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THE BUCKINGHAMSHIRE EYRE OF 1286

THE BUCKINGHAMSHIRE EYRE OF 1286

Edited by

LESLEY BOATWRIGHT

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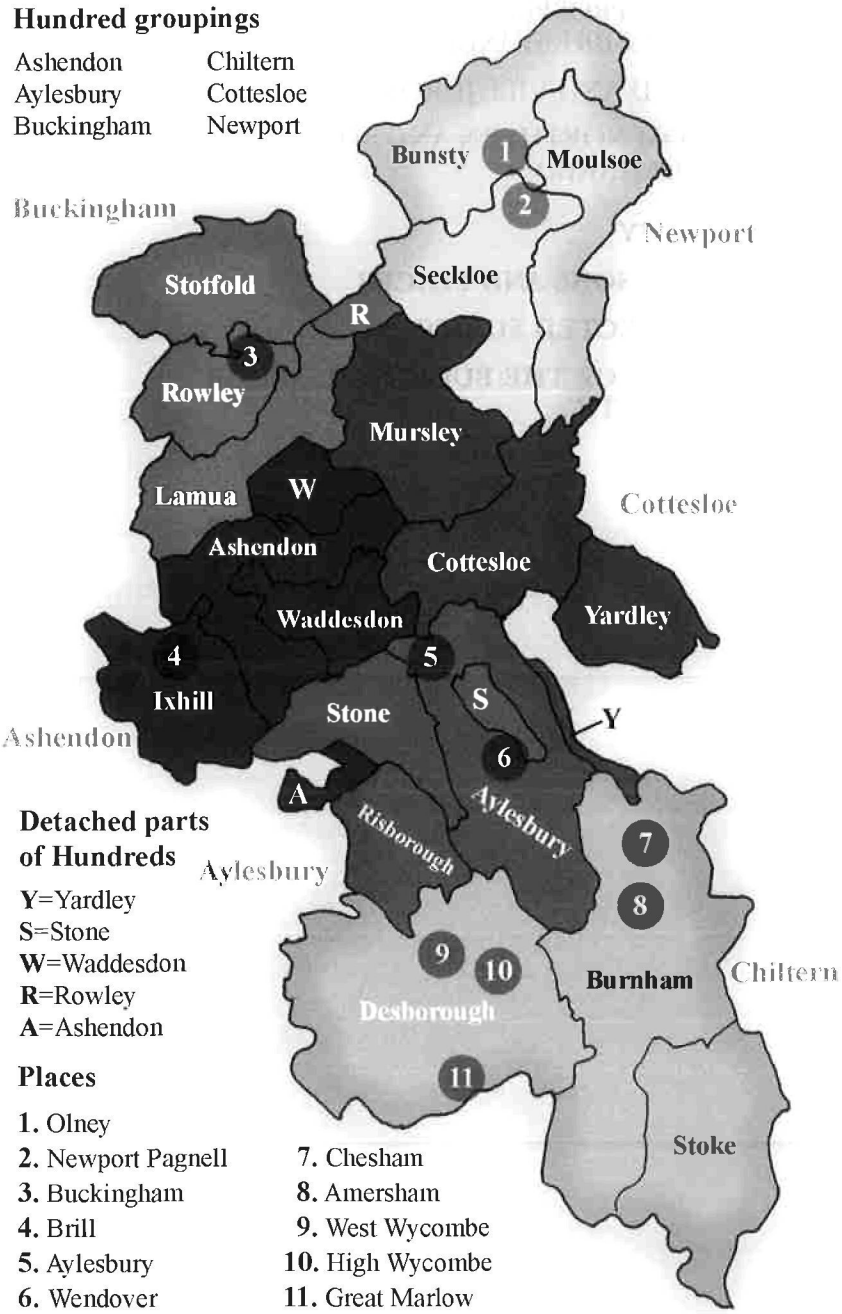
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Prolegomena

The 1286 visitation was the last one Buckinghamshire received before the general breakdown of the eyre system; signs of an official desire to ease the justices' burdens are traceable in the king's instructions to them to send all unfinished cases to the courts at Westminster rather than to the next eyre county as foreign pleas. These instructions, recorded in the rolls of the Rutland eyre which immediately preceded the Buckinghamshire eyre and concerning a case which it was proposed to send on there, are not found in any central record, and are printed here for the first time. This eyre also comes just before the disgrace of a number of royal justices in the 1290s. Nothing done in Buckinghamshire in 1286 appears to have been out of order or contributed to that disgrace.

It was also the first visitation after a number of important statutes had been drawn up, Gloucester in 1276 and Westminster II in 1285. Knowledge of the provisions in these statutes is shown in a number of cases in Buckinghamshire in 1286; the record in JUST 1/67 starts with a case which depends on the important statute *de donis conditionalibus*, "on conditional gifts" (Westminster II c. 1). It was still too early for the statutes to be helpful in redressing most grievances: in several cases a defendant was able to argue that they were not retrospective. The recorded dates for the purchase of some writs show that new administrative arrangements set in place by these statutes (Westminster II c. 10) were not yet completely adhered to by the authorities.

Any eyre roll sheds light on its social and economic setting, as well as the development of the common law. One point to emerge from Buckinghamshire in 1286 is the comparative prosperity of the vills in the Chiltern hundreds, coupled with the high number of "new" men acting there as hundred jurors, i.e. men whose families did not have a tradition of office-holding. It seems there was vigorous social and economic development in this part of the county. On the other hand, the Ashendon hundreds, on good farming land, consistently made low contributions to the issues of the eyre and seem to have had fewer land disputes. Were there fewer free tenants in these hundreds?

Repercussions from the Barons' War of the 1260s are still to be found in the county in 1286, though it seems that many men who opposed the king settled back into the normal county administrative offices that befitted their status.

The 1280s were a time of fluctuating grain prices; 1283 and 1284 were bad harvest years. Many cases were brought before this eyre to claim very

small plots of land, but some of these were claimed by magnates, so may arise from considerations of prestige rather than economic necessity.

Section 1 of this volume sets the scene by considering Buckinghamshire topography and economy, and how evidence from the eyre can be used to assess the comparative prosperity of the different hundreds. Section 2 looks at the men who held land in Buckinghamshire, and did the work of local administration there, especially those who formed the hundred juries; it shows that there was both continuity and change in the make-up of those juries. Section 3 considers the background to an eyre visitation, and how the system was used to maintain the king's peace, and examines the arrangements for the 1286 visitation.

Section 4 turns to the documents themselves, and lists what they contain. It is shown that a number of professional attorneys were at work at this eyre, often on behalf of ecclesiastical clients. A consideration of the debt cases, and the fact that many of these are listed in the plaints section of the roll, led to an examination of other contemporary eyre rolls, and the discovery that the northern and southern circuits of justices had different approaches to what should be enrolled in the plaints section (Appendix VI). It also transpired that this eyre showed more use of the true plaint by higher rather than lower sections of society. Section 5 lists the main types of civil plea met with in an eyre roll, and considers the nature of seisin, which lies behind many of these pleas. Arising from this, actions of novel disseisin, and the device of warranty of charter are considered. It is shown that the success rate for claims by the assize of novel disseisin was low, and that the most successful were claims for very small properties.

The property laws which regulated family life are considered in the next two sections. Section 6 studies the system of inheritance, and section 7 matrimonial property. The main conclusions drawn are that very few cases ever came before a jury and, of those that did, an outcome was most likely in a case of limited descent. Many cases were begun simply in order to reach a recorded agreement. The diminishing number of writs of right and the corresponding increase in writs of entry, already observed by historians such as Dr Paul Brand, receives further confirmation from material from this eyre. Section 8 investigates the position of women in society as revealed by this eyre, and some case-histories are explored to put living flesh on the bones of the law. An attempt is made in section 9 to assess how far Buckinghamshire shared the general tendency in the later thirteenth century to contest the church's possession of gifts given to it by ancestors. This is seen against a background of the parlous state in which many of the county's religious houses found themselves at the end of the century. An interesting concern emerges on the part of some *curiales* ("courtiers") and magnates to promote the welfare of religious houses in the county. Finally, in section 10 consideration is given to the question of why the eyres ceased to be held regularly after the 1290s: in a way, they were the victims of their own success, and the increasing volume of varied

business they dealt with throughout the thirteenth century necessitated the development of other means of coping with it.

Documents and Recording Methods of an Eyre

The proceedings of an eyre were recorded for each of the officiating justices on an individual roll, presumably by his own clerk.[1] At the end of the eyre, an "estreat" roll was made, listing all the amercements and fines arising from the eyre, and a copy sent in to the exchequer, where arrangements were made to collect the money. At first, these financial details seem to have been the only information that central government required. The rolls recording the pleadings seem to have been thought of as the property of the justice for whom they were compiled. Then, on 8 December 1257, the barons of the exchequer were ordered to find out the whereabouts of the rolls of all the king's justices since the beginning of Henry III's reign, and get them sent into the treasury. All justices were in future to be instructed to send their rolls and chirographs into the treasury.

Some justices complied; others did not. It could well be that they needed their rolls as working documents, especially in the period when adjourned pleas were heard at the subsequent eyres in different counties, and could last for years.[2] Another system was needed to ensure that the records of justice were kept available centrally.

By the mid thirteenth century, the king had a clerk on his staff known as "the keeper of writs and rolls of the bench".[3] According to Crook, this clerk accompanied the justices of the bench when they were acting as eyre justices; and there is some evidence that he kept a roll, at least of the appointment of attorneys, on the king's behalf. By 1266 the word *rex*, "king", is found on some bench rolls, and it would appear that the keeper now compiled a roll, the "Rex roll", of all the proceedings for the king.[4] In 1276 William Brampton was appointed as keeper of writs and rolls for the Bedfordshire eyre that year, and also to be, "as the custom is . . . chief clerk of the eyre". Crook notes that the earliest surviving Rex roll comes from that eyre, and such rolls were regularly kept from then on.[5] Some keepers, however, like the justices, held on to their rolls and had to be made to disgorge them. There was a general call for the surrender of Rex rolls in 1284.

It would seem unnecessary to keep all the rolls of the junior justices centrally. Yet many do survive for the period 1272 to 1289 (but few after that). In September 1284 these rolls had been called for at the same time as the Rex rolls, and presumably were called for again in 1289, in view of the scandals in the judiciary at the time. A number of junior justices' rolls were handed in then.[6]

Copies of agreements reached by litigants were sent in to the king's chancery as "feet of fines". These are the file copies of final concords agreed between parties to a dispute or to a conveyance of property. The details were written out three times on one piece of parchment, which was

then divided; each of the parties received one copy, and that at the foot of the parchment went to Westminster. The original writs were also returned to the chancery. The exchequer kept the accounts of moneys due and paid in as the issues of the eyre, and these are recorded in the Pipe Rolls.

Five justices were commissioned to hear the 1286 eyre to Buckinghamshire. The Chief Justice was John des Vaux, and the junior, or puisne, justices were William of Saham, Roger Loveday, John of Mettingham and Nicholas Le Gras. Four of the five justices' rolls survive from this eyre. The exception is that of Nicholas le Gras. None of his rolls survives for any eyre at which he sat, and he was dead before the scandal broke in 1289, which obviated any need to pursue them for the record. The surviving rolls are catalogued at the National Archives thus:[7]

JUST 1/63 is the main Rex roll. It contains both civil and crown pleas, as well as essoins, appointments of attorneys, amercements and fines, kalendar (lists of hundred and vill jurors), plaints and gaol delivery (57 membranes).
JUST 1/64 is the Rex roll containing the *quo warranto* and other king's pleas (8 membranes). These Buckinghamshire *quo warranto* pleas do not appear in the roll of any individual justice.[8]
JUST 1/65 is John of Mettingham's roll, containing the same range of entries as JUST 1/63 (56 membranes).
JUST 1/66 is the roll of the Chief Justice, John des Vaux, containing the crown pleas, with plaints, gaol delivery and kalendar. It is estreated. (18 membranes)
JUST 1/67 is the roll of the Chief Justice, John des Vaux, containing the civil pleas, with essoins, a foreign plea, and appointment of attorneys. It is estreated. (43 membranes)
JUST 1/68A is Roger Loveday's roll, containing much the same range of entries as JUST 1/63 (59 membranes).
JUST 1/68B is William of Saham's roll, containing much the same range of entries as JUST 1/63 (48 membranes).

In this edition the civil pleas have been transcribed from JUST 1/67 and checked against JUST 1/63, with any discrepancies of importance noted. JUST 1/67 was chosen as it is (a) the Chief Justice's roll; (b) in a somewhat better state of preservation than JUST 1/63, and, (c) as shown below, was probably compiled during the progress of the eyre, rather than written up later. The plaints have been transcribed from JUST 1/66, and the civil amercements from the Rex roll, JUST 1/63. Fuller descriptions follow.

The surviving Feet of Fines arising from this eyre are to be found in CP 25(1)/17/48, nos. 1–4, 8–11, 13–25; and CP 25(1)/17/49, nos. 26–47, published by Buckinghamshire Record Society, volume 25 (1989), edited by Anita Travers. No writ file survives, but a few writs are in JUST 4/2/8, part 1, nos. 6–7, and the account is in E 372/132, r. 16d.[9]

JUST 1/67 is in a good state of preservation, apart from a few rubbed edges, and written clearly and legibly by what appears to be one hand. The name *Alanus de Tesdale* is written at the bottom of membrane 1, without a *capitulum* (paragraph) mark, and so may be the clerk's name. There are some variant spellings and letter-forms, but none (except a few entries on the rolls of attorneys) that demands a change of clerk. The most obvious differences in appearance come when the clerk uses new ink, or has sharpened his pen. The essoins (excuses for non-attendance) are rather more faded and rubbed than the rest of the roll, giving the impression that this membrane might have been consulted more often: it is clearly a working document rather than a fair copy, with additions and crossings-out.

The membranes generally measure between 27 and 30 inches in length, and nearly 9 inches in width; mm. 15 and 34 are shorter (21 inches and 9 inches respectively). A *postea* (record of a subsequent hearing or step) on m. 17 is on a separate piece of parchment stitched on at the bottom. The 43 membranes are now stitched together at the top in a brown cover, but have traces of a former lacing: at the top of each membrane are four small regularly-punched holes; the first two are an inch apart, then there is a space of five inches, and the last two are also an inch apart. There is some uniformity in the preparation of the membranes, with a left-hand margin of just over half an inch faintly ruled on most, and some faint horizontal rulings to divide membranes into sections. There are opaque repairing strips and patches on some membranes, which just occasionally cover where a margination might have been written. The lower parts of mm. 36 and 37 have been badly torn.

It was obviously the clerk's intention to write a big, impressive heading to the roll; he has left a nine-inch space at the top of membrane 1 for it. Nearly every other membrane is headed, in large Gothic script, with a brief note of its contents on the left and the name of the Chief Justice in Latin in the top right-hand corner. A heading on the left of m. 10 has been partly obliterated. M. 34, the note of a case from the liberty of Berkhamsted, has its own two-line Gothic heading. At the foot of each membrane, the numbering (in ink, in Arabic numbers) is in a much later hand, and each number is preceded by a capital K, not always in alignment with the number. Near these ink numbers is a series of pencilled Arabic numbers, which never differ from the ink ones. The clerk did not enliven his roll with little drawings, except for a grid pattern at the foot of membrane 28. He left space in which to write later developments to some cases, sometimes under-estimating badly, so that the record has to be squashed into an inadequate space, and sometimes leaving too much, when he generally inserts a *capitulum* mark at the left below the record of the case. This shows that the roll was at least in part a working document, rather than a fair copy made when the hearings were over, a fact which is true of all the rolls, including the Rex roll.

The membranes of the Rex roll, JUST 1/63, are somewhat longer, measuring up to 34 inches. They vary between 8 and 8½ inches in width,

with a one-inch margin ruled on the left. M. 1 has an extra seven lines written on a separate piece of vellum and inserted as a separate membrane (though not numbered as such) by conservators. Horizontal rulings, the use of *capitulum* marks, and the writing of headings are much the same as in JUST 1/67, but m. 1 begins with a large heading, carefully and splendidly ruled and written in a space six inches long. This document too has the four punched holes at the top of each membrane, the traces of a former lacing-together. In general, it is in a worse state of preservation than JUST 1/67: m. 1 is more rubbed and faded and torn, and many membranes have worn and faded ends. Perhaps these are signs of usage rather than decay. The whole document has been encased in skins to conserve it. As with JUST 1/67, a later hand has added Arabic numbers at the foot of membranes, this time preceded by the letter U, and there are sometimes (but not always) pencilled numbers nearby, which sometimes go wrong.

The membranes of Saham's roll are much the same size (30" x 8"), and still fastened at the top by a tie in two sets of two holes as described for the previous rolls. Some membranes are more rubbed and faded than others. The large heading on the first page has rulings to guide the writer, but the words do not keep to them; letters become smaller in the course of a word. The later ink numberings at the foot of each membrane are preceded by the letter U, and there are also numbers in pencil, beginning with 61, and struck through. Loveday's roll is not in very good condition, though inside membranes are generally better than the outer ones. Again, the large heading on the first page has careful rulings, but the words diminish within them, and the modern numberings are the foot of each membrane are preceded by the letter U. Mettingham's roll, held together within its linen cover by crude string stitching, is neatly written, and the numberings are preceded by the letter X. The large heading on the first page is careful and shapely.

When the DeWindts edited the surviving rolls for the Huntingdonshire eyre, which took place later in 1286 before the same five justices, they remarked that the entries in des Vaux's roll were sometimes fuller than in the others.[10] At first sight, it seemed as if this might be true for Buckinghamshire as well, as the civil pleas in his Buckinghamshire roll took up 37 membranes, whereas in each of the rolls of the three puisne justices they took up 27 membranes.[11] However, other reasons for this discrepancy became apparent, as is shown below.

My initial presumption was that each justice only recorded the cases he had heard in person; but this was soon dispelled, first by the DeWindts' statement that only two entries found in des Vaux's roll were missing from those of the puisne justices (and both of those were Crown pleas),[12] secondly by ascertaining the position in each roll where individual entries were to be found. While some entries are indeed missing from one or more of the rolls, the great majority are present in all, and the missing items are largely the false starts or double enrolments of a few cases in des Vaux's

roll, and the omission from one or more of the puisne justices' rolls of some of the private agreements brought to the eyre to be enrolled; notably, the long foundation charter of the College of Bonhommes at Ashridge (417) was completely missing from Mettingham's roll, and Loveday's clerk had given up half-way through.[13] The smaller number of membranes in the rolls of the puisne justices seems partly due to the fact that, though the actual membranes were much the same size as in des Vaux's roll, their clerks used smaller writing.[14]

The order of enrolment varies greatly from roll to roll. The DeWindts could discover no pattern to it in the Huntingdonshire material.[15] Michael Clanchy had already noted that the sequence of entries often differed from roll to roll, and deduced that rolls were not copied from each other, but were fair copies made from notes. On the other hand, they were compiled while the business of the eyre was proceeding, as spaces had been left for further developments.[16]

In the Buckinghamshire material, the first plea on all five surviving rolls is that in which Robert de la Mare tests the new statute on conditional gifts and wins. This was obviously one of the most important pleas to be heard at this eyre, and takes pride of place in the record. Of the other important (or lengthy) pleas, that of the Keynes inheritance (368), begins a membrane in the rolls of Mettingham and Loveday (and in the Rex roll), but fills the bottom of a membrane in des Vaux's and Saham's rolls.[17] As no entry, even the Ashridge foundation charter, ever spills over on to another membrane, or even on to a dorse, it is obvious that des Vaux's and Saham's clerks knew exactly how much room on a membrane the enrolment would take up before they wrote it; they must have seen it written up in final form. This occurs again with 177, the case in which the Bardolfs try to recover the manor of Bledlow from the abbot of Bec Hellouin. It begins a membrane in the rolls of des Vaux, Mettingham and Saham, but Loveday's clerk fits it on to the bottom of a membrane.[18] On the other hand, plea 37 (Robert le Forester of Bayworth's claim for his mother's land), was begun towards the end of m. 2 by Mettingham's clerk, who then did not have enough room to finish it. He has ruled a zigzag pattern at the bottom of the membrane, and pricked through the apexes, ready to sew on an extra piece of parchment, but has not done so, and the plea lacks the last two paragraphs present in des Vaux's roll.[19] The Scoville case (47) begins a membrane in des Vaux's roll (and in the Rex roll), but the puisne justices place it second, after the mort d'ancestor case brought by William of Covington, which is 44 on des Vaux's roll; the Scoville case fills the rest of these membranes in the puisne justices' rolls, and the cases which follow it on des Vaux's roll, namely the first three brought by Petronilla Payne (48–50), appear at the top of the dorses of those membranes on the puisne justices' rolls. Thus at this point the same *order* of cases is being observed, though the membranes are not *beginning* with the same case. The clerks may be copying from a completed membrane in such instances.

