at the auditt. At the audit, hee promised that a terrar I should have (God willing) at the next progresse. Mr. Thomas Ryves promised upon my stares, that it should bee done, and rather than not, that hee would write it ought himselfe, I wish that it may bee performed.

⁷ MS. Sic.

⁸ Lug=a measure of length; a pole or perch, usually 16½ feet.

⁹ Thomas Ryves, D.D., Fellow of New College.

Secondly the bailiffe said that they had left standards in the coppice, and would lopp noe virgin trees, see whether soe done at the next progresse (God willing).

12 August 1667: On that day being Munday after dinner about 3 or 4 a clocke, my selfe, Mr. Outrider Fauchin, Mr. Steward etc. rode from Alton unto Stert, it rained, and blew very hard and wee were all wett. On the morrow August 13th a court was called, but noe lives void nor any surrender. The vicar of Ushant complained at dinner that an acre of his glebe was kept from him by Mr. Marvin in Smallmeade, all which is lett by the Colledge in coppie to Mr. Marvin. The churchwardens of Ushant have presented the detainement thereof from their vicar in the ecclesiasticall courts at Sarum, and Mr. Marvin hath been in danger of being excommunicated for it. But the Church of Stert, and Ushant being two distinct vicaridges, what reason have the churchwardens of Ushant to present it, and not the churchwardens of Stert. But the homage of Stert did not know of any glebe land that belonged unto the vicaridge of Stert, and therefore surely there is none. Old Goodman Line and Mr. Farley, said, that there was anciently some talke of some glebe, but what or where it lay they knew not.

Things as yet amisse. John Fry hath [not] removed the trees given him out of the woods, nor built his stable. One of our tenants house is almost downe, and required to built it against the next court and to fill up his estate in his coppiehold.

A poore old man desired a tree from off the common to build his house, which I granted.

Secondly. A woman, a tenant desired a tree from off the premisses to repaire her house.

3. Mr. Topp gave unto mee a short terrar of the number of acres, but now how they were butted and bounded.

4. I spake unto our bailiffe Thomas Adams to bring in at the audit a rent role of Stert.

As wee were setting forth toward Colerne Mr. Topp was very earnest with mee, as often before, that hee might have timber allowed out of Hatfield to fence the ground there against Sir Walter Ernelyes meadowes etc. with posts and railes. I told him, 1st that his said ground was as well fenced now as ever it was; and Mr. Topps charge to keep his cattell from trespassing upon other men, was the same now with that of his predecessours and therefore hee might the more willingly beare it. Secondly if the Colledge should allow posts and railes, the charge of Mr. Topp would come upon the Colledge not only in the first making, but the consequent mending of the said railes, and soe the Colledge would bee much endamaged thereby.

Thirdly There haveing been noe posts and railes heretofore I should very unwillingly bee the first that should grant them. The blame of the present and future charge would bee laid upon mee and that I would avoid, or not bee guiltie of.

19 September 1668: On that day being Saturday about 5 of the clocke from Alton Barnes, my selfe, Dr. Oldys Outrider, Mr. Steward etc. rode toward Stert and came thither early. Mr. Mawks rode with us almost all the way, and Mr. Topps servant mett us at Alton Barnes. Mr. Top at our comeing to Stert was walked abroad. Uppon Sunday September 20th wee had noe prayers, no sermon, morneing or evening. On Munday in the afternoone, one Richard Kingman, alias Cooke came to mee to renew an estate in a small coppiehold, worth 40s. per annum, as the tenant confest, it is much out of reparaire, as my selfe and Mr. Outrider saw in the morneing though some part thereof hee had mended in the former yeare, the whole had been out of reparaire these 6 yeares and therefore warneing at this court given unto him, and an order made, that if his tenement was not repaired by the next court his coppie-hold should bee forfeited.

I sett him also a fine of 50s. telling him what other lords doe aske, viz. 2 yeares value and $\frac{1}{2}$, that is £5, but I would have of him but 40s, (1) one yeares rent, nay at the last, to encourage him to reparaire his house, I asked only 30s. But hee told Mr. Stewards man Browneing that hee would not breake old customes. Hee would pay noe more than 20s, whereupon I sent to Mr. Steward to dissolve the court.

I spake also to our bailiffe to come sooner to our audit, and gather up sooner our tenants rents.

The tenant, whose house adioynes unto Mr. Topps gate, and bought his house of Mr. Farley hath not yet built his stable, though hee had leave at this court to cutt downe two boughes of an elme uppon the wast that hinder'd the groath of his garden, fruits and flowers. Require all built God willing, the next progresse.

Mr. Topp desired againe some timber to make railes and posts for his cow-pasture, but I desired againe to bee excused for the reasons aforesaid, telling him, that soe it had been as now, these 300 yeares, and not railed etc. And that I was old, and when another came, hee might doe what hee pleased. But I granted noe timber.

22 September 1669: On that day being Wednesday in the afternoone about 2 of the clocke wee tooke horse at Colerne to ride unto Stert, viz. my selfe, Mr. Outrider Percivall (and Mr. Morehead whose substitute hee was) Mr. Steward, Mr. Harris¹⁰ and his sonne etc, as

¹⁰ Thomas Harris, College tenant of Colerne, Wilts.

wee passed by the new built coppiehold, the tenant asked mee for a little sticke in recompence of his charge in building a new house, but Mr. Steward said, that hee was considerd for that in his fine. Afterwards as wee rode along, Mr. Harris renewed his request for a tunne of timber to build him a loft to lay his St. foile¹¹ in. This also at last, was granted unto him. We came to Stert between 5 and 6 of the clocke, none came to meet us, Mr. Top was in his gate.

On the morrow in the morneing; my selfe, and Thomas Symonds walked unto Hatfield, a large pasture belonging unto Mr. Topp. At the entrance there unto, there were two oakes cutt downe, and a sawpitt by them, somewhat further, before we enter'd Hatfield. Two ashes had been grubbet up, and lately (possibly they are they that ly at home by the elmes). Then entering into Hatfield and walking along wee saw the stumps of 3 trees upon a banke side sawed down; Item, about 4 or 5 trees more in Hatfield grubbed upp, and all this done without leave, against the condicion of his lease (see that). After dinner about 2 of the clocke the court was called againe, and wee sett two fines. One uppone one Cooke or Kingman for a cottage and a close by it; price per annum about 40s. I asked of him, now after two yeares 30s. Item, I asked of another for a cottage, back side, and 4 acres of land 50s, but that hee might pay it before the audit, I was willing to take 40s. Now this 40s. hee would pay, but bee respited for the nameing of the partie unto the next court, because, in the interim hee would try for a wife, and putt her life into it. But this told him I could not grant as uncertaine whether it should live, yet I told Mr. Outrider Percivall, that if the renewer of the said life, would adventure, and rely upon the courtesy of him who should succeed mee in my place I should suffer it. to passe, the danger would bee unto the coppie-holder, and not to the Colledge.

Mr. Marvin was complained of by old Goodman Line (I thinke) that his watercourse was stopped by Mr. Marvin his not scouring the rivelet uppone his side; Mr. Marvin promised, that if the owner of the ground in the other side would scoure the one halfe, hee would clense the other.

Goodman Fry who now hath the estate of Mr. Farleigh who had timber of the Colledge to build himselfe a stable (ut supra) hath not built it yet (from '62 unto '69). But at this court is required to build it against the next court.

After the court was finishd, I went into [the] wood by the house, and the coppice uppone the hang of the hill, where the underwood of this yeare was cutt downe; the underwood groweth very well about 4 acres, and there are left therein about 14 young oakes, not soe many as should bee, if twelve to every acre. On the morrow being Friday

¹¹ *i.e.* Sainfoin.

September the 23, in the morneing, I challenged Mr. Topp before Mr. Steward, Mr. Morehead and Mr. Outrider Percivall for cutting downe some ashes, viz. two that lay in his backside, hee answerd, that hee cutt them downe for plough-boote, which hee and Mr. Steward said, that hee might doe without a warrant, see that. Secondly hee had cutt downe two oakes in the entrance unto Hatfield, and sawed them there, to make a bridge into Hatfield, the topps of them lye there still. Thirdly In Hatfield hee had grubbed upp 5 or 6 oakes, but hee said that they were hollow, and only fire-boote. Fourthly hee cutt downe some trees in the wood by the house, and therewith made the posts and pales against his kichen garden. There is none of all these things that hee should have done as I conceive, and therefore blamed him for them. For the wood or coppice noe doubt, as being in the same lease with the farme, was allowed, and intended for fireboot and not to sell, and all trees and lopps of trees exempted for the use of the College Quaere.

Before dinner hee showed me the floores of two of his barnes, exceeding broad, or long from one doore unto the other. These two are both of them faultie, and must bee new layd; wee talked with a carpenter about them, who said, that they would require 8 tunne for the sleepers and 4 for the planks. But that 3 trees in Hatfield would suffice for all. But bad the carpenter attend us in Hatfield after dinner, but hee came to[o] late to us, soe that I was forced to assigne the trees my selfe, and instead of three, to allow them foure, viz, three in Old Hatfield, and one uppon the ditch of the greater Hatfield; as wee were rideing away, the carpenter came but too late, and soe wee left him. This was after dinner. Whilst I was at Stert in the hall, but comeing away, Mr. Aud and the bailiffe desired of mee a tree to make some rafters for an old house that Mr. Topp doth lett to an under tenant. As wee rode by the house I saw the trees in the backside. I desired Mr. Aud to advise with a carpenter what timber might bee wanting. To send unto mee, a note thereof at the auditt, and that then, God willing I would signe a warrant for it. Memorandum: that Thomas Symonds was admitted into one Cooks tenement because hee would not pay the fine of 30s. I spake to Mr. Aud as wee rode along in Hatfield, instead of posts and railes there against Sir Walter Earnelys meadows to sett some withy stakes, and make a green withy hedge which will be for continuance. Hee promised that it should bee done, intending before, as hee said, to make such an hedge.

25 July 1670: On that day being Munday in the afternoone about 2 of the clocke, my selfe, Mr. Outrider Minshall (substitute for Mr. Sewster) young Harris and our servants rode from Colerne to Stert, they way was very dry and weather very hott. Mr. Steward rode to

Troughbridge to see Mr. Warden¹² of Wintons daughter; I had not been well at Colerne, as troubled with a great looseness, and illnesse of stomacke also; wee rode from Colerne to Stert, and arrived there about 6 of the clocke, Mr. Minshall and young Harris tarried at Casum and came not thence in some houres, when wee came to Stert, there was noe man to entertaine us. Mr. Topp had noe notice of a court to bee kept there, soe that at last I was desired to returne for that night unto the Vize and lye there. His tenant our bailiffe provided for us at the Crowne where wee supp'd and lay. William Shaw mett Mr. Minshall in the Vize and brought him to the Crowne, about 7 of the clocke Mr. Steward came in also. Mr. Topps bailiffe rode the same night unto Stockin and acquainted Mr. Topp with our coming; Mr. Topp was gone into Dorsetshire. On the morrow morneing being Tuesday about 9 a clocke, Mr. Aud came to us at the Crowne, and bespake a dinner for us; about one wee appointed to keep our court at Stert, and neere about that time wee came thither, Mr. Steward gave the charge, and then wee retired into the parlour, Mr. Outrider, and Mr. Steward sitting there, I walked with Mr. Topps bailiffe into the woods; they had cutt downe about 3 acres, and left prettie store of samplers; returneing thence I walked into the barne, and saw the two floores almost finish'd, they will lay them for good and all, when better season'd.

Some part of the bounds of Hatfield are sett alreadie with quicksetts, and the next winter, God willing, they intend to sett the rest. Old Thomas Line and Philip Ellis died and payed their respective herriotts, as in Mr. Outriders accounts. The partie [who] promised to renew for nothing at this court (ut supra) came not in, soe that if at the next court, hee putts in a life, hee must pay something for it. The fines wee sett, uppon the Quaker, and the other, are to bee brought unto the Vize to morrow. I granted unto Ellis his sonne 4 trees of oake to build them a kitchen upon their coppiehold, and to mend the floore of the hall over the sellar. John Line the Quaker put in the life of his sonne, an honest young man, who is not a Quaker, an agreement between them selves in behalfe of his Quaker daughter. Their fine for $\frac{1}{2}$ a yard land was £12 (it was rented at £18 per annum). Eleven pounds was paid and the other 20s. given unto the young man to encourage him in the true church-way. The other tenant who renewed for 2 lives in $\frac{1}{4}$ of a yard land was sett £14, wee returned unto [him] 10s., and soe, haveing broke our fast at the Vize about 10 of the clocke wee sett out for Alton Barnes, and dined againe there.

1 August 1671: On that day being Tuesday, my selfe, Mr. Outrider

¹² William Burt, M.A., Fellow of New College, 1627-1632. Warden of Winchester College, 1658-1679.

Sewester (for Mr. Minshall) Mr. Steward, old Mr. Harris and young Viner, with our servants, did ride (between 12 and one of the clocke) from Colerne to Stert, wee arrived there about $\frac{1}{2}$ an houre past five. Mr. Topp was abroad and noe man came to meet us, soe that my selfe, Mr. Outrider and steward, were forced to alight att Mr. Baily's field gate. The 4 trees allowed unto Ellis his sonne are well employed, hee hath layd out as they say about £50, all the mony that hee had from his father. His mother in whose estate there was a life void, desired, that in consideration that her sonne had built soe much and was out of mony, and that shee her selfe had lost her house by fire, that I say, I would bee pleased to putt off her takeing a new life unto the next court, this was granted. There was also another, one Robert Dorchester who desired to putt off his life taking also, of a coppie-hold of about 16 acres of pasture, and 6 acres of arable, the rent was 15s. 2d. per annum, I asked him £20 afterward £15, then 20 marks and £12, but hee would give noe more than £10 which I therefore tooke because, first, it was a life for a maide that was to have noe widdowes estate, and secondly because hee was an honest laborious man. Mr. Topp at this time doth live at Stert himselfe. Hee and his wife, Mr. Lambert and his wife. Two families which is not good.

Uppon Wednesday in the afternoone I walked with William Shaw into the wood; Mr. Top the last winter hath cutt downe a part of it, viz, about 3 acres. But the samplers there are not above 4 or five, and the old trees all lopped. Enquire whether that permitted by Mr. Topps last lease, before it was. At this court one Ellis desired a tree to helpe to repaire his house, out of the ditch of one Line the Quaker; the Quaker as Mr. Steward said assented thereunto, and soe the said tree was granted. As also another tree to ment the coppie-hold of one Want purchased of some tenants of some coppieholds that are leased to Mr. Topp. One elme was granted unto Mr. Topp to mend that coppiehold. Between twelve and one of the clocke my selfe, Mr. Outrider Sewster (for Mr. Minshall), Mr. Steward, Mr. Topp, Mr. Lambert and our servants sett out for Alton Barnes where wee arrived between one and two at the farme there; vid. Alton Barnes. At Stert in this yeare wee had noe oates for our horses.

In an indenture made November the 30th 1666, I my selfe, and the fellowes, demised unto John Topp esquire the scite of the mannour of Stert, as also all the underwood lopp and shroude of all that their coppice, commonly called Frith-Hole Coppice, containeing by estimation 9 acres. etc. vide partem anni 1661 p. 569.¹³ Memorandum: that although the lopp and shroude bee demised in our lease, yet the topps of the trees are not demised, but Mr. Topp cutteth downe them. In

¹³ Lease book.

the following indentures lett the lopp and shroude of the trees in the coppice bee excepted, as in other tenants leases.

22 July 1672: On that day being Munday about 12 of the clocke my selfe, Mr. Outrider Longworth, Mr. Steward, Mr. Harris the father and his sonne, sett out from Colerne to ride to Stert. At Cawsham about 3 miles from Colerne wee were to meet with Mr. Aires, uppon his earnest entreatie wee did, but it cost us deere, viz. 4s. in ale. These baitings by the way are inconvenient, and would spend as much as in Marshalls time, if I would suffer it, but to prevent that custome, I paid this charge my selfe. About 4 of the clocke wee parted from Cawsham and arrived at Stert about six; wee went to supper in reasonable good time, and had a walke unto the hill after it.

On the morrow in the morneing about 9 of the clocke a petition was brought unto mee by William Shaw from one Rudd a reversioner in a coppiehold, the last possessour leaving an executrix, did give the executrix yeare unto one Best, who, as hee saith, hath cutt downe much timber from the premises and left the house and barne out of reaire. I sent the petition unto Mr. Steward. At the court about eleven of the clocke, the homage stood very much and very stiffely upon this custome, viz. that a widdow in that parish who had a widdowes estate in any coppiehold, ought to have when she dyed, an executours yeare, as other widdowes have who have their respective lives in their husbands coppieholds. This Mr. Steward upon search at Oxon in the court rolls did deny, adviseing also with certaine lawyers about the quaestion, whose answer was, that a widdow who had her life in a coppiehold, might have as a man her executours yeare, but a widdow who held only by a widdowes estate was not to have an executours yeare, because a custome by indulgence (as the executours yeare is) could not be raised uppon custome, but the homage would not bee persuaded by Mr. Steward alleageing, that in such and such it had soe obtained before. But Mr. Warden and Mr. Steward said, Mr. Steward did never know of it, and noe complaint was made to that purpose, neither should the Colledge have knowen it now, had not some wrong been done and had not Rudd complained. After much contest and the setting of some fines which were not excepted it grew late, and Mr. Steward was forced to adiourne the court unto the morrow morneing, at 7 of the clocke, Mr. Steward over night, had desired that a fine might bee sett uppon Rudd (about £6) and that out of that summe, I should take a fine for the Colledge and give about 40s. unto his sister, and soe take away the contest about the widdowes executours yeare, but the homage it seemes told her that this was only a devise to take away her plea for an executours yeare, and therefore, her resolution was, to stand uppon, and maintaine that

custome. And the woman Rudds sister had £5 shee said, that shee would spend in seeking for this custome in the courts at London. Mr. Steward hearing this would not speake for the woman any more, whereupon the next morneing being Wednesday July the 24th about 7 of the clocke, the said woman Rudds sister came to my chamber, and desired my favour to end the difference between herselfe and her brother; but that I would not undertake except in the court. I went immediatly into the court to Mr. Steward, where after much adoe and contest, 1st with Mr. Dorchester who was to pay his fathers herriot, wee received for a cow 30s. and noe more, because hee was soe civill. Then wee sett a fine of £6 upon Thomas Ellis givinge him leave to name the reversioner at the next court. Thirdly wee sett a fine upon Thomas Ruddle of £3 for one life and left a reversion against the next yeare, and lastly wee sett a fine for 2 lives upon one Dorchester who for £12 would pay but £3, at last I condescended unto £10 which being also refused, I sent for Thomas Symonds, and gave the 2 lives unto him, for the said £10 which hee accepted, when Mr. Dorchester and his brother saw that, they undertooke themselves to pay the £10, but did hope that I would bee favourable unto them, soe the summe of £10 being paid £8 thereof I allotted unto the Colledge 5s. unto Thomas Symonds, and 35s. I returned againe to Mr. Dorchester for his brother, and soe the court was ended.