Mettingham enrols together the two cases involving William Graunt of Hulcott,[20] although they are separated in all other rolls.[21] Was this simply a choice by Mettingham's clerk, or did Mettingham hear the cases one after the other? Petronilla Payne's three first cases (48–50) were all enrolled together by all the justices (though the Rex roll displaces 50). The major cases involving Bec Hellouin land in Bledlow are grouped fairly near each other by des Vaux (177, 183, 184). Saham (m.18) and Mettingham (m. 25) start new membranes to record 177, and Saham starts another new membrane (m.15) for 183. As the rolls were not stitched together until later, it is perfectly possible that these cases were heard and recorded one after the other, each on a fresh membrane; indeed, as the abbot's attorney would have had to travel to Newport Pagnell or High Wycombe for them, one would expect that to be so. Here, therefore, their separation in some rolls is probably illusory, and a function of the fact that the membranes were not fastened together at this stage.

There is a case in which four separate stages are recorded at this eyre, Ralph fitz Bernard's formedon claim which appears in 76, 96, 208 and 267. From internal evidence it is clear that the order of the hearings was 96, 267, 208 and 76. Not one of the justices, or the Rex roll, has this correct order, though Saham places 267 before 208. Both Loveday and Saham record 96 lower down on the same membrane as 76, so there is absolutely no possibility that the stages of this case were enrolled from any form of connected narrative or chronologically-compiled membrane. Indeed, Loveday's record is incomplete. His version of 96 had the jury verdict added in a different hand, and then scratched out, and he does not appear to have enrolled 208 at all.[22] One may perhaps envisage bundles of notes circulated between the clerks for them to copy on to their rolls.

The evidence thus points to each clerk enrolling the cases at will (whether his own, or that of the justice he served), copying from notes which sometimes contained several cases and sometimes single ones. Did each clerk contribute a share of the notes? Would it be the clerk of the presiding justice in each case who produced these notes for copying? There seems to have been no cross-checking, and the original clerks numbered neither the entries themselves, nor the membranes on which they were written. It is not surprising that a few entries were missed by one or more of the clerks; indeed, it is surprising that so few were. A final point may be made that, as may be seen from the listing in Appendix III, a number of the missing entries in the puisne justices' rolls are from the last 20 or so on des Vaux's roll, an indication of the pressure of work. The clerks had more work from Buckinghamshire, and less time to do it in, than from Huntingdonshire. There were 420 entries concerning civil pleas in des Vaux's Buckinghamshire roll. The Huntingdonshire eyre, in which the clerks did not miss any out, had 219 (and four foreign pleas). The Buckinghamshire eyre ended on 22 May,[23] and the Cambridgeshire eyre opened on 16 June, an interval of just 25 days. The Huntingdonshire eyre ended on 28 October, and the justices next sat at Bedford on 14 January 1287, two and

a half months later.[24] It is no wonder that the Huntingdonshire rolls were more complete than the Buckinghamshire ones.

Editorial Comments and Conventions

Translation

The translations keep as close to the Latin as is consistent with clarity. Some words such as "aforesaid", "the same", etc., have been omitted where the meaning is clear, as have all instances of *etc.* Where necessary, the missing word(s) represented by *etc.* have been given in square brackets. In mort d'ancestor cases (apart from its first appearance in 1), the expression "John, concerning whose seisin the assise has been set up", has been rendered as "the late John".

Some legal technical terms have been retained; in particular, "vouch to warranty" for *vocare ad war(r)antum*, etc., although *vocare* is simply the Latin for "to call". But *perquirere* has always been rendered as "acquire" rather than "purchase", as money is not always involved in such a transaction; and *prosecutus est* has been rendered as "he pursued his case", because "he prosecuted" seems inappropriate and unidiomatic in a civil action.[25] Care has been taken always to render *eligere*, *electi* as "to choose", "chosen", because "to elect" and "elected" have procedural implications.

Christian names have been modernized when modern forms exist, with Maud chosen for Matill' and James for Jacobus; but Petronilla has been retained, as its later form Parnel is obsolete. Extranea ("Female Stranger") in 362 defied modernization. 230 provides a warning against rendering Juliana as "Gillian". Occupational names are treated as surnames: *Hugo le Maltemaker* (52) has not been turned into Hugh the maltmaker. The MS spelling in these names has been preserved: thus *Botiler*, *Butiller*, etc., have not been standardized to Butler, though the main entry for such a name in the index will be under the standard form.

Many men are described in terms of affiliation. Here may be noted an idiomatic circular usage, such as in 11: "John of Nottingham, father of Richard son of John of Nottingham". After much heart-searching it has been decided only to use the term "fitz" where (a) the family is known as such to history, e.g. fitz John of Hanslope, fitz Nigel, or (b) its use was deduced from a given pedigree. For example, in 76, we are told clearly that the father of "Ralph son of Bernard" (*Radulfus filius Bernardi*) is named John, so this name is rendered as Ralph fitz Bernard. In 7, the dead man is called "Richard son of William of Hanslope father of Robert son of Richard son of William of Hanslope" (*Ricardus filius Willelmi de Hanslape pater Roberti filii Ricardi fil[ii] Willelmi de Hanslape*), which can best be sorted out if *filius Willelmi* is treated as the surname fitz William; it then reveals itself as an extension of the circular usage noted above: Richard fitz William of Hanslope, father of Robert son of Richard fitz William of Hanslope.

Some well-known families appear in these entries, and have been given their historical or modern surnames: Beauchamp for *de Bello Campo*, Munchensi for *de Monte Canisio*, Hawtrey for *de Alta Ripa* (Hautrive), Audley for *Aldethel'*. The index lists the various forms of such names.

Dates are given with the modern form in square brackets, even for supposedly well-known dates. It can no longer be assumed that people know that Michaelmas falls on 29 September, or All Saints Day on 1 November. For the sake of uniformity it was felt that Christmas Day should also be noted as 25 December. Currency is given in £ s. d. and marks, according to the usage in the MS. There were 12 old pennies (12d.) in a shilling, and 20 shillings (20s.) in a pound (£). A mark was two-thirds of a pound (13s. 4d. – roughly 1 euro) and half a mark was one-third of a pound (6s. 8d.). All numbers in the text were written in Roman numerals, but are here translated into Arabic ones. Here may be mentioned an idiom used in (e.g.) the figure 21, and first seen in this roll at 130, when a claimant seeks a fifth part of 21 acres and the text has *viginti unius acre* (not *viginti unius acrarum*).

Brackets

The following use has been made of brackets:

(marg: abc)	indicates words marginated.
(abc^{i})	indicates words inserted above the line; they are printed at the point where a caret in the text shows where they were omitted by the clerk.
(abc^{c})	indicates words struck through by the clerk, often but not always to show that a margination has been estreated.
[abc]	indicates words omitted by the clerk or otherwise supplied by the editor to clarify the sense

Words repeated in error, or otherwise written incorrectly for their context, are noted in footnotes to the entries. Marginations are included in round brackets in the translation at points where the text indicates they belong.

Numbering of entries

Enrolments in the printed text have been numbered from 1 to 908. Of these, 1 to 420 are enrolments of the civil pleas brought to this eyre, 421 to 430 are essoins, and 431 is the sole foreign plea recorded. 432 to 858 record the appointing of attorneys. All these are from JUST 1/67, the roll of the Chief Justice, John des Vaux, which contains the civil pleas.

Entries numbered from 859 to 877 are the plaints brought to this eyre, taken from JUST 1/66, the crown pleas roll of John des Vaux. These concern trespass charges and records of debts, and do not seem to differ

in any way in content from those in JUST 1/67, so it has been felt necessary to include them in this study. Finally, entries numbered from 878 to 908 are the civil amercements relating to the civil pleas, revealing which amercements were in fact imposed, and how much the amerced parties had to pay. These come from JUST 1/63, the Rex roll, made by the official "keeper of the writs and rolls".[26]

Where relevant, readings from JUST 1/67 have been checked against those of JUST 1/63, and any discrepancies of interest noted after an entry. Minor discrepancies, such as the substitution of part of *predictus*, "the aforesaid" for part of *idem*, "the same", have not been noted; indeed, the two documents often seem to make a point of differing from each other in this respect. The order in which the cases are recorded by all the surviving rolls is, as noted above, very different, and will be found in Appendix III.

Indexing Conventions

Numbers in *italics* refer to page-numbers in the Introduction, and those in Roman type to individual entries in the transcript.

The surnames Baldwin, Bishop, Butler, Carter, Carpenter, Chamberlain, Franklin, Francis, Newton and Taylor are indexed under their modern forms, but commonly-found variants are mentioned in their own alphabetic places. Julian and Christian are both female names. A man named (for example) Roger, son of Thomas, is indexed under Roger, but one named Roger son of Thomas de Aylesbury is shown as Aylesbury, Roger, son of Thomas de. "Fitz" has been used sparingly, and the "son of" formula generally preferred. A surname beginning with the English atte or the Latin *de* is indexed under the second element of the name. An asterisk after a name indicates that the person is dead.

Buckinghamshire place-names, and others which are easily recognizable, are given in their modern forms, with the various forms found in the roll given in brackets afterwards. Places in Buckinghamshire also have the abbreviated name of their hundred in brackets. Places elsewhere are given their county name, where known. Unidentified places are listed in italics.

The index of selected subjects should be used in conjunction with the Conspectus of Pleas in Appendix I: for space reasons, only when a type of plea is represented by a very few cases have their entry numbers been listed in individually in the index.

Note on References

All unprinted documents consulted are in The National Archives at Kew, London, and are cited by the class numbers listed in the Bibliography on p. 486. Printed primary sources are cited in the footnotes by an abbreviated form of the title of the volume in which they are published, full details of which are given in the Bibliography on pp. 486–8. For

secondary sources, books are cited by surname of author, and title in italics; the titles of articles or chapters within collections are placed within inverted commas, followed by details of the collections. For secondary sources frequently cited, a shortened form of title is used in subsequent citations. Full details of all secondary sources are given in the Bibliography under the surname of the author on pp. 488–92.

Numbers in this typeface [000] refer to item numbers in the text.

Acknowledgements

This volume is based on my Ph.D. thesis *An Introduction to and Edition of the Civil Pleas in JUST 1/67, the Roll of John des Vaux, Chief Justice, at the Buckinghamshire Eyre of 1286* (King's College, University of London, June 2005).

I should like to thank the staff of The National Archives at Kew for their help. I have also much appreciated the support and help of the staff and my fellow post-graduate students in the History Department at King's College London. Thanks are due to Christopher Whittick, who talked me into undertaking this work; to Eric Gallagher who helped me to come to terms with my computer, and especially to Dr Paul Brand who, on hearing of my chosen county, immediately gave me copies of his transcripts of the law reports on cases at this eyre, and has constantly and generously helped me to understand the intricacies of the law. Above all, I should like to thank my Ph.D. tutor, Professor David Carpenter, for whose unfailing encouragement and guidance I am extremely grateful. In particular, he constantly caused me to shape my arguments and reach for conclusions when I had been vague and indecisive.

My thanks are also due to Dr Eileen Scarff, Editor of Buckinghamshire Record Society, and Roger Bettridge, Buckinghamshire County Archivist, for their help and expertise.

I have made every effort to transcribe and translate the text correctly, and to do the arithmetic in the tables and appendices properly, but I am sure that there will be errors that I have missed. For these, of course, I take full responsibility.

Notes

[1] For a detailed account of the documents of an eyre and their survival, see David Crook, *The Record of the General Eyre* (PRO/TNA Handbooks no. 20, London: HMSO, 1982).

[2] See pp. 61–5.

[3] Crook, *Records*, p. 26, quoting the appointment of Roger Whitchester in 1246 (*Archaeologia Aeliana*, 4th series, XXXV (1957), 106).

[4] Were there perhaps two such keepers, one for each eyre circuit? See pp. 54–7.

[5] Crook, *Records*, p. 26.

[6] Crook, *Records*, p. 28. There were, of course, fewer eyres after 1289.

[7] This class used to be called J.I. (for Justices Itinerant), and is cited thus in older publications.

[8] Published in *Placita de Quo Warranto* (ed. W. Illingworth and J. Caley, Record Commission, 1818), pp. 83–98.

[9] Crook, *Records*, p. 154.

[10] *Royal Justice and the Medieval English Countryside (The Huntingdonshire Eyre of 1286)*, ed. Anne Reiber DeWindt and Edwin Brezette DeWindt, (Toronto: Pontifical Institute of Medieval Studies, 1981), p. 117. Spot checks in the Buckinghamshire rolls did not reveal such discrepancies, and a more thorough comparison seemed not a very productive use of time.

[11] Mettingham, JUST 1/65, Loveday, JUST 1/68a, Saham, JUST 1/68b. Crook, *Records*, p. 154.

[12] Their nos. 418 and 662, also missing from the Rex roll, which also lacked 343. On the other hand, the Huntingdonshire rolls were more alike in size: des Vaux's had 18 membranes of civil pleas, Loveday's and the Rex roll 17 each, Saham's 16 and Mettingham's 15. Crook, *Records*, p. 155.

[13] JUST 1/68a, m. 28.

[14] See Appendix III for a full listing of the entries in each roll, and a list of entries missing from each.

[15] DeWindt and DeWindt, *Royal Justice*, p. 115.

[16] M.T. Clanchy, *The Civil Pleas of the Wiltshire Eyre of 1249*, (Wiltshire Record Society, vol. XXVI, 1960), pp. 6–7.

[17] 368 is m. 15/1 in Mettingham, m. 27/1 in Loveday, and m. 23/11 in Saham.

[18] 177 is m. 25/1 in Mettingham, m. 10d/10 in Loveday, and m. 18/1 in Saham.

[19] JUST 1/65, m. 2d.

[20] JUST 1/65 m. 16d.

[21] Des Vaux's cases 27 and 45; Loveday on mm. 6/4 and 2/3; Saham on mm. 5/4 and 4/3. On the Rex roll they are mm. 6d/7 and 2/2.

[22] JUST 1/68a, m. 8d.

[23] See p. 58.

[24] Crook, *Records*, pp. 154–5.

[25] It seems better to aim for understandable English rather than legal technical terminology.

[26] Crook, *Records*, p. 26.

INTRODUCTION

Section 1
Topographical and Economic Background

This section will set the scene by looking at the topography and natural resources of Buckinghamshire, and the medieval settlement patterns that developed as a response to these. Agriculture, industry, towns and communications in the medieval period will be very briefly considered. The comparative wealth of the different hundreds will then be studied, using evidence from the 1286 eyre and comparing it with evidence from other medieval sources. Finally, it will be shown that the numbers of claims for land heard at this eyre differ from hundred to hundred, and a possible explanation will tentatively be put forward.

Topography, Resources and Settlement Patterns

Buckinghamshire is a small county, being thirty-third in size out of the thirty-nine pre-1974 English counties. It is situated in the part of the kingdom most heavily manorialized in medieval times.[1] The county has recently been studied as part of work on East Midlands settlement patterns by Carenza Lewis, Patrick Mitchell-Fox and Christopher Dyer, and much of this first section is based on their results.[2]

The authors looked at the settlement patterns in a compact area of the East Midlands, comprising Bedfordshire, Buckinghamshire, Leicestershire (and Rutlandshire) and Northamptonshire, and the Soke of Peterborough. They distinguished five types of settlement. Two are nucleated: (a) clusters of five or more dwellings grouped at a single point round a focus; (b) rows, arranged along a straight street or green with boundaries at right angles to that street or green, and plots often of equal length or width. The other three are dispersed: (c) interrupted rows, with the tofts strung out along lanes, often separated by small fields; (d) common-edge settlements, like (c) but strung out along edges of features such as common land; and (e) small clusters of fewer than five tofts, or isolated farmsteads.[3] Although the authors based their mapping on early nineteenth-century data, they suggest that the evidence from survey, aerial photography and field-walking of deserted and shrunken medieval settlements shows that these settlement forms do broadly reflect the medieval settlement plans.[4]

Nucleated settlements are usually found in river valleys, and on good

agricultural land, whereas dispersed settlements occur on more difficult land, uplands, and woodland. Terrain is obviously a very important factor in whether settlements follow a nucleated or dispersed pattern, but it is not the only one. In general, the authors distinguish two main systems of response to the landscape in the four counties studied:

(a) the "champion" *pays* (i.e. field-centred), with nucleated settlements and the "midland" field system (in which each vill has two or three great fields in which the villagers each have a share of strips, and the individual submits to the community – or seigneurial – decision about their cultivation). This type of *pays* is predominantly arable, and, in the thirteenth century, largely (though not always) held by villein tenure.
(b) the "woodland" *pays*, with dispersed settlements, irregularly-cultivated fields, a more pastoral economy and a preponderance of free tenants.[5]

Nucleation and a regular field system may have been imposed by the lord of the manor, or be a response to population pressure. It has also been suggested that field and vill organization was to facilitate taxation. Lewis, Mitchell-Fox and Dyer reject a monocausal explanation, believing mental forces as well as material ones should be taken into account, though "suspicion remains that there were hard practical considerations behind nucleation", namely that changes had to be made to survive some economic or demographic pressure.[6] The maximizing of seigneurial profits could, of course, be viewed as a hard practical consideration.

Buckinghamshire may be divided geologically into six areas, bordered to the north by the forests of Whittlewood and Salcey, and to the west by Bernwood forest. For administrative purposes, the county was divided into eighteen hundreds; certainly by 1272[7] and probably well before that, these eighteen hundreds had been grouped into the six triple hundreds of Ashendon (Ashendon, Ixhill and Waddesdon); Aylesbury (Aylesbury, Risborough and Stone); Buckingham (Lamua, Rowley and Stodfold); Chiltern (Burnham, Desborough and Stoke); Cottesloe (Cottesloe, Mursley and Yardley); and Newport (Bunsty, Moulsoe and Seckloe). Some broad correlation is observable between the geological areas and the hundred territories.

The geological areas are listed here from north to south, with details of settlement patterns added from *Village, Hamlet and Field.* Each area has its own particular admixture of nucleated and dispersed settlement.

1. The Great Ouse Valley. In the north of the county is the wide, meandering valley of the Great Ouse. This river rises in Buckinghamshire and flows north-east to the North Sea, a major route of communication in its lower course at least. Here, and on the edges of Whittlewood Forest to its north, there are both nucleated and dispersed settlements. The relative scarcity of nucleated settlements in the valley itself is rather unusual,

as is the presence of some nucleated settlements in Whittlewood, as woodland generally shows dispersed settlements.[8] Bunsty and Stodfold hundreds lie completely within this area, together with the northern halves of Moulsoe and Seckloe hundreds, and a part of Rowley hundred.

2. The Purbeck and Portland Hills. This mixed pattern of settlement (nucleated and dispersed) is found also south of the Great Ouse Valley, on the Purbeck and Portland Hills, an area where limestones and greensand occur on top of Jurassic Oxford clays to form a hilly district, and the soils vary. There are some light, well-drained soils, but also boulder-clay deposits which do not drain well: they are hard to plough, though fertile. Only the area between Buckingham, Bletchley and Stewkley has far more nucleated than dispersed settlements;[9] this triangular area is largely in Mursley hundred and the southern part of Seckloe hundred. The southern part of Moulsoe hundred, and the whole hundred of Lamua also lie on the Purbeck and Portland Hills.

3. The Vale of Aylesbury. South of these hills comes the Vale of Aylesbury, with Bernwood Forest to the west. In the Vale are underlying Jurassic limestone and Kimmeridge clays; the River Thame flows south-west in a wide, fertile valley at the foot of the greensand ridge of the Chiltern Edge to its south. Here were once forests of oak and ash. The soils are fertile, but hard to plough. There are springs at the foot of the Chiltern escarpment, and many streams, and so the area has been long settled, most often in nucleated settlements, both rows and clusters. The vills may each comprise one large settlement.[10] The three Ashendon hundreds and Cottesloe hundred lie in this area; only the northernmost part of Aylesbury and Stone hundreds (including the town of Aylesbury itself) are to be found there.

4 and 5. The Chiltern Edge and the Chiltern Dip Slope. Above the Vale of Aylesbury rise the Chiltern Hills, on chalk and Upper Greensand, to a height of 650 feet. This is an area of natural beech woodland, where cleared soils are thin but drain freely, and are easy to cultivate in the short term, although they need to be thoroughly fertilized for any intensive or long-term cultivation. There are also areas of clay with flints, which generally remain wooded as they are difficult to cultivate. The northern part of the Chilterns, the Chiltern Edge (4), is a band of Upper Greensand still densely wooded. To its south, the Chiltern Dip Slope (5) is drained by several rivers going south to the River Thames, and these have attracted settlement; elsewhere on the Chilterns water is scarce.[11] On the Chiltern Edge there are large tracts of common land, often on parish boundaries, with settlement along their fringes. At first sight they appear random and sprawling, but "the arrangement of interrupted row or common-edge settlements or single farmsteads seems almost standardised, with individual tofts set out at regular intervals".[12] The three hundreds of Aylesbury (and a small, detached part of Yardley hundred) comprise the Chiltern Edge, and the parishes here are for the most part very elongated north-west to south-east, and very narrow. On the Chiltern Dip Slope to

the south, most settlements to the south-west were single farmsteads at regular intervals; to the south-east there was a greater variety of types, but "still essentially dispersed, consisting mostly of interrupted rows or single farmsteads, the latter tending to cluster loosely together".[13] Here are the Chiltern hundreds, and the southern portion of Stone hundred. On the Chilterns there are no large medieval villages, whether deserted, shrunken or still inhabited. Lewis, Mitchell-Fox and Dyer believe that means they never existed there.[14]

6. The Thames Valley. The Chiltern Dip Slope drains down to the Thames Valley, where conditions change. Here the country was less wooded, and the settlements were mainly short, irregular rows.[15] The southern portion of Stoke hundred lies in the Thames Valley.

Moated sites are scarce on the Chilterns, and those that existed were either abandoned or incorporated into a settlement; all but two are more than half a mile distant from their parish churches, which means they were probably granges rather than manor houses, which would stand beside the church: 46% of all moated sites in existing villages north of the Chilterns do stand beside the church, and are interpreted as manor houses.[16] Lewis, Mitchell-Fox and Dyer seek to explain the lack of moated sites in the Chilterns, "which . . . contained its share of prosperous and aspirant freeholders" as partly owing to the nature of the soil, free-draining chalk, and partly to "social factors at present unknown".[17]

The foregoing picture has been built up from historical sources as well as archaeology and topography. A density (as recorded in Domesday) of three to four ploughs per square mile, taken to show that about half the land was under cultivation, is found in central Buckinghamshire, whereas the Chilterns have far fewer ploughs, but more woodland.[18] The Hundred Rolls show that by the thirteenth century a high proportion of the villagers in some parts of the county were servile; serfdom predominated in the four northernmost hundreds of Bunsty, Mursley, Seckloe and Stodfold – which are the only hundreds covered in detail (but not all equally fully) in the Hundred Rolls of 1279.[19] Lewis, Mitchell-Fox and Dyer add: "The individual hundreds differ significantly, with the hundred of Mursley showing a greater quantity of villein as compared with free land, but Bunsty and Stodfold both reveal slight majorities of free land."[20] On the other hand, "the social structure of the southern part of the county, in particular the Chiltern Hills, was characterised by peasant free-holders."[21]

In view of the apparent wealth of the Chiltern Hundreds shown by amercements at this eyre, discussed below, it is appropriate to add a few further points from *Village, Hamlet and Field*. Whatever the value of Chiltern agriculture,[22] the authors say that the area possessed "commercial vitality"[23] and economic advantages with its wood-pasture resources, flexible field systems and proximity to London, which it supplied with fuel and timber; the inhabitants also made assarts and improved their agricultural methods, using horses rather than oxen to pull the ploughs, turning arable land over to pasture at intervals to restore fertility, and marling and

manuring the soil assiduously. Perhaps this was due to intense pressure on the few good areas of arable land, or – to take, with Lewis, Mitchell-Fox and Dyer, an opposite view – perhaps "lack of population pressure gave the cultivators the breathing space to experiment."[24] But thirteenth- and fourteenth-century manorial surveys give lower values to arable land on the Chilterns than to that in the great river valleys.[25]

Farming

Although in the northern half of the county there was a medieval emphasis on nucleated settlements and arable farming, in more recent times, according to the *Victoria County History*, the north was regarded as "famous pasture country".[26] In medieval times, of course, when the technology had not yet developed to permit the growth of an organized dairy or meat-producing industry, sheep were more important here than cattle. Manorial accounts (most for the fourteenth century) show that practically no wool was sold on the manors for which accounts exist; that is, in the Ashendon hundreds (except at the royal manor of Brill in the thirteenth century) or Aylesbury hundred. The greatest quantities were sold on three manors in the Cottesloe hundreds, Whaddon, Cheddington and Weedon. Unfortunately, Buckinghamshire wool was not of high quality, being inferior to that produced in the neighbouring counties of Oxfordshire and Berkshire.[27]

The Chilterns, according to the *Victoria County History*, were "not an attractive land from a farmer's point of view"; the wheat grown was of good quality but the yields were low. Oats grew quite well, but "barley is not often satisfactory either in colour or skin".[28] That was in the early part of the twentieth century; the medieval crops might be assumed to have been even more sparse and unsatisfactory. Yet it appears that the lower dip slope of the Chilterns was an important wheat-producing area in the medieval period, with the grain milled at Wycombe and transported along the Thames to London. Ashford, in his *History of High Wycombe*, notes that the manor of West Wycombe was one of the largest producers of wheat out of the bishop of Winchester's 32 manors in 1208, only surpassed by Taunton, Brightwell and East Meon, and was also one of the estate's largest producers of oats. He deduces that it was because of this arable success that the Chiltern slopes were not given over to sheep.[29] We also read that the bailiffs of three manors in Stoke hundred, Cippenham, Langley Marish and Ditton, sold "considerable quantities of wool".[30]

Industry and Communications

Industry in the county was minimal. There was very little building stone, though flint from the Chilterns was used in the construction of some of the churches in the area. There were potteries in Brill and Olney Hyde, where both clay and fuel (from the forests) was available,

and their products were found up to 60 miles away.[31] The potters of Brill were accused in 1254 of taking wood for their kilns contrary to forest regulations.[32] Tiles were manufactured at Penn, and the Chiltern beech-woods were exploited early. The Hundred Rolls name a Hubert Turnator, a Peter le Turnur and a Bartholomew le Turner at Brill;[33] Hubert and Bartholomew were jurors for Brill vill at the 1262 eyre.[34]

There is scattered evidence for a cloth industry in the south of the county. Great Marlow had traders dealing in wheat, hides and cloth in the thirteenth century;[35] Wendover had fulling mills in 1223, and men described as "dyers".[36] High Wycombe also had a number of fulling mills, and cloth for covering 60 tents was ordered to be bought here in 1306.[37] Moreover, as early as the 1227 eyre, men in Buckingham and Aylesbury were presented for cloth sold against the assize.[38] At the 1286 eyre, fulling mills are also mentioned at "Blackwade" in the Chesham area (66) and on one of the manors which the earl of Cornwall gave to his new foundation of Ashridge (417).

The county had good communications. Its principal roads, especially the two great Roman roads of Watling Street and Akeman Street, are through-roads to places of greater importance than any borough or vill in the county itself, and still of prime importance today as the A5 and A41 respectively. Watling Street, which crosses the north-eastern lobe of the county, was a main route north from London, and Akeman Street led up from London through Aylesbury and central Buckinghamshire and on to Bicester, Cirencester and the west. The Lower and Upper Icknield Ways, earlier tracks across the Chilterns, cross the lower middle of the county from east to west. In the south, the River Thames provides good access to London, and to Wallingford and Oxford in the west.

Towns

The towns of Buckinghamshire were never very important nationally. Buckingham itself was the only borough mentioned in Domesday, though there were said to be some burgesses on the manor of Newport.[39] By medieval times this number had grown to just 16, or perhaps 17.[40] None of these boroughs developed into a town of major importance, perhaps because none had a cathedral or great religious foundation to add impetus. Nor was any great lord normally resident in the county, though the earl of Cornwall had an important castle at Berkhamsted just across the border in Hertfordshire. Market towns developed in the county in the normal way, at central places on good routes, so that "by 1300 everyone lived within a day's journey (11 km or 7 miles) of a market town". Many of these market towns were on the dip slope of the Chilterns.[41]

Most of the population centres are to be found in the south of the county. No fewer than six of the nine vills coming separately to the eyre, each with its own jury, are in the south, four of them market towns on the

good routes through the hills (Wycombe, Wendover, Amersham and Aylesbury). A fifth, Marlow, is on the Thames. The sixth vill, which never really made the grade as a town, was Brill, within Bernwood Forest. This had been a Saxon royal borough; both Saxon and Norman kings visited their manor there.[42] In the north, it was Buckingham, Olney and Newport Pagnell that came separately to the eyre, whereas Stony Stratford on Watling Street remained comparatively insignificant. Buckingham itself, made the capital of the newly-formed shire in the tenth century, is not in a good position to exercise authority, being near its north-western border, so much of the shire work was done at Aylesbury, which is placed centrally; and the eyre visitations usually came to both Newport Pagnell in the north and High Wycombe in the south.

The 1286 Eyre and the Wealth of Buckinghamshire

In the record of the 1286 eyre to Buckinghamshire there are good clues to the relative economic standing of the eighteen hundreds.

The eyre opened at Newport Pagnell on the octave of Hilary (20 January), and the county authorities promptly made a very expensive mistake. They said that the county presented Englishry (i.e. declared that a person who had died violently or unexpectedly was of English descent) by the evidence of one person on the father's side and another person on the mother's side, for deaths by misadventure as well as *de murdris*, for "murders", but only for male deaths.[43] The justices asked if women could present Englishry as well as men, and the county authorities said they could; but then the justices had a look at the roll of the previous eyre of 1272,[44] and found that in Buckinghamshire Englishry could only be presented by men, and so the whole county was in mercy for a false statement. The justices amerced the county the large sum of £80 for this procedural discrepancy.[45]

The £80 was apportioned between the hundreds in the amercements roll, and shows what the local authorities regarded as their relative taxable capacity at this date.[46] The amercements were assessed by a panel of local knights and important men from each hundred, who would know what their communities could pay.[47] Table 1 on page 24 sets out these sums. If the amercement had been evenly divided, each of the eighteen hundreds would have paid nearly £4 9s. Bunsty hundred, ninth on the graded list, came nearest to that with £4 10s.

It is interesting that the Chiltern hundreds come out so high on the list, and the Ashendon hundreds, with their good soils and organized agriculture, so low, especially as Cottesloe hundred, which shares the Vale of Aylesbury with them, is the second highest.

Failure by a hundred jury to present Englishry concerning a male death in its area was also punished by amercement.[48] These figures are a little harder to interpret, as lords of liberties usually contracted those liberties out of the hundred's *murdrum* amercement. Also, the vills which came

Table 1 Relative Wealth of the Hundreds Deduced from Amercements Charged for the *Murdrum* Mistake

Order	*Amercement* £	*s.*	*d.*	*Individual Hundred*	*Hundred Grouping*
1	5	15	0	Stoke	Chiltern
2	5	7	0	Cottesloe	Cottesloe
3	5	5	0	Desborough	Chiltern
4	5	4	4	Stone	Aylesbury
5	5	4	0	Burnham	Chiltern
6 =	5	0	0	Mursley	Cottesloe
6 =	5	0	0	Seckloe	Newport
6 =	5	0	0	Yardley	Cottesloe
9	4	10	0	Bunsty	Newport
10	4	5	4	Moulsoe	Newport
11	4	3	8	Aylesbury	Aylesbury
12	4	2	0	Stodfold	Buckingham
13	3	18	8	Risborough	Aylesbury
14	3	17	0	Lamua	Buckingham
15 =	3	14	0	Ashendon	Ashendon
15 =	3	14	0	Ixhill	Ashendon
17	3	11	0	Rowley	Buckingham
18	2	13	0	Waddesdon	Ashendon

separately to the eyre, with their own juries, are not included with the hundreds in the *murdrum* amercements, and cannot be added in, as the records of these vills' amercements lump together *murdrum* and those for any other dereliction of civic duty. Although half the hundreds are amerced the same amount, £5, these figures, set out in Table 2 opposite, broadly reinforce those in Table 1, with the Chiltern hundreds high, and Ashendon hundreds low.[49]

A third, but incomplete, relative ranking is supplied by the answers of juries at this eyre when questioned about the hundred's farm, shown in Table 3. Details are given for four of the triple hundreds, Ashendon, Aylesbury, Buckingham and Chiltern, for one of the Cottesloe hundreds (Cottesloe itself) and two of the Newport hundreds (Moulsoe and Seckloe). These figures are set out in Table 3. Yet again, the Ashendon hundreds have a low valuation, and the Chiltern hundreds a high one. These rises in valuation had taken place at different times. Ixhill hundred said the rise had happened when Alexander de Hampden was sheriff [twice sheriff: appointed 19 April 1249; also at Michaelmas 1259]. Lamua said it was in the time of Thomas de Bray [appointed at Michaelmas 1272], and Cottesloe in the time of William de Holewell [appointed 7 October 1242].[50] The great rise in the farm of the Chiltern hundreds must indicate an increase in their prosperity.

Table 2 Relative Wealth of the Hundreds as shown in the *Murdrum* Amercements

Order	*Amercement* £	*s.*	*d.*	*Individual Hundred*	*Hundred Grouping*
1 =	5	0	0	Stoke	Chiltern
1 =	5	0	0	Desborough (without Marlow or Wycombe)	Chiltern
1 =	5	0	0	Stone	Aylesbury
1 =	5	0	0	Burnham (without Amersham)	Chiltern
1 =	5	0	0	Seckloe (without Newport Pagnell)	Newport
1 =	5	0	0	Moulsoe	Newport
1 =	5	0	0	Aylesbury (without Aylesbury or Wendover)	Aylesbury
1 =	5	0	0	Stodfold	Buckingham
1 =	5	0	0	Ixhill (without Brill)	Ashendon
10	4	0	0	Mursley	Cottesloe
11 =	2	13	4	Ashendon	Ashendon
11 =	2	13	4	Lamua	Buckingham
11 =	2	13	4	Cottesloe	Cottesloe
14 =	2	0	0	Waddesdon	Ashendon
14 =	2	0	0	Rowley (without Buckingham)	Buckingham
16	1	0	0	Risborough	Aylesbury

[No information is available for Yardley (Cottesloe) or Bunsty (Newport); Risborough is a very small hundred.]

Table 3 The Farms Paid by the Hundreds in 1286

Hundred Grouping	*Hundred Reporting*	*Previous Farm* £	*s.*	*d.*	*Present Farm* £	*s.*	*d.*	*Reference JUST 1/63*
Ashendon	Ashendon, Ixhill	2	0	0	4	0	0	mm. 43, 45
Aylesbury	Lamua *(of which Rowley paid £1 15s. 6d.)*	2	0	0	5	6	8	m. 37d. m. 37
Buckingham	Stone	2	0	0	8	0	0	m. 43d.
Chiltern	Burnham	2	0	0	12	0	0	m. 47
[Cottesloe]	Cottesloe (for just Cottesloe hundred)		6	8	2	13	4	m. 41d.
[Newport]	Moulsoe (for just Moulsoe hundred)	2	0	0	3	6	8	m. 39d.
[Newport]	Seckloe (for just Seckloe hundred)	1	6	8	3	6	8	m. 40

Table 4 Issues of Buckinghamshire Taxation, 1332

Order	*Amount Paid* £	*s.*	*d.*	*Individual Hundred*	*Hundred Grouping*
1	52	11	8	Aylesbury (including Aylesbury, Wendover)	Aylesbury
2	51	8	4	Seckloe	Newport
3	47	4	0	Bunsty	Newport
4	45	14	8	Desborough (including Great Marlow, High Wycombe and Radnage, now taxed separately)	Chiltern
5	41	9	0	Burnham (including Amersham)	Chiltern
6	40	4	10	Cottesloe	Cottesloe
7	39	9	2	Moulsoe	Newport
8	35	7	4	Ixhill (including Brill)	Ashendon
9	30	12	2	Stoke	Chiltern
10	29	6	10	Yardley	Cottesloe
11	29	4	4	Stone	Aylesbury
12	27	10	8	Lamua	Buckingham
13	27	10	6	Ashendon	Ashendon
14	24	10	3	Mursley	Cottesloe
15	21	10	11	Rowley (including Buckingham and Gawcott, now taxed separately)	Buckingham
16	19	10	2	Stodfold	Buckingham
17	18	7	1	Waddesdon	Ashendon
18	14	16	10	Risborough	Aylesbury

It is instructive to compare the figures shown in the various tables above to the figures for the issues of Buckinghamshire taxation in 1332, the earliest for which documentation survives.[51] These figures will be found in Table 4.

Stoke, Stone and Mursley have slipped well down the list, whereas Aylesbury, Ixhill and Bunsty have risen. The discrepancies with previous listings may, however, be due to the differing basis of assessment.

The Wealth of Individual Vills

Nine vills came separately to the eyre. The nature of the offences for which they were amerced is hard to assess accurately, as the sums taken are described as "for *murdrum* and other trespasses and for the trespasses of the 12 jurors". There is thus no way of knowing what proportion of these amercements represent the failings of the jury as opposed to those of the townspeople. However, the sums exacted must reflect the capacity of the vills to pay. (The amercements for the trespasses of the hundred jurors were shown on the amercement roll separately from those of the communities within the hundred, and so can be (and have been) ignored in Table 2.)

Table 5 The Amercements for *Murdrum* etc. of the Vills Coming Separately to the Eyre

Hundred Grouping	*Individual Hundred*	*Vill*	*Amercement* £	*s.*	*d.*	*Position*
Aylesbury	Aylesbury	Wendover	10	0	0	1
Buckingham	Rowley	Buckingham	6	13	4	2 =
Chiltern	Desborough	Marlow	6	13	4	2 =
Newport	Seckloe	Newport Pagnell	6	13	4	2 =
Newport	Bunsty	Olney	6	13	4	2 =
Chiltern	Desborough	High Wycombe	6	13	4	2 =
Chiltern	Burnham	Amersham	5	0	0	7
Aylesbury	Aylesbury	Aylesbury	3	6	8	8 =
Ashendon	Ixhill	Brill	3	6	8	8 =

Note: High Wycombe's assessment is for trespasses of drapers, vintners and of the jury; *murdrum* is not mentioned.

Information about the taxable capacity of other vills may also be found in these amercements. Nearly every vill was reported individually in the Crown Pleas section of the record as guilty of some collective fault which entailed amercement. A few offences, such as permitting an offender to escape, were viewed seriously by the authorities, and carried a standard penalty, usually £5, whatever the size of the guilty vill. There appears no other correlation between the type of offence and the amount charged. The more common offences, such as failure to attend an inquest, false valuation of a deodand or an offender's goods, or failure to raise the hue and cry, seem to have been assessed according to the vill's capacity to pay. Again, these amercements were assessed by a panel of local knights and important men from each hundred. A vill was not charged a double amercement for two offences, unless the second was an extraordinary one, such as permitting an escape. Bearing in mind that a few vills will have had the good fortune to escape amercement altogether, whether through innocence or successful concealment, figures can be put together to show the relative taxable capacity of the vills in each hundred. It will be most convenient to show all the sums here in shillings and pence, although the amercements roll often shows them in marks.

At the 1286 Buckinghamshire eyre, 183 vills paid individual amercements, ranging from 200s. (which seems to be an extraordinary payment, in that it was charged for one of the standard offences, failure to attend an inquest),[52] to 6s.8d. The most frequent sum charged was 40s., charged on 44 vills; 30 were charged 26s.8d., 29 were charged 20s., and 22 were charged 13s.4d. Other sums were much less frequent. The figures again show Ashendon and Buckingham hundreds as the poorest: only three vills in the Ashendon hundreds, Edrope and members, Waddesdon and

Crendon, paid above 40s., as did two vills in the Buckingham hundreds (apart from Buckingham itself at 133s.4d.) – Westbury at 53s.4d. and Hillesden at 60s. – whereas the Chiltern hundreds have nearly as many vills above the 40s. mark as below, with Newport hundreds showing the same general pattern. Bar charts showing these amercement patterns will be found in Appendix IV.

It is noticeable that the vill amercements from the 1281 Derbyshire eyre (before the same justices as the 1286 Buckinghamshire eyre) are very much less than the Buckinghamshire ones. Of the seven Derbyshire wapentakes, only Skarvedale has any vill paying more than 40s., Bolsover at 66s.8d. Only four Buckinghamshire vills paid as little as 6s.8d. each, the lowest assessment in the county, whereas 53 out of the 190 Derbyshire vills paid this, and three Derbyshire vills even paid 3s.4d.[53] At the eyre to Huntingdonshire, held by the same justices later in 1286, 37% of the amercements imposed on the vills involved amounts of less than 20s. Another 30% were between 20s. and 39s., and 33% were for 40s. or more. Of the four hundreds, Leightonstone had 9 vills (out of 33) paying more than 40s.; the figures for the other three hundreds are 4 out of 36, 4 out of 25, and 7 out of 32, a total of 24 out of 126.[54] Bar charts for the Derbyshire and Huntingdonshire amercements are also given in Appendix IV, for purposes of comparison.