After breakfast, as Mr. Steward etc were takeing a pipe of tobacco, I walked downe with Adams the bailiffe and Thomas Ruddle afore-said, unto his aunts tenement wherein hee is the next reversioner; the woman is old and swolne exceeding bigg with the dropsy and stone, and did charge her with cutting downe timber without leave, and threatening to give her executours yeare unto an attorney of the Devizes, thereby to trouble the Colledge, the old woman and the rest about her denyed that they had cutt downe any timber and that they had taken dead trees only to make the old woman a fire. But this I found to bee false, for in the close below the house there were 3 trees cutt downe, and grubbed upp also, that wee might not see the bignesse of them, but one I saw, about a foot square, all these below the house, and in the close above the house there were lately cutt downe and grubbed upp about 20 young ashes as Ruddle said. Comeing home to Mr. Steward I told him what I had seen, but wee did not proceed to a seisure upon the coppiehold, but resolved to advise about it, the bailiffe Adams also asked Mr. Steward what hee should doe in case the old woman died and the attorney should lopp, or cutt downe the trees in the orchard, hee answerd that the bailiffe should seise them for the Colledge, and if any more trees upon the coppiehold were againe cutt downe that hee should seise them also. As wee were come-

ing away Mr. Aud came to mee and desired that I would require Thomas Ruddle to allow unto his sister (for the promise hee made, and swore, of putting the life of one of her children into his coppiehold) to allow unto his sister 40s, but Ruddle was not to bee found, but I commissiond Mr. Aud to treat with Ruddle about it. What Ruddle will doe for his sister I know not. Thus being all ready and uppon our horses, I myselfe, Mr. Outrider Longworth, Mr. Steward, Mr. Topp etc. rode toward Alton Barnes, the way and weather faire, wee came thither about two of the clocke; vide Alton.

24 July 1673: Uppon that day being Thursday about 12 of the clocke, my selfe, Mr. Outrider Percivall, Mr. Steward, Mr. Harris the father, and his 3 sonnes, two¹⁴ of them at present of New Colledge with our servants sett out from Colerne to ride toward Stert, the sun did shine very hott, noe aire abroad, and wee rode almost all in lanes: the iourney was tiresome, about 4 of the clocke wee arrived at Stert, Mr. Topp had sent his man to meet us, but hee tarryed at the Devizes, and wee saw him not, soe that my selfe, Mr. Steward and 2 of our men were forced to ride about to gett into Mr. Topps gate. On the morrow July the 25th about 10 of the clocke the court was called and the charge given, when that was done Mr. Steward with Mr. Earnely came to mee into my chamber, and told mee that the knight, Sir Walter Earnely, his brother, was on this day busy at Marlborough at the Quarter Sessions there, soe that hee could not come unto us himselfe, but deputed his brother to treat with us, about the fine for the exchange of 3 lives in the estate or coppiehold belonging to Mr. Marvin, the fine to bee agreed for, and paid, not by Mr. Marvin, but Sir Walter Earneley.

After dinner, my selfe, Mr. Outrider Percivall, Mr. Ward, Mr. Earnely, Mr. Marvin, Thomas Symons, William Shaw and the bailiffe rode to Hatfield to see the grounds beyond that place. There are 4 peeces of excellent meadow containeing as Mr. Marvin himselfe accounted about 15 acres.

Item: at home, or neere the house there are 2 closes, one of 3 acres in the bottome, and Foot-ball close, or the backside 1 acre and $\frac{1}{2}$, in the whole 19 acres and $\frac{1}{2}$. These wee valued at 30s. the acre, that is £27 10s. Item: neere Hatfield there were two pastures, one of 8 acres, the other of 7 acres, in toto 15 acres, valued at 20s. the acre, soe that the whole will bee £42 10s. at an easy rate for 3 lives in that coppiehold, and the herriot also, wee asked £50, they offered £30 or £35, but at the last wee agreed for fine and herriot and all for £44 with the licence of letting the said coppiehold. Item: wee received

¹⁴ Thomas Harris, M.A., Fellow of New Colledge, 1663-1673, and William Harris, D.D., Fellow of New Colledge, 1667-1677.

for the herriot of widdow Ruddle £2, and for the fine of [blank] Ruddle.

There came to us to dinner, Mr. Barnabee Low and Mr. Ward¹⁵ from his lordship¹⁶ of Sarum at Bishops Lavington. I was earnestly entreated to give his lordship a visit, hee did challenge it (as Mr. Ward sayd) upon my promise. At night when hee went away I told him that if I was well, and the weather faire, I would waite upon his lordship. On the morrow, being Saturday, July 26th about 9 of the clocke my selfe, Mr. Outrider Percivall, Thomas Symonds, William Shaw, and Mr. Outriders man, rode toward Lavington to see his lordship of Sarum, wee came thither between 10 and 11 of the clocke. His lordship had ridden abroad upon the hills; wee walked in the interim into the garden, which lyeth upon the decline of two little hills or riseings, a valley being in the midst and a small brooke running through it, in the said valley there are two small fishponds with stone statues in the middle of them. One of them Neptune with his trident in the mouth of a fish; there are generally 3 stone statues in each walke, representing sheapards, one or two of them playing on a pipe, there is Hercules also with his clubb. The ascents and descents upon the risings on each side, are not by staires, but by grassy ascents and descents; there are flowers also in divers places, wall fruits, and other trees good store, and full of fruit, the garden was shoven unto us by Mr. Ward his chaplaine. About 12 of the clocke his lordship came home, and with him after Common Prayers in the parlour wee dined with Dr. Pope,¹⁷ his lordships chaplaine, and 2 other country ministers. His provision was very good, 4 dishes at the 1st and 4 at the 2nd course with fruit and cheese; haveing dined, about 2 of the clocke wee tooke our leave, and rode towards Alton. Hee desired us to tarry untill Munday, but wee could not. See Alton court booke.¹⁸

17 August 1674: On that day being Munday in the afternoone about 3 of the clocke, my selfe, Mr. Outrider Hobbs (for Mr. Cox) Mr. Steward, Mr. Mason and our servants tooke horse at Alton, and rode towards Stert, the weather and way was faire, except when wee came to our farme, and then it began to raine. On the morrow being Tuesday, in the morneing about 9 of the clocke, my selfe, William Shaw, Thomas Symonds, our bailiffe, Line the Quaker and his two sons rode into his closes belonging to his coppie-holds (Mr. Outrider

¹⁵ Thomas Ward, M.A., Clare Hall, Cambridge, nephew of Seth Ward, Bishop of Salisbury.

¹⁶ Seth Ward, D.D., President of Trinity College, Oxford, 1659-1660; Bishop of Exeter 1662-1667; Bishop of Salisbury 1667-1689.

¹⁷ Walter Pope, D.Med.; Trinity College Cambridge and Wadham College, Oxford; Astronomy Professor, Gresham College, 1660-1687.

¹⁸ *Supra*, p. 15.

Hobbs was abroad with a setting dogg). This Line desired timber from off the premisses to build a cow-house, and a leane too before it, to putt fodder therein, wee allowed unto them five decaying oakes, wind shaken, hollow, and the like; one dead oake in a little peece of ground called the Sams, two wind shaken oaks in little Shortlands, and two other wind shaken or hollow in Court Laynes; when I came to the farme, I sent for old Line, and required him to aske of Mr. Outrider the allowance of the said five trees, which hee did about the stable door.

After dinner, my selfe, Mr. Outrider, Thomas Simonds and about 6 or 7 of the jury went downe to the coppie-holders house, where Haies the attorney had made the spoile in cutting downe one great peare tree worth 40s. per annum, the root and body yet continue, the armes were cutt off and now spring out againe, and soe hee served all the apple trees, which were about twentie, the bodies of them yet stand, the branches are cutt off; hee cutt downe also by the rootes many ashes and elmes in the closes about home, and neere to Hatfield.

In the afternoon when they brought in their presentments they would not present any wrong done, and would not grant that the tenants cutting downe of trees was against their custome, they thought, that by custome they might doe it. Hereupon Mr. Steward adiourned the court untill the morrow morneing at 8 of the clocke, and came to my chambers and told mee what the jury had done. Desireing mee to take my horse and ride unto the grounds of Ellis the foreman of the jury, and of one Dorchester, and marke what trees wee could, that in the next spring were fitt to bee fell'd. In Ellis his ground or closes wee marked out 19 trees, 7 ashes and 12 oakes. In the ground or closes of Dorchester wee marked out 13 trees, viz. 4 ashes and 8 oakes to bee cutt downe in the next spring, which being done wee returned home, viz. I my selfe, Mr. Outrider Hobbs, Mr. Steward, Adams, Browneing, and William Shaw.

Uppon Wednesday morneing, after they were twice sent downe to Ruddells house to view and prize the wrong that was done to the said Ruddell, about 10 of the clocke, they came unto the farme, and made their presentments (as in Mr. Stewards booke) that many apple trees, some peare trees, with elmes and ashes were cutt downe, or lopp'd and spoiled by Haies in behalf of the executour. However Mr. Steward had drawn upp a warrant unto Adams our bailiffe to cutt downe from off the grounds of Dorchester, and Ellis, soe many trees as above mentioned, and when the warrant was signed by my selfe and Mr. Outrider, hee dissolved the court. But why should wee punish them in cutting downe their trees when they had done their duty, and presented the wrong done, only they sayd not of what value

the wrong was, pretending that they could not tell. Let Mr. Steward answer this.

As wee were upon the way to Colerne Mr. Steward, as from my selfe and Mr. Outrider did will our bailyffe Adams to cutt downe the ashes immediatly after harvest, except hee heard any further from us, and the oakes in barking time, if they should inhibit our carts to carry them away however, to endeavour to take them and punish them for it in some other way, as by denying them to renew etc. Wee sett out from Stert about 2 of the clocke, and arrived not at Colerne untill about 6 of the clocke; vide Colerne.

Uppon Thursday August the 20th as wee were at dinner at Colerne, Robert Dorchester, and Ellis came to us at the farme, they were lead in to dine with our servants, and after dinner Robert Dorchester and Ellis came unto mee, and Mr. Steward (Mr. Hobbs the Outrider and Thomas Symonds were gone to Bristowe) to desire, that wee would forbear the cutting downe of their trees. This, uppon their submission and petition, and promise of better performeing their duty in presenting what was amisse, I was willing to grant, but Mr. Steward desired that our bailiffe Adams for the paines that hee had taken might bee consider'd and that each of them for spareing their trees, or for the 2 trees allowed unto the bailiffe, might pay unto him 3s. 4d. a peece. That the bailiffe might not bee laugh'd at. This they promised to pay, and a letter was sent unto him by Browneing to that purpose, viz. not to fell any trees without our further order.

COLERNE

MEMORANDUMS OF ALL THE COURTS THAT HAVE BEEN KEPT AT COLERNE SINCE APRIL THE 12, 1659

Colerne, 2 September 1659: Two lives only are granted in this Mannour, one in possession, the other in reversion. The wives have their widdowes estates by custome of the mannour, and soe long as the widdow lives, but one in reversion.

Widdow Jones a coppieholder of Colerne doth grubb upp the coppice wood belonging unto her coppiehold. Quaere of Mr. Steward and our counsell what course to bee taken.

By Mr. Stewards advise I threatened any such as wrong'd the woods uppou their coppieholds, that I would take the forfeiture of them and grant them unto some other tenant. Quaere God willing at the next court, whether any more wrong done.

John Smith as executour to a widdow to pay 12d. for an herriot. But not paid because shee was a widdow. Quaere whether that bee the custome? if soe, by our roles, Mr. Steward is to require it and Smith to pay it the next court.

Mr. Harris our tenant there desires that at Michaelmas next his lease may bee renewed as being seven yeares out. And if we please hee will renew the woods also. But that wee had better forbear, untill the rest of the tenants woods come in, and secondly renew them soe, if possible as to have more rent, and lesse fine, for the better income of the Colledge.

Robert Edwards would have his lease proposed for the mill at Colerne, lately Sammons. Hee would take it in his owne name; tis about 5 yeares out.

12 September 1660: Wednesday to Colerne, there all Thursday, and breakfast Friday.

28 November 1659: It was then order'd by the company that in the next progresse at Colerne the value of the woods by the pole or acre bee enquired into, and the lease of the woods not to bee proposed untill further knowledge.

A blind woman, and a lame woman came upp to London unto mee, to bee releived concerneing some wood that was taken from them.

27 October 1659: Allowed then to Mr. Harris for the repaire of his barne and out-houses soe much timber, as should bee thought fitt by Mr. Warden in progresse. Quaere how much?

Quaere: what's the wood worth by the acre, one with another? £3 the acre is the utmost as a middle price.

My selfe and Mr. Rider were goeing in the morneing to take a view of the woods, and to see at what groath they were when first demised that at the end of the lease they may bee left unto the Colledges at the same groath. But first the raine was soe violent that wee were forced home againe. And secondly the coppices are not sold altogether, but soe, only as the farmer in any yeare hath customers for, sometimes more and sometimes lesse, soe that noe account Mr. Harris saies can bee taken in these, as in our other woods.

To solve this doubt and make all secure on the Colledges part, Mr. Harris will condition in his lease, to cutt noe wood under 12 yeares groath, when hee shall leave the said woods. Cutt hee may, at 13, 14 etc but not under 12 yeares groath and soe tis thought that the Colledge will bee secured.

I willd him to bring unto us at the audit his wood booke accounts, to see what sold since leased out unto him.

The timber allowed by my selfe and Mr. Rider, by the companies appointment unto Mr. Harris were six tunne, if soe much needfull.

Item: timber allowed to Mr. Witt¹ for the parsonage house two tunne, which, if too much for the said house, hee to pay for the overplus.

The blind woman (ut supra) was here againe at this court. But told by my selfe (by information from Mr. Steward and Mr. Harris) that as the rest of the tenants were satisfyed and had allowances for the losse of their wood, soe also was shee. And if any thing promised unto her by Dr. Pinke,² shee must goe to his executours.

Some of the demeane lands in Colerne, and very much are yet held by coppie, Mr. Harris saies hee knoweth which they are, by their paying tythes to Mr. Harris, tenant of a parcell of tithes belonging to the Lord Lucas.³

The rest of the tenants pay tithes to Mr. Witt.

The racks⁴ for the fulling mill at Colerne, are some of them fallen

¹ Richard Witt, B.C.L., Fellow of New College. Rector of Colerne, 1658-1685.

² Robert Pinke, D.D., Warden of New College, 1617-47. Rector of Colerne, 1645-47.

³ John Lucas. Baron Lucas of Shenfield.

⁴ A long upright frame on which woollen cloths are stretched while drying.

downe, as rotten at the bottome. The miller is required to secure them unto the Colledge, by taking them downe and keeping them drie. If hee use them, hee must sett upp as good. Mr. Harris is to see it done.

Two widdowes were amerced for trespassing with sheep, 10s. a peece. Uppon entreaty as to widdowes wee tooke but 6s. of each. But afterwards Mr. Harris said that the widdowes had gained well by it, paying but 6s. for that which was worth 30s. for to rent soe much common they should have paid thirtie. And besides, the homage hee said, did complaine that wee abated presentments which emboldened our tenants to transgresse, whereas the Lord Lucas, and other land lords abate nothing.

25 September 1661: Wednesday to Colerne, then to Marshfield etc.

Quaere whether any wrong done to the woods by grubbing of them? as by widdow Jones etc, if soe take the forfeiture.

What is become of the racks of the fulling mills now both of them are corne mills. Doth the miller keep them safe and drie? Lett him give bond of twentie marks, that if hee use any of them, hee will sett upp as good.

How much timber hath Mr. Harris taken for the repaire of his barne, and out houses? wee allowed six tunne, what more or lesse taken? One tree more hee tooke from off of the farme grounds.

What timber bestowed uppou the parsonage house? The 2 tunne allowed will all bee used.

The woods are cutt at 14 or 15 yeares groath. Mr. Harris will condicion in his lease, that when hee leaves the woods, hee will cutt none under the groath of 12 yeares. Let the condicion runne under the groath of 13 yeares, for if soe, within 3 yeares the Colledge will have some benefitt.

The aforesaid widdow Jones is dead, and one Moodie is her executour. If hee endeavour to grubb the coppice as they have begunne to doe Mr. Harris is to forbidd them, and if not forborne, to sue them. One H. Jones would renew a life, but his mother in law grubbed up our woods.

One Arthur Jones is dead since the last court. His widdow in possession. It is to bee feared that she will grubb up her coppice also. But if soe, shee is to bee sued.

A note of such tenants as have part of the coppices in their coppies.
 1. Widdow Jones the elder, the wife of Arthur Jones. Secondly the widdow of John Jones. Thirdly Thomas Greenaway. Fourthly Mr. Harris and his son, for them, and their wives estates, all these have yearely allowed unto them out of their coppices 3 loades of underwood.
 5. The widdow Tanner, shee hath a coppice for her life only. 6. Barna-

bas Lewis, hee hath a coppice in his owne hands. Hee may possibly change a life, if soe, except the coppice. This man hath cutt downe trees out of the woods at severall times. Therefore lett him bee sued. 7. Thomas Bullocke hath a small coppice joyning to widdow Jones.

26 September 1661: On that day there came to court one Henry Ford who was in possession of a cottage and land in Colerne, and had therein the estate also of his sonne in reversion. His sonne Richard in reversion a tailour (but somewhat lame in body as they say) about 8 yeares since, and at the time sicke and weake, did leave his father, and parish, and travell'd (as tailours use to doe to gett worke abroad); since that time, hee hath not heard of him, and therefore supposed to bee dead. His father, for feare him selfe should die, and soe the estate should bee granted unto some other out of his familie did entreate that (although against the custome of the manour) where there is one only in possession, with their widdows estates, and one in reversion, that I say, hee might putt in another sonne (his sonne John) in reversion after the former, and soe in a manner two in reversion. This I was unwilling to grant for feare of quarrell, and suites, that might afterwards happen. But the father promised that if hee might fine for the reversion of his second sonne (in case his elder sonne did live, and come to challenge his right) the fine of his second sonne should goe for nothing. That hee would not challenge of the Colledge any right in behalfe of his second reversion, but loose his fine. The favour of fineing for his second sonne was granted only upon these condicions, as above written.

Subscribed: Henry Ford.

In the presence of Thomas Harris, William Finch. See my 2nd old booke of Progresse Papers beginning with Kingham⁵ page 32.

26 September 1661: As wee were rideing from Colerne to see the woods, Mr. Harris complain'd unto mee, that the Colledge tenants did chopp and change their land with the tenants of Suttons Hospital, and the tenants of the Lord Lucas, soe that without present care and notice, which is which, which land belongs originally unto the Colledge, and which to Suttons Hospitall etc, the Colledge hereafter may bee wronged. Lett there bee (in this place at lest) a court of survey, the meerestones sett, and bounds knowen.

This was complained of once before, but it seemes not taken notice of, nor amended.

Doth Mr. Harris use the quarry of freestone for windowes etc for himselfe, or doth hee sell them? Hee answered, that hee gave leave

⁵ This book cannot be traced.

to his mason to digg and cutt stones, for windowes, pavements etc at leasure times, when the said mason hath noe other worke to imploy himselfe about, but that constantly hee did not use it.

At Marshfield September the 26. Mr. Outrider Rowlandson came to mee for my hand for £4 to bee paid by Mr. Harris to Mr. Outrider for boot-mony. I gave my hand, but Mr. Rider for the present kept backe 8s. of my servants mony to give unto Mr. Stewards man, but afterward at Oxon hee deliverd it unto mee.