The vills of the Chiltern and Newport hundreds appear to have been thought capable of finding more money than many in the other hundreds. Does this mean that these hundreds have attained a good measure of prosperity? But it must be remembered that the Chiltern Hills are not completely co-terminous with the Chiltern hundreds: the southern part of Stoke hundred lies in the Thames valley, and most of the vills in the Aylesbury hundreds are on the Chiltern Edge.

Land Claimed at the 1286 Buckinghamshire Eyre

An analysis by size and by hundred of the lands claimed (by any form of writ) at this eyre reveals some interesting points. There are 238 entries concerning land claims on the roll, excluding claims for dower lands, which have not been included in these figures as the land will not permanently change hands. When assessing the category, only actual (arable) land has been counted; extra acreage of meadow, woodland, pasture, etc., has been ignored, though in a few instances this type of land was the only type claimed – in which case the meadow, etc., had to be counted as "land". Nor have messuages or rents been listed unless nothing else was claimed.[55]

These figures have sometimes been inflated by the activities of one person. This is even true of the very small numbers in the Ashendon hundreds, where Master Nicholas of Oving made three of the 10 claims (138, 168, 277), all for amounts of less than 9 acres. William de Langetoft made three of Rowley hundred's 17 claims (213, 214, 268), and the

Table 6 Land Claimed at the 1286 Buckinghamshire Eyre

Hundred Grouping	*Individual Hundred*	*Up to 9 ac.*	*10 to 33 ac.*	*34 to 120 ac.*	*120 + ac.*	*Messuage only*	*Rent up to 20s.*	*Rent over 20s.*	*No information*	*Total*
Ashendon	Ashendon	1	–	–	–	–	–	–	2	3
	Ixhill	–	–	–	2	2	–	–	–	3
	Waddesdon	1	1	–	1	–	–	–	1	4
Aylesbury	Aylesbury	5	4	7	5	3*	1	2	1	28
	Risborough	1	5	1	1	–	3	–	–	11
	Stone	4	3	2	3	–	–	–	–	12
Buckingham	Lamua	–	4	2	3	–	–	–	–	9
	Rowley	3	7	4	1*	1	–	–	1	17
	Stodfold	7	2	–	4*	–	–	–	–	13
Chiltern	Burnham	8	6	1	1	2	1	1	1	21
	Desborough	4	6	–	1	6	–	–	1	18
	Stoke	4	6	–	–	–	–	–	1	11
Cottesloe	Cottesloe	4	2	4	–	–	–	–	–	10
	Mursley	3	4	1	1	–	1	–	1	11
	Yardley	3	3	–	1	–	1	–	1	9
Newport	Bunsty	10	3	2	1	2	–	–	3	21
	Moulsoe	3	6	2	2	3*	–	1	5	22
	Seckloe	3	3	–	1	2	2	–	5	16
TOTAL		64	65	26	28	20	9	4	23	239

* In Aylesbury hundred, of the 3 "messuages", one (70) is for a messuage, a water-mill and 6s. rent, and another (133) for a mill. In Rowley and Stodfold hundreds, one claim (378) is for a substantial estate (422 acres and 43 acres of meadow), part of which lies in each hundred, so it is counted here as a large estate in each hundred, which puts the total of claims up from 238 to 239. In Moulsoe hundred, one of the 3 "messuages" is a claim for two mills (216).

Grusset family are involved either as plaintiffs or defendants in six cases in the northern hundreds (268, 271, 299, 358, 378, 403). Sometimes this inflates the figures for individual vills, in that one man's interests may centre on it, as with the Grussets at Maids' Moreton. Sometimes a vill seems to be seething with the claims of different people: Bledlow figures in no fewer than seven of Risborough hundred's 11 land claims (177, 184, 250, 251, 252, 280, 418) – and on top of all that the rector was claiming part of the crops there from the abbot of Bec Hellouin (183).

Aylesbury hundred shows the most claims of all, 26. The hundred lies mainly on the Chiltern Edge, but a small portion in its north, including the town, is in the Vale of Aylesbury, and it seems that it was here that the greater part of the claimed land lay. Ellesborough (9 claims: 196, 239, 255, 256, 259, 298, 303, 317, 321) is on the edge of the Chiltern Edge, and the exact position within its territory of the claimed land is not clear; but Bedgrove (42, 257, 406), Bierton (329, 333), Aston Clinton (1, 110, 170, 345), Buckland (1), Halton (161), Stoke Mandeville (107) and Aylesbury itself (70, 265) are well within the Vale. The same pattern is shown by Stone hundred, a very elongated hundred, whose northern portion is in the Vale of Aylesbury, centred on the Chiltern Edge, and southern portion on the Chiltern Dip Slope. Seven of the 12 claims made in Stone hundred are for lands in the Vale of Aylesbury, at Nether Upton (91, 92), Haddenham (262, 276), Hartwell and Stone (217, 294, 340).

In view of these claims to land in the good agricultural areas of Aylesbury and Stone hundreds, it seems strange that so few claims were put forward to land in the Ashendon hundreds, which lie almost entirely in the Vale of Aylesbury. Could it be that there were fewer free tenants in these hundreds? There is a great contrast with what was happening in the Chiltern hundreds, where 50 claims were made, and the settlement patterns suggest a preponderance of free tenants. It may again be noted that in a consideration of the evidence from the amercements at this eyre the Chiltern hundreds emerged as wealthy, and the Ashendon hundreds as comparatively poor. Was this "poverty" simply a function of the paucity of free tenants?

Finally, it was not only the tenants of land who sought to assert their property rights at the eyre, but also craftsmen and tradesmen. Of the six messuages claimed in Desborough hundred, all were in boroughs: one was in Marlow and the other five in High Wycombe. Many parties to the claims had trade names: the widow of William le Bucher (146), Furmager and Casier (108), le Pestur (334), Sautreur (meaning?) and Cordewaner (404). The two messuages claimed in Seckloe hundred were both in the borough of Newport Pagnell, one involving Hugh le Maltmaker and the other William le Fisser – but he was a *clericus*, a clerk (11, 52). The actual messuage claimed in Aylesbury hundred was in Stoke Mandeville, and the claimant was named le Boueyere (107); in Burnham hundred the widow of Salomon le Mouner was at risk of losing her messuage in Amersham (384). Alan le Orfevere claimed a messuage in Beachampton (144).

Notes

[1] E.A. Kosminsky, *Studies in the Agrarian History of England in the Thirteenth Century* (Oxford: Blackwell, 1956), p. 69.

[2] Carenza Lewis, Patrick Mitchell-Fox and Christopher Dyer, *Village, Hamlet and Field, Changing Medieval Settlements in Central England* (Manchester: Manchester University Press, 1997). References in this volume are to the paper-back edition, Macclesfield 2001.

[3] *Village, Hamlet and Field*, p. 47.

[4] *Village, Hamlet and Field*, p. 62.

[5] *Village, Hamlet and Field*, p. 187.

[6] *Village, Hamlet and Field*, pp. 170–88.

[7] In 1272 each of the three hundreds making up the six triple hundreds had the same bailiff, JUST 1/60 mm. 34–34d. See also *Inquisitions and Assessments Relating to Feudal Aids* (London, 1899–1920, 6 vols.), vol. I, p. 89.

[8] *Village, Hamlet and Field*, pp. 39, 55.

[9] *Village, Hamlet and Field*, pp. 39, 56–7.

[10] *Village, Hamlet and Field*, pp. 38, 55.

[11] *Village, Hamlet and Field*, p. 38.

[12] *Village, Hamlet and Field*, p. 55.

[13] *Village, Hamlet and Field*, p. 51.

[14] *Village, Hamlet and Field*, p. 110 – although in pre-Conquest times the area had been "a centre of prosperity and high-status settlements" (p. 95). It should also be noted that several market towns develop in the area.

[15] *Village, Hamlet and Field*, p. 51.

[16] *Village, Hamlet and Field*, pp. 114–17.

[17] *Village, Hamlet and Field*, p. 120.

[18] *Village, Hamlet and Field*, p. 140.

[19] *Rotuli Hundredorum* (Record Commission, 2 vols., 1812–18), vol. II, pp. 334–55. The vill of Great Marlow is also covered.

[20] *Village, Hamlet and Field*, p. 152.

[21] *Village, Hamlet and Field*, p. 153.

[22] See p. 21.

[23] *Village, Hamlet and Field*, p. 161.

[24] *Village, Hamlet and Field*, pp. 125, 142, 161. See Colin Renfrew, *The Emergence of Civilisation* (London: Methuen, 1972), pp. 29–31, for a discussion of opposing views on the motives for agricultural innovation in general.

[25] *Village, Hamlet and Field*, p. 143.

[26] *Victoria County History of Buckinghamshire* (5 vols, 1905–28; reprinted London, Dawsons, for the University of London Institute of Historical Research, 1969), vol. II, p. 37.

[27] *VCH*, II, pp. 61–3.

[28] *VCH*, I, p. 398.

[29] L.J. Ashford, *History of the Borough of High Wycombe from its Origins to 1880* (London: Routledge & Kegan Paul, 1960), pp. 39–40.

[30] *VCH*, II, p. 60.

[31] *Village, Hamlet and Field*, p. 163.

[32] *RH*, I, p. 22.

[33] *VCH*, I, pp. 22, 35, 36. See also 618.

[34] JUST 1/58 m. 30.

[35] *VCH*, III, p. 69.

[36] *VCH*, III, p. 22; M.W. Hughes, *A Calendar of the Feet of Fines for the County of Buckingham* (Records Branch of the Buckinghamshire Archaeological Society, vol. 4, 1940), p. 47.

[37] *VCH*, III, p. 122.

[38] JUST 1/54 mm. 17, 19. *VCH*, III, pp. 6, 471, states this fact correctly, but J.G. Jenkins, *Calendar of the Roll of the Justices on Eyre 1227* (Buckinghamshire Record Society, vol. 6, 1945), (calendared translation only) mistranslates as "for selling bread against the assize", (*pro pannis venditis contra assisam*) nos. 613, 710. In 1286 five men were amerced for selling cloth against the assize. One of them is described as *draparius*, a draper (JUST 1/63 m. 53).

[39] *VCH*, II, p. 37.

[40] J. Chevenix Trench, 'Great Missenden: A Failed Borough?', *Records of Buckinghamshire* 38 (1996), p. 251.

[41] *Village, Hamlet and Field*, p. 160.

[42] *Village, Hamlet and Field*, p. 160; *VCH*, IV, pp. 14–19.

[43] *Murdrum* was originally probably the killing of someone not of native English ancestry. For Englishry and the *murdrum* fine, see *Bracton, Laws and Customs of England* (ed. G.E. Woodbine, New Haven 1915–42, 4 vols.; reissued with translation and revisions by S.E. Thorne, Cambridge, Massachusetts, 1968), vol, II, pp. 378–82. The most recent discussion is in P.A. Brand, *Kings, Barons and Justices* (Cambridge: Cambridge University Press, 2003), pp. 77–80.

[44] JUST 1/60 m. 22.

[45] JUST 1/63 mm. 36, 54d.

[46] JUST 1/63 m. 53d.

[47] C.A.F. Meekings, *The 1235 Surrey Eyre* (Surrey Record Society, vol. xxxi, 1979), I, pp. 129–30.

[48] Only one *murdrum* amercement was imposed on the hundred at an eyre, however many times they had so failed.

[49] JUST 1/63 mm. 52–56d; the numbering of these membranes is rather confused.

[50] Dates from H.A. Hanley, *The Buckinghamshire Sheriffs* (Buckinghamshire Record Office, 1992), p. 35. The farm was the sum paid for his office by the hundred bailiff to the sheriff (Helen Cam, *The Hundred and the Hundred Rolls* (London: Methuen 1930), p. 143).

[51] E 179/77/23 and E 179/77/24, published in A.C. Chibnall, *Early Taxation Returns* (Buckinghamshire Record Society vol. 14, 1966).

[52] JUST 1/63, m. 57d. (the last membrane on the roll – the numbering is confused): Stone hundred, 'from the vill of Haddenham with Coddington for the same' (i.e. because it did not come to an inquest).

[53] Hopkinson and Crook, *Derbyshire 1281*, pp. 196–221.

[54] DeWindt and DeWindt, *Royal Justice*, vol.1, pp. 421–49; table 11, p. 102.

[55] An entry such as 277, in which one man claims four separate small amounts of land from different people, has only been counted as one claim; on the other hand, because 49 and 50 are entered as two separate pleas on the roll, they have been counted as two claims: Petronilla Payne claimed a messuage and 8 acres from Richard Drabel (49) and a messuage and 9 acres from John Elys (50).

Section 2
Landowners, Knights and Gentry

This section will consider patterns of land-holding and influence in Buckinghamshire in 1286, and identify the knights and freeholders who, because they held land, were called upon to share the responsibility of running the county on behalf of the king. A brief survey will be made of the principal land-holders in the county, both those who held in chief and their major tenants, in order to see where vested interests might operate. Knights and substantial freeholders had their own prescribed public duties, which some men were readier than others to acknowledge and fulfil.[1] The main public duty involved in an eyre was to sit as a member of a jury, either at a grand or petty assize, or on behalf of a hundred. Only one case at this eyre involved the calling of a grand assize, with its jury of knights, but the composition of this jury has proved to be interesting. The jurors for a petty assize are not named in the record of the plea, unless they default in some way and are therefore liable to amercement (287, 324). With regard to the hundred jurors, it has been possible to identify a number of them from entries in the Feudal Aids lists and the Hundred Rolls, and consider their individual personal status.

The Barons' War of the mid 1260s had divided the county, and its repercussions were still to be found in cases brought before the 1286 eyre. The long-term effect of this war on some men who were in public life in the county at the time will be considered; in particular, Elias of Tingewick and Richard Grusset, both recently deceased, seem to have been deeply involved in questionable activities (which may not all have been a consequence of the war), the results of which are found in several cases which came before the justices in 1286.

The Major Land-Holders of Buckinghamshire

The survey printed in the 1284–6 Feudal Aids lists gives a reasonably good picture of land-holding in Buckinghamshire at the time of the 1286 eyre.[2] In it, the records for some hundreds, especially Stone and the Chiltern hundreds, are deficient, and most of the towns are missing, but these lists may be supplemented from those of the record of the 1302–3 Feudal Aids,[3] and further information is to be found in the *Victoria County History*.

To work, in the first place, from the 1284–6 lists on their own: these contain 253 estates noted as held of the king in chief. Of these, 49 (19.4%)

were held by the earl of Cornwall, 31 (12.3%) by the earl of Gloucester, 15 (5.9%) by William de Valence, 14 (5.5%) by Roger de Somery and 11 (4.4%) by the earl of Oxford. Thus, five men between them held nearly half the land of Buckinghamshire (120 estates = 47.5%). The earl of Oxford was the tenant of 10 more estates, holding 8 from the earl of Gloucester and 2 from William de Valence, which gives him an 8.3% share, overlapping with those of his two overlords. Eight of William de Valence's 15 estates were in the fertile (but low-assessed) Ashendon hundreds, as were 13 of the earl of Cornwall's 49; Roger de Somery, as inheritor of the Paynell family's honour of Newport Pagnell (in the thirteenth century part of the honour of Dudley), naturally held most (8) of his 14 estates in the Newport hundreds. The earl of Cornwall's estates were spread throughout the county, though rather more sparsely in the Aylesbury hundreds, and the earl of Gloucester's estates follow the same pattern.

If to these 253 estates we add the 51 vills mentioned in Domesday but not found in the Feudal Aids lists of 1284–86, and allocate them to their holders by searching through the 1302 Feudal Aids lists and *VCH*, we get a total of 304 estates, of which the earl of Cornwall held 55 (18%), the earl of Gloucester 31 (10.2%), Roger de Somery 18 (5.9%), William de Valence 15 (4.9%), and the earl of Oxford 11 (3.6%) or – adding in his 10 estates not held in chief – 21 (6.9%). This makes a total of 130 (42.7%) in the hands of these five men; but the figure of 304 is very theoretical in that it assumes that the 51 extra vills were each held in chief as a single unit rather than divided between two or more tenants-in-chief, which is almost certainly not the case. Detailed and prolonged work might refine the accuracy of these figures, but for present purposes it is enough to say that between 40% and 50% of Buckinghamshire was held in chief by just five men.

Very few of these estates held in chief were, however, kept as demesne lands by these five magnates. The most obvious is Princes Risborough (then Earl's Risborough), already well established as a stud farm by the earl of Cornwall.[4] Stewkley seems to have been held in demesne by the earls of Cornwall and Gloucester, and William de Valence kept Pollicott and Chearsley in his own hands.[5] These manors were situated in the Vale of Aylesbury, where the best farmland was – and so were the demesne lands at Easington (earl of Gloucester) and Esses by Brill (earl of Cornwall).

Buckinghamshire, therefore, was not a county dominated by the immediate presence of great magnates, but one in which lesser magnates, such as the fitz Johns, the de Greys, Ralph Pippard, and, indeed, the more substantial knights based there, were able to have more independence and influence in their areas.

Eighty other people held the remaining 120 estates in chief. John fitz Alan held 9, the bishop (or cathedral) of Lincoln held 6, the heir of Baldwin Wake held 5. Richard fitz John, Hugh de Plessetis, William de Say and Robert fitz Nigel held four apiece.

Of the boroughs and towns, Amersham was mainly held by Humphrey de Bohun, earl of Essex and Hereford, though the earl of Cornwall also had property there.[6] Aylesbury was in the hands of the fitz John family (who also held the manor of Whaddon), and Buckingham in the hands of the earl of Gloucester.[7] Brill was a royal manor, and had been so since Saxon times.[8] High Wycombe was part of the earl of Cornwall's honour of Wallingford, but is listed in *Feudal Aids* as held in chief partly by the Templars and partly by Hugh le Despenser (the heir of the Basset family).[9] Newport Pagnell and Olney were de Somery possessions,[10] Great Marlow belonged to the earl of Gloucester[11] and Wendover to William de Fenes.[12]

The Feudal Aids lists name the tenants of these tenants-in-chief (and indeed, the tenants of those tenants, if they held by knight service), and we can see some patterns of allegiance and alliance. For example, Peter de Coudray held four estates (and Peter de Coudray junior held one) from William de Valence; important tenants of the earl of Gloucester were the earl of Oxford (8 estates), William de Braose (4), Geoffrey de Lucy (3) and Hugh de Plessetis (2).

The fitz John family of Aylesbury and Whaddon were descended from John fitz Geoffrey of Shere in Surrey, justiciar of Ireland, who died in 1258. His eldest son John, who married a daughter of Philip Basset of Wycombe, died without issue about 1275, and was succeeded by his brother Richard.[13] These fitz Johns are not to be confused with the fitz John family of Hanslope and Sherington whose pedigree is set out by A.C. Chibnall in his book on Sherington.[14]

The de Grey family (later earls of Kent) was already well established in the county.[15] Sir Reginald de Grey was the son of the Sir John de Grey who later married the widow of Paulinus Peyvre.[16] He held Water Eaton and Bletchley from the king by the serjeanty of keeping the king's falcons, and held other property (from other overlords) in Lavendon, Newton Blossomville and Great Brickhill. None of these estates is shown in *Feudal Aids* with a sub-tenant, and the last two are still to be found as demesne estates in the family's hands in the fifteenth century.[17] Reginald's second cousin Robert held two knights' fees in Shabbington and 13 virgates in East Claydon from the earl of Cornwall, having married the daughter and heir of Thomas de Valognes.[18]

The Zouche family (of Ashby-de-la-Zouche, Leicestershire), so prominent in later medieval Buckinghamshire, had not yet really come to the fore in the county. Alan la Zouche, who died in 1270, had a career in public administration. He was appointed justiciar of Chester in 1251 and was one of the twelve commissioners responsible for the dictum of Kenilworth.[19] In 290 his grandson Alan la Zouche, the 19-year-old son and heir of his son Roger (who died in October 1285), is accused with others of the novel disseisin of 3 acres in Turweston, which is later acknowledged to be his right. Alan senior's younger brother Eudo died in 1279, when his son and heir William was aged 3. It was this Eudo who married Millicent, widow of John de Monte Alto (Mohaut), and sister and

co-heir of George Cantelow, which made him lord of Eaton Bray in Bedfordshire. William became the first Lord Zouche of Harringworth, ancestor of the later Bedfordshire Zouches.[20]

Members of the Beauchamp family held a number of fees throughout the county, especially in Yardley hundred, where they gave their name to Drayton Beauchamp.[21] The William Beauchamp who is described as earl of Warwick at the 1286 eyre was the first Beauchamp earl: his mother Isabel was the sister and heir of Sir William Mauduit, who had himself been made earl of Warwick in 1263 in the right of his mother, Alice, daughter of Waleran de Neuburgh, 4th earl of Warwick.[22] From the Mauduit inheritance the Beauchamps gained the vill of Hanslope, which is perhaps the community most minutely described in the Buckinghamshire Hundred Rolls of 1279: the earl had 1,206 acres in demesne there, of which 400½ acres were held from him by villeins. Every tenant, free or villein, is listed, with the amount of land held and the rent paid.[23]

Many other leading families whose names contributed to the toponymy of the county had long been established in it.[24] In 1286 there were Barrys at Stanton Barry (which became Stantonbury), Bissetts at Preston Bissett, Cheynes at Isenhampstead Cheyne, Passelewes at Drayton Parslow and Keynes at Milton Keynes. Imbert Pugeys' son Robert had married the heiress of the Stoke that then became Stoke Poges; Christian de Marisco was in possession of Langley Marish; and the Dayrels of Lillingstone Dayrel were there by at least 1166 and survived until the nineteenth century.[25] Some eponymous families had already vanished, with their estates inherited by daughters, by 1286: the Goldingtons had gone from Stoke Goldington, the Sandfords from Aston Sandford, the Paynells from Newport Pagnell, the Blossevilles from Newton Blossomville, the Gibbons from Marsh Gibbon and the Mandevilles from Stoke Mandeville. The Turville claimant to Turville land in The Lee and Chalfont descended through the female line and his family had changed its name from Creulton (153);[26] and in about 1252 William Clinton alienated Aston Clinton to William de Montague. On the other hand, Barton Hartshorn was first called that in 1421, and in 1286 Clifton Reynes was still in the possession of the Borard family, though Thomas de Reynes was a selector (with Robert Borard) of the Moulsoe hundred jury that year (see Appendix V).

Of the families later celebrated in Buckinghamshire history, the Hampdens claimed to have been established at Great Hampden in Saxon times, and were already at the forefront of county administration; an Alexander served on grand assize juries in 1227, and as sheriff of the county in 1249.[27] The Verney family was beginning to come into public life: the first recorded Verney in Buckinghamshire, Ralph, bought Fleet Marston from the co-heiress of Geoffrey Bellewe in 1223; his grandson Ralph was a juror for Waddesdon hundred at the 1262 eyre, and this Ralph's son Robert was a juror and selector for Waddesdon hundred in

1286.[28] The Brudenells had not yet arrived from Northamptonshire.[29] A Jordan de Sackville held Fawley, but does not seem to have participated in county affairs.[30]

The Knights of Buckinghamshire

In Anglo-Norman England, the knight's *raison d'être* had been to fight his overlord's battles, for which service he usually received a grant of land. By the end of the thirteenth century, knighthood was a social rather than a military designation, and brought with it social standing and community responsibilities.

In the thirteenth-century administration of a county, knights were needed for some specific tasks. Sometimes they were appointed as justices on *ad hoc* commissions of oyer et terminer; some had to select, and others to sit on, a grand jury to consider cases brought by a writ of right; they might be named as members of inquisition juries; they had to enrol the names of attorneys at an eyre, and go to see those essoining for bed-sickness to see if they really were ill in bed. Sometimes the king entrusted them with special administrative responsibilities, as when they represented the county at a Parliament, or were told to investigate the behaviour of local officials.[31]

The changing fortunes of knights and the "knightly class" have been a fruitful area for discussion by historians. Throughout the thirteenth century, the numbers of knights declined, and the status (and expense) of knighthood rose – but which of these facts caused the other? And is the relationship as simple as this?

Seeking to explain the decline in the numbers of knights, Peter Coss concluded that there had been a crisis in the knightly class.[32] He pointed to its changing nature: "The rather inclusive Angevin conception of knighthood, with its heavy service component, was fast giving way before a new and rather narrow elitism."[33] Symptomatic of this were the appearance of knightly effigies in churches and an interest in heraldry and rolls of arms. Moreover, the knight was called *dominus*, "sir", on charter witness lists.[34] Knighthood, less common, was becoming ostentatious.

J. Quick studied the jurors on the grand assize lists for a number of counties in order to estimate the number and distribution of knights in thirteenth-century England. He concluded that, although it is difficult to be certain, the great majority of electors and jurors listed "were indeed knights". He only counted a county's knights where there were at least three grand assize juries on the eyre roll, which allowed him to produce figures for 27 counties (from very different dates) up until 1272. Buckinghamshire came out second on the list, with 60 knights taking part in the 10 grand assizes of the 1227 eyre, giving a density of one knight to every 7,989 acres in the county. (Bedfordshire came top, with one knight to every 5,940 acres, and Suffolk was third, with one knight to every 9,388 acres.) He comments, "the density of knights . . . tended . . . to be aligned with the population and wealth of a county."[35]

Kathryn Faulkner questioned Quick's method of collecting his data, believing there were more knights in early thirteenth-century England than has been supposed.[36] She arrived at a total of 3,636 by counting all the knights recorded as serving in an administrative capacity in the reign of John, and then adjusted this figure to 4,515 to allow for deficiencies in the surviving records. Where Quick had found 60 knights in 1227 Buckinghamshire, Faulkner found 131 in John's reign, and postulated a total of 157. From published Bedfordshire evidence, she deduced that there was "a fundamental change within a single generation. The critical point appears to have been reached between 1215 and 1230."[37] "In 1200 there was almost a glut of knights available for administrative duties . . . By the 1230s grants of respite from knighthood . . . were becoming widespread. By the 1250s the impact was such that it could prove impossible to get a panel of knights together for the grand assize."[38] She discounts pressure of work and financial strain as causes of the failure to take up knighthood, pointing rather to "a dramatic rise in the status of knights. . . . [it] had become a rank, and a costly one, instead of a profession".[39] To become a knight now needed a formal ceremony, which cost money; social stratification was developing within the knightly class itself, and many families did not choose to aim at the upper strata.

Density of knights, of course, is a rather different thing from density of knightly families. A man may well not wish to take up knighthood, whether from economic motives or simply a desire to keep out of public life, but his family is still there, and his son may have more money and other ideas. The developing strata of society which historians call "the gentry", and spend time defining, were a main source of recruitment to knighthood in the shires. The families forming these strata would be perfectly well aware who "belonged" and who did not, even without a knight as current head of the family: nothing changes.

There does not appear to have been a "crisis" among the thirteenth-century knights of Buckinghamshire. They were studied by Anne Polden,[40] who concluded that, as with the Oxfordshire knights studied by D.A. Carpenter,[41] they provided no evidence to back up Peter Coss's suggestion of such a crisis. She examined economic and social mobility in families who provided knights for the grand assize juries and forest inquisitions in the 1220s. Her final sample consisted of 72 families, of which 36 (50%) had disappeared a hundred years later. Failure of the male line had accounted for 22 of these by the end of the thirteenth century, and two more in the early fourteenth century. The husband of the Tothill heiress took her name, which Polden also counted as a disappearance. A further 11 families simply vanished from the record; possibly some of these also failed in the male line.[42]

Polden found that one-third of the failures at most were due to financial causes. Twenty families lost estates permanently, but this was not always fatal. Naturally, the lower down the scale a family was, the more likely it was to go under. By and large, holders of single manors did not

retain knightly status.[43] Her overall conclusions were that there was considerable mobility amongst Buckinghamshire knightly families in the thirteenth century,[44] and that by the early fourteenth century there seems to have emerged a core group of Buckinghamshire gentry with knightly status going back a century, though in the 1220s the jurors had been more heterogeneous.[45] Also, "involvement in administration may have been partly a matter of personal choice, but there is a clear correlation with levels of wealth. Holders of single manors were not usually active in county government by the early fourteenth century, and the most active were often the wealthiest Group One knights,[46] like the Neirenuits and the de Noers. It is also noticeable that active knights usually came from families with a tradition of office-holding."[47]

When we turn to the 1286 Buckinghamshire eyre in search of grand assize jurors, unfortunately there was only one such case, Alice Wolvyne's claim for land in Horton against John atte Milne (88).[48] The sheriff, William de Boyville, named four knights as *electores*, selectors, and they chose 16 other knights from whom the jury would be drawn. Those whose names are printed here in bold type are from families appearing in Polden's sample of knightly families from the 1220s.

Selectors

William de Saunderton (of Saunderton, Desborough hundred)
Robert de Chetwode (of Chetwode, Rowley hundred)
Elias de Wheatfield (of Oxon; he must have had land in Desborough hundred, as he was a juror of this hundred in 1286)
Gilbert de Bolebek (of Kingsey, Ixhill hundred)

Selected knights

Ralph de Ardern (of Ellesborough, Aylesbury hundred)
Reginald de Beauchamp (of Little Marlow, juror of Burnham hundred in 1286)
Philip Duredent (of Denham, Stoke hundred)
John le Waleys (of Little Kimble, Cottesloe hundred)
Walter de Upton (of Great Kimble and juror of Stone hundred in 1286)
John Druel (of Newton Blossomville, Bunsty hundred)
William de Aete (of Shalstone, Stodfold hundred)
John Neyrnuit (of Pitstone, Yardley hundred; Soulbury, Cottesloe hundred; and Fleet Marston, Waddesdon hundred)
William Turville (of Weston Turville, etc., Aylesbury hundred)
Henry de Bruly (of Ashendon hundreds?)[49]
William de Luton (Loughton?) (juror of Seckloe hundred in 1286)
Alexander de Hampden (of Great Hampden, Stone hundred)
Hugh Gerunde (of Foscott and Dunton, Mursley hundred, juror of Mursley hundred in 1286)

Robert Barri (of Stanton, Seckloe hundred, juror of Seckloe hundred in 1286)
William de Nowers (of Gayhurst, Bunsty hundred, juror of Bunsty hundred in 1286)
Miles de Hastings (of Stoke Goldington, Bunsty hundred, juror of Bunsty hundred in 1286)

Horton is almost at the southernmost tip of the county. Three of these 20 men are based fairly close: Duredent, Beauchamp and Wheatfield. Eleven have estates across the middle of the county, from Bledlow in the west to Fleet Marston and Pitstone. Another eight are based in the north, and one, John Druel at Newton Blossomville, is as far to the north as Horton is to the south. It would be hard to put together a more far-flung jury.[50] Does this indicate a reluctance on the part of knights to become involved in other people's time-consuming litigation, or simply that knights were now scarce? It would appear that the selectors preferred to select knights, rather than open the jury to substantial freeholders from the locality. It can hardly be a desire to find a jury without pre-conceptions, as a medieval jury was usually selected for its pre-existing knowledge of the facts. It should, however, be pointed out that nearly all of them would probably have been present anyway at the eyre, at least on the first day: eight were hundred jurors, Hampden and Nowers had been coroners, and, of the others, Saunderton, Ardern, Waleys, Druel, Aete, Turville and Luton were involved in cases at the eyre.[51]

Men descending from one of Anne Polden's sample families are still very much to the fore in 1286 (11 out of 20); and John Druel was the inheritor of the Blosseville estates and so the current representative of a twelfth.

The Jurors of the Hundreds and the Vills

Appendix V lists the men selected as hundred jurors and vill jurors for the 1286 Buckinghamshire eyre.[52] Their main duty at the eyre was to receive copies of the articles of the eyre from the justices' clerks, to discuss the points raised and to deliver their *veredicta*, their reports on the true state of affairs in their community. These men were not necessarily expected to be knights, though some of them were: most would have been substantial freeholders.

Some of these jurors, especially the selectors, are to be found in the Feudal Aids lists of 1284–6,[53] but for the jurors of a few hundreds there is a much better source for their landed status: the returns for the inquiry of 1279, which Michael Prestwich describes as "the most comprehensive survey of England ever made in the middle ages".[54] Returns survive for five counties only, of which Buckinghamshire is one, and for Buckinghamshire there are only the returns for four of the 18 hundreds, Lamua and Stodfold (Buckingham), Mursley (Cottesloe), and Bunsty

(Newport); and for one vill, Great Marlow. Of these, the Bunsty return is by far the fullest, and all 13 men named for its jury at the 1286 eyre can be identified.[55]

The thirteenth man, John de Abendon, had been removed from the original list in JUST 1/63, and may well have died. In JUST 1/66 the name is given as William de Abendon, and the 1279 returns show a William de Abendon holding 5 acres in Lavendon from Sir Reginald de Grey.

It will be observed from the following table that no one overlord predominates: no-one has packed the jury. The selectors were knights, prominent men, each of whom appears to have chosen one of his tenants for the jury. Some men hold their land from greater landholders of the same surname, and may well be their sons or younger brothers. Besides holding 20 acres from Miles de Hastings, Roger de Morewell held another 10½ acres from his brother John, and both brothers had been Bunsty jurors at the 1274 Ragman inquiry.[56] Ralph de Tathall held 9 acres in Hanslope from Sir Robert de Tathall (who held a knight's fee there from William de Beauchamp), paying him one capon a year, and William de Mortimer held a moiety of Eakley as half a knight's fee from Edmund de Mortimer or Walraund de Mortimer.[57] Further examples of selectors

Table 7 Land Held by Jurors of Bunsty Hundred in 1286

Juror	*Land Held in*	*Amount*	*From Whom Held*
(Sir) William de Nowers (selector)	Gayhurst	1 f.m.	William de Say
	Weston Underwood	½ f.m.	Clinton family
(Sir) Miles de Hastings (selector)	share of Stoke Goldington	½ f.m.	Honour of Peverel (heirs of Wake)
Roger de Morewell	Stoke Goldington	20 ac.	Miles de Hastings
		10½ ac.	John de Morewell
William de Mortimer	Eakley, Stoke Goldington	½ f.m.	de Mortimer (honour of Peverel)
Ralph de Tathall	Hanslope	9 ac.	Sir Robert de Tathall
Thomas le Chamberlain	Hanslope	¼ f.m.	Earl of Warwick
Roger de Byrchmore	Hanslope	⅛ f.m. watermill	Earl of Warwick Sir Robert de Tathall
William le Low	Hanslope	½ f.m.	Earl of Warwick
John de Luvente	Gayhurst	½ hide	William de Nowers
Stephen Tebaud	Weston Underwood	½ virgate	Master of Hospital of St John, Northampton
John de Beauchamp	Lavendon	50 ac.	Baldwin Wake
Adam de Fortho	Weston Underwood	1 ac.	John Peyvre
	Weston Underwood	40 ac.	the Queen (honour of Berkhamsted)

choosing their tenants, and men who are related to greater landholders, may be found in Appendix V, where the evidence for the lands of other jurors is given. Some of the holdings are very small and, if the man had no further land or means of subsistence, might suggest that even a "peasant" might be selected for a hundred jury.[58] The position in Great Marlow is somewhat different, as the identifiable jurors generally appear as landlords of town plots, *mansa*, *burgagia* and *curtilagia*, usually let to people whose names indicate they are craftsmen or tradesmen. In other vills, some jurors appear from their names to have been craftsmen or tradesmen themselves.

Were the hundred jurors selected for service as jurors in the civil pleas? At this eyre two pleas have a bearing on this question. In 287, the whole jury was in mercy because they did not view the tenement (10s.-worth of rent) in a novel disseisin plea. The rent was in Ivinghoe Aston, which is in Yardley hundred. Of the twelve jurors named, five were jurors of Yardley hundred, and a sixth was a juror of Cottesloe hundred. Three more, Walter West, John de Sweyn and Roger Wygge, held land in Yardley hundred.[59] The amercement is not listed, and so was probably not imposed. In 324 three jurors in a novel disseisin plea in Maids' Moreton (Stone hundred), John of Kimble, Ralph le Mouner of Thornton and Robert Mabli of Beachampton, did not attend and were in mercy. They were not hundred jurors at this eyre, though Kimble had been a Rowley hundred juror at the eyre of 1272, and Mabli a Rowley hundred juror at the Feudal Aids inquiry in 1284.[60] Kimble was not amerced, but le Mouner and Mabli were charged 20d. (90d)

A search through previous jury lists reveals the extent to which the jurors were experienced in such inquiries.[61] As the table in Appendix V (d) shows, 86 (40%) of the 215 hundred jurors and 29 (26.9%) of the 108 vill jurors had taken part in previous inquiries of some kind. A further 69 (32.1%) of the 215 hundred jurors and 19 (17.6%) of the 108 vill jurors whose names appear for the first time in 1286 come from families of which at least one man had served on a previous jury. This figure of 86 out of 215 hundred jurors (40%) who had served on a previous jury is exactly comparable to the figure of 88 (40%) out of 220 jurors at the Surrey eyre in 1263 who had also served at the 1255 Surrey eyre, as calculated by Susan Stewart.[62]

It will be seen from these figures that the hundred jurors are more experienced than the vill jurors. Sixty (27.9%) of the 215 hundred jurors were new men, that is, with neither personal nor family experience on a jury to draw upon, whereas of the 108 vill jurors the 60 who were new men represented 55.6% of the total. In Wycombe, 10 of the 12 jurors were new men; Marlow and Newport Pagnell had 9 new men each, Olney and Wendover 7 each. Of the hundreds, only two had as many as 7 new men, Burnham and Stoke. The next highest is Cottesloe hundred, with 5 new men.

The greatest stability is shown by Rowley hundred, with 7 experienced

jurors and only one new man.[63] This is matched by the town of Buckingham, which is situated in Rowley hundred. Here 7 of the jurors were experienced, and only 2 were new. Aylesbury vill had the greatest number of experienced men (8), but Aylesbury hundred could only muster 4 such. Ashendon hundred had no new men at all; and, like Rowley hundred, Bunsty and Moulsoe of the Newport hundreds only had one new man apiece. All these communities therefore showed great continuity in the men and families chosen to act for them; this may be contrasted with the high number of new men in the prosperous Chiltern hundreds to the south (where 18 out of a total of 36 were new men), and in the vills.

Men from Anne Polden's knightly families are a fair-sized minority in the hundred juries (31, or 14.4%), especially in the Ashendon and Newport hundreds, whereas only two men (1.9%) from these families sat on vill juries – and that is taking JUST 1/66's reading *Hampeden* rather than JUST 1/63's *Campeden* for a Wendover juror; the other is William of Emberton, a selector of Newport Pagnell.[64] On the other hand, some vill juries contain several men with occupation surnames, which are not found in the hundreds: Wycombe has 4 such, and Amersham 3.

A substantial number of the 215 hundred jurors (43 = 20%) were themselves involved in cases at the 1286 eyre, and 19 (8.8%) stood as a surety or had acted as a witness to a charter mentioned in the proceedings. Again, the vill jurors present a different picture, with only 10 of the 108 (9.3%) involved in cases and 7 (6.5%) standing as a surety. This last figure is inflated because 4 of the 7 jurors for Amersham, were among the 14 sureties for Thomas le Provost of Amersham in a case of debt, where Thomas had bought a large quantity of grain for 80 marks in 1282 (220). Was this part of an organized scheme concerning the town's grain supply?

Incomers

Buckinghamshire was a county in which *curiales*, men involved in court circles and the central administration of the kingdom, liked to establish themselves, but such men did not usually take part in general county administration.[65] One such, Richard Grusset, is discussed below. The Savoyard Imbert Pugeys, steward of Henry III's household, married his son Robert to the heiress of Stoke, which then became Stoke Poges. Polden prints a table showing that, out of 33 thirteenth-century alienations in the county by knightly families, 10 were to *curiales*:[66] the royal clerk Simon de Norwich, John de Foxley, steward of Westminster Abbey and baron of the exchequer, Matthew de Stratton, archdeacon of Buckingham, and, above all, Paulinus Peyvre, whose grandson John was involved in several cases at the 1286 eyre.

Paulinus Peyvre, sheriff of the county 1239–40, was based at Toddington in Bedfordshire. From 1245 until his death in 1251 he was steward of the royal household, acquiring lands in Buckinghamshire throughout the 1240s, mostly in the north of the county. Matthew Paris

described him as "an insatiable buyer of lands and builder of manors."[67] Five of Polden's families suffering "a drastic decline in wealth and status" sold to him: the Maunsells of Soulbury and Wexham, the Ralph fitz John who had married a Bidun heiress and held Lavendon, the Curtfaluns of Weston Underwood, the fitz Walters (a cadet branch of the fitz Nigel family) and the Wavendons.[68] He also acquired land forfeited by the Grenville family as "lands of the Normans".[69] At the 1286 eyre, the Curtfaluns tried to recover their land from his grandson (9, 85). John Peyvre was also in dispute with the Grussets over land in Maids' Moreton (319, 403), maintaining a charter by which his father John demised this land to them was a forgery.[70] John's repudiating of a seal "made in the name of" his father (379) may well have to do with this case.