4 September 1662: Thursday to Colerne, there all Friday.

The racks of the fulling mill are used in part to sett up a pale about the millers garden as Mr. Harris saies. I required, that a note should bee taken of their number, and a bond given for the setting up of like, if hereafter required. The miller saies that hee gave £7 for them, but when hee took his lease, hee alleaged no such thing, but promised, that they should bee preserved, drye, and safe.

At this court, there was one trespasser, a widdow woman, who came to mee on Friday night to entreat an abatement of her amercement, but I would not speake with her, as resolving not to bee complained of againe by the tenants for abating emerccemetns, and thereby encouraging some people to transgresse their orders in hope to pay nothing for the trespasse.

Fords sonne the tailour is not yet heard of, and soe his second sonne yet stands in reversion.

The coppices of H. Jones and Arthur Jones have been much wronged by grubbing; the owners poore and worth nothing.

Two coppieholders neere the mannour presented for dilapidations. To mend them before the next court, or to forfeit.

The Colledge tenants doe change their land with the tenants of the Lord Lucas and Suttons Hospitall (the land of the Colledge lying convenient for the other lords tenants, and the other lords tenants land for our tenants). I required them to beware lest our land should bee lost, or lessend thereby. They may change for some yeares, but not for ever.

There is in Colerne abutting uppon the wall of our farmers ground a little peece of ground called the Butts. The other two lords would have it in part belong unto them. But Mr. Harris saies, that at his first coming, an old man, a tenant, told him that it wholly belonged unto the Colledge, and that the maides of the parish, enjoying the said ground for a place to play in, did yearely give unto the lord a posey, as an acknowledgement of the Colledge right unto it.

Timber allowed: to Mr. Harris for the secureing and making warme the chamber of Mr. Rider and Mr. Steward, for beame, joyces, lathes etc. two tunne of timber at Marshfield.

Item: to the Vicar of Colerne, towards the raftering of his kichen, boarding of his lofts etc [*blank*]. But to bee assigned by Mr. Harris, who is also to see that they bee employed uppon the vicarage, and that the vicar at his owne cost doe buy all the other boards etc that are needfull. Nothing was allowed to the vicar, because the Sunday following hee went away and left the cure un-supplied, and possible may bee preferrd unto some other liveing. The charge of repaireing that vicarage is in the parson, Mr. Witt, who presents the vicar.

Mr. Harris our tenant will talke with his workmen about a staire cast and if the charge bee not above £10 hee will spend soe much about it, this hee promised at Marshfield. His wife is much for it.

A market faire⁶ was granted to Colerne by Henry the Sixt, but disused a long time, time out of mind. Quaere, whether, without a new grant they may use the said faire or markt? Mr. Serjeant Holloway saies that they may not. And that a charter of confirmation, with words of grant and reviver must bee procured. October 13, 1662.

In an old auditt or account booke of Mr. John Holloway the elder, I find these words. Item Kingsleyes et parcella de Norwood, de Arreragiis Computi pro Anno Domini 1619, 43s. 10d. where is the account for that land? is it lost? or in Mr. Harris his lease? or where? See the book aforesaid and his account Anno 1627 in Colerne.

Thomas and William Greenawayes bond for £2 payable September 29, 1647. Enquire about it. The bond is not cancelled.

16 September 1663: Wednesday to Colerne. There all Thursday and Friday.

The miller hath not yet given a bond to secure unto the Colledge the racks of the fulling mill there. Hee told Mr. Harris that hee gave £7 for them (ut supra) though now hee saies that they were rotten and worth nothing. If hee puts us off in this manner, let it bee rememberd when hee comes to renew, and then let him pay £10 for them.

Secondly Fords sonne, who should challenge the next reversion in his fathers coppie-hold is not yet returned or heard of.

Thirdly the two coppieholders whose houses were out of repaire and soe forfeited come to mee, and petitiond that I would give them longer time, and they should bee repaired. I told them that if before I went from Colerne, they would send mee one who would undertake for them to mend them substantially in the walls, the timber and coverings, that then I would forbear them a little longer, if other-

⁶ *Calendar of Charter Rolls* Vol. VI, p. 72. "Grant of special grace, to Nicholas Osulbury, the warden, and the scholars of the College of Winchester in Oxford and their successors, that they without paying fine or great fee to the King shall have . . . a weekly market on Friday at their manor of Colerne, Co. Wilts., and a yearly fair there on the vigil, the day and the morrow of the Decollation of St. John."

wise Mr. Harris should enter upon them and take the forfeiture presently.

Fourthly as to the changing of land between our tenants, and other lords tenants, they say, that they change it, but from yeare to yeare. But if this continue longe, though the tenant in possession may know which land is properly his, yet the tenant in reversion, especially if liveing elsewhere may not know it, such therefore of the tenants as doe change land in this manner. Lett them bring in a terrar, with the buttings and boundings of their said lands.

Fifthly. Enquire in our evidences, or of Mr. Holloway concerneing that $\frac{3}{4}$ of an acre called Butts. Mr. Harris is to aske the old men about it, the other lords challenge a share of it.

Sixthly. The trees of 2 tunne allowed to Mr. Harris are cutt downe but not brought home, viz for the mending of Mr. Outriders chamber, noe trees as yet assigned to the vicar, and I thinke, that the patron (viz the parson) should allow that. Seventhly Mr. Harris thinks that the privilege of a market would bee revived and confirmed by the renewing of our charter, but that I thinke is not true. Eighthly. The ground called Kingsleies is now demised to Mr. Harris in his lease, and all the woods called Northwood almost in our owne hands, or will bee here after.

Ninthly. William Greenewayes bond of £2 to bee paid September 29, 1647 was showed unto him and required of him. At first hee was ready to sweare, that hee had paid the mony already and some of the tenants were ready also to sweare the like, that it was paid to Dr. Pinke. But before the mony was due or within 2 moneths after, viz. in November 1647, Dr. Pinke dyed, and soe the mony could not bee paid unto him. At last hee confessed that the mony was due to the Colledge and being very poore, desired, that I would respite the payment of it untill the next court, and then hee promised upon his honest word, that it should bee payed. Require it of him, the bond is left in Mr. Harris his hands to gett what hee can out of his labour.

18 September 1633: Mr. Outrider Dummer⁷ and Mr. Steward riding unto the Bath (the King and Queen being there) my selfe and Mr. Harris, and William Shaw rode unto the woods. Before dinner wee rode and saw West Wood coppices where I found that the 2 coppices of Lewis and widdow Jones were almost grubbed upp, and all the trees allmost cutt downe, and sold away, not imployed as they ought in repaireing of their houses, and therefore, if some one or other come not unto mee and undertake for the two above mentiond, that their respective houses shall bee repaired, and out of hand. I

⁷ John Dummer, M.A.. Fellow of New College, 1644-1669.

have great reason, for their houses and woods sake to take the forfeiture of their coppie-holds. From their coppices wee rode into another, now belonging to Mr. Harris, for the grubbing upp whereof hee had libertie hee saies from Dr. Pinke to enlarge a little close of the farme that lyeth by it. How true this is I know not. But withall his grubbing, hee can hardly kill the bushes in it.

From thence before dinner also, wee rode to Northwood, and saw a little piece of a coppice about 3 acres cut downe by Mr. Harris the last yeare; wee found some cattell in it, about 4 kine that had cropped the topps of the springs exceedingly and done Mr. Harris much wrong. They came hee said through a widdowes coppice, who hath only for her life, by Mr. Warden Pinks confession, the underwood of the said coppice, but shee taketh the herbage also, though shee hath nothing to show for it, and putteth cattell into her coppice, which breake over into Mr. Harris his young springs, neither will shee make any part of the fences, and is very iniurious. Besides as I rode to the West Woods, I saw some part of her house, that is runne on end, and like to fall. I spake to William Shaw to call her unto mee the next morneing.

From thence about one a clocke wee returned home, and haveing dined, I rode againe about 3 a clocke to see the parke, about 20 acres of wood that hath some good trees in it. There I saw another part of a coppice that Mr. Harris had cutt downe the last winter, and therein a very good tree of almost 2 tunne to mend Mr. Outriders and the stewards chamber, cutt downe, and bark'd, but not brought home. There also I saw their procession oake not farre from their parish bounds, under which they reade the Gospell etc. The tree, if sound (as wee thinke it is) is worth about £10. There are also in the same wood some other trees of a good groath and bignesse.

From thence I rode to see a little long coppice on the brow of an hill, demised unto one Odam of the parish neere adioyneing, hee enioyeth, and cutteth downe not only the underwood in the said coppice, but the underwood that groweth in the common adioyneing. A certaine free holder in Colerne endeavoured to have part thereof as upon the common, but it was judged against him, and soe the tenant enioyeth it unto this day, what land besides this Odam holdeth of the Colledge Mr. Harris did not know, but by the audit hee promised to aske and bring mee word. This Odam I never saw at the court, nor elsewhere.

From thence, over Colerne Downe, about 6 a clocke, wee rode to Colerne, and by some pitts where they dugg slatts. Mr. Harris there said that it was doubted unto whome that common belonged. In Cromwell's time some would have begg'd it for concealed land⁸ or

⁸ Land privily held from the King by a person having no title thereto.

belonging to noe Lord, yet the Colledge, the Lord Lucas and the Hospitall have common there. But the doubt is, unto which of the three it properly belongs. To whom soever it belongs, they may deny them breaking of the ground. Enquire of Mr. John Holloway, and in our evidences concerneing this; the name of it is Colerne Downe called after the name of our mannour, viz. Colerne Mannour, not Utridge Downe, from Utridge Mannour, nor Thickwood Downe, from Thickwood Mannour, and therefore, it may seem to bee, the Colledge Downe. Enquire about it. Secondly hee moved there another question concerneing the water at Colerne and the fishing there. Hee thinks, that it belongs unto the Colledge. Enquire of that, yet the Lord Lucas hath a mill uppon it, as well as the Colledge and fish against their owne grounds, but besides the lords in Colerne, the owners of land on the other side of the water doe challenge a right of fishing there also. Though as to the making of the bridge over it, they contribute nothing, and soe may seeme to have noe right at all in it.

As wee rode to the parke in Thickwood Hamblet, Mr. Harris told mee that wee had three or 4 tenants. One of them, a quaker as hee said, had an out-house unslatted and some timber lost. I complained first that it was not presented, and secondly I went and challenged the woman for it, she told mee, that that out-house and some other were use lesse and too many for her liveing and meanes and that some part of the land had been taken from it, but Mr. Harris did not know of any such matter, and I required of her to see it repaired against the next court, if not, that I would take the forfeiture of it. Our other houses there for ought I saw, were in good repaire. About 7 a clocke wee came to Colerne.

Uppon Sunday night at Marshfield there came unto mee from Colerne some of that parish who were to undertake and engage for the mending of the two cottages, viz. Lewis his cottage, and Widdow Jones her cottage much out of repaire. I conditioned with them that the cottages should bee made safe, as to the walls, the timber, and the covering. They were to sett about it presently, and Mr. Harris to bring mee word at the audit (God willing) what progresse they had made therein. I allowed unto Lewis out of his coppice 2 small trees, because they are but small and short, unto Widdow Jones one tree, one of the two by the way side, standing together, but not the best of them.

I will'd the same people and Mr. Harris to tell Widdow Tanner of the leaneing of her house in Colerne, and the other Widdow in Thickwood of her barne uncoverd, and that if they would not mend them I would take at the next court, the forfeiture of them.

One Piddle lyeing and being by the house of John Gregorie adioyn-

ing to Tutnells gate containeing by estimacion halfe an acre. (Evident. Libr. 3^o p. 105 ad vel post med).

The scyte of the Mannour of Colerne is called the Berry (Evidentiarum Collegii Libr. 3^o pag. 105 ante med) et Bury (ibidem pag. 102^a ante finem et pag. 103 ibidem ante finem).

The demayne lands are commonly called Borde Lands, heretofore in the tenure of one John Gregorie (who lived not it seemes in the mannour house, but somewhere else in Colerne) Evidentiarum Collegii Libr. 3^o pag. 105 ante med. Besides these, in the same lease there are many other parcells of land mentiond. They were first lett all together unto one Freeland, as in the Colledge lease (ibidem). Some of our mannour land there lyeth in Chipnams, and some in Ashly Field.

One Walter Jones and Richard Barret had a suite at law about the common in West Downe in Hilary Terme Jacobi 9^o. Barret was overthrown; who was this Walter Jones? our Colledge tenant?

Somes houses and lands in Colerne were presented by some unto John Terwytt and others, the Kings commissioners for concealed lands and ancyently given to superstitious uses. But the Colledge showing their evidences, Mr. Terwytt under his hand hath granted the said land to belong to the Colledge. Evidentiar. Libr. 3^o pag. 101 ad finem.

Richardus secundus Novembris 16^o anno regni 17^o escaetori suo in comitatu Wilts' imperat, ut inquirat in eadem de quibus seisita fuit, Margareta pridem uxor Bartholomei de Burgherssh, et postea Willielmi Burcestre, tam in domino, quam in servitio. Et ut inquisitionem distincte factam sub sigillo suo, et juratorum in cancellariam regis mittat. Evidentiarum Collegii Libr. 3^o pag. 96 ad finem etc.

Possibly in the aforesaid enquirie, or surveigh if looked into, wee might find some account of the Downe now doubted of (ut supra) viz Colerne Downe and of the royaltie of the water there.

16 March 1663: Allowed then by myselfe and the thirteen unto the vicar of Colerne for the repaire of the vicars house, one tunne of timber upon condicion that hee build, and finish before wee come in progresse.

14 September 1664: Wednesday from Stert to Colerne. I my selfe, by reason of the electours at Winton College goeing to the Bishop was not my selfe at Colerne, only Mr. Outrider Fowke and Mr. Steward. Little businesse there, that I heard of.

Memorandum: at the next court, God willing, to call for of Mr. Harris our tenant a rent roll of our quitrents written in parchment, this hee promised to prepare for mee.

Secondly to forbidd all chopping and changing of land (one among another) except every tenant against the next court shall bring in an exact surveigh of his land, enclosed and in common, to bee approved of by the homage under their hands.

15 November 1664: On that day I sent unto Mr. Harris of Colerne a warrant under the Colledge seale to sue any tenant of any wrong, damage, or trespasse against the Colledge. Secondly a warrant for a second tunne of timber for the vicar. At that time I prayed him to remember the 2 former.

Then also November the 15 I transcribed the statute 35° Henry 8 cap. 17 and 13° Elizabeth cap. 25 against the putting in cattell into coppices newly cutt, untill after 6 yeare sub poena 3s. 4d. every month for every rodd or pole (a severe punishment).

14 May 1666: On that day being Munday from Marshfield wee rode by the woods to Colerne, myselfe, Mr. Steward and Mr. Harris, Mr. Outrider (Dr. Deane) with Mr. Sammon rode to the Bath.

Quaeries to bee asked of Mr. Harris.

1. Who hath Kingslease and part of Northwood. Redditum: 40s. per annum. Now demised to Mr. Harris (ut supra).
2. If the 2li of Greenowayes bond paid? Hee was not at court.
3. No bond yet given by the miller to secure unto the Colledge the fullers racks etc. Remember him at his next sealing (God willing).
4. Is Fords son as yet returned? His second son is dead also, and at this court hee put in another life upon the same condicion.
5. Are all houses well in repaire? viz Lewis his cottage, and Widdow Jones her cottage? Lewis had 2 trees allowed unto him, and Widdow Jones one. Who undertooke for them? Is Widdow Tanner's house mended? (this is not mended) and the barne of the widdow in Thicketwood (this was mended) they were warned of it 1663, upon paine of forfeiture. A quakers house unslatted and timber lost.
6. Doe the tenants yet chopp and change their land? They doe still.
7. What hath Mr. Harris found from old men concerneing the land called Butts? One Piddle by Gregories gate? This Piddle Mr. Harris enioyeth.
8. Doe the widdowes kine breake still into your young springs? Mr. Harris had a writ for them etc.
9. Speake to Odam to bring in a terrar, extent or boundaries of his coppice, with the appurtences thereunto. This was not done. Speake therefore unto Mr. Harris to require it of him.
10. What evidence yet found to ascertainne unto the Colledge the stone-quarries in Colerne Downe? Hee hath found none. Let the extent in Richard the 2nds time bee sought into.

11. What found as to the Colledge right of fishing? No evidence of that neither. Let the same extent bee looked into.

12. A suite at law Jacobi 9^o between Walter Jones and Richard Barret about the common in West Downe, and Barret overthrown; was either of them the Colledge tenant? See in what particulars Barret was overthrown for having any common there.

13. The scite of the mannour of Colerne was called Berry, and the demaine lands called Bard-Lands.

Mr. Harris, May 15. 66 told mee, that one Barret a tenant of the Hospitall hath part of West Downe, and that the tenants of the Hospitall have common in some part of our woods (whether the Berry) and Mr. Harris doth pay to the Hospitall yearely 20s. per annum for the said common. The same day in the morneing my selfe and Mr. Outrider sett some fines (as in the court rolls and Mr. Outriders bookes). Whilest Mr. Steward gave his charge, my selfe, Mr. Outrider and William Shaw, with Mr. Harris rode unto the woods, first unto Westwood where wee viewed Widdow Jones her coppice lately fallen into the Colledge hands. The coppice is all of it eaten downe and worth little, about 18 small trees or samplers left in it; the whole must bee cutt unto the root, and then sufferd to grow upp anew, some part thereof they grubbed also, for this coppice about 6 or 7 acres Mr. Harris is to fine, God willing, at the next audit. Thence wee rode unto West Downe, which Mr. Harris letteth out yearely for 3 li. per annum; Mr. Harris hath 40s. and the tenant of the Hospitall 20s. Quere the particulars wherein one Barrett was cast (ut supra). From thence wee rode unto the parke (as they call it), a little parcell of underwood had been cut this yeare. In that parcell as fuller of well growen ashes fitt to bee taken downe, than of oakes, wee marked out 7 (viz 7 ashes) but putt noe price upon them, leaveing the prizing and selling thereof unto Mr. Harris. (But they should noe doubt, as in Essex, have been cutt downe before, for to cutt them now will hazard the losse of this yeares spring).

There wee marked out also, and prized 3 oakes to bee cutt downe and sold by Mr. Harris. Hee was to sell them for what hee could gett for them, either for more or lesse than the price that wee sett upon them viz. the 1st oake as being a tree for lathes, 16s., the 2nd 10s., the 3rd 18s. with the topp, lopp, body and all. The barke, Mr. Harris sayes, was allway allowed unto himselfe, as selling the wood.

The day before, viz. May the 14th 1666, as wee rode from Marshfield to Colerne (Mr. Outrider, Mr. Salmon and Tom New had rode that morneing unto Bath) Mr. Steward on the way from Marshfield meeting with Mr. Erbury of Trowbridge, rode with him to Colerne; I my selfe, Mr. Harris and William Shaw rode to see the wood

demised unto one Odam. Wee found therein in severall places about 5 trees cut downe besides 2 small ones with the underwood, the bignesse thereof wee guessed at by the roots, which were about 16, 18 or 20 inches square, wee told the faggetters of it, and one of them went to Odam to require him to come the next day unto Colerne to mee, and answer for the trespasse. Hee came, and brought a quart of sacke with him, but I did not receive it. yet hee left it in the parlour and departed. Hee excused himselfe, that hee had unadvisedly and against his covenants, cut downe the trees, and was ready to make satisfaction. But Mr. Outrider, Dr. Deane, would not heare of anything, but the forfeiture, and when Odam yet entreated that hee might pay for the trespasse, and enioy his lease I told him (to fright him the more) that I could say nothing unto him till I knew the mind of the company at home, and in the interim hee was to expect.