William de Aete, on the jury panel of the grand assize (88) listed above, is a rare example of a *curialis* taking part in Buckinghamshire county life: he was a steward of the royal household, to whom Henry III had granted lands of Thomas Maunsel after the Barons' War, and the wardship of the heir of William Baivel of Shalstone, who died in 1268.[71]

The Barons' War and its Repercussions in Buckinghamshire

Just over 20 years before the 1286 Buckinghamshire eyre, England had been in a turmoil, whose repercussions are still present in cases brought before this eyre. To what extent did participation on the losing side in this conflict affect a man's eligibility to participate in county administration?

Some leading men of the shire, including the earl of Oxford, had joined Simon de Montfort. Of these, one of the most important, Sir John fitz John of Aylesbury (son of Sir John fitz Geoffrey of Shere, justiciar of Ireland), had been wounded at Evesham. Robert fitz Nigel of Salden and Mursley (and of Iffley, Oxon) was killed there, as was William de Birmingham of Dorton. Other prominent Montfortians included John Passelewe of Drayton Parslow, Richard de la Vache of Shenley and Eustace fitz Thomas of Westbury. They raided the property of Buckinghamshire royalists, including Sir John de Grey of Water Eaton and Bletchley,[72] and his henchman Richard Grusset of Maids Moreton.[73]

Lands held in chief by the rebels were taken over by the royalists. Sir John de Grey took Sir John fitz John's manor of Whaddon and Sir Robert fitz Nigel's manors at Salden and Mursley, while Sir Roger de Clifford took William de Birmingham's property at Hoggeston. Other lands were seized by their overlords.[74] Later, however, the king and his advisors pursued a sensible policy of reconciliation (tempered with financial penalties) and most estates found their way back to their original holders or their heirs, for a price.[75] When the Feudal Aids lists were drawn up in 1284–6, the earl of Oxford had recovered his land; Sir John fitz John's brother and heir Richard was safely in seisin of his estates; Sir Robert fitz Nigel's son

Robert, and William de Birmingham's son William, had regained their fathers' lands.

For most of the men involved, participation in the Barons' War on the wrong side seems to have had little or no effect on their (or their families') participation in county administration afterwards, or indeed on their general standing.[76]

One of the most active Buckinghamshire men in the rebel cause was Richard de la Vache. He seems to have been very active in organizing raids and stirring up trouble for the royalists during the war.[77] In the twelfth century, his family (then obscure) held land from the Wolverton barony at Chalfont St Giles. De la Vache himself was in the service of John de Warenne, earl of Surrey, as the steward of the honour of Lewes in the 1260s.[78] He certainly seems not to have suffered as a result of his activities in the war, as the story of Shenley shows. Thomas Maunsell was lord of the vill of Shenley in 1254, and a supporter of Simon de Montfort. John de Grey seized his manor (and committed waste in it); it was granted to William de Aete, who demised it to Isabel, countess of Arundel, the overlord. She granted it, with the custody of Maunsell's heirs, his daughters Mabel and Alice, to Richard de la Vache.[79] De la Vache married his son Richard to Mabel; his plans for Alice are unclear, but in 1283 she married Robert Verdon without her guardian's permission, and the Verdons then embarked on the task of getting her share of the land.[80] This is the background to 32, 291, and 392 (and see also 84, 110, 343, 381).

JUST 1/59, the record of the 1269 general eyre of oyer et terminer concerning lands in Buckinghamshire given away as a result of the Barons' War, contains details of other settlements made by the Buckinghamshire rebels or their heirs to recover confiscated property. Seven men are relevant in this context. John, son and heir of Geoffrey Neyrnuit, and Gilbert, brother and heir of Herbert Bolebek, paid £20 and 15 marks respectively to recover the estates forfeited because Geoffrey and Herbert had joined a raiding party on the Queen's property at Wingrave. John de Molines bought back his land in Horton for 24 marks and 40d., and Richard de la Vache was one of his sureties. Henry Hull and William de Halling, accused of robbing Wigan de la Mare at de la Vache's bidding, had to redeem their lands at a price of two years' issues. Stephen de la Haye, who foolishly went into rebel-held Northampton instead of going round it as he could have done (said the jury), was held there by the rebels and escaped by swimming with his horse to safety when the king arrived to take the town. Accused of raiding the land of Richard Grusset and harbouring rebels, he indignantly denied it, saying he had been with Elias of Tingewick for the king. This was accepted, but because he had gone into Northampton judgment was delivered that he must redeem his lands for one year's issues.[81] Hugh Gerunde, whom the Feudal Aids lists of 1284–6 reveal to have been de la Haye's overlord at Foscott, "presented by several hundreds for robberies, arson and other trespasses

against the king and his loyalists", did not appear when summoned, but at last Hugh de Dunstere came on his behalf and compounded with the king for 50 marks.[82]

Of these seven men, Halling had been on the 1255 jury for Aylesbury hundred;[83] he, de la Haye and Hull served as jurors at the 1262 eyre, for Aylesbury hundred, Stodfold hundred and Wendover vill respectively.[84] After that, Halling and de la Haye vanish from the jury lists, but de la Haye was coroner of the county at some point between 1272 and 1286.[85] Hull was again juror for Wendover at the 1272 eyre, and on other inquiries in 1273 and 1278.[86] John de Molines was a juror for Stoke hundred at the eyres of 1272 and 1286.[87] Gilbert Bolebek was listed as a juror for Ixhill at the 1269 general eyre of oyer et terminer concerning lands given away as a result of the Barons' War, but was not sworn, presumably because he could not reasonably investigate himself.[88] By December 1282 he was an accepted part of the county establishment: the sheriff chose him, with John le Waleys, to hold the inquisition *post mortem* for Roger de Clifford junior,[89] and in 1286 he was a selector and juror for Ixhill hundred.[90] Hugh Gerunde's only known public service was as a juror for Mursley hundred in 1286, as a knight selected for the grand assize at the eyre in 88, and then as a juror at Geoffrey de Lucy's proving of age in 1288,[91] so it took him much longer to come back into this kind of public life – if, indeed, this was not a son of the same name.[92] John Neyrnuit was also a juror at de Lucy's proving of age, but is also found in more exalted legal contexts, on the commission to enforce the articles of the Statutes of Westminster in the county,[93] and on gaol delivery commissions.[94] Thus, of these seven men, only Halling seems to have left public life after the Barons' War, and it is always possible that his age may have been a factor in this. It may also be observed that four of them are involved in Wolvyne vs atte Milne (88) at this eyre. John de Molines was the defendant, Bolebek one of the four selectors, and Neyrnuit and Gerunde were two of the chosen knights.

Two Buckinghamshire men who were prominent on the royalist side in the Barons' War were Elias de Tingewick and Richard Grusset. Elias de Tingewick died in 1284, and Richard Grusset in 1286. The 1286 Buckinghamshire eyre records a number of cases which arise from their acts and estates, cases in which they often operated together.[95] Tingewick is said to have imprisoned Robert de Bray of Beachampton until Bray granted him two mills there.[96] Repercussions of this are in 18 and 22. In 319, a charter in which John Peyvre demised land to Grusset is challenged as a forgery by Peyvre's son; the only surviving witnesses are Robert de Bray of Beachampton and Stephen de la Haye.[97]

Richard Grusset seems to have been a frequent victim of raids and theft by persons of lower status during the Barons' War.[98] Was this violence motivated by opposition to his royalist activities, or the paying off of old scores now that an opportunity had arisen? Grusset is found in association with Elias de Tingewick taking the stock animals of the rebel Robert fitz

Nigel in Mursley hundred.[99] Tingewick is described by G.R. Elvey as "a ruthless and violent man".[100] Keeper of Whittlewood Forest, and probably steward of Luffield Priory, he and Grusset witnessed charters together for the priory.[101] In 1259 he went into hiding rather than face trespass charges; he was held in Devizes prison in 1276 for trial at Newport Pagnell, also on trespass charges; and in 1281, with 25 others (including Stephen de la Haye), he was pardoned for the death of master Peter de Radenor.[102]

Richard Grusset was a successful lawyer, acting as attorney for the queen. He married Emma, daughter but not heiress of Henry Dayrel of Lillingstone Dayrel, which contained part of Whittlewood forest, and Luffield Priory. Emma brought him land in Maids Moreton and Bourton.[103] She features in a number of cases in 1286, appearing to sue, and be sued by, her son, another Richard, in a tangle of cases remarkable for their legal intricacy.[104]

There appear to be two instances of a Richard Grusset serving on a jury: at the 1269 general eyre of oyer et terminer concerning lands given away as a result of the Barons' War, and at the 1284 inquiry in the Buckinghamshire county court into land held at Ellesborough by Isabel, widow of John fitz Alan.[105] Elias de Tingewick's name does not appear on jury lists, perhaps because he held office.

It seems therefore that in general, apart from a few individual cases, the divisions that arose in the Barons' War had healed by 1286, at least as far as country and hundred administration was concerned.

Notes

[1] These duties and responsibilities will be discussed further in the next section.

[2] *FA*, I, pp. 73–90.

[3] *FA*, I, pp. 91–103.

[4] *VCH*, II, pp. 260–7.

[5] *VCH*, III, p. 420; IV, pp. 5, 19.

[6] *VCH*, III, pp. 145–6.

[7] *VCH*, III, pp. 6, 476, 480.

[8] *VCH*, IV, p. 15.

[9] *FA*, I, pp. 76, 92; *VCH*, III, pp. 117, 124.

[10] *VCH*, IV, pp. 412–14, 434.

[11] *FA*, I, pp. 76, 92; *VCH*, III, p. 70.

[12] *FA*, I, pp. 86, 98; *VCH*, III, p. 23.

[13] Their sister Isabel married Robert de Vipont, "Lord of Westmorland". Her daughters Isabel (Clifford) and Idonea (de Leyburn) were in dispute with Richard de la Vache over a messuage and two virgates in Aston Clinton (110). *G.E.C. Complete Peerage*, V, pp. 435–6.

[14] *GEC*, V pp. 435–6; A.C. Chibnall, *Beyond Sherington* (London: Phillimore, 1979), p. 126.

[15] For the Buckinghamshire estates of the families listed in this section, see *VCH, passim.*

[16] Sir John de Grey was described by Matthew Paris as "an elegant and energetic knight", who took over both Peyvre's wife and splendid mansion at Toddington in

Bedfordshire *Chronica Majora* (7 vols., ed. H.R. Luard, Rolls Series, 1872–83), V, pp. 242–3; see also the Dunstable Annals, *Ann. Mon.* III, pp. 182–3.

[17] *The Grey of Ruthin Valor*, ed. R.I. Jack (Sydney: Sydney University Press, 1965), pp. 111–21.

[18] Lipscomb, I, p. 160; IV, p. 60. *VCH*, IV, pp. 295, 320–425, 382.

[19] *GEC*, XII/2, (vol. 6, reprinted Alan Sutton, 1987), p. 931 ff. He was also constable of the Tower of London and justice of the forest south of the Trent, *Cal. Liberate Rolls, VI, 1267–72*, nos. 123, 176, 2361–2.

[20] *Victoria County History of Bedfordshire*, (4 vols., ed. Arthur Doubleday and William Page, Constable, 1904–12, reprinted 1972), III, p. 370.

[21] *FA*, I, *passim. VCH*, III, p. 354; IV, p. 341.

[22] *VCH*, IV, p. 349.

[23] *RH*, I, pp. 343–6.

[24] *VCH*, *passim.*

[25] *VCH*, *passim.* For the Dayrels, see IV, pp. 188–9.

[26] William de Turville was the son of Simon de Turville, who was the son of Simon "de Creulton or Turville" who married Petronilla, daughter and co-heiress of William de Turville. *VCH*, III, p. 237.

[27] *VCH*, II, p. 287; Jenkins, *1227 Eyre*, nos. 138, 142, 143, 312; Hanley, *Sheriffs*, p. 35.

[28] *VCH*, IV, pp. 74–6; JUST 1/58 m. 30; JUST 1/63 m. 35.

[29] Joan Wake, *The Brudenells of Deene* (London: Cassell, 1953), p. 1.

[30] Jordan was a descendant of Herbrand de Sacqueville, steward of Walter Giffard, *VCH*, III, p. 39. Giffard gave him Fawley, where the senior branch of the family lived; a junior branch went to Sussex. Nigel Saul, *Scenes from Provincial Life* (Oxford: Clarendon Press, 1986), pp. 8–9. According to the family tree given by Saul, a Sir Jordan de Sackville died in 1273, but only two sons, Andrew and Geoffrey, are shown.

[31] See Peter Coss, *The Origins of the English Gentry* (Cambridge: Cambridge University Press, 2003).

[32] Peter Coss, 'Sir Geoffrey de Langley and the Crisis of the Knightly Class in Thirteenth-Century England', *Past and Present* 68 (1975), pp. 3–37, reprinted in *Landlords, Peasants and Politics in Medieval England*, ed. by T.H. Aston, (Cambridge: Cambridge University Press, 1987); but see now Coss, *Origins*, chapter 4.

[33] Coss, *Origins*, p. 69

[34] It is noticeable that eyre records do not add *dominus* to a knight's name. The main use of *dominus* in JUST 1/67 (apart from *dominus Rex*, and for close relatives of the king) is in the wording of charters of private persons enrolled at the eyre or cited in a plea. Even in 88, the grand assize case, where *quatuor milites* had to choose a jury *de legalibus militibus*, the title *dominus* is not used, although most of the men listed can be shown from other sources to have been knights.

[35] J. Quick, 'The Number and Distribution of Knights in Thirteenth Century England: The Evidence of the Grand Assize Lists', *Thirteenth Century England*, I (1986), pp. 114–23, especially pp. 116, 119, 120.

[36] Kathryn Faulkner, 'The Transformation of Knighthood in Early Thirteenth-Century England', *English Historical Review*, vol. CXI, no. 440, February 1996, pp. 1–23.

[37] Faulkner, Transformation, p. 15.

[38] Faulkner, Transformation, pp. 16–17.

[39] Faulkner, Transformation, pp. 20–1.

[40] Anne Polden, 'A Crisis of the Knightly Class? Inheritance and Office among the Gentry of Thirteenth-Century Buckinghamshire', in *Regionalism and Revision 1200–1650*, ed. by Peter Fleming and others (London: Hambledon Press, 1998), pp. 29–57.

[41] D.A. Carpenter, 'Was There a Crisis of the Knightly Class in the Thirteenth Century? The Oxfordshire Evidence', *English Historical Review*, 95 (1980), pp. 721–52, reprinted in his *The Reign of Henry III* (London: Hambledon Press, 1996), pp. 349–80.

[42] Polden, *Crisis*, pp. 36–7. She considered a family to have "disappeared" whether it ended in multiple heiresses, in which case the land is fragmented, or in one heiress, who would receive it entire. In the latter case all that has gone is the name: the wealth and influence arising from the land survive, although transferred to a new family.

[43] Polden, *Crisis*, pp. 45, 52.

[44] Polden, *Crisis*, p. 55.

[45] Polden, *Crisis*, p. 33.

[46] i.e. families holding four or more manors.

[47] Polden, *Crisis*, p. 55.

[48] There are two Hortons in Buckinghamshire, one in Stoke hundred and one in Yardley hundred. Alice Wolvyne's claim must concern the one in Stoke hundred: John atte Milne of Horton (who bought back his land after its confiscation following the Barons' War; see p. 46) was a juror for Stoke hundred in 1272 and 1286 (see Appendix V). Further references to him may be found in *CPR 1272–89*, p. 351, when on 15 November 1279 a commission of oyer et terminer was issued concerning John de Molendino of Horton, Bucks, and Philip his son, lately detained in Newgate gaol for trespasses, and whom a named group of men had undertaken to produce in the king's court; and *CCR 1279–88*, p. 411, when on 16 April 1286 he was one of two men acknowledging they owed Thomas de Verdun £10.

[49] On 5 July 1288 Henry de Bruly was a juror at Nether Winchendon (Ashendon hundred) re 6 acres in Kingsey (Ixhill hundred) held by Walter de Ilmere, hanged: C 145/47/11.

[50] Faulkner stresses that (in the earlier thirteenth century) "real efforts were made to use knights with local interests and knowledge" on grand assize juries, using evidence from Bedfordshire; she cites Coss's similar findings concerning a jury from Worcestershire. (Transformations, p. 5) This Buckinghamshire jury shows that its selectors preferred to compromise on the need for local knowledge rather than on the knightly status of the jurors.

[51] Coroners listed in JUST 1/63 m. 36. See the name index for the jurors' involvement in cases. Only Chetwode, Bolebek, Duredent, Bruly, Gerunde and Barry were not involved in cases at this eyre.

[52] JUST 1/63 mm. 35, 35d; JUST 1/66, mm. 18, 18d.

[53] *FA*, I, pp. 73–90.

[54] Michael Prestwich, *Edward I*, p. 235. See Kosminsky, *Studies*. The latest discussion of the Hundred Rolls of 1279–80 is in Sandra Raban, *A Second Domesday?* (Oxford: Oxford University Press, 2004).

[55] *RH*, II, pp. 343–9. Only their landholdings in Bunsty hundred have been identified here; they may of course have held more land in hundreds for which records do not survive.

[56] *RH*, I, p. 37; II, pp. 343, 346.

[57] *FA*, I, p. 74 names Edmund; *RH*, II, p. 348 names Walraund.

[58] But the Statutes of Westminster II, c. 38 had laid down minimum property qualifications for jurors. See *English Historical Documents*, III, p. 450: men were not to be put on juries held inside the county if they held tenements worth less than 20s. a year in it; for juries outside the county they must hold tenements worth at least 40s. a year (unless they were witnesses to a charter or other writings). See D.A.Carpenter, 'English Peasants in Politics 1258–1267', *Past and Present* 136 (1992), pp. 3–42, reprinted in *The Reign of Henry*

III (especially pp. 313–20); also K. Asaji, 'The Barons' War and the hundred jurors in Cambridgeshire', in *Journal of Medieval History* 21 (1995), p. 155. In discussing this, it is essential to define what is meant by "peasant". See R.H. Hilton, *The English Peasantry in the Later Middle Ages* (Oxford: Clarendon Press, 1975), especially p. 13.

[59] John de Sweyn is "of Marsworth"; in 285 Walter West is "of Dagnall"; for Roger Wygge see Appendix Va.

[60] JUST 1/60 m. 34, *FA*, I, p. 86. Kimble and Mabli had also served on inquisitions post mortem: C133/7/6, C245/37/9.

[61] *RH*, I, pp. 20–34 for 1254–5 juries (incomplete); JUST 1/58, m. 30, 1262 Buckinghamshire eyre; JUST 1/59, m. 4a, 1269 Buckinghamshire eyre; JUST 1/60, mm. 33–33d, 1272 Buckinghamshire eyre; *RH*, I, pp. 35–9, 1274–5 juries (incomplete); *FA*, I, p. 86 (1284–6 Rowley hundred jury only); and various inquisitions *post mortem*.

[62] Stewart, *Surrey 1263*, p. 179; the rest of her figures are calculated on a different basis, involving a future (1268) eyre, and cannot be compared with those given here.

[63] The other 4 were personally inexperienced, but came from families with jury experience.

[64] Men with affiliation surnames have not been regarded here as belonging to Polden's families unless there is evidence that the family held property in the same hundred. For example, *Johannes filius Walteri* (John son of Walter) of Haddenham (Stone hundred) has not been counted as a member of the fitz Walter family of Maids Moreton (Mursley hundred).

[65] The rewarding of some *curiales* with ecclesiastical benefices is dealt with in Section 9.

[66] Polden, *Crisis*, p. 40.

[67] Matthew Paris, *Chronica Majora*, V, p. 242. Paris describes the building of his great mansion at Toddington, saying that the wages of the workmen engaged on it came to 100s. or 10 marks (133s. 4d.) a week. He does not point out the economic benefit to the neighbourhood of such employment; rather he is concerned to suggest that Peyvre derived no happiness from his mansion: his heart was buried there, "where even when he was alive it rested restlessly".

[68] *VCH*, III, pp. 198, 379, 419, 433, 484, 490, 498–500, 510.

[69] *VCH*, IV, p. 23

[70] See p. 46.

[71] See 32, and G.R. Elvey, *Luffield Priory Charters* (Buckinghamshire Record Society, vol 15 (1968) and vol. 18 (1975)), especially vol. 18, p. lv.

[72] Sir John de Grey died in 1266; he was the father of Reginald (died 1308), and his second wife, Joan, was the widow of Paulinus Peyvre, *VCH*, IV, pp. 277–8.

[73] Carpenter, 'English Peasants in Politics', pp. 313–14,

[74] *Cal.Inq.Misc.(Chancery)*, Vol.1 (London, H.M.S.O., 1916), pp. 191–3.

[75] See Clive H. Knowles, 'Provision for the Families of the Montfortians disinherited after the Battle of Evesham', in *Thirteenth Century England*, I, (1986), pp. 124–7.

[76] On the interrelationships of the hundred jurors of Cambridgeshire, and their involvement in the Barons' War, see K. Asaji, 'The Barons' War and the hundred jurors in Cambridgeshire', pp. 153–65; see also Susan Stewart, *The Surrey Eyre Roll of 1263*, ch. 10, pp. 135–47: Was There a Hundredal Community? (University of London Ph.D. thesis, 2001).

[77] JUST 1/59, mm. 15d, 20.

[78] Polden, *Crisis*, p. 44.

[79] The dates of these transactions are unclear. *CPR 1281–92*, pp. 80–1 has a commission of oyer et terminer, dated 7 October 1283, to settle de la Vache's complaint that "Henry III having granted to William de Aette on account of certain trespasses of Thomas Maunsel during the troubles of the late reign all the lands of the said Thomas, in accordance with the

dictum of Kenylleworth, and the said William having demised the same to Isabella de Albiniaco, countess of Arundell, chief lord of the said Thomas, to hold in accordance with the said ordinance, and the said Isabella having granted them to the said Richard with the custody during the minority of the heirs of the said Thomas of the same lands, and with the marriages of the same heirs" – Alice had married Verdon without licence.

[80] *VCH*, IV, pp. 446–7.

[81] JUST 1/59, mm. 1, 3, 20. Anne Polden (*Crisis*, p. 35) says that de la Haye was a yeoman of the countess of Cornwall in 1258.

[82] JUST 1/59 m. 15d.

[83] *RH*, I, p. 20.

[84] JUST 1/58 m. 30.

[85] JUST 1/63 m. 36.

[86] JUST 1/60 m. 34; C 145/31/1; C 133/21/5.

[87] JUST 1/60 m. 34 and Appendix V.

[88] JUST 1/59 m. 3a.

[89] C 133/35/5.

[90] See Appendix V.

[91] Appendix V; C 133/52/6.

[92] At the proof of age hearing, he said he knew nothing of the matter.

[93] *CPR 1281–92*, p. 264, 20 January 1287.

[94] *CPR 1281–92*, p. 282, 10 February 1287.

[95] 18, 22, 271, 299, 319, 329, 378, 403; see also 235–7, 358.

[96] CP 40/52, m. 44, dated 3 February 1284.

[97] See above, p. 44.

[98] JUST 1/59 mm. 15, 15d, 19.

[99] JUST 1/59, m. 19.

[100] *Luffield Charters*, II, pp. xxii–xxiii.

[101] *Luffield Charters*, I, nos. 170, 197; vol. 18, nos. 398, 401.

[102] *Luffield Charters*, II, p. xxii.

[103] *VCH*, IV, p. 188.

[104] 235–7, 357, 378, 403.

[105] JUST 1/59, m. 4 (the reading is uncertain); C 145/42/22.

Section 3
The King's Peace and the Eyre System

It was *Bracton*'s opinion that God created the king to do justice to all; but to lessen his burdens the king needed to delegate his powers to wise and God-fearing men, and appoint them his justices, sheriffs, and other deputies. In return for the peace and justice maintained by the king, his officers in the shires saw to the upholding of royal rights and the collection of royal revenues.[1] This section will consider the interaction of local and central authority which was intended to produce justice and "the king's peace"; this included the eyre system, by which the king ascertained and monitored what was happening in the shires and the officials whose duty it was to do the royal work there. Through the eyres the king maintained the peace, meted out justice and upheld his rights in the shires – and extracted a great deal of money from them. The detailed workings of the eyre system in general, and the 1286 Buckinghamshire eyre in particular, will be examined, and an important instruction from the king which modified the procedure published for the first time.

The County Officials

The main royal official in a county was the sheriff, whose duties were executive, fiscal and judicial.[2] Assisted by his deputy and serjeants, clerks and bailiffs, the sheriff in his executive capacity had to see to the arrest and custody of people accused of crimes, and the execution of writs issued from the king's chancery. He also had to compel attendance at court, empanel juries, and keep up the local castle (if there was one), highways and bridges. His fiscal responsibilities included the raising of the farm, the sum demanded by the king from the county each year, accounting for it at the exchequer, and collecting other sums owed to the king by individuals in the county. As the county's principal judicial officer, he presided over the regular meetings of the county court every four weeks, held *ad hoc* inquiries with a jury at the king's behest. He also went twice each year on his "tourn", or visitation of the individual hundreds in the county, at which he reviewed the tithing system by holding a view of frankpledge and dealt with the less serious crimes presented by each hundred jury in turn.

From 1194 on, as part of the thorough-going reforms made by the

Justiciar, Hubert Walter, to the system of criminal justice, each county also had one or more coroners, who kept the pleas of the crown, the records of matters to be brought before the king's justices, such as instances of unexplained or violent deaths, abjurations of the realm, wreck of the sea and treasure trove. After 1242, keepers and escheators saw to the management of royal manors in a county, and the properties which came into the king's hand when a tenant-in-chief died or suffered forfeiture.[3]

Between 1258 and 1307, sheriffs were generally local landholders,[4] but the sheriff of Bedfordshire and Buckinghamshire in 1286 (it was a joint shrievalty) was William de Boyville, who, according to Cam, "held land in Cumberland and York, [but] was sheriff in turn of Northamptonshire, Rutland, Cumberland, Bedfordshire with Buckinghamshire, and Warwick with Leicestershire":[5] a man of experience rather than local interests.

JUST 1/63 m. 36 lists the men who had been sheriff or coroner in Buckinghamshire since the previous eyre in 1272. Of the sheriffs, the only two Buckinghamshire-based men were John de Cheyne of Isenhampstead Cheyne (now Chenies) and Robert Malet of Quainton. Three others were Bedfordshire men, and Hugh de Stapelford was from Nottingham.[6] The coroners had been Alexander of "Hameldon", which must be an error for "Hampden",[7] William de Nowers, Stephen de la Haye, Edmund of Weedon, Stephen of Saunderton, Peter of Hartwell, John de Keynes and William de Ellesdon, all local men.[8] Of these Buckinghamshire men, only three (Cheyne, Hartwell and Ellesdon) do not come from the knightly families studied by Anne Polden (see Section 2.)[9]

As was noticed in Section 1, the county of Buckinghamshire was divided into six triple hundreds for administrative purposes. Each triple hundred had its own bailiff (chosen by the sheriffs), who presided over the hundred courts, which would meet at three-weekly intervals. Larger vills and boroughs had their own bailiffs.[10] When the royal justices on eyre came to the county, the hundreds and larger vills had to select juries to answer the "articles of the eyre", a long list of questions designed to lay bare abuses of and encroachments on the king's rights, and the dereliction of their duty by local officials.[11] Other articles of the eyre concerned criminal matters. In addition to responding to these visitations, various *ad hoc* inquiries had to be made by local juries, usually presided over by the sheriff, when the king demanded them, such as inquests *post mortem* into what land a deceased tenant-in-chief had held, and from whom, and inquests *ad quod damnum*, into what loss would be caused to others if property were alienated to the church.

Local knights and substantial freeholders were called upon to serve in county administration as sheriffs, coroners, and bailiffs, and also as jurors. These demands on their time could be burdensome, and some men – legally or illegally – bought themselves exemption. Others perhaps enjoyed it, appearing on juries time and time again. As we have seen, many Buckinghamshire men who participated in such administrative duties came from families who had built up a tradition of such service.[12]

The Eyre System

The principal mechanism by which the king discovered and controlled what was happening in his kingdom had always been the sending out of officials on commissions of inquiry. The great precedent was William I's inquiry into the state of the realm whose results became known as the Domesday Book. Henry I sometimes sent out officials for financial and judicial purposes,[13] especially to inquire into the financial administration of sheriffs,[14] but it was Henry II, needing to restore strong and effective government throughout his kingdom after the turbulence of Stephen's reign, who established the regular system of judicial visitations.[15] At the Assize of Clarendon in 1166, amongst other measures, he began a full inquiry into the crime committed in England since he came to the throne in 1154, instructing that in each county four men from each vill and twelve men from each hundred should investigate and report their findings to the sheriff, who was then responsible for catching the criminals and taking them before justices who travelled from county to county *in itinere*, "on eyre", that is, on a journey.[16] At about the same time, Henry instituted the petty, or possessory, assizes of mort d'ancestor, novel disseisin and darrein presentment. These, part of circuits covering the whole country, decided who had a legally valid title to be in current seisin of a tenement, rather than who had the ultimate right to it. The justices on eyre could hear these possessory cases and any other civil pleas that arose, which meant that royal justice became more readily accessible; litigants did not have to go on expensive journeys to the king's courts at Westminster if they were prepared to wait until the justices came on eyre to their county.

In short, the justices on eyre regularly heard and determined all criminal matters which had arisen since their last visit; they heard and determined all civil actions brought before them by individual litigants; and they asked the questions to which the king required an answer. They were justices commissioned to hear and determine all pleas, and thus they fulfilled a triple function, maintaining good order by punishing wrongdoers, imposing lawful solutions in local disputes, and fact-finding on behalf of the king.

In 1176, eight circuits of travelling justices were needed to visit the counties to deal with the accumulated business, both civil and criminal. After this, various circuits of justices were sent on eyre at fairly regular intervals, visiting most counties about once every five or six years. At first, the justices were those who sat in the Court of Common Pleas, which was thus suspended during an eyre. This changed in 1249, when the Common Pleas stayed at Westminster, and other justices went on eyre.[17]

Thus, in the thirteenth century, litigants bringing civil pleas had the choice between an expensive visit to Westminster and waiting at home, perhaps for several years, until the justices in eyre came to the county. It was also the practice to send out special temporary commissions to other justices, or even knights of the shire, to deal with possessory cases, or

deliver the gaols, when need arose.[18] The king's courts gained in popularity at the expense of local courts.[19] Only villeins were excluded from seeking remedies before the king to their grievances concerning land and the terms of its tenure, and had still to use the local or manor courts. Everyone else could buy the appropriate writ from the king's chancery to start an action before the king's justices.

Justice, of course, had to be paid for. This was a fourth function of the eyre. The eyre justices raised a great deal of revenue for the king, amercing plaintiffs whom they adjudged to have made false claims, sureties whose principals failed to turn up in court, people and communities who neglected to perform their civic duty, and other delinquents, and receiving fines from those who paid for permission to agree or otherwise to further their cases. There would also be the sums due to the crown as goods of convicted felons or absconders. Although the record of the receipts from the Buckinghamshire eyre of 1286 is incomplete, the amount of cash due to the king from the civil pleas and the crown pleas together was at least £1,261 16s. 3d.[20]

The Eyre System Under Edward I

On his return home as king in August 1274 after his crusading venture, Edward I did not immediately order the resumption of the eyre which had been suspended by his father Henry's death on 16 November 1272. First, he sent commissioners into the counties to inquire what rights and liberties had been taken from the king, and what misdeeds had been committed by local officials (the "ragman" inquiry, so called from the tattered appearance of the returns, with the jurors' seals appended). This resulted in 39 new articles being added on 11 October 1274 to the 69 already investigated at an eyre. Then, at the Gloucester Parliament of 1278, the eyre was remodelled. First, its justices were given the task of dealing with the results of the "ragman inquiry". All claims to franchises by the king's subjects were to be stated at the start of a county's eyre, and then settled, if necessary, by an action of *quo warranto*. (Sutherland concluded that the *quo warranto* proceedings were "in the end only partly successful", as there were "too many projects and too few responsible heads" – "only two groups of justices were commissioned. The counties waited for years."[21]) Secondly, the justices were to hear complaints from the aggrieved about the wrong-doing of officials and others. These complaints, or *querele*, could be brought by bill, a verbal or written complaint made directly to the justices, instead of by a more expensive writ bought from Chancery. *Querele* had sometimes been used during the past few decades as a simpler way of initiating an action, especially during the troubled times of the Barons' War,[22] but now became a specific part of the eyre's remit, regularly enrolled in the record under their own heading.

One result of this extra work was that eyre visitations now took longer, with more cases having to be adjourned elsewhere through lack of time.

This overloading was a factor in the eventual break-down of the eyre system.

The Eyres to Buckinghamshire

In medieval times, Bedfordshire and Buckinghamshire were often treated as one entity, and shared a sheriff from before 1129 until 1575. At the earliest eyres (1194–5, 1198), they also shared a visitation of the justices. Thereafter, during the course of the eleven visitations that included the two counties, each was visited separately, the justices going straight from one county to the other on nine occasions. Only in 1218 and 1286 did other counties, Cambridgeshire and Huntingdonshire, intervene.[23]

Bedfordshire and Buckinghamshire were usually part of a midland grouping. The counties most often found on the same circuit include Lincolnshire, Leicestershire, Warwickshire, Northamptonshire, Rutland, Cambridgeshire and Huntingdonshire. Only three times, in 1241, 1254 and 1262, do they form part of a radically different grouping, with counties such as Essex and Hertfordshire.

The Eyre Visitation of 1278 to 1289

The first full eyre visitation arranged in the reign of Edward I was also the last, and took place in two circuits, a "northern" and a "southern", between 1278 and 1289. Although the visitation was very slow-moving, few counties escaped: even the major liberties of Durham, Ely and Ramsey were included, though not Cheshire, and some of the counties were visited twice, including Dorset, which was visited by the southern circuit in 1280 and the northern circuit in 1288.

Buckinghamshire was part of the "northern" circuit, and the justices commissioned to it were John des Vaux, the chief justice, and William of Saham, Roger Loveday, John of Mettingham and Nicholas le Gras. Three of these, Vaux, Saham and Mettingham, had been together since the start of the eyre in November 1278 in Cumberland. Loveday had originally been named on the commission with them, but instead sat in Hertfordshire on the southern circuit, joining them in January 1279 for Northumberland, and taking precedence over Mettingham. All four, plus Master Thomas Siddington, sat at the various sessions in Yorkshire in 1280, and all except Loveday, whose selection was intermittent, sat subsequently in the next six counties visited, until the Northamptonshire eyre in September to December 1285, when Nicholas le Gras replaced Siddington. These five men, Vaux, Saham, Mettingham, Le Gras and Loveday, sat in Rutland, Buckinghamshire and Cambridgeshire. In August 1286, Saham and le Gras joined William Middleton and Henry Bray in Ely; Vaux, Saham, Loveday and Mettingham sat in Huntingdonshire (September–October 1286) and Bedfordshire (January–February 1287).

Saham, Loveday and Mettingham then went on to Gloucestershire, where the eyre was held in three sessions between April and July 1287.[24]

When the Dorset eyre opened on 30 May 1288, Mettingham was the only one left on the northern circuit of the five justices who had sat in Buckinghamshire. Three, Vaux, le Gras and Loveday, were dead; Saham was sitting (for a second time) as a justice of the King's Bench.[25]

The Justices

Four out of the five justices who sat in Buckinghamshire in 1286 were from East Anglia. The fifth, Nicholas le Gras, was from Sussex. It is immediately apparent that they sat as justices in parts of the kingdom other than those in which they had their main landed interests.[26]

John des Vaux was a substantial magnate, the grandson of a previous justice in eyre, Oliver des Vaux (who did sit in Norfolk and Suffolk, as well as in other counties). John des Vaux had a political past, emerging in the late 1250s as one of the group of men whom the Lord Edward recruited to his service, and he was listed on 14 March 1259 as one of Edward's supporters, with such men as Henry of Almain, Earl Warenne, Robert Walerand, Roger Clifford, Roger Leyburn and William la Zouche.[27] On Leyburn's disgrace in 1263, some of these men, including des Vaux, joined Simon de Montfort, but came back to Edward's side in August that year in time to avoid being entangled on the wrong side in the armed uprising of 1264–5.[28] Vaux died in 1288. His land was then divided between his widow and two daughters; it lay mostly in Norfolk, with some in Suffolk and Essex, and a messuage in London.

William of Saham was also a Norfolk man, the son of Robert of Saham, of Soham Toney; he founded a chantry there.[29] As a member of the household of Hugh le Despenser, he seems to have been more deeply involved with Simon de Montfort than des Vaux had been, and had to get a pardon at Winchester in 1265 for his part in the rebellion. He is one of the fifteen men (Loveday and le Gras are others) who make recognizances for £100 each on 27 April 1282, that Hugh le Despenser will pay a debt of £1,500 to William de Beauchamp, earl of Warwick. If Saham defaults, the money is to be raised from his lands in Norfolk.[30]

Roger Loveday had lands at Wethersfield, in Suffolk, and it is in Suffolk that the money is to be raised should he default as a surety for Hugh le Despenser. He was also accused of forcing William de Sprouston to grant him other Suffolk lands in 1275, but was acquitted.[31] John of Mettingham was born in Suffolk,[32] and had quittance of common summons of the eyre for common pleas in that county.[33] Nicholas le Gras was sheriff of Surrey and Sussex from 1280 until 1285, and also held manors in Essex, and some land from the bishop of Norwich.[34] Should he default as a surety for Hugh le Despenser, the money was to be raised from his lands in Sussex.[35]

When, following the disgrace of the Chief Justice of the King's Bench,

Thomas Weyland, who abjured the realm in 1289, Edward I instituted a purge of corrupt public officials, eight accusations were brought against Saham.[36] One arose from a case at the Huntingdonshire eyre of 1286, at which it was alleged that Saham, although he knew that Simon of Stanton was mad, had allowed him to enter into a final concord to sell a manor. Saham said that Simon was not mad, but kept in chains in his chapel and treated as mad by his son Robert, who was now bringing the accusation against him. The only case in which he was found guilty was that he sealed a writ of *capias* dated earlier than the inquisition which authorized the arrest – he said that this was a trick of the clerk, John de Cave, who was "soon committed to the Tower for palpably evil practices".[37] The other cases were stopped by the king's writ,[38] but Saham was fined 2,000 marks, and seems never to have sat as a justice again. DeWindt and DeWindt, in their edition of the Huntingdonshire eyre, comment that Saham "appears from the record to have been more of a bumbler than anything else"; Tout called him "a weak but conscientious man whose confusion and slowness were taken advantage of by unscrupulous colleagues".[39] On the other hand, John of Mettingham was found not to have been involved in any corruption, and presided over the court of Common Pleas until at least early 1299. He died in 1301.[40]

The 1286 Buckinghamshire Eyre

The Buckinghamshire session opened on Sunday 20 January 1286, the octave of Hilary, at Newport Pagnell.[41] It was fourteen years since the last visitation, completed just days before the death of Henry III in 1272. The justices were commissioned on 24 October 1285.[42] They remained at Newport Pagnell until Monday 3 February,[43] and resumed their sittings at High Wycombe on Monday 22 April, the morrow of Low Sunday. Here they stayed until at least Wednesday 22 May, when John Peyvre brought in a seal in his father's name in order to disavow it (379, which gives the date). This pattern of two sittings, one at each end of the county, had been established by 1232, and repeated in all subsequent eyres except one.[44] In 1286 the Crown profited from the arrangement: the nine southern hundreds fined one mark each to plead at High Wycombe (13).

Once the justices had been commissioned, the sheriff would have been instructed by writs to organize all the cases for the justices to hear, and to summon all those who should attend on the first day, from archbishops and earls to all free tenants, and representatives from each vill and each borough. He had to make it clear throughout the county that all pleas currently before the king's central courts, or held over from past eyres or previous visits by any other justices, would be dealt with at the coming eyre. He was also instructed to see that all men who had been sheriff since the previous eyre attend, with their writs and pleas, to answer for what had happened in their time.[45]

The justices had concluded their work at Northampton on 6 December

1285. As neither the date for the start of the subsequent Rutland eyre (7 January) nor that for Buckinghamshire (20 January) appears on the Close Rolls, it is likely that the justices themselves had fixed these dates once they knew how much business they had to get through at Northampton.[46] They had to allow a county at least 40 days for the arrangements to be made,[47] so must have informed the sheriff of Buckinghamshire, William de Boyville, of the date of their arrival by 10 December 1285 at the latest. Boyville would then have seen to the proclaiming of this date at the next meeting of the county court, and presumably also at the hundred courts, and in the vills which sent separate juries to present their crown pleas to the eyre. His serjeants and the hundred bailiffs would inform all persons meriting an individual summons.