From the coppice demised unto Odam, wee rode unto the coppice called the Berry, or Burrough, from the trenches and encampments that have been there, wee marked out to bee felled in this coppice, and to bee sold by Mr. Harris, at the same prizes, hereafter set downe, or more if possible, these trees following, viz. of ashes 16 which wee marked but not prized, because many of them hollow and rotten, and not knowen what they were, and therefore left to bee sold by Mr. Harris at such rates as hee could gett for the said ashes. The oakes wee marked and prized in these coppices were these, viz.

Oakes	1st.	01-05-00	6.	00-06-8	11.	00-10-00
	2.	01-10-00	7.	00-16-00	12.	vid. infra.
	3.	01-15-00	8.	00-09-00	13.	00-09-00
	4.	00-06-00	9.	00-13-00	14.	00-16-00
	5.	00-06-00	10.	00-13-04	15.	01-06-00

Sum total 11li-01s-00d. The 12th tree above written wee prized not, as feareing that it might bee hollow, leaveing it to Mr. Harris to make the best of it, when hee saw it cutt downe.

From the coppice cutt in the Berry, wee went to another coppice cutt downe in Northwood. In which wee marked to bee cutt downe, 6 ashes, but left them to bee prized and sold by Mr. Harris. In this coppice wee marked and prized 16 oakes. viz.

the	1st.	00-15-00	6.	01-06-08	12.	00-06-8
	2.	00-18-00	7.	00-06-08	13.	00-15-00
	3.	01-00-00	8.	00-13-04	14.	00-15-00
	4.	00-13-04	9.	01-00-00	15.	00-14-00
	5.	00-11-00	10.	vid infra.	16.	01-04-00
			11.	00-18-00		

Sum total 11li.-16s.-8d. The 10th tree I assigned to Mistress Viner to make some lathes to new slatt her tenement in Marshfield neere the vicaridge, all this being done about 6 of the clocke wee rode from the woods to Colerne. On the morrow, haveing sett some fines to imploy Mr. Steward before the court, my selfe, Mr. Outrider, and William Shaw rode againe to the woods, viz. Westwood, and the parke, and marked some timber there, ut supra. After dinner May 15th wee sett some more fines, and examined the bonds which Mr. Harris had taken of some tenants for the trespasses done in the woods, viz. Richard Jones cutt downe a fine tree in the wood against my command to the contrary. Hee was required to pay for that trespasse 20s. Secondly Widdow Tanner and her sonne trespassed in eating the coppices and cutting downe trees, but were pardoned the trespasse, were only to pay the charge of the writt, viz. 15s. 6d. to Mr. Harris and to bee bound to putt into their coppice noe cattell at any time whatsoever. Require the bond. Shee said that shee would not give bond, except other trespassers gave bond also. But others, I told her, as yet had not been served with a writ, as shee was, and soe as yet noe obligation upon them.

Houses out of repaire and complained of. First Widdow Tanners house, and a warrant to bee granted to Mr. Harris to assign unto her from off the premises, soe many trees, as by the advise of a carpenter should bee thought needfull. Secondly Jones his house was out of repaire, but hee hath resigned his right therein unto one Greenaway a carpenter. Mr. Harris hath promised, that that house shall be well repaired against the next court (God willing).

Of the bond of Thomas and William Greenawayes 20s. was paid, as they say unto Mr. Out-rider Fowkes about September the 15th 1664 (ut supra) the other 20s. hee at this court promised to pay at our next court. Hee is very poore, blind and deafe, about 80 yeares, but marryed a young wife on purpose to wrong the Colledge. His coppice belonging to his cote settle of 14 li. per annum hee hath grubbed up to the preiudice of the Colledge; the bond I left in the hands of Mr. Harris, and the man hath promised to pay the 20s. at our next court. Concerneing the change of land between the tenants of the Lord Lucas and the Colledge there was nothing done. Mr. Harris said, that the change being for their advantage, they would not present the wrong that possibly may bee thereby done to the Colledge, except I sat in the court my selfe, and refused their presentments, except the exchange should bee among them.

The tenants in Mr. Hollowayes time used to pay unto the Steward one penny for every hogg they killd for their pannage. This hath not been paid since the woods have been demised, and without paying

anything, they pretend a custome, and challenge it that their hoggs should goe into his woods. I showed unto him the evidence for pannage. I showed unto him also the evidence for the market and faire at Colerne granted by Henry the 6th unto Mr. Warden Osulbury etc. But the tenants said that Mr. Warden Pinke would pay halfe the charge for the renewing thereof. viz. the halfe of 20 marks. But why said I, did yee not revive it in his time? I cannot promise soe much from the societie at this time.

Mistress Harris spake for a tree to make boards for the lofts, and for doores, I added that they should cover the windowes in Mr. Warden's chamber. I granted to Mr. Harris a tree for this worke. Hee spake also for a tree for the new tenant, one Greenaway, who had bought the old decayed house of one Jones, by the church litten,⁹ that also I granted, hee spake of the 12th tree above mentioned, but that if sound, is too good, however in rafters or the like hee may want it. Hee spake of the coppice lately fallen into the Colledge hands, but that I told him must bee disposed of by the whole societie. But what said hee shall become of the grasse that is therein, tis pittie, that it should be lost, and all the coppice the next winter must bee cut downe together. I told him then, that hee might eat it up if hee did not keep his cattell in it overlong, only soe long as they had good feeding, and did not crop. But since uppon second thoughts, why not the wood of the longest cutting stand, new cutting only that which is of 2 or 3 yeares cutting?

Widdow Tanner gave noe bond to keepe out her kine etc out of her wood, as I condicioned with her, tooke up her former bond and now thinks her-selfe free. But beware of another writ. If any tenants doe spoile their coppes in the like manner, as old blind Greenaway etc, let writt bee sent for them as transgressing the statute of the land. Widdow Tanner also tooke noe warrant for the timber allowed to repaire her house, and therefore must take none. The racks at the mill, Salmon pretends that hee bought the timber for them, but that is uncertain; however they were upon the ground, and fastnd, and soe belong to the Colledge. Let either bond bee given to leave as good, or pay to the Colledge the worth of them.

Concerneing the Butts, Mr. Harris told mee that if I had come to Colerne the last court (1664) there was then a woman alive, who could attest that shee and another maide had formerly brought unto Mr. Warden at the court, a posey for leave for young people to play upon the ground of the said Butts (about $\frac{1}{2}$ an acre) thereby to acknowledge that the said ground belonged to the Colledge: but my selfe, as being at Farneham with the bishop, not being at that court, 1664, and the sicknesse hindering our autumme progresse 1665, the said woman

⁹ Churchyard.

before this present court, 1666, was dead, and soe the evidence lost. Mr. Harris hath promised to enquire further.

26 October 1666: When I told the miller of Colerne Mr. Goodman Simpson his fine, viz. 2 li. and how I had befriended him therein I made him make mee a promise to give us bond, for making good the fullers racks, that formerly were there about the mill. Secondly Mr. Harris haveing renewed his lease, I spake unto him, to performe that covenant in his lease, viz. to bring mee in an exact terrar of all that hee holds of us. As also to require the terrar of Wodham etc. Thirdly I showed to Mr. Harris the decision against Barten¹⁰ for West Downe, and required him to demand the whole Downe for himself. Secondly¹¹ I told him of the extent made of the Mannour of Colerne in 17° Richardi secundi in domino, et servitio, that extent may entitle the Colledge to the other great Downe, to the fishing, and the like extent of Burghests land.

Quaere: Is the tree allowed unto Mr. Harris to mend the floores of his lofts, layd out accordingly?

Mercatum et feria tenenda apud Colerne.

Henricus dei gratia etc. concedit pro se, et haeredibus suis, quod custos et scholares, Collegii beatae etc. et successores sui habeant quoddam mercatum tenendum qualibet septimana die veneris apud manerium suum de Colerne in comitatu Wilts' ac quandam feriam tenendam quolibet anno ibidem per tres dies duraturam, viz. in vigilia in die et in crastino decollationis sancti Johannis Baptistae cum omnibus et singulis ad huiusmodi mercatum et feriam separatim pertinentibus. Dum tamen mercatum illud et feria non sint ad nocumentum vicinorum mercatorum et vicinarum feriarum. Datum 3° die Julii anno Henrici sexti 25^{to}. Per ipsum regem et de Data praedicta auctoritate parliamenti.

9 April 1667: On that day Mr. Harris of Colerne his sonne came unto mee from his father, to know whether any trees should be sold this yeare in the coppice there. I willd his sonne, to acquaint him that some trees hee might sell, but upon these condicions, as first, if any decaying. Secondly if the trees stood to thicke, and hinderd the groath of young ones that grew up under them. Third that hee should bee as spareing, as possibly hee could bee, and that hee should make noe spoile.

¹⁰ Richard Barret.

¹¹ MS. Sic.

14 August 1667: On that day after dinner my selfe, Mr. Outrider Fauchin, Mr. Steward etc rode from Stert unto Colerne. At Causham Mr. Harris and his sonne mett us, wee had one good shoure before wee mett with them. On the morrow morneing, my selfe, Mr. Harris and William Shaw rode unto the parke, and viewed a parcell of wood sold therein, the samplers as I remenber, were not many. Hee sold thereout for the Colledge 20 ashes, and 2 faire oakes, for one of them hee had 8 li., wee rode from thence unto Odams coppice, rideing along by it on the ridge of the hill I told Mr. Harris that when Odam cutt any wood, hee might sell unto Odam any tree or trees that might bee spared, but to make noe haveocke.

Quaeries: first Mr. Harris our tenant doth pay in every second yeare 20s. for common due, as they say in our woods to the Hospitall, why doth the Hospitall enjoy a third part of West Downe, and pay nothing, whereas all uppon tryall belongeth unto the Colledge? (vid supra.) I willd Mr. Harris to stand a little upon it, and as they have something for common in the woods, soe that the Colledge may have something. Secondly Goodman Odam in the yeare 1666 (ut supra) had cutt downe about 5 trees (ut ibidem) hee excused himselfe that hee did it ignorantly, and promised satisfaction, but to this day, hath not made any. Demand it of him. Hee paid for the trespasse and all, as in Mr. Outrider Deanes booke 30s. Third Hath Mistress Viner new slatted her tenement in Marshfield? Mr. Harris knew not then, I desired him to enquire. Fourthly widdow Tanner gave noe bond to keepe her cattell out of the Colledges woods. Doe her cattell trespasse still? then send her another writ. Shee keeps her cattell out. Fifthly widdow Tanner tooke noe warrant for the trees assigned unto her for the repaire of her house, and Mr. Harris without warrant refuseing to assigne them, her sonne tooke them himselfe. The homage or Mr. Harris knew not that shee had taken any. Mr. Harris to enquire about it. Sixthly Mr. Harris hath old Thomas Greenawaies bond, and was to require of him the last 20s. Hath hee yet paid it? Hee hath grubbed upp a coppice, married a wife to have a widdowes estate etc. But the man worth nothing. Seven The tenants used to pay to Mr. Steward one penny for every hogg they killed which hath not been paid since the woods were demised. The hoggs goe not now into the woods and soe nothing paid for them. Eight Shimson the miller hath not yet given bond for the worth of the racks, and was not at the court, to bee challenged of his promise (ut supra).

22 September 1668: On that day being Tuesday wee rode from Stert to Colerne, there all Wednesday and Thursday dinner. Mr. Harris and his sonne mett [us] at Cosham, the weather faire, and

waies very dry. On Wednesday morneing my selfe, Mr. Harris, Thomas Symonds, and William Shaw rode unto the Parke, wee saw by the way his quinque folia, cinque foile,¹² which growes there, and thrives very well. In the wood wee viewed a tree that is decaying, many branches and topp dead, but an excellent tree, about 3 feet square. Hee was offered 9 li. for it and hopes to gett ten pounds, from thence wee returned home and dined in the hall, the company being great. After dinner the homage came in and brought in their presentments. But mentiond first noe dilapidations (two are at Thickwood). Secondly they presented not any incroachments upon the lords wast, and yet some there were (Mr. Steward tooke notice of them). Thirdly because they changed land with other men belonging to other lords; our tenants were required to bring in particular terrars of their coppieholds against the next court under a great penaltie (see the court roles). At night, before supper Mr. Steward mended Mr. Harris his rent role, and secondly tooke notice of such men as had houses upon the wast, and payed nothing for them, nay sold them to whom they pleased; wee required Mr. Harris to make them pay their rents, viz. 12d. for each cottage, or to pull them downe, see their names in the court roles.¹³ Lastly wee require Mr. Harris to take in that plott of ground, where young women used to play, and as an acknowledgment of the Colledges ground presented Mr. Warden yearely with a posy. He cutt and sold the hay thereof in this yeare, and is to hedge it in, and baite his horses there the next, if any contend for it, wee can say what is above written. On Thursday morneing my selfe, Mr. Harris and the servants as before, rode unto West Wood where wee saw, the close (formerly a coppice) now wholly grubbed upp and made a pasture. Mr. Harris purchased it of the Colledge the last yeare, or yeare before, and it lying neere his other pasture-ground may augment his dary very well. As wee rode along, and spake of West Downe, hee told mee, that the steward of the alms-house would shortly keep court, and then, that hee would tell them of the Colledge evidence; upon tryall it appears that the common there belongs all unto the Colledge vid supra. Item when the Lord Lucas should keep Court at Colerne, hee would speake hee said with him, that as our tenants, soe his also, might give in terrars of their coppie-holds, that neither of us might loose our land.

Shimson the miller, who refused hitherto to give bond for the old racks to see them safe, at this time talked of setting upp his fulling mill againe (the stocks are there still) and desired a tree to repaire the said racks and fulling mill. But Mr. Harris said that Shimson was behind hand, and had morgaged his mill and that hee might possibly

¹² Sainfoin.

¹³ They are not recorded in the Court Rolls.

wrong the Colledge of the timber if granted, and therefore I allowed him none, notwithstanding that hee gave mee a dish of trouts.

Uppon Thursday in the after noone about 4 of the clocke wee sett out for Colerne [Marshfield] (Dr. Oldys Outrider was gone to the Bathe) our portmantles wee sent directly to Marshfield, but my selfe, Mr. Steward, Mr. Harris and Thomas Symonds rode unto Northwood where Mr. Harris had sole some wood, and cutt downe some timber, about 50 li. worth. There are store of trees yet, as also of samplers; from thence wee rode unto Odams copps, who was with mee and desired that in part of the said coppice hee might grubb up some briars and thornes, they are neere the gate of the said coppice. But some frith groweth among them which I feare that hee will grubb up also, and letting his cattell into that part which is grubbed, they may crop and destroy the other part of the coppice, except only briars and bushes: and soe in time destroy our wood there, and deprive the Colledge of their timber, if this granted sayed Mr. Steward, hee must not plough the grubbed ground however; from this coppice wee rode to Marshfield.

20 September 1669: On that day being Munday in the afternoone about 2 of the clocke, my selfe and Mr. Steward, Mr. Harris and our servants rode from Marshfield unto Northwood, rode through the wood that is thine of trees for the most part, except in a little parcell thereof, out of which, I sold trees my selfe, there are prettie store and good ones, Mr. Harris I perceive, to better his underwood doth cutt downe too many. And the last yeare, when hee had sold as many as hee thought fit without wast, receiving a warrant from my selfe and Dr. Oldys from London to allow unto Dr. Alworth 5 tunne of timber to build a malt house, as hee pretended, Mr. Harris did not take them out of some other coppice, but out of that, wherein hee had fell'd the former, by which meanes, that parcell is thin of trees. I was sorry and angry with him when I saw it, and must blame Dr. Alworth, that builds an malt house that will doe him noe good, for his parsonage will yeeld him noe more than before the malt house was built, and would bee in time a yearely charge unto the impropriatour. But Dr. Oldys would needs have the 5 tunn granted, would not otherwise bee answered.

As wee rode to Colerne by Northwood: soe the Outrider Mr. Percivall and Mr. Morehead (who would ride also, though Mr. Percivall was appointed his substitute) they I say, with young Mr. Harris rode unto the Bathe very early in the morneing and were there all day. Mr. Morehead went into the Bath, and swoome there, upon his backe as hee said, and behaved himselfe at the Bath not soe discreetly as Percival did, at night about 7 of the clocke, they came

with one Mr. Francis Norrice (a physician at the Bath) unto Colerne, as wee were at supper.

On the morrow in the morneing, on St. Mathews Day September 21, I myselfe, Mr. Harris, William Shaw, Thomas Symonds, and Richard Cox about 9 of the clocke rode to the parke to see what trees were left therein for the next cutting, but found very few or none at all, by the 5 tunne taken thence, ut supra, I desired Mr. Harris, that in the places where noe young trees were left, nor any of any elder groath, that hee would cause some acrons a little before Christmas when the hoggs were gone to bee sowen there, that the farmer might not have all, but the Colledge some benefit by the said woods, but I doubt hee will not doe it. Comeing home from the woods about eleven of the clocke, Mr. Steward and Outrider being at church, I went thither to them and heard almost all the service. In the afternoone wee sett two fines. One uppon Bullocke for a change of lives in a cottage 2 li. 10s. there being but 2 lives in all this mannour, One in possession, and one in reversion. Secondly in another cottage wee sett a fine for a life void, and that was also 50s. Thirdly wee had of one Odam for some small trees in his lesser coppice 25s. Mr. Harris valued them at 30s., wee could hardly gett 25s. for them. Mr. Hawkins from Troughbridge came to see mee and dined with us.

Old Greenaway is dead, and his young widdow administratrix, his goods valued at 7 li. I required Mr. Harris that in the first place the Colledge bond of 20s. yet owed unto the Colledge might bee satisfied, the bond is left with Mr. Harris. Require the 20s. at the audit.

Mr. Harris is to bring in at the audit, God willing, the names of all the cottagers in Colerne, that the Colledge may sett a rate uppon them or yearely rent, by advice with Mr. Sergeant Holloway. Item: Hee delivered there unto Mr. Steward 24 li. of woodmony to bee paid unto the Colledge at the audit by Mr. Steward for Mr. Harris. About 2 of the clocke haveing dined with Mr. Eyres and his wife, wee tooke horse with Mr. Harris and his sonne, and rode toward Stert, Mr. Harris rode with us soe farre as Causame. Two trees were desired of mee by the way. One small sticke by the mason that hath new built the small cottage by the farme and another about a tunne by Mr. Harris to make a loft to lay therein the seed of his St. foile, the first petitioner was considered before in his fine, when hee tooke the cottage, and the tree to Mr. Harris was granted, but I doubt that hee will take two for it. Hee cutts it downe presently, though wee loose the barke, and topp and lopp also. Aske at audit for the topp and lop of Dr. Alworths trees. Hee desires that his wood leases may bee renewed. The vicar of Colerne had some trees allowed unto him for the repaire of his vicarage house, hee had it assigned unto him,

with part of this timber, hee made some tables or the like, some other part was not yet employed. A third part of the said timber hee allotted to the carpenter or joyner for his worke, soe that the Colledge finds the timber and workmanship too. A note of what household stuffe is made of it Mr. Harris hath promised to bring unto mee at the auditt under the carpenters owne hand.