According to c.10 of the new Statutes of Westminster, the justices should also set a closing date for accepting most new writs, 15 days or a month before the start of the eyre, depending on whether the county was thought of as a larger or smaller one. The pleas that could be accepted after that, "within the summons of the eyre", were dower *unde nichil habet* (of which she has nothing), darrein presentment and *quare impedit*, if the husband had died or the living fallen vacant within the summons period; and novel disseisin committed at any time.

The rolls for the 1286 Buckinghamshire eyre give us the dates when nine writs were obtained.[48] (Such information was necessary when a defendant said that he did not hold the disputed property on the day the writ was obtained.) Buckinghamshire must surely have been regarded as a small county; even so, only three of these writs are dated before a closing date of 5 January: the writ for 245 is dated 15 November, that for 17 is dated 30 December, and for 40 on 2 January. The writ for 58, obtained on 27 January, arose out of a dower claim, and so was permissible after the closing date. Perhaps the justices counted the High Wycombe session as separate, with its own closing date of 7 April – but, even so, the writ for 158 was obtained on 14 April, and that for 219 on 26 April. It would appear that the justices were not yet strictly enforcing the new statute.[49] Three otherwise undated civil pleas at this eyre are described as arising within the summons of the eyre. Two, 194 and 396, are novel disseisin cases, and 223 is a case of nuisance, which is also classified under the general heading of novel disseisin.

Many cases brought to this eyre had had previous hearings at Westminster, or before specially-appointed justices. Bench writs for the preceding eight years had been sent to Newport Pagnell.[50] One case, part of the ongoing saga of illegitimacy in the Keynes family (368) spells out that it had been brought to Buckinghamshire in this way. The case had been due to be heard in the Court of Common Pleas at Westminster on 12 November 1285, but the plea was transferred here "by the common summons of the eyre of this county".

The first day of the eyre itself was a crowded and ceremonial affair, at which not only the parties to all the cases to be heard but all the important

people of the county were expected to attend unless they had the king's writ of quittance.[51] Those who failed to come were amerced, and this 1286 eyre has many instances of such amercements.[52] The Statute of Westminster II c.10 allowed the appointment of attorneys to conduct cases for people who could not attend, and it may be that such attorneys could represent their principals on the first day of the eyre. There was a great deal of importance to do.[53] Claims to franchises had to be put forward, the coroners' rolls had to be handed in for sealing and return, the justices had to meet the important men, the *buzones*, of the county and formally remind them of the need to swear all adult males to keep the peace, the hundred juries had to be chosen and given their copies of the articles of the eyre. The Chief Justice made an admonitory speech. It was a day for making manifest the power and reach of the king's justice in the most solemn and public way possible, and the king's people had to be there to perceive it.

Then the justices began to hear the cases. *Bracton* says that they began with the crown pleas, but in practice they must have divided the work between them and heard the cases in parallel sessions in order to get through it in time.[54]

There was no legal reason for the rolls to note the dates when the various hearings took place, but occasionally there was a procedural one. If a defendant defaulted twice, both dates are given, and it is possible to see how long was allowed for re-summoning the defaulter. In the 19 such cases in JUST 1/67, the shortest interval was two days, the longest 20 days, and the average 8.8 days.[55] None of these cases involved hearings at Newport Pagnell. The first six defaults[56] happened on the opening day of the eyre at High Wycombe, 22 April. The second hearings for these cases were all set for different dates: 25 April, 30 April, 1 May, 3 May, 4 May and 9 May. Distance to be travelled had no bearing on the length of time allowed: only four days were allowed for a summons from High Wycombe to reach Newport Pagnell (11+389), and two days to Sherington, also in the north (336), but 15 days were allowed to Langley Marish (373) and 12 days to Chesham (243), both much nearer to High Wycombe.

In all but five of the 19 cases, the first day on which the defendants were summoned was a regular return day, the Sunday at the start of each week, which meant that the case would be heard at some time during that week; but 19 out of the 20 dates for which defendants were re-summoned were particular days.[57] Of the five anomalous cases, one involved Bogo de Clare (245), and another the Prior of Tickford (389), whose dignity perhaps necessitated an exact date to be named, rather than that they should be kept waiting.

As is usual, some cases in JUST 1/67 have notes at the end, either in the margin or as a separate line detached from the main report, giving the date of the next hearing. Another source for chronology is the dating of the corresponding Feet of Fines, though these are usually dated by return days rather than by individual dates. The course of a few cases may be

reconstructed with some certainty, and show that the intervals between the hearings were usually short.[58] For example, when two women claimed three small amounts of land by a writ of cosinage (158), at the first (undated) hearing the first two defendants (William son of Elias [de la Waude] and Nicholas son of Elias) both asked for a jury, and the third defendants (John de Bergeveny and Lettice his wife) vouched Nicholas to warranty. Nicholas warranted on Saturday, 4 May, denying that the cousin had been in seisin of the land, and the next hearing for that was set for 13 May. The hearing of the other two claims took place on Monday, 6 May.

None of the rolls necessarily records the cases in the order in which they were heard, though there appears to be an underlying chronological order, in that cases where there was no time for a second hearing at the eyre tend to bunch in the last third or so of the record. Generally the instalments of an individual case are recorded in correct chronological order, but, for example, 9 seems to be the withdrawal of the plaintiffs from a case which is reported in detail in 85 (unless it is their withdrawal from a previous writ?), and 96 and 267 should both come before 76. Each roll has its own different order of listing, though blocks of cases do often follow the same order.[59]

Foreign Pleas

Cases which were not determined at the eyre justices' visitation to a county were adjourned elsewhere. Those which went to the next county in which the justices were to sit were recorded in that next county as foreign pleas. Other cases went on to the court of Civil Pleas at Westminster.

David Crook notes that the foreign pleas side of the general eyre declined almost to nothing during the course of the 1280s.[60] At the Derbyshire eyre of 1281 there were 448 entries relating to other counties. Exactly half of these were from Yorkshire, and a quarter from Nottinghamshire, the two previous counties visited by the justices.[61] But there was only one foreign plea heard in Buckinghamshire in 1286 (431, from Northamptonshire), though ten more pleas from that county are mentioned in the essoins (421–430), and two more can be detected in the rolls of the January 1286 Rutland eyre.

This apparent change in procedure needed further investigation; and the reason was found clearly stated in the record of the Rutland eyre of January 1286, as is set out below.

An analysis of the 1281 Derbyshire eyre printed by Hopkinson and Crook shows that all the 53 Derbyshire cases which were adjourned from Derby went to the next eyre county, Lincolnshire. Not one went directly to Westminster, though many ended up there.

The Lincolnshire eyre took up most of the justices' time from June 1281 to April 1282, with a further busy session in spring 1284 after the Welsh war. The writ of summons for their next visit, to Leicestershire, was issued

on 11 May 1284.[62] Although the second Lincolnshire session did not finish until 22 May, and so the date for litigants to go to Leicester could have been announced, not a single plea was sent on as a foreign plea to Leicestershire. Instead, all 72 undetermined Lincolnshire pleas (and a few from the previous eyre counties) were sent on to Westminster.[63] This was because early in February 1284 the king had instructed the justices to do so.

His instructions are quoted in the roll of the January 1286 Rutland eyre, in a writ obtained by Mabel, widow of Ralph de Grenham.[64] Her case was postponed from Oakham in Rutland to the Buckinghamshire eyre of 1286 at Newport Pagnell for 3 February 1286, on which day she came to Newport Pagnell with the king's writ to the justices saying that he had told them when he was at Nettleham by Lincoln two years ago that unfinished cases should go to Westminster, not to the next county they visited; and that therefore Mabel's case should be heard at Westminster, not Newport Pagnell. As these instructions by the king to his justices do not seem to have survived in any central record, it is worth quoting this entry in full:

> Edward, by the grace of God, etc., to his beloved and faithful John des Vaux and his fellow justices in eyre in the county of Buckingham, greeting. Whereas for the lightening of your burden and that of other justices [in eyre] in our kingdom we have ordained that all pleas which in the eyre of our justices for all pleas do not happen to be determined before their departure from the counties in which they have been on eyre shall be adjourned at the end of those eyres before our justices of the Bench, to be pleaded there; and two years ago, at Nettleham by Lincoln, we enjoined upon you that you should do this; yet now, by the complaint of Mabel, widow of Ralph de Grenham, we have heard that you have postponed to the county of Buckingham a plea begun by our writ before you in your eyre in Rutland between Adam de Cretyng and Peter son of Ralph de Grenham, that the same Peter should keep to the agreement made between them concerning the manor of Ketine with its appurtenances in the county of Rutland, and have caused this Mabel, who holds the said manor, although she objected and urged the said ordinance, to find sureties to appear before you at Newport Pagnell in the county of Buckingham to state what right she has in the said manor, we order you that, if this is so concerning this plea, then you now do not meddle but adjourn the said parties and the said Mabel to be before our justices of the Common Bench in accordance with the said ordinance on the quindene of the purification of the blessed Mary, ready to proceed in this plea. And you are to have there this writ, with the record and process of the said plea. Witnessed by myself at Caversham on 28 January in the 14th year of our reign [1286].

Why Mabel should have gone to Caversham and then come to Newport Pagnell with a writ saying she need not plead at Newport Pagnell

is not clear: perhaps she was fighting a rearguard action and gained from the delay. It is to be noted that, although this happened at Newport Pagnell, it is not recorded anywhere on the rolls for the Buckinghamshire eyre, but as a *postea* in the record of the case at the previous eyre in Rutland. "Two years ago" ought to mean that the ordinance was made early in 1284. The king was indeed at Nettleham from 3 to 11 February that year,[65] and, as we have seen, the justices did adjourn all unfinished pleas from Lincoln to Westminster, and not on to Leicester. However, it would appear that the justices might have thought that the ordinance was merely a temporary measure to ease the backlog of work accumulated at Lincoln. It does not contain words such as *imperpetuum*, for ever, or *de cetero*, in future. At the Leicestershire eyre (October 1284–January 1285), they resumed the practice of sending cases on to the next eyre county: 17 cases went on to Westminster (14 for the next step, and 3 as a result of vouchers to warranty), but 61 were passed on to Warwickshire (11 for judgment, 33 for the next step, and 11 as a result of vouchers to warranty; 6 pleas received at Leicester from previous counties were also passed on to Warwickshire). The Warwickshire eyre was held in January and February 1285: the next step in one of the cases sent on to it was a judicial combat.[66] The old system came to a second abrupt end at Warwick, with 54 cases sent on to Westminster and none at all to Northamptonshire.[67] Apart from the Nettleham ordinance, there was another very good reason for this: the date for the justices' visit to Northamptonshire was not announced until 3 August 1285, six months after the end of the Warwickshire eyre.[68]

From Northamptonshire, 88 unfinished cases were sent on, 81 to Westminster, and seven to Newport Pagnell (not to the intervening Rutland eyre), six for judgment and one for Reginald de Grey to warrant for Robert of Northampton.[69] One of these cases vanishes from the record; the other six were essoined at Newport Pagnell and sent on to Westminster.[70] When one of these six was heard at Westminster, mention was again made of the Nettleham ordinance.[71] Amaury de Nowers and Miles son of Philip of Hastings first claimed their reasonable share of the lands of Peter of Goldington, grandfather of Almaric and great-grandfather of Miles, at Northampton in 1285.[72] They were given a day to hear judgment at Newport Pagnell on 27 January 1286, but the defendants essoined there through their attorneys and were given a day at Westminster on 12 May (424). At Westminster, the defendants asked for, and were awarded, judgment on the grounds that "by the lord king's council it has been provided that the justices travelling on their eyres should not have the power to adjourn pleas outside the county where the holdings were situated."

In Mabel de Grenham's case, the king's stated purpose in making the ordinance was to lighten the justices' burden, but in the de Nowers-Hastings claim it is seen as limiting their powers. Mabel de Grenham secured a postponement to Westminster by her writ, but de Nowers and

Hastings actually lost their case because the court held that the eyre justices had exceeded their powers.

The sole foreign plea heard at the Buckinghamshire eyre, 431, arose from a plaint at Northampton that Geoffrey de Suthorp owed £10 to William of St Bartholomew, a merchant of London.[73] Even this plea failed to be determined in Buckinghamshire. The sheriff of Northampton tried to raise the money but the bailiffs of the abbot of Peterborough's liberty did nothing, and the matter went on to the next eyre county, Cambridge, for 30 June. From there it went on to Huntingdon, where it figures as a foreign plea, and the abbot's bailiffs are still being obstructive.[74]

Nearly every case heard in Rutland in January 1286 was sent on to Westminster.[75] Two foreign pleas were passed on to Newport Pagnell, Mabel de Grenham's case, and another from Northamptonshire in which the sheriff was told to raise money owed by Philip de Burne to John de Bosco and his clerks and have it at Newport Pagnell on 9 February.[76] One other plea, itself a foreign plea, was essoined to Newport Pagnell: Alice Malecrak's attorney essoined "for difficulty in coming" at Oakham on the first day of the Rutland eyre on a plea of admeasurement of dower, and was also told to come to Newport Pagnell on 9 February.[77] This is well after the justices are said to have left Buckinghamshire, so perhaps they remained there for longer than was thought; but the cases do not figure on the Buckinghamshire rolls.

Cases adjourned from Buckinghamshire in 1286

In seventy-two entries in JUST 1/67 the justices adjourned cases from Buckinghamshire to somewhere else. Only five of these cases went to the next eyre county, Cambridgeshire. Three of these were for chirographs to be made after disputes had been settled, between Richard Grusset and his wife Hawise (vouched to warranty by his mother Emma) and William de Langtoft concerning holdings in Bourton (268), and the Grussets and John Peyvere concerning holdings in Maids Moreton (319+403). These duly appear in des Vaux's roll of the Cambridge eyre as foreign pleas heard on 15 July.[78] The sheriff of Buckingham had done nothing about either case, and was told, *sicut prius* ("as before"), to cause Langtoft to go to Huntingdon for the octave of Michaelmas, and to distrain Peyvre to be there on the same day. According to the DeWindts' edition of the Huntingdonshire eyre, all that is recorded there are postponements to Bedford for the octave of Hilary; they were unable to find the record in JUST 1/11, the Rex roll of the Bedfordshire eyre.[79] The other two entries concern a custody case, Agnes de la Croiz versus John Gernun, in which a judgment has to be made on whether Agnes can vouch an under-age heir to warranty (377, 400). At first the parties are given a day to hear their judgment at Cambridge on 16 June, but there immediately follows a *postea* to say they are given a day at Westminster on 13 October.

Sixty-seven entries concern cases adjourned from Buckinghamshire to Westminster. Of these, 22 were cases in which people were vouched to warranty and summoned in other counties. Without exception, they are told to go to Westminster, mostly for the Trinity term. In other counties, people vouched elsewhere to warranty in the first weeks of the session had been told to come to that county, even from distant places.[80]

Seven cases went directly to Westminster to hear judgment. Nearly all these are long, complicated cases, some involving important local people and most turning on interpretation of the new statutes of Gloucester and Westminster (52, 85, 93, 114, 184, 352, 368).

John des Vaux and his fellow justices, having had their knuckles rapped in Mabel de Grenham's case, were now clearly trying to obey the Nettleham ordinance.

Notes

[1] *Bracton*, II, pp. 304–6.

[2] Cam, *Hundred*, p. 67.

[3] Scott L. Waugh, 'The Origins and Early Development of the Articles of the Escheator', in *Thirteenth Century England*, V (1995), pp. 90–1.

[4] On the sheriffs in general, see D.A. Carpenter, 'The Decline of the Curial Sheriff in England, 1194–1258', *English Historical Review*, 101 (1976), pp.1–32, reprinted in his *The Reign of Henry III* (London: Hambledon Press, 1996), pp. 151–82; J.R. Maddicott, 'Edward I and the Lessons of Baronial Reform: Local Government 1258–80', in *Thirteenth Century England* I (Woodbridge, the Boydell Press 1986); W.A. Morris, *The Medieval English Sheriff* (Manchester: Manchester University Historical Series no. 46, 1927).

[5] Cam, *Hundred*, p. 62.

[6] Stapelford is not mentioned in *VCH*. He appointed an attorney against all comers at the 1286 eyre (472).

[7] See JUST 1/63 m. 45, and Hanley, *Sheriffs*, p. 35. Alexander of Hampden was a prominent figure in the county, but there is no other trace of an Alexander of Hambleden.

[8] Ellesdon is not mentioned in *VCH*, but is probably the same man as William de Eltesdone, juror for Seckloe hundred at the 1269 post-Kenilworth settlement eyre, JUST 1/59 m. 4a (the numbering of membranes in this roll is confused at this point – there appears to be no m. 5).

[9] The Cheynes are a knightly family who were apparently not active in county affairs in the 1220s, so do not figure in Polden's sample. They held a knight's fee in Chenies (*VCH*, III, p. 200), and Lipscomb lists two of them as knights when giving the thirteenth-century presentations to the rectory of Chenies, vol. III, pp. 247 ff. (G. Lipscomb, *The History and Antiquities of the County of Buckingham*, 4 vols. London 1847).

[10] In 1286, the bailiffs of all the hundreds were different from those who held office at the previous eyre in 1272 (JUST 1/63 mm. 34–34d). Cam, *Hundred*, p. 149, found that periods of service of 14 years in one bailiwick, followed by more service in another, were quite normal.

[11] Cam, *Hundred*, prints a list of these articles in Appendix 1.

[12] See Section 2, above

[13] See the Pipe Roll of 1130 (William Reedy, 'Origins of the General Eyre in the Reign of Henry I', *Speculum* 1966, pp. 688–724.)

[14] Cam, *Hundred*, p. 3.

[15] Waugh, *Articles of the Escheator*, pp. 90–1; C.A.F. Meekings, *Crown Pleas of the Wiltshire Eyre, 1249* (Wiltshire Record Society, 1960), pp. 2–4.

[16] Stubbs, *Select Charters*, 9th edn. revised by H.W.C. Davies (Oxford: Clarendon Press, 1913, reprinted 1966), pp. 167–73.

[17] For a detailed history of the eyre, see David Crook, *Records of the General Eyre* (PRO Handbook no. 20, (London, HMSO, 1982); also Meekings, *Crown Pleas, Wiltshire 1249*, and M.T. Clanchy, *The Roll and Writ File of the Berkshire Eyre of 1248* (London, Selden Society, vol. 90, 1973) and D.M. Stenton, *Pleas Before the King and his Justices* III (London, Selden Society, vol. 83, 1966).

[18] F. Pollock and F.W. Maitland, *The History of English Law* (1895), 2nd edn, revised and reissued with new introduction by S.F.C. Milsom 1968 (Cambridge: Cambridge University Press), 2 vols., I, pp. 200–1.

[19] P & M I, pp. 202–03; Robert C. Palmer, *The County Courts of Medieval England, 1150–1350* (Princeton: Princeton University Press, 1982), pp. 220–4.

[20] The Pipe Roll records the amount owed by the sheriff of Buckinghamshire as a result of the eyre as £960 7s. (E 372/ 132 m. 16d.) See section 4 for a fuller discussion of the issues of the eyre.

[21] Donald W. Sutherland, *Quo Warranto Proceedings in the Reign of Edward I* (Oxford: Clarendon Press, 1963), pp. 186–7. Presumably the reference is to the fact that two circuits were instituted.

[22] Andrew H. Hershey, 'Success or Failure? Hugh Bigod and Judicial Reform during the Baronial Movement June 1258–February 1259', in *Thirteenth Century England*, V (1995), pp. 65–87. Also see J.R. Maddicott, 'Edward I and the Lessons of Baronial Reform: Local Government, 1258–80', in *Thirteenth Century England*, I (1986).

[23] Crook, *Records*, especially pp. 47–52.

[24] Crook, *Records*, pp. 144–70.

[25] *CCR 1279–88*, pp. 459, 515, 530–1; see also G.O. Sayles, *Select Cases in the Court of King's Bench under Edward I*, vol. 1 (London: Selden Society 55, 1936), p. Lii.

[26] Earlier, judges had been local men. See William Reedy, 'The Origins of the General Eyre in the Reign of Henry I', *Speculum* vol. XLI, no. 4 (October 1966), pp. 688–724. When there was an abortive attempt in August 1285 to have a thrice-yearly visitation to specific areas of the country, Loveday and Gras were both assigned to Norfolk and Suffolk, Saham to Kent, Sussex and Hampshire, and Mettingham to the East Midlands (*CCR 1279–88*, p. 365). The justices were also often appointed to *ad hoc* commissions of oyer and terminer in their own localities (*CCR passim*).

[27] Edward Foss, *The Judges of England* (9 vols., London: Longmans, 1848–64), vol. II, pp. 490–2; vol. III, pp. 166–7. Michael Prestwich