Mr. Harris assigned unto the miller one tree, price 4 li. or thereabout (as Mr. Harris saies) possibly worth more, for it was sawed in the wood (I saw the saw pitt). This tree hee assigned unto him uppon condicion, that if I would not allow it unto him, the miller should pay for it. Desired by the miller to sett upp the old fulling mill with racks etc. I offerd at the court to allow the tree for 40s. paid unto the Colledge (at last I thinke for 30s.) but hee would only give us 20s. and soe I must require of Mr. Harris at the audit 4 li. for the said tree, for it was not allowed unto him, and the miller intends noe doubt, to cheate the Colledge of this 4 li. as hee did of the former racks. I could never gett any bond for the security of them unto this day. Remember this at the audit, God willing.

22 July 1670: On that day about 4 of the clocke in the afternoone, my selfe, Mr. Steward, Mr. Harris the father and sonne (Mr. Minshall outrider for Sewster rode out that morneing unto Bristow to bee with us at Colerne upon Saturday). I say, my selfe etc rode from Marshfield unto a wood in Colerne called Westwood. In that wee were desired to view a coppice wherein there was a contraversie between Mr. Harris and the tenant of another lord of another parish, the coppice was bounded on the west side with a stone wall, that was builded as Mr. Harris said about 20 yeares before in the place of only an hedge. Within this wall, for the whole length of the said wall or hedge, there was a ditch: the outside, or west side whereof was in most places about a yard from the wall, and yet challenged by the tenant of the other lord to belong to his land, the ditch alwayes accruing to the hedge. The tenant claimeing this ditch was sent unto by Mr. Harris to meet us there, but came not. I found the ditch to bee in the greater part about 3 feet distant from the wall, the wall being built upon the hedge, wee enquired therefore (if the said ditch belonged unto the other lords tenant) why the partie who built the said wall and knew as well as this tenant how farre his ground went, why I say, the said partie did not build his wall to the utmost extent, viz. to the east side of the said ditch, but left about 3 feet on the west-side thereof, this seemed very strange, where uppon I could not but thinke that the said ditch was within the Colledge ground, and that it was formerly dugg through the Colledge coppie holders ground to convey water out of the lane between the woods

into the lords closes at the end of the said coppice. I willed Mr. Harris to see whether there was not at the end of the said coppice some pond or other, or otherwise, only served to water the ground. That the other lords tenant who built the said wall should leave out into the Colledge coppice 3 feet of his land was either foolishnes or an intended quarrell. But the dich noe doubt and ground within the wall on the east side thereof belongeth unto the Colledge.

From viewing the said coppice, wee rode to Colerne and came thither about six and supped there. On the morrow about 9 of the clocke, my selfe, Mr. Harris and Thomas Symonds first rode unto the parsons coppice, where there are some trees, but very small, eight of them are cutt downe, and ready to bee carried for the mending of the said parson's barne. From thence wee rode to the parke where a coppice was cutt downe. Some samplers are left, and some trees also of some bignesse, there lye three trees in the said coppice allowed unto Mr. Harris for the makeing of a stairecase, to bee brought home about Christmas when the leafe is off, and horses will not cropp. Hee sold in that place of oak and ask about 40 li. worth. Enquire at the auditt for the timber, topp, lop, and barke. Haveing viewed the wood wee returned home, and saw his new house that hee built to lay his St. fole seed in. There I mett with Mr. Eyres¹⁴ and went into dinner, wee had of his procureing a good venison pasty. After dinner I went into the court where I found that some terrars of our coppie holders lands had been brought in allready, and the rest were required against the next court. Second such men as had built upon the wast were presented in the court, and required to pay us some rent, if not, the Lord Lucas and the Colledge must have a tryall at law for it. After the court, I talked with the miller about his tree of 4 li. who said that hee paid for it unto Mr. Outrider, but the booke was not here, but with Mr. Outrider at the Bath. Mr. Harris hath not yet talked with the Steward of the Hospitall concerneing the sheep commons in West-downe, but when hee cometh, hee will talke with him.

About 4 of the clocke the same day July 23 I went with Mr. Harris unto the parsonage house to see the barne that is out of repaire and for which Mr. Witt desireth some timber besides the 8 trees in his owne coppice, the barne hath noe girding beames at all, nor plates that I could see, the side peeces are good, but most of the rafters only poles and stickes, a little timber will not suffice.

As I went to this barne I spake with the carpenter who did attest before my selfe and Mr. Harris that his labour or workmanship was paid unto him by the present vicar out of the Colledge timber. Item: that out of the said Colledge timber hee made for the said vicar a

¹⁴ William Eyre of Box, Wilts., his sons Robert and Christopher were Fellows of New College.

bedsteed and a tressell for barrells about 8 feet long. These at his death or departure are to bee required of him.

Uppon Sunday July 24, 1670 wee had noe sermon or prayers all the day long. Upon Munday morneing Greenawaies widdow came to Mr. Steward, and afterward unto my selfe, of whom I required the 20s. owed unto us uppon bond remaineing in the hands of Mr. Harris; shee told mee that shee was poore and had nothing and could not pay the mony. I replied, that shee being executrix ought to pay the debt, hee dying worth 7 li., ut supra. Shee still saying that shee would pay nothing, and soe I left her, requireing Mr. Harris to sue the bond upon her. Item: it appeared upon the outriders booke of the last yeare that the miller had payed for his trees 30s.

As wee rode from Colerne toward Stert I told young Harris of the common in West Downe, that all the whole common thereof belongeth unto the Colledge as appeares by a tryall uppon that account Jacobi 9°, ut supra. I acquainted Mr. Harris the father with this 1663 or 4. Hee told mee, that at the next court the Charterhouse kept there, hee would tell the steward of it, but noe court it seemes hath been kept since, and at this court hee told mee, that the steward could doe nothing, if wee would have our owne, wee must petition the overseers, viz. Ld. Chiefe Justice and other great lords when they meet. But at the Vize Mr. Steward said noe, wee are not to petition any man for our owne, if all the common in West Downe belongeth unto the Colledge Mr. Harris ought to distraine the cattell that are putt in there, and make the farmer of the almehouse replevin them and soe come to a suite, and the charge thereof, it being the tenants benefit must bee undertaken by the tenant, as young Harris, when Fellow, would have it, and if Mr. Harris the father will not sue for it, but cause the common to bee lost, the company will bee very angry. I gave also unto young Harris a coppie of the extent made of the mannour of Colerne, Anno 17° Ricardi secundi ut supra, that being at London, hee might search in the Chancery for it, which hee promised to doe, and I hope will not faile. Item, I allowed unto Mr. Witt to mend the parsonage barne one tunne and $\frac{1}{2}$ of timber out of the Colledge woods, to bee taken at the next cutting, God willing.

*An Extract of the Evidence asserting the Common
of West Downe to belong unto the Colledge.*

Jacobus dei gratia Angliae, Scotiae, Franciae, etc Rex. Omnibus ad quos presentes litterae nostrae pervenerint salutem. Inspeximus quoddam recordum coram nobis habitum in haec verba scilicet Memorandum quod termino sanctae Trinitatis ultimo praeterito coram Domino Rege apud Westmonasterium venerunt¹⁵ Walterus Jones

¹⁵ Sic.

senior per Ricardum Radcliffe attornatum suum et protulit hic in curia dicti domini Regis tunc ibidem quandam billam suam versus Ricardum Barret generosum in custodiam Marescallis Domini Regis existentem eo quod ipse primo die Januarii Anno Regis nunc etc quarto vi et armis etch Clausum ipsius Walteri vocatum West Downe apud Cullerne in comitatu praedicto fregit et intravit et herbam suam ad valentiam quadraginta solidorum in eodem clauso ad tunc crescentem. cum quibusdam averiis videlicet equis bobus, vaccis, porcis et bidentibus de pascua fuit conculcavit, et consumpsit, et solum praedicti Walteri in clauso praedicto cum rotis plaustrum ad tunc et ibidem subvertit et effodit. Et quatuor carectas ligni praedicti Walteri ad valentiam trium librarum, nec non duas carectas maeremii eiusdem Walteri ad valentiam, quatuor librarum ad tunc et ibidem similiter existentes. cepit et abcariavit et alia enormia ei intulit contra pacem dicti Domini Regis tunc ad dam[p]num ipsius Walteri decem librarum. et inde producit sectam etc. Et dictus Ricardus defendit vim et iniuriam. Et dicit quod ipse non est inde culpabilis. et de hoc ponit se super patriam. et praedictus Walterus similiter etc. Postea die et loco infracontenta coram Laurentio Tanfield milite, capitali barone Domini Regis de Schaccario et Augustino Nicholls milite uno Justiciario ipsius Domini Regis de Banco ad Assisas in comitatu Wilts', venerunt tam infranominatus Walterus Jones senior quam infra scriptus Richardus Barret generosus in propriis personis suis. Et iurati impanellati, videlicet Robertus Toope, Willelmus Langley etc, qui electi triati, et iurati dicunt super sacramentum suum, quod praedictus Ricardus Barret est culpabilis de transgressione infra scripta prout praedictus Walterus Jones interius versus eum queritur. Ideo constitutum est quod praedictus Walterus Jones recuperet versus praefatum Ricardum Barret dampnum praedictum per iuratam praedictam in forma praedicta assessionis Et praedictus Ricardus Barret capiatur etc. Teste Edwardo Cooke apud Westmonasterium Febr. 12^o Anno Regni Jacobi Angliae 11^o Nathan Finch Febr. 22, 1613. Evidentiar, et Turre Collegii Libr. 3^a pag. 107^a et 108^a.

The Colledge tenant about this time for the scite of the mannour of Colerne was not the above said Walter Jones, but one Richard Bennett, unto whom a lease was made by Dr. Ryves the Warden, Schollers etc Anno Jacobi 8^o Anno Domini 1610^o vide Registrum Dimissionum ad firmam ab Anno Eliz. 43. ad Annum Jacobi 12 pag. 384. In which lease divers of the Demeasne lands are said to bee in the tenure, or occupation of other men, as one close in the tenure etc of Martin Jones, and possibly the common of West Downe, though not mentioned in the lease, in the tenure or occupation of Walter Jones.

If the common of West Downe did not belong to the Colledge and if Walter Jones was not an under tenant thereof what need had there been that the Colledge should have taken out an exemplification of the said tryall.

In the former lease made unto Richard Bennett [Anno] Jacobi 8^o there is noe mention made either of Walter Jones or of West Downe. But in the following lease unto the said Richard Bennet. October 29. Anno Jacobi 16^o by Mr. Warden Pincke, the Warden, Schollers, etc. there is mention of both. (Dr. Pincke, it is likely knew of the tryall, and therefore inserted the said West Downe into the Colerne lease), the words are these: The Warden and Schollers etc demise unto Richard Bennet yeoman among other things two parcells of the said demeasne lands of the said mannour late in the tenure, or occupation of Walter Jones the elder, whereof the one is called West Downe, the other is called Burdlestone Leigh alias Burstonelye conteineing by estimation six acres of arable land etc. Registro Dimissionum ad firmam. ab Anno Jacobi 12^o ad Annum Caroli 1 6. pag. 117a ante med, see the same in another lease in the same booke or register pag. 138a. ante med. and in a third in the same booke pag. 399 ad Sum.

11 April 1671: It was then agreed, that Mr. Harris our bailiff of Colerne should have a warrant under my owne, and the outrider Mr. Spenser's¹⁶ hand, to cutt downe the procession oake, as beginning to decay.

Item. that the trespassers in cutting downe trees in our coppices cannot bee proceeded against untill they bee presented in the court. This was Mr. Stewards answer to myselfe and Mr. Harris.

31 July 1671: On that day being Monday about 9 of the clocke in the morneing, the former part of the said morneing being very foule and raineing, my selfe, Mr. Outrider Sewster (for Mr. Minshall) Mr. Steward, young Viner, and our servants sett out from Marshfield to ride to Colerne. In the bottome between the hills Mr. Harris and his sonne mett us. I walked downe the hill to ease my lame horse. From thence hee desired that I would ride to Wodams coppice, where hee has cutt downe some underwood, and desired that hee might buy and cutt downe some trees in the said coppice. My selfe, Mr. Outrider Sewster, Mr. Harris the father and Thomas Symonds rode to the said coppice where wee saw some scrubbed trees that had been lopped in former cuttings but not in this last, which covering his young frith too much, hee desired that some of them might bee cutt downe. Being there arrived (but surprized before with a shower) wee found the trees not to bee many, and few of them of any bignesse. Some indeed might bee spared, about halfe a dozen or more, the ordering

¹⁶ Edward Spenser, M.A., Fellow of New College, 1657-1679.

whereof wee left to Mr. Harris the father. From the woods wee came home to Colerne, where wee dined, and had a venison pastie. There were present at it, Mr. Eyres and his second wife, a young woman. After dinner Mr. Steward tooke the presentments. They asked whether the death of Sympshion the miller a leaseholder, was to bee presented, Mr. Steward answerd noe. After the court was discharged (there was noe life void) Widdow Tanner came to Mr. Steward and showed him the letter of a minister, signifying that about the yeare 1639, Dr. Pincke had promised to Alice Tanner that shee should [have] the coppice for her life, the same was attested by an old man at this time present. Mr. Steward required, that what they said might appeare by some hand writeing under Dr. Pincke or the Steward's hand. Shee had not the coppie, Mr. Steward (if paid) would search for it.

But supposinge the underwood granted unto Widow Tanner, how came they to cutt downe trees there? Two were cutt downe by her younger sonne, Benjamin Tanner, hee confessed it before us; and carryed home to Benjamin's house by another man, at this time also present. Mr. Steward required that both of them should bee served with writts, for committing this trespasse upon our woods, or otherwise that they satisfie the Colledge for the wrong that in cutting downe timber hath been done unto them. On the morrow, being Tuesday in the morneing, the widdow and her twoo sonnes came to the farme to compound with us. I asked them 20s. viz. 10s. for the timber and 10s. for the trespasse, which at last the younger brother, rather than to bee served with a writ, did lay downe. But upon entreaty returned unto him 5s. and at last with much difficultie 5s. more by Mr. Harris, soe that all that was paid to Mr. Rider was only 10s.

After this the widdow and the sonne that lives with her, desired some timber from off the premisses to mend their house. I granted also and signed a warrant for that, allowing for the present noe more than was necessarie, the rest, God willing, may bee allowed at our next coming.

I told Widdow Allen and her sonne of their ill speeches against the Colledge as Mr. Harris had said, and threatned them withall, that if a life should be void, I would put in noe more of that generation but some other man. When they were dismissed wee went to breakfast about 11 of the clocke, and betwen 12 and one tooke horse for Stert. Old Mr. Harris and young Viner of Marshfield accompanied us unto Corsham: and there I left them.

Memorandum: that whereas at Colerne some tenants of our Manour did change land for the time with the tenants of another manour in Colerne, to prevent the losse of any of our land, whilst our land as yet was well knowen, I caused them to bring in unto Mr.

Steward the terrars of their respective coppieholds, which some of them did bring in at our court held at Colerne July 22, 1670 (ut supra). And at this court, July 31, 1671, the rest of the coppieholders did promise to bring in at the next court their terrars also. Remember to demand them, God willing.

Memorandum: also: that if our company at the Colledge have not been acquainted with the encroachments made upon our wast at Colerne by the tenants of the Lord Lucas, who hath in Colerne the Mannour of Utricht (as I remember), that I say, I acquaint them with it, and advise whether wee shall not sue the partie who hath trespassed upon our wast, and thereby regaine the propriety of the Mannour of Colerne unto our selves. As the Lord Lucas hath the Mannour of Utritch, wholly to himselfe, soe the Colledge may justly expect to have the Mannour of Colerne wholly unto themselves, except the Lord Lucas can show any claime to the contrary. One of his tenants hath built a porch, and staire case upon the Colledge wast.

The tryall for West Downe (ut supra) was only, as it is thought, for cutting downe wood or timber there. For the time of the trespasse committed is said to bee Jan 1st Anno Jacobi 4 at which time viz. in the 1st of January the said downe is common to all the parish to put their sheep there. It is severall unto the lords of the mannour of Colerne, and now of the Hospitall (our mannour hath 2 parts of the common and the Hospitall one part). I say West Downe is severall unto the said Lords from Candlemas unto Lamas Day, as some say, or to Holy Roode Day as others, and from that time, viz, from Lamas Day to Candlemas Febr. the 2nd the said Downe is common unto all the parish, and soe by consequent, unto the tenants of the Hospitall also, they could not bee sued, they say, for feeding their sheep upon West Downe January the 1st (then the Downe was common) but for the cutting and carrying away timber, their sheep at that time had libertie to walke there, as well as the rest of the parishioners. If the suit had been commenced for a trespasse made there in any moneth between Candlemas and Lammas Day, then it might have been supposed that the contest had been concerneing the sheep common. But this trespasse is said to bee made when noe inhabitant could trespasse in respect of their sheep, the downe being common unto all the parishioners and thence they conclude that the tryall was concerneing the libertie of cutting downe wood and timber, how truly lett our successors consider.

20 July 1672: On that day being Saturday, my selfe, Mr. Steward, Mr. Harris, etc. rode from Marshfield to Colerne (Mr. Outrider Longworth, young Harris, Thomas Symons and William Cox were

gone that morneing unto the Bath). As wee rode toward Colerne my selfe and Mr. Harris haveing passed the Vale left Mr. Steward and rode unto Northwood, where wee saw the coppice cutt this yeare, there were some small trees to bee cutt, but I received not Mr. Harris his letter untill the time of felling any oaks was past. Between twelve and one Mr. Outrider etc came to Colerne, and haveing dined with Mr. Ayres and his kinsmen wee sett some fines for 2 cottages, the one was valued at 4 li. per annum, wee received of them and they offered 3 li. 10s., the other was worth about 30s. per annum, and wee tooke of them 22s. 6d. This last was in the possession of a widdow who had 3 daughters, the two eldest appeared not to putt in any claime, and the sonn of the said widdow who was in reversion and dyed, desired, as twas said, that the sonne of the youngest daughter might have a reversion therein, which was granted, the other two not appeareing, Mr. Steward said, that I might grant it unto whom I pleased. The court being ended Shimson the miller his widdow desired a tree to repaire her house, but repaireing being covenanted in the lease I granted none. Too much hath been assigned already, a tree of 4 li., and never paid for. On the morrow being Sunday, in the morneing, the vicar Mr. Latimer preached, and prettie well, but an old sermon, as they said. Before one of the clocke hee toll'd to evening prayers, before wee had dined, soe that I could not goe to them. But afterward about 3 of the clocke, Mr. Longworth being well, they rung to another sermon and prayers performed by Mr. Longworth, who preached very well.

Uppon Munday morneing July the 22, wee prepared to goe toward Stert, and sett out about 12 of the clocke to ride to Stert. At Cosham Mr. Aires had appointed to meet us, where-uppon wee called in there and tarryed a little while for him. At last hee came, and there my selfe, Mr. Rider, Mr. Steward, Mr. Aires, Mr. Harris the father and his sonn did spend in ale etc 4s. od, the most of which I was forced to pay my selfe, that in time to come there might not bee a stile, or occasion of expence at that place to bee borne by the College if my successour will permitt it, hee may; from thence about 4 of the clocke wee sett out for Stert, and came thither about 6 of the clocke and supped soe early, that after supper I had a walke.

23 July 1673: On that day being Wednesday in the morneing, my selfe, Mr. Outrider Percivall, Mr. Steward etc, about 9 of the clocke took horse to ride toward Colerne from Marshfield. In the way, uppon the Hill in Colerne Parish Mr. Harris, and his sonne William mett [us]. I my selfe, with Mr. Harris the father and Thomas Symonds rode unto the woods in the parke, where the trees are prettie thicke, but small, but one good tree among them, and samplers very

few, from thence in our returne, I rode downe the lane to see Slattenford, where the church, as they say, is pulled downe and the quakers are providing stones out of the quarrey, to build them a meeting place, wee saw also the fields of Mr. Harris his St. fole, which groweth very well and the hay thereof feedeth his horses with very little, or noe provender; from thence wee rode to Colerne; Mr. Steward had dispatched the jury, and they were goinge home, wee mett there with Mr. Aires, and att dinner had a venison pastie, in the dinner time Mr. Chocke came thither from Sarum. After dinner the two Harris's of New Colledge gave them some musicke, one of them playing upon the treble, and the other upon the base vyall. Before supper, Goodman Wodeham came and brought mee 2 bottles of wine, canary sacke.

On the morrow being Thursday about 12 of the clocke wee sett out for Stert, viz. my selfe, Mr. Outrider Percivall, Mr. Steward, Mr. Harris and his 3 sonnes, and rode to Cosome, where I left them to drinke at parting, and soe rode toward Stert, vide Stert.

As wee rode by the mill at Colerne, I was entreated to goe in and see the ruines thereof. I caused Thomas Symonds to goe in with mee, who in the darke and dangerous roomes thereof could see better than I. Hee found in one place that a beame was rotten, and that the joyces entering thereinto had little hold, hee was afraid that they would fall uppon his head. In another place there were some rafters or cupples at fault, the wall leaneing outward. I required, that the wall should bee made upright with lime and sand with binding stones in it that went through the wall, and as for timber I spake to Mr. Harris, at the time of the next spring to allow what was wanting, but to see that it was well bestowed. This was orderd as wee rode in the lane.

19 August 1674: On that day being Wednesday about 2 of the clocke, my selfe, Mr. Outrider Hobbs (for Mr. Cox) Mr. Steward, Mr. Mason and our servants sett out from Stert to ride towards Colerne; at Casham wee mett Mr. Ayres and Mr. Harris with his 3 sonnes, about 6 of the clocke wee came to Colerne. On the morneing about 8 of the clocke, my selfe, old Mr. Harris, and William Shaw rode to the College woods in the parke, the part cut downe is next to the gate, the trees therein are very few. In Marshall's time and a little before, out of this very coppice, as Mr. Harris saies, much timber was cutt downe, viz. Dr. Pincke allowed unto Mr. Oglander vicar of Marshfield about 10 tunne, but the late warres and trouble coming on hee left the vicaridge and sold the timber allowed for it, as Mr. Harris saies. After him came in an intruder Mr. [blank] and hee procured of Mr. Marshall and the other intruders 12 tunne and after that 8

tunne more, all which (or the most) hee carryed to his house at Bidstone, or to some other place, and besides all this out of the same coppice there was allowed unto Mistress Viner's husband about 8 tunne or 10 tunne, soe that out of this part of the wood there were noe lesse than 40 tunne taken, and therefore but little now remaineing. When I was come home I mett the homage at the doore unto whom Mr. Steward had given the charge, and goeing into the parlour they brought mee word, that there were two maides without that brought unto mee an old rent, that had not been paid a long time, and the rent was two poses, hansomely made up with July-flowers etc, the two maides were brought in by Mr. Harris his daughter, and each of the two deliverd unto mee a posey as the old rent of a void peece of ground about an acre called the Butts, where the young men and maidens used to play, and recreate themselves. I tooke the poses of them, and gave the maidens and their company leave to play there, and willed Mr. Harris his sonns and a little boy, a servant of his, and his maid with others to take notice hereof, that such a rent was paid. This I urg'd upon them againe before dinner. After dinner myselfe and Mr. Steward from out of the hall where wee dined, went into the parlour, and agreed there with our tenants for some fines, viz, with one for 8^{li} with another for 11^{li}, and with Mr. Harris for 4^{li} conditioning only that hee would maintaine our right in the mannour by makeing such as had encroached thereupon, to pay some annuity for the encroachment or trespass, which hee promised to doe, and wee commissioned his father, and him (the eldest sonn) to agree with them as they could according to the worth of that which they had encroached.

At this time in the afternoone, when the court was dismissed, the Vicar, one Mr. Gallimore¹⁷ came unto mee to desire a tree or some timber to floore his roomes and make some doores: But I told him that wee had noe timber for ourselves, and though he was very importunate, yet I allowed none. Also, at the same time one John Brewer a coppie-holder presented his sonn to mee of about 11 yeares old to bee a chorister of our College but hee had noe eare, and could not strike a note, so that, though hee bee a prettie scholler, and in his Greeke Grammer, hee cannot, nor will not, I feare, ever sing, and could not grant his request. After this one widdow Webb, who had cutt downe trees and sold some of them to Marshfield to build there, and was presented for it by Mr. Harris senior of New Colledge (for the homage did not present it at the first) shee came and desired pardon as being a poore widdow and one of the trees hollow, I sent to Mr. Steward who required of her 20s. for the trespasse and trees or

¹⁷ Francis Gallimore, son of William of Swindon, M.A., from New Inn Hall, 21 June 1653, Vicar of Colerne, Wilts, 1674-78.

otherwise hee would authorize Mr. Harris to cutt downe 2 trees and sell them, or bestow them upon the vicar to floore his study, make doores etc, of the two condicions shee tooke the last, as unwilling to part with any mony. When I came from my chamber, Mr. Aires, Mr. Steward, Mistress Witt, and all the women were earnest with mee to allow Mr. Gallimore the vicar some timber, any out of our coppices I utterly denyed against them all, untill at last they desired that the widdowes 2 trees might bee allowed unto the vicar, and this I granted, and soe wee tooke horse about 6 of the clocke, and rode toward Marshfield, vide Marshfield.

APPENDICES

APPENDICES

I. COURT ROLL FOR THE MANOR OF ALTON BARNES, 1663

*Manerium de Alton Berners
cum Shaw in Comitatu
Wilts'.*

Ad Curiam Baronis
Custodis et Scholarium Collegii
Sanctae Mariae Wintoniensis in

Oxon' tentam infra Manerium praedictum tempore venerabilis viri Michaelis Woodward, sacrae theologiae doctoris custodis Collegii praedicti die lunae (vizt) decimo quarto die Septembris Anno Regni Domini nostri Domini Caroli secundi dei gratia Angliae Scotiae Franciae et Hiberniae Regis Fidei defensoris etc. decimo quinto annoque Domini 1663 per Robertum Wither armigerum senescallum curiarum ejusdem Manerii.

Esson nulli.

Homagium Domini: Johan. Stone, Gulielmus Stone, Johan. Mauks.

Ad hanc curiam venit Gulielmus Stone filius Johannis Stone de Alton Berners praedicta in comitatu praedicto, plenae aetatis et in plena curia coram homagio praedicto sursum reddidit in manus Domini per manus senescalli sui praedicti revercionem unius messuagii unius virgate et dimidii unius virgate terre, unius cottagii et unius alius dimidii virgate terre vocate Kenowes cum suis pertinentiis situate et jacentis respective in villa et communibus campis villae de Alton Berners et de Shaw praedicta. Nec non quatuor clausurarum quarum una vocatur Le Broadclose cum le Paddocke jacentium apud Shaw infra Manerium praedictum. Et tres clausurae inde reliquae jacentes apud Alton Berners praedictum cum suis pertinentiis et modo in tenura Gulielmi Stone praedicti Gulielmi Stone avunculi; totumque jus suum statum titulum interesse clamen et demanda quaecunque quae idem Gulielmus nunc habet vel ante hac unquam habuit seu habere poterit quovismodo in futurum de aut in premisis vel aliquo eorundem ratione concessionis eidem Gulielmo faciae ad curiam hic tentam quarto die Aprilis Anno Domini 1653. Et super hoc postea ad hanc eandem curiam Dominus per senescallum suum praedictum concessit Gulielmo Stone filio Gulielmi Stone praedicti aetatis septem annorum aut eo circiter revercionem praedicti unius messuagii praedictae virgate et dimidii virgate terre et

praedicti cottagii et praedicti alius dimidii virgate terrae praedictae vocatae Kenowes praedictarum quatuor clausurarum et etiam vesturae praedictae clausurae sive parcellae prati praedicti in Mooremeade cum suis pertinentiis scituati jacentis et existentis respective infra manerium praedictum et modo in tenura sive occupatione Gulielmi Stone praedicti patris sui vel assignatorum suorum proviso tamen semper quod haec concessio nullo modo extendat ad unam clausuram nec ad aliquam partem sive parcellam unius clausurae pertinentis ad rectoriam de Alton Berners praedicta jacentis inter clausuram modo in tenura [*blank*] Stone ex parte australi et Communem campum vocatum les Crofts ex parte boreali uno capite inde abuttante super praedictum communem campum ibidem vocatum les Crofts praedictum versus occidentem. Alio vero capite inde abuttante super communem stratam sive venellam de Alton Berners praedicta versus orientem Sed quod dicta clausura rectoriae praedictae plene atque integre extendat sese in curtillagium praedictum messuagii et pertingat usque ad et in praedictam communem stratam sive venellam de Alton Berners praedicta versus orientem pro ut aliae omnes ibidem clausurae (vizt) clausurae [*blank*] Stone et Gulielmi Hall et Gulielmi Stone praedictorum sese extendunt et pertingunt habendum praedictum messuagium praedictam virgatam et dimidium virgate terre et praedictum cottagium et praedictum alium dimidium virgate terrae vocatae Kenowes praedictas quatuor clausuras et etiam praedictam vesturam annuatim praedictam clausuram sive parcellam prati praedicti in Mooremeade cum suis respective pertinentis (Proviso sive excepto praedicta proviso et exceptio) eidem Gulielmo Stone et assignatis et suis ad terminum sive pro et durante toto termino vitae suae naturalis immediate cum post mortem sursumreddicionem foris facturam aut alium quemvis modum ad vel in manus Domini devenire contigerit tenerdum de Domino per virgam ad voluntatem Domini secundum consuetudines manerii praedicti reddendo inde Domino per annum pro praedicto messuagio virgata et dimidio virgate terrae et tribus clausuris praedictis xxiiijs. Et pro praedicto cottagio et dimidio virgate terre et clausura praedicta vocata Kenowes ix. xd. in toto xxxiijs. xd. Et faciendo alia omnia servicia onera ac consuetudines inde prius de jure debita et consueta et praedictus Gulielmus Stone dat domino de fine pro tali ingressu ac statu sic inde habendo vij^o Et admissio et fidelitas ejusdem Gulielmi respectuantur quousque.

II. COURT ROLL FOR THE MANOR OF COLERNE, 1659

*The Manor of Colerne
in the County of Wilts*

A View of Frankpledge with a Court
Baron of the Warden and Scholars of
St. Mary Colledge of Winchester in

Oxford holden within the said Manour in the time of the worshipfull Michael Woodward Batchilour of Divinitie Warden of the said Colledge upon a Fryday being the second day of September. In the yeare of our Lord God one thousand, six hundred fiftie and nine by Robert Wither gentleman, Steward of the Courts of the Manours of the said Colledge etc.

Deciners essoined: Thomas Tanner and Benjamin Tanner were essoined with common essoine by Alice Tanner, John Young by Anthony White, Robert Bletchley and Nicholas Signett by Anthony Bennett Francis Edwards by Robert Smart.

Tenants essoined: Joane Shewring Spinster by Thomas Shewring.

The Jurie Sworne: Thomas Shewring, foreman, Thomas Bullocke, Barnabie Lewis, Arthur Jones, John Lester, Henrie Afford, Anthony Bennett, John Goreslade, John Edwards junior, Thomas Grinnoway, Henrie Jones, John Smith.

They which were sworne aforesaid of and concerneing the articles touching the View of Frank Pledge present and say that John Barrett (4d.) and John Lester (4d.) hath broken the assize of bread and beare therefore they amerce them as appeares upon their heads.

A Surrender of a Revercion Now Concerneing the Court Baron.

At this Court came Anne Shewring widdow To which said Anne at a Court here holden the 16th Day of September 1652, the Lord by his then steward did grant the revercion of one messuage or tenement with a close and a yard lande called Grigories, and alsoe of a cottsettle of land called Williams with th' appurtinances scituate lieing and being in the village and common feilds of Colerne aforesaid within the said manour And then and now in the tenure of Thomas Shewring her sonne or of his assignes (As by the roll of the said court more fully it appeares) and in her proper person in open court before the said homage did surrender into the hands of the Lord of the said Manour by the hands of the said steward all her estate, right, title, interest, revercion, claime or demand whatsoever which she the said Anne Shewring now hath then had or at any time hereafter shall or

may have of or in the premisses or any part thereof by vertue of the said revercion to her soe had or made at the court aforesaid that the Lord therewith may doe his pleasure.

Regranted. And afterwards at this same court the Lord of the said Manour by his said steward did grant unto John Shewring the sonne of Thomas Shewring aged seaven yeares old (or thereabouts) the revercion of one messuage or tenement with a close and one yard lande called Grigories and alsoe of a cottsettle of land called Williams with their respective appurtinances scituate lieing and being in the village and common fields of Colerne aforesaid within the said manour and now in the tenure of the said Thomas Shewring his father or of his assignes, To have the said messuage or tenement close, one yard lande and the said cottsettle of land with their respective appurtinances to him the said John Shewring and his assignes for tearme of his naturall life immediately when by death, surrender, forfeiture or any other wayes or meanes it shall happen to come into the hands of the Lord. To hold of the Lord by the rodd at the will of the Lord according to the custome of the said manour paying therefore to the Lord by the yeare for the said messuage, close and yard lande called Grigories vs. vd. and two bushells of wheat. And for lard silver ixd. And for the said cottsettle of land called Williams vijs. In the whole xiijs. ijd.¹ and two bushells of wheate a harriott when it shall happen. And doeing and performing all other services burthens and customes thence formerly by law due and accustomed. And the said John Shewring by the hands of the said Thomas Shewring his father gave to the Lord for a fine for such an estate and entrance so to be had vⁱⁱ. x^s.² And his admission and fealtie was respited untill it should happen.

The homage of the Lord then sworne of and concerning the articles touching the Lords Court Baron came and by the aforesaid Thomas Shewring the forman doe present and say upon their oathes that Joane Goreslade Widdow³ who held to her for and dureing the tearme of her widdowhood of the Lord of the said manour according to the custome of the said manour one messuage in Tuttnell and a cottsettle of land harriortable with th' appurtinances lieing and being within the said manour before this court and since the last court of the manour here holden died seised thereof.

And that John Smith is next in revercion to be admitted to the premisses by vertue of a revercion to him granted at a court for the said Manour here holden the 4th day of September 1656. As by the roll of the said court more fully it appears. And afterwards at this same court came the said John Smith and desired to be admitted to

¹ *Marginal note:* Rent 13s. 2d. 2 bus: Wheat.

² *Marginal note:* Fine 5 li. 10s.

³ *Marginal note:* The death of a Widdow.

the premisses.⁴ To the which said John the Lord by his said steward did grant and deliver seisen thereof by the rodd. To have the said messuage and cottsettle of land with th' appurtinances (except one little coppice conteyneing by estimacion one acre and a halfe (more or lesse) lieing and being in West Wood within the said Manour), to him the said John Smith and his assignes for tearme of his naturall life. To hold of the Lord by the rodd at the will of the Lord according to the custome of the said Manour paying therefore to the Lord by the yeare xs. ixd.⁵ A harriot when it shall happen And doeing and performeing all other services burthens and customes thence formerly by Law due and accustomed. And the said John Smith was admitted tenant to the premisses and did to the Lord his fealtie.

At this court the Lord of the said Manour by his said steward did grant unto Thomas Grinnoway of Colerne aforesaid Mason.⁶ The revercion of one messuage in Tuttnell and one cottsettle of land harriotable with th' appurtinances lieing and being within the said Manour and now in the tenure of John Smith or of his assignes, provided alwayes neverthelesse that this grant doe not in any wise extend to one coppice conteyneing by estimacion one acre and a halfe (more or lesse) lieing and being in West Wood within the said Manour and late in the tenure of James Goreslade or of his assignes. To have the said messuage or cottsettle of land with th' appurtinances (except before excepted and reserved to him the said Thomas Grinnoway for term of his naturall life immediately when by death surrender forfeiture or any other wayes or meanes it shall happen or come into the hands of the Lord. To hold of the Lord by the rodd at the will of the Lord according to the custome of the said Manour paying therefore to the Lord by the yeare xs. ixd.⁷ and doeing and performeing all other services burthens and customes thence formerly by Law due and accustomed and the said Thomas Grinnoway by the hands of the said John Smith gave to the Lord for fine for such an estate and entrance soe to bee had vij^{li}. x^s.⁸ and his admission and fealtie was respited untill it shall happen.

Alsoe they present and say that John Woodman⁹ who held for tearm of his naturall life of the Lord of the said Manour by copie of court roll according to the custome of the said Manour one messuage and halfe a yard land with the appurtinances late Ricards scituate lieing and being in the village and common feilds of the village of Colerne aforesaid within the said Manour before this court and since

⁴ *Marginal note:* 'The admission of a tenant'.

⁵ *Marginal note:* Rent 10s. 9d.

⁶ *Marginal note:* A revercion.

⁷ *Marginal note:* Rent 10s. 9d.

⁸ *Marginal note:* Fine 7 li. 10s.

⁹ *Marginal note:* 'The death of a Tenant'.

the last court for the Manour here holden died seised thereof whence came to the Lord for a harriott one chest price xiiij^s.—iiiij^d¹⁰ and that Margaret Aust his daughter is next in revercion to be admitted to the premisses by vertue of a revercion to her granted at a court here holden the 24th day of Aprill 1622 as by the roll of the said court more fully it appeares. And afterwards at this same court came the said Margarett Aust the wife of Richard Aust and desired to be admitted to the premisses. To the which said Margarett the Lord by his steward did grant and deliver seisin thereof by the rodd. To have the said messuage and halfe yard lands with th' appurtinances late Ricards (except a coppice of wood lieing and being at Northwood and late in the tenure of John Woodman or of his assignes to the Lord of the Manour alwayes reserved and excepted) to her the said Margarett Aust for term of her natural life. To hold of the Lord by the rodd at the will of the Lord according to the custome of the said Manour paying therefore to the Lord by the yeare ix^s. x^d.¹¹ a harriot when it shall happen And doeing and performing all other services burthens and customes thence formerly by Law due and accustomed, and she was admitted tenant and did to the Lord her fealtie.

At this court the Lord of the said Manour by his said steward did grant unto Richard Aust the younger of full age the revercion¹² of one messuage and halfe a yard lands with th' appurtinances late Ricards scituate lieing and being in Colerne aforesaid within the said Manour and now in the tenure of Margarett Aust his mother or of her assignes (except allwayes out of this grant one coppice of wood lieing and being at North Wood late in the tenure of John Woodman or of his assignes and unto the Lords of the said Manour reserved) to have the said messuage and halfe yard lands late Ricards with th' appurtinances (except before excepted and reserved) unto the said Richard Aust the younger for term of his naturall life immediately when by death surrender forfeiture or any other wayes or meanes it shall happen or come into the hands of the Lord. To hold of the Lord by the rodd at the will of the Lord according to the custome of the said Manour paying therefore to the Lord by the yeare ix^s. x^d.¹³ And doeing and performeing all other services burthens and customes thence formerly by Law due and accustomed and the said Richard Aust gave to the Lord for a fine for such an estate and entrance soe to be had vijⁱⁱ v^s.¹⁴ and his admission and fealtie was respited untill it shall happen.

At this Court the Lord by his said steward did grant unto Henrie Jones the elder¹⁵ of full age the revercion of a Toft and a cottsettle of

¹⁰ *Marginal note:* Harriot 13s. 4d.

¹¹ *Marginal note:* 'Rent 9s. 10d.'

¹² *Marginal note:* 'A revercion'.

¹³ *Marginal note:* Rent 9s. 10d.

¹⁴ *Marginal note:* Fine 7 li. 5 s.

¹⁵ *Marginal note:* A revercion.

land called Packs with th' appurtinances scituate lieing and being in the village and common feilds of Colerne aforesaid within the said Manour and now in the tenure of Mary Jones widdow or of her assignes (except allwayes out of this grant one coppice of wood lieing and being at West Wood conteyneing by estimacion foure acres (more or lesse) now in the tenure of the said Mary Jones or of her assignes unto the Lords of the said Manour reserved) to have the said toft and cottsettle of land with th' appurtinances (except before excepted and reserved) to him the said Henrie Jones for tearme of his naturall life immediatly when by death, surrender forfeiture or any other wayes or meanes it shall happen or come into the hands of the Lord. To hold of the Lord by the rodd at the will of the Lord according to the custome of the said Manour paying therefore to the Lord by the yeare viijs.¹⁶ and doeing and performeing all other services, burthens and customes thence formerly by Law due and accustomed. And the said Henrie Jones gave to the Lord for a fine for such an estate and entrance soe to be had xxx^s.¹⁷ and his admission and fealtie was respited untill it shall happen.

Alsoe the homage aforesaid present all their auncient orders heretofore made by their predicessours and that their bownds be made in the lower feilds by Michaelmas and in the upper feilds by our Lady day. And for neglect thereof to forfeit to the Lord of the Manour x^s. Alsoe they present John Lester for overstocking the common with more sheep than he hath common for x^s.

Alsoe they present the death of John Jones who died since the last court in revercion to one toft and cottsettle of land called Packs with th' appurtinances now in the tenure of Mary Jones. Alsoe they present Henry Ford and Thomas Jones to be sheepetellers for the yeare following and that every one shall have free libertie to tell his neighbours sheepe.

Alsoe they present Mary Jones for not makeing her moundes at Pax Way against John Smith's backside whereuppon it was ordered that she repaire the same by the second day of November on the penaltie of vjs. viijd.

Also they present that if a tenant dye before our Lady day the executor shall hold the land which he died possesst of till Michaelmas following, and if he die after our Lady day the executor shall hold it till Michaelman twelve mounth being according to the custome of the said Manour.

In the name of God Amen. I John Woodman of Estripp in the parish of Colerne in the county of Wilts yeoman being sicke of body but blessed be God of perfect memorie doe upon this present day the

¹⁶ *Marginal note:* Rent 8s.

¹⁷ *Marginal note:* Fine 1 li. 10s.

29th day of October 1655 make my last will and testament as followeth. Inprimis I bequeath my soule to God my maker and to Jesus Christ my Redeemer in confident hope that he will receive me to his everlasting mercy and my body to be buried in the chuch yard of Colerne there to rest untill the last day when it shall be raised up againe by my Saviour and made partaker of immortality. Item I give and bequeath to Richard Aust of Colerne my sonne in law one shilling and to his wife my daughter Margarett the cup-board in the hall and to Sarah his daughter five shillings and Richard his sonne five shillings and to Anne his daughter five shillings and to John his sonne five shillings. Item I bequeath unto my grand child John Webb sonne to my daughter Mary Webb the summe of tenne pownds of lawfull money of England to be paid to him within one yeare after my decease. Item I give and bequeath to my grand child Robert Webb the sonne of my daughter Marie Webb the summe of tenne pownds of lawfull money of England to be paid unto him within one yeare of my decease. Item I give and bequeath unto my grand child Thomas Webb the sonne of my daughter Mary Webb the summe of tenne pownds of lawfull money of England to be paid unto him when he comes to the age of two and twenty yeares. Item I give and bequeath unto my grand child Sarah Webb the daughter of my daughter Mary Webb the summe of tenne pownds of lawfull money of England to be paid unto her when shee comes to the age of two and twenty yeares. Item I give and bequeath all the rest of my goods and chattells and whatsoever I am possesst of, my debts being discharged, to my daughter Mary Webb whom I constitute and appoint to be my sole executrix of this my will. And to the premisses aforesaid I have sett my hand the day and yeare above written. John Woodman his marke. Witnesses to this will, Thomas Combes, clerke, Katherine Webb the elder her marke, Katherine Webb the younger her marke.

This will was proved before Robert Wither, gentleman, steward of the Manour of Colerne in the County of Wilts for probate of wills and granting of admissions within the said Manour lawfully authorized the second day of September in the yeare of our Lord 1659. By the oath of Mary Webb daughter of the said John Woodman and executrix named in the said will of the said deceased. To whom admission of all and singular the goods, chattells and debts of the said deceased now committed she being first legally sworne well and truely to administer the same etc.

An Inventorie of all the goods and chattells of the said John Woodman deceased praised by John Hort, Richard Aust and Thomas Shewring the 10th day of Januarie In the yeare of our Lord God 1658.

In primis his weareing apparell	xxx ^s
Item money in his purse	xvij ^s
Item one mauling stone	xij ^s
Item one silt stone	v ^s vj ^d
Item one cupp board	v ^s
Item one mault mill	iiij ^s
Item one ladder	ij ^s
Item one cheese presse	xij ^d
Item one chest	xiiij ^s iiiij ^d
Item one bed	x ^s
Item one covered two blanketts two boulster	x ^s
Item two old coffers	iiij ^s
Item halfe a dozen of pewter	vj ^s viij ^d
Item two brasse potts	x ^s
Item the executors yeare ¹⁸	vj ^{ll}
Item money due on bond	xxxv ^{li}
Item money in his keeping	xv ^{ll}
	<hr/>
Summa totalis	lxiij ^{ll} ix ^s vj ^d
	<hr/>

Witnesses to this inventorie the parties above named

John Hort, Richard Aust and Thomas Shewring.

Ordered at this Court that the jurie doe view the land in difference betweene Thomas Bullocke and William Salmon at Lettcombe. And the land in difference between Thomas Bullocke and Mr. Harris at Rieley Lane. And alsoe the land in difference betweene Robert Smart and William Sallmon at Dripples Peice and at Medles and to pitch meerestones betweene the parties. And alsoe the land in difference betweene Walter Smith and Henry Afford at Sewell head and to pitch meerestones there by the third day of September next. Ordered alsoe at this Court that William Sallmon or Thomas Tylly his under tenant doe make up his bounds at Rieleys Lane by the 10th of November next on the penaltie of xx^s.

Examined by me, Robert Wither, steward.

¹⁸ Word repeated in text.

III. COURT ROLL OF THE MANOR OF STERT, 1660

*The Mannour of
Stert in the
Countie of Wilts*

A Court Baron of the Warden and Scholars of St. Marie Colledge of Winchester in Oxford holden within the said Manour in the time of the worshipfull Michael Woodward, Doctor in Divinitie, Warden of the said Colledge, upon a Tuesday being the eleaventh day of September in the twelwe yeare of the Raigne of our Sovereigne Lord Charles the second by the grace of God King of England Scotland France and Ireland Defender of the Faith etc. Anno Dom: 1660 by Robert Wither, gentleman, steward of the Courts of the Manours of the said Colledge etc.

Essoines: None

The Homage of the Lord Sworne: Phillipp Ellis, Foreman, Robert Dorchester, Robert Ruddle, Edward Line, William Dorchester, Thomas Line, John Ruddle.

The homage of the Lord then sworne of and concerneing the articles touching the Lords Court Baron came and by the aforesaid Phillipp Ellis the foreman doe present¹ and say upon their oathes that John Toppe esquire who held to him and his heires of the Lord of the said Manour by free deed one tenement and certaine lands thereto belonging called Gilberts by fealtie suite of court and the yearely rent of vj^s v^d. ob. before this Court and since the last Court for the Manour here holden died seised thereof and that there is due to the Lord for a releife vj^s v^d ob. And that the said John Topp before his death as they are informed did give and bequeath the premisses unto Mistress Elizabeth Kent the wife of William Kent of Boscum in the said county of Wilts esquire for terme of her naturall life and after her decease to John Kent the sonne of the said William and Elizabeth Kent or his heires for ever. But because the said Elizabeth nor any body els did appeare at this Court to pay to the Lord the releife therefore the bayliffe was commanded to distreyne the said Elizabeth Kent to appeare at the next Court and pay to the Lord her releife and doe her fealtie.

Also they present² and say that the said John Toppe who likewise held to him of the Lord of the said Manour by copie of court roll ac-

¹ *Marginal note:* 'The death of a Tenant'.

² *Marginal note:* 'The death of a Tenant'.

ording to the custome of the said Manour one tenement, two crofts and one parcell of meadow called Le Brooke and seaventeene acres of land with th' appurtinances sett lieing and being in Stert aforesaid within the said Manour as by the roll of a court here holden the 12th day of September 1654 more fully it appeares, before this Court and since the last Court for the Manour here holden died seised thereof, and that there came to the Lord for a harriot one bay horse price xv¹³ and that John Mervin the nephew of the said John Toppe by vertue of a revercion of the premisses to him granted at the Court aforesaid is next in revercion to be admitted to the premisses. And afterwards at this same Court came the said John Mervin and desired to be admitted tenant to the premisses. To the which said John the Lord by his said steward did grant and deliver seisen thereof by the rodd. To have the said tenement, two crofts and the said one parcell of meadow called le Brooke and the said seaventeene acres of land with th' appurtinances to him the said John Mervin and his assignes for tearme of his naturall life. To hold of the Lord by the rodd at the will of the Lord according to the custome of the said manour paying therefore to the Lord by the yeare xix⁴. iiij⁴⁴ a harriot when it shall happen and by doeing and performing all other services, burthens and customes thence formerly by law due and accustomed. And the said John Mervin was admitted tenant to the premisses and did to the Lord his fealtie.

At this Court the third proclamacion⁵ now made for William Merchant or any other person for him to come and take out of the hands of the Lord one copiehold tenement called the Church Howse with a little garden to the same adioyneing with th' appurtinances lieing within the said Manour otherwise it⁶ forfeited to the Lord. And it is alsoe attested by Phillipp Ellis aforesaid that the said William Merchant sold the said tenement by deed and soe hath forfeited his revercion. And afterwards at this same Court came Robert Nash and desired to be admitted tenant to the said tenement called the Church Howse and to the small garden to the same adioyning with th' appurtinances lieing and being in Stert aforesaid within the said Manour being next in revercion to be admitted to the premisses by vertue of a revercion of the premisses to him granted at a Court for the said Manour holden on the 20th day of May 1642 as by the roll of the said court more fully it appeares. To the which said Robert the Lord by his steward did grant and deliver seisin⁷ thereof by the rodd to have the said tenement called the Church Howse and the said little garden to the same adioyneing with th' appurtinances to

³ *Marginal note:* Harriot 15 li.

⁶ Word repeated.

⁴ *Marginal note:* Rent 19s. 4d.

⁷ *Marginal note:* Admission upon Forfeiture.

⁵ *Marginal note:* 3rd Proclamacion.

him the said Robert Nash and his assignes for terme of his naturall life. To hold of the Lord by the rodd at the will of the Lord according to the custome of the said Manour paying therefore to the Lord by the yeare iiij^s.⁸ A harriott when it shall happen and by doeing and performing all other services, burthens and customes thence formerly by law due and accustomed. And the said Robert Nash was admitted tenant to the premisses and did to the Lord his fealtie.

Alsoe they present and say that he custome of this Manour⁹ is if a tenant die before our Lady Day the executor of a tenant soe dieing shall enjoy the land which the tenant died seised off untill Michaelmas then next following and then the next in revercion shall enter.

Alsoe they present and say If a tenant dyes after our Lady Day although it be but two days before Michaelmas the executor of a tenant soe dieing shall enjoy the land which the tenant died seised off noe longer than Michaelmas following and then the next in revercion shall enter.

Alsoe they present and say that Mr. Farley, Edmund Stockwell, Robert Dorchester and Emme Osborne customarie tenants of this Manour ought of right to have a way to their grounds lieing and adioyning to Hattfield from Pye Leaze Corner to Hatfield.

At this Court the Lord granted to Edmund Stockwell two tymberable trees¹⁰ to repaire and enlarge the barne belonging to his coppiehold and to the widdow Minty two tymberable trees for to repaire her barne lately fallen downe, to be taken from their respective coppieholds. And the bayliffe was commanded to see them imployed according to the true meaneing of this grant. And that they plant six young and proveable plants or sett for one soe cutt downe upon the penaltie of iijs. iiijd. for every default.

⁸ *Marginal note:* Rent 4s.

⁹ *Marginal note:* The Custome of the Manour.

¹⁰ *Marginal note:* Trees granted.

IV. TERRIER OF THE MANOR OF ALTON BARNES, 1659

A TERRAR OR BOUNDARIE OF THE EXTENT OF
THE SCITE OF THE MANOUR OF ALTON BARNES
AND SHAWE BELONGING TO THE WARDEN AND
SCHOLLERS OF NEW COLLEDGE IN OXON MADE
THE 8th OF SEPTEMBER 1659.

In this Downe Mr. Button keepest 1100 sheepe. My farme 600, the rest of Alton 600 of sheepe.

Shawe Downe extendeth it selfe southward partly to the common downe belonging to Stowell and partly to Skilling Heath in the parish of Dracott, from which it is bounded by a ditch, Eastward it extends it selfe to Huish Heath from which it is parted by a common highway leading from Huish to Marleborough. Northward it extends to a coppice and common downe belonging to the parish of Overton from which it is parted by a great ditch called Wansditch. West it borders partly on a common downe belonging to Alton Priors from which it is severed by a little ditch, partly upon a little parcell of ground called Barton Bushes belonging to Alton Barnes and partly on Kennett Downe. In part of this downe which is heath Mistress Skilling claymes feeding for 300 sheepe and one ramme, the soyle adiudged to the Colledge, yet, shee oftentimes drives our sheepe thence.

Alton Cow Downe and a little plott of heath ground belonging to the farme borders westward on a sheepe common downe belonging to the parish of Stanton Bernard, from which it is severed by a little ditch and Meere balls, southward on Alton Barnes corn fields partlie, and on Alton Priors Cow-Downe partly from which it is severed by Meere balls. Eastward it borders on a common downe belonging to Alton Priors from which it is severed by a little ditch and Meere balls, And Northward it borders on a Common Downe belonging to the parish of Kennet, from which it is severed by a little ditch.

Alton Barnes corne borders westward on corne fields belonging to Stanton Bernard from which it is devided by ancient meere stones, southward it joynes to a hedge called Bromwell Hedge in the parish of Woodborough. Eastward it joynes partly to a

common high way that leads from Marleborough to Warminster and partly to a hedge and lynchet belonging to Alton Priors. And northwards it joynes to a sheepe downe belonging partly to the farme, partly to the tenements and freeholders of the parish of Alton Barnes.

Alton Barnes meadowes are parted eastward from the farmers meadowes of Alton Priors by a little streame. Southward on a ground of one Smithes in the parish of Woodborough, westward on Bromwell field and Alton field, from which it is parted by a hedge and ditch, northward partly on Alton field, and partly on a ground of John Broadhouse of the parish of Alton Priors.

The Farme Value

	li.	s.	d.
Long Meade contenyng 13 acres at 1 li. per acre	13	0	0
Middle Meade conteyning 18 acres at 1 li. per acre	18	0	0
The Crate conteyning 7 acres at 1 li. per acre	7	0	0
Moore Meadow conteyning 7 acres at 16s. per acre	5	12	0
North garden 4 acres at 1 li. per acre	4	0	0
	<hr/>		
	47	12	0
	<hr/>		
Field land belonging to the farme 157 acres			
Whereof sowed yearly			
For wheat 28 acres at 15s. per acre	21	0	0
For barley 60 acres			
Somerland 30 acres at 15s. per acre	22	10	0
Hitchin sowed three yeares in 4 at 10s. per acre			
30 acres	15	0	0
21 cow lease on the common downe at 3s.	3	3	0
320 ewes kept	0	0	0
600 weathers on Shaw Downe	0	0	0
On Shaw Downe			
3 acres of Verny Meadow at 1 li. per acre	3	0	0
8 acres called Broad Close at 1 li.	8	0	0
	<hr/>		
	72	13	0
	47	12	0
	<hr/>		
Summa totalis	120li.	5s.	od.
	<hr/>		

V. TERRIER OF THE PARSONAGE OF
ALTON BARNES, 28 OCTOBER, 1661

A TERRAR OF THE PARSONAGE OF ALTON BARNES
GIVEN IN BY MR. WILLIAM BUDD RECTOR THERE.

- Inprimis a parsonage house a kitchin a stable and two barnes.
- Item a close behinde the dwelling house toward the field westward, an orchard northward, and a barton eastward toward the street conteyning by estimacion two acres.
- Item a close adioyning to John Stones on the south side and to the common field on the north side to the value of one acre.
- Item an acre of meadow to cutt and goe lying at the yonder end of the farmers long meadow bounded in with foure meere stones, whereof two are placed at the hither end thereof toward the south and one at the yonder end towards the north and the fourth towards the east.
- Item a church yard at Alton Barnes and another at Shawe lying within the farmers severall at Shawe.
- Item a little parroock at Shawe that hath the farmers verne close on the east side, and William Stones close on the west conteyning a yerd or there abouts.
- Item 7 acres of gleab lying in one peece together in the common field of Alton Barnes over against the parsons home close westward which hath William Stones close lying on the north side and an halfe of Richard Stevens on the south side and on each west end it hath two green meeres.
- Item one acre lying by Woodburrough Sands next to the hedge on the south side and the freehold on the north side shooting down upon Stanton Meere called Splott.
- Item three acres lying in the nether gores towards the hill, which hath Marleborough way upon the west side, Richard Stevens his land upon the east side, in the upper end whereof, the one is severed from the other by a little greene meere.
- Item an acre in the middle gore above the three acres aforesaid, which has Richard Stevens land upon the east side and Marleborough way upon the west.

Item one acre of gleab in Shaw Field which hath Richard Stevens his land on the west side parted with a green lintherd, and Sir Robert Buttons land on the east side without a lintherd.

Item feeding for foure kine upon the cow downe, and one hundred sheepe lease at Shaw, and common for two horses.

VI. RENTAL OF THE MANOR OF COLERNE, 1665

MANERIUM DE COLERNE IN COM' WILTS: A RENTALL
THERE RENEWED THE FIRST DAY OF JUNE ANNO REGNI
CAROLI SECUNDI ANGLIAE ETC DECIMO SEPTIMO
ANNOQUE DOMINI 1665 BY THOMAS HARRIS BAYLIFFE OF
THE SAID MANOUR.

<i>Freeholders</i>	li.	s.	d.
In primis of Sir Robert Button for a messuage and six acres, a cottage and one acre	0	3	0
John Fisher of Bath Eston, gentleman, for a tenement and eightene acres of land with a messuage and a parcell of meadow called Ades land	0	4	0
Richard Phelps alias Brumham for a messuage called Woolands	0	1	8
Richard Phelps alias Brumham for a yard land called Carters	0	0	1
Ann Holdbrooke for a messuage and a yard land called Lucknam	0	1	1 ob.
John Edwards junior for a meade called Bradstocke Ham	0	0	1
Summa totalis	0	9	11 ob.

<i>Customary Tennants</i>	li.	s.	d.
Inprimis Thomas Bullock halfe a yard land and iij acres land	0	11	2 ob.
The same for 3 acres more	0	1	4
Alce Tanner, widow, for one yard land	1	11	1
William Salmon for a yard land	1	6	8
Richard Aust the elder for halfe a yard land	0	9	10
Peter Webb for halfe a yard land	0	11	4 ob.
Thomas Harris for 2 yard land and a cote settle	3	4	8
Barnaby Lews for a cottage and cote settle	0	10	4
Anthony Bennatt for a cottage and a cote settle of land	0	9	11
Henry Jones for a toft and a cote settle of land called Packs	0	8	0

	li.	s.	d.
John Goreslade for a messuage and cote settle of land	0	7	4
Thomas Grinoway for a messuage and cote settle	0	7	2
Joane Broome widdow for a cottage and garden and backside	0	3	8
John Smith for a messuage and cote settle of land sometyne James Goreslade	0	10	9
Thomas Harris for a cottage and cote settle of land	0	5	3
The same for a barne called Forbery barne	0	1	0
Joane Edwards widdow for a cottage	0	6	7
William Jones for a cottage backside with a garden	0	4	6
Sarah West widdow for a messuage and two cottsetles of land in Eastripp	0	13	3
John Webb for a messuage and halfe a yard land in Eastripp	0	8	0
John Edwards junior for a messuage and a yard and a halfe land and a cottage at Thickwood	1	7	5
Susan Jones widdow for a yard land	2	19	9
Jane Smith widdow for one messuage and halfe a yard land at Thickwood	0	15	0 ob.
Stephen Shewring for one messuage and halfe a yard land at Thickwood	0	8	6
Thomas Shewring for a messuage and a yard land and a cotsettle of land	0	13	2
The same for 2 bushells of wheate	0	10	0
Thomas Bullocke for a cottage and a backside	0	3	3
John Lester for a messuage and close with a garden	0	3	6
Richard Hort for a cottage	0	3	6
Henry Ford for a cottage and a backside	0	3	6
The farmers of the rectory of Parsons Hane	0	0	8
The churchwardens for the church house	0	0	8
Henry Cullimur of Slattenford for turning the water course from the right and ancient to his Mill by a new course lately made	0	2	6
Summa totalis of the Customary rents	20	3	4 ob.
together with the 10s. for the two bushells of wheat.			
Summa totalis of the free and customary tenants rents	20	13	4 ob.
besides the bushells of wheat.			

VII. TERRIERS OF LANDS IN THE
MANOR OF COLERNE, 1669

A TERRAR OF WHAT LAND LIETH TO A COPPY-
HOULD BELONGING TO THE MANER OF CUL-
LERN CALLED BY THE NAME OF GRIGORIS NOW
IN THE TENURE OF THOMAS SHEWRING,
SEPTEMBER 21th, 1669.

Noth Upfield

- 3 akers at Nothwood side shuting on a peace of land belonging to the Colledg farme: likewise 2 butts att Nothwoods side by estimacion halfe an aker.
- 1 aker at Lags Hulke on the west side lyeth a peace of land belonging to the Lord Lucas now in the tenure of the widdow Smith.
- 1 aker shuting by the way that leadeth to Marshfild on the west side lyeth one acer now in the tenure of Richard Aust.
- 1 aker of barelaged bush on the noth side lyeth halfe an aker of Colledg land now in the tenure of John Edwards.
- 3 akers neare bareladged bush on the noth west side lieth one aker belonging to the Colledg farme.
- 1 aker shuting on the way that leadeth to Nothwood on the south side lyeth one aker of Colledg land now in the tenure of Stephen Shewring.
- 1 aker that hedeth the furlong that shuteth on Nothwoods way.
- 1 harped aker att Gorell Hedg on the noth side lyeth one aker of Richard Aust.
- 1 aker shuting on Gorell Hedg on the noth side lyeth one aker belong to the Lord Lucas now in the tenure of Thomas Shewring.
- 1 aker lying in Chemlis on the noth side lyeth one aker belonging to the Colledg now in the tenure of the widdow Tanner.
- 1 aker shuting athurt Sewell Way on the south side lieth one aker belonging to the Hospitall now in the tenure of May Smith.
- 1 aker on Sewell Hill on the east side lyeth one aker belongin to the Colledg now in the tenure of John Smith.
- 1 aker that doth hed cheeffurlong one aker shuting on the said aker at the lower end.
- 1 aker at lin gate.

- 2 akers with thin the rood on the south side lyeth one aker belonging to the Colledg now in the tenure of Martha Grinway.
- 1 aker shuting in the corner at the white wall.
- 1 aker in Arshly shuting in Huzelling Bottum.
- 1 aker in the litell downfild in Chiltum Bottum.
- 1 halfe aker in the littell downfild lying at hanger hill.

West Upfield

- 3 akers shuting on Hangmans-Aish.
- 1 halfe aker lying neare the said peace on the west side lyeth one halfe aker of Colledg land now in the tenure of John Smith.
- 1 halfe aker shuting on the forse wall.
- 1 aker shuting on the forse wall on the south side by one aker of Colledg land now in the tenure of John Edwards.
- 1 aker lying neare the Upper Barell on the south side lyeth a land of the Horspitall now in the tenure of the widdow Helsham.
- 1 aker lying next ahed aker belonging to the Lord Lucas now in the tenure of the widdow Sallman.
- 1 halfe aker shuting on the rood on the west side lyeth 2 akers of Colledg land now in the tenure of Francis Grinway.
- 1 halfe aker shuting on the rood on the west side lyeth a land of the Lord Lucas now in the tenure of widdow Sallman.
- 1 hed aker at rudges.
- 1 aker in Litell Thorn Bottum on the west side lyeth a land belonging to the Colledg now in the tenure of Mr. Thomas Harris.
- 1 aker in Littell Thorn Bottum on the east side lyeth one aker belonging to the Lord Lucas now in the tenure of Thomas Shewring.
- 1 aker in Litell Thorn Bottum on the east side lyeth one aker belonging to the parsonage.
- 1 aker shuting neare Gorell Hedg buting on 2 akers of Colledg land late in the tenure of Jone Broome.
- 1 aker lying near Lox Stille on the east side lyeth one aker belonging to the widdow Sallman of my Lord Lucas land.
- 1 aker shuting on Moon Close on the east side lyeth one aker belonging to the Hospitall now in the tenure of Walter Smith.
- 1 aker shuting on the said aker.
- 1 aker shuting on Moon Close on the east side lyeth one aker of Colledg land now in the tenure of Thomas Bullucke.
- 2 akers shuting at the upper end of Fall.
- 1 aker shuting on the said 2 akers at the upper end on the south side lyeth one aker belonging to the Colledg now in the tenure of the widdow Grinway.

- 1 aker shuting on Bathway on the west side lyeth one aker belonging to the Colledg now in the tenure of Anthony Benett.
- 3 half akers at Walter Snap.
- 1 aker in Fox Holls in the west side lyeth sartain ground of Richard Smartt one but liing at Fall hedding a land now in the tenure of Jone Hooke.
- 2 akers in the great downfild on the east side lyeth 3 akers of land belonging to my Lord Lucas at Lords Mead hedge.

A TERRAR OF WHAT LAND BELONGETH TO
A COPPY HOULD TENIMENT BELONGING TO
THE COLLEDG AT ESSTRIP NOW IN THE
TENURE OF JOHN WEBB, SEPTEMBER 21th,
1669.

Noth Upfield

- 1 halfe aker at Nothwood side on the south side lyeth one peace of land belonging to Uridg Farm.
- 1 halfe aker in the same furlong in the south side lyeth one halfe aker belonging to the Colledg now in the tenure of Peter Webb.
- 1 aker in the same furlong in the south side lyeth one farendell¹ of Colledg land now in the tenure of Petter Webb.
- 1 aker at Nothwood side on the south side lyeth 2 akers of Colledg land now in the tenure of Mr. Thomas Harris.
- 1 aker on Sewell Hill on the noth side leyeth one aker belonging to the Lord Lucas now in the tenure of Thomas Shewring.
- 1 aker in Cheffurlong on the east side lyeth one aker of Colledg land now in the tenure of Thomas Shewring.
- 1 Farendell at Spittell Thorn Geate on the south side lyeth a land belonging to the Lord Lucas now in the tenure of the widdow Sallmann.
- 1 aker in Aishly in the west side lyeth one aker of Colledg land now in the tenure of Barnebe Lews.
- 1 halfe aker at Aishly Shird in the noth side lyeth a land of the Colledg now in the tenure of Petter Webb.
- 1 halfe aker in Aishly in the south side lyeth a land belonging to the Lord Lucas now in the tenure of Thomas Barratt.
- 1 aker at Estripes Hill.

West Upfield

- 1 halfe aker buting on the fors wall in the west side lyeth a pice of Colledg land now in the tenure of Widdow Jons.

¹ Farrundell or Farthingdeal=The fourth part of an acre; a rood.

- 1 aker at the fors in the noth side lieth a land belonging to the Colledg now in the tenure of Mister Thomas Harris.
- 1 aker shuting on the foors on the south side lyeath 3 akers of Colledg land now in the tenure of Thomas Shewring.
- 1 aker buting on Gorell Hedg on the west side lieth an aker belonging to the widdow Smith the Lord Lucas land.
- 1 halfe aker at Whoore Stone on the south side lyeath a pice of land belonging to the Lord Lucas now in the tenure of widdow Salman.
- 2 akers att Ney Corner 1 half aker att Walter Gate Wellse.
- 1 half aker in the Garsons shuting by the way that leadeth to Estrip.
- 1 aker att Lords Mead Hedg in the west side lyeath a pice of land belonging to the Hospitall now in the tenure of Richard Aust.
- 1 halfe aker lying in the downfild in the west side lieth an aker belonging to the Lord Lucas now in the tenure of John Foord.
- One aker at Chowwell on the noth side lyeth a halfe aker belonging to the Hospitall now in the tenure of Robertt Jones.
- one halfe aker att Hangerhill.
- one halfe aker buting on the foors wall on the south side lyeth a land belonging to the Colledg now in the tenure of widdow Tanner.
- one halfe aker at Lords Mead Hedg on the west side lyeth a pice of land belonging to the parsonag.
- one halfe aker att Chowell Wells.

VIII. TERRIER OF LAND WITHIN THE MANOR OF STERT

A PARTICULAR OF THE LAND, MEADOW AND
PASTURE BELONGING TO THE FARME OF
STERT IN THE COUNTIE OF WILTS TO-
GETHER WITH THE LEASE HOLDS NOW IN
THE POSSESSION OF JOHN TOPP ESQ.

	Acres	Roods
Inprimis the howse, orchard and backside conteyning neer about	1	—
Item a close neere the said howse conteyning neer about	4	—
Item one coppis neer the said close conteyning neer about	8	—
Item of arable land lyeing to the said farme and tenements, conteyning neer about	80	—
Item one parcell of pasture called the Layne conteyning neer about	23	—
Item one other close of pasture now divided into 2 closes called Row Lease conteyning neer about	5	—
Item one close called Bushells conteyning neer about	1	—
Item one other parcell of sheep pasture called Hatfield conteyning neer about	80	—
Item one meadow called Broad-mead conteyning neer about	10	—
Item one other parcell of meadow called Wek Mead conteyning neer about	20	—
Item one other mead called Vernams, conteyning neer about	7	—
Item one parcell of mead called Night Lease lately divided into 3 parts conteyning about	12	—
Item 1 tenement called the Clift, conteyning neer about	—	3
Item 1 other tenement called the High Howse, conteyning neer about	3	—
Item 1 other tenement called Allens, conteyning neer about	2	—

Item 1 other tenement called Hallowayes, conteyning neer about	1	2
Item 1 other close of pasture called Little Longlands, conteyning neer about	2	—
	<hr/>	
Summa totalis	260 acres	1 Rood
	<hr/>	

A particular of the coppie-hold land now in the possession of the said John Topp as followeth.

	Acres	Roods
Inprimis one howse with a backside and one close adioyning conteyning neer about	1	2
Item one other close called Hamwell Close conteyning neer about	3	—
Item one meadow called Small-mead allotted upon the division to the said coppie-hold now divided in 4 parts conteyning neer about	15	—
Item one other close of meadow allotted to the said coppie hold upon the exchange called Upper-Weale, conteyning neer about	1	1
Item one other close of pasture called the Sands, conteyning neer about	1	2
Item one other close called Longlands conteyning neer about	7	—
Item one parcell of pasture, parcell of the farme land called Row Lease, conteyning about	3	—
Item one other close called the Sweare, allotted to the said coppie hold upon the exchange conteyning about	1	1
	<hr/>	
Summa totalis	33 acres	3 Roods
	<hr/>	

IX. EXTRACT FROM RENT AUDIT ACCOUNT, 1665

<i>Alton Berners and Shaw. Mr. Mawks</i>	rent in money	15 16 8	:	10 10 10
Lady day	5 5 5	Michaelmas		5 5 5
Wheate 4 qtrs.	8 13 4			8 10 8
Maulte 5 qtrs. 2 bus.	5 12 0			5 19 0
Summa totalis		39 5 10		

<i>The Wardens Copps the same</i>	rent per annum			
	2 payments			1 12 6
Summa utriusque		40 18 4		

<i>Ibidem Reddit Assiz.</i>				
<i>Anthonius Mawks jun.</i>	The tenants rents			4 12 8
	Allowed for the stewards fee			0 10 0
	For the bayliffs wages			0 10 0
	And for partchment			0 0 4
	Summe allowed			1 0 4
	Sic debet clare			3 12 4

<i>Stert Scit and Demesne</i>	rent in money	14 li.		9 6 5 ob.
<i>John Topp Esquire</i>				
Lady day	4 13 2 ob.q.	Michaelmas		4 13 2 ob.q.
Wheate 3 qrs.				
4 bus.	7 11 8			7 9 4
Maulte 4 qrs.				
5 bus. 2 p.	5 0 0			5 6 2
Summa totalis		34 13 8 ob.		

<i>Tenements and lands to the same</i>	rent in money	3 16		3 ob. 2 10 8
Lady day	1 5 4	Michaelmas		1 5 4
Wheate 7 bus. 2 p.	2 0 7 ob.			2 0 0
Maulte 1 q. 2 bus.				
2 p.	1 8 0			1 9 9
Summa totalis		9 9 0 ob.		

	Summa totalis utriusque	44	2	9
Off which sum paid Dr. Deane, Mr. Rowlanson and Mr. Foukes, Bursars, ut per billam		22	0	0
	Sic debet clare	22	2	9

The Upper Water Mill rent in money 9s. 2d. / 5s. 11d. qr.
Phillip Ellis

Lady day	0	2	11 ob.qr.	Michaelmas	0	2	11 ob.qr.
Wheate 1 bus.	0	5	5		0	5	4
Maulte 1 bus.							
1 p.	0	3	4		0	3	6 ob.
			Summa totalis		<u>1</u>	<u>3</u>	<u>6 ob.qr.</u>

The Lower Water Mill rent in money 9s. 2d. / 5s. 11 qr.
Thomas Line sen.

Lady day	0	2	11 ob.qr.	Michaelmas	0	2	11 ob.qr.
Wheate 1 bus.	0	5	5		0	5	4
Maulte 1 bus. 1 p.	0	3	4		0	3	6 ob.
			Summa totalis		<u>1</u>	<u>3</u>	<u>6 ob.qr.</u>

Ibidem Reddit Assises The tenants rents 9 3 6
Alexander Farley Seaven yeares Myth Money 1 15 0

	Summa totalis	<u>10</u>	<u>18</u>	<u>6</u>
Allowed for the stewards fee		0	10	0
For the bayliffs wages		0	16	8
And for parchment		0	0	4
And he desires to be deducted for 8 yeares Myth Money unpaid		2	0	0
Summe allowed		3	7	0
Sic debet clare		7	11	6

* * *

Colerne Scii and Demesne rent in money 8 13 0 : 5 15 1
Thomas Harris, gentleman

Lady day	2	17	6 ob.	Michaelmas	2	17	6 ob.
Wheate 7 bus.							
1 p.dim.p.	1	19	11 qr.		1	19	4
Maulte 4 qr. 4 bus.							
2 p.	4	17	4		5	3	5
			Summa totalis		<u>19</u>	<u>15</u>	<u>1 qr.</u>

<i>The Woodgrownds</i>	rent per annum 2 payments	14	18	8
<i>The same</i>				
	Sum utriusque	<u>34</u>	<u>10</u>	<u>9 qr.</u>

<i>The Water Mill</i>	rent in money	13s.	4d.	: 8s.	9d.
<i>Richard Simpson</i>					
	Lady day	o	4	4 ob.	Michaelmas
		o	4	4 ob.	
Wheate 1 bus.	1 p.	o	6	9 qr.	
		o	6	8	
Maulte 2 bus.		o	5	8	
	Summa totalis		<u>1</u>	<u>13</u>	<u>2 qr.</u>

<i>Newwoods Tenement</i>	rent in money	2s.	8d.	/ 1s.	7d.	ob.
<i>John Wooddam</i>						
	Lady day	o	o	9 ob.	Michaelmas	qr.
		o	o	9 ob.		qr.
Wheate 1 p.		o	1	4 qr.		
		o	1	4		
Maulte 2 p.		o	1	4		
	Summa totalis		<u>o</u>	<u>7</u>	<u>o ob.</u>	<u>qr.</u>

<i>Reddit Assis. Ibidem</i>				
<i>Thomas Harris, Bayliff</i>	The tenants rents	20	5	2
	And for 2 bushells of wheate			
	for a message called Gregory's	o	10	8
	Summa totalis	<u>20</u>	<u>15</u>	<u>10</u>
	Allowed for the stewards fee	o	10	o
	For the bayliffs wages	1	6	8
	And for parchment	o	o	4
	And allowed for 3 loads of			
	wood to the tenants	o	15	o
	And allowed for the rent of			
	Moody 6d., Smith 6d. and			
	Norway 8d.		1	8 ²
	For the feeding in Northwood			
	every other yeare	1	o	o
	Summe allowed	3	12	o
	Sic debet clare	17	3	10
Mr. Harris for 12 Ashes and 1 Oke		20	10	o
Allowed for Boote Money		4	o	o
Allowed for his paines		o	10	o
	Remaines due	16	o	o

*This item is not included in the total sum allowed.

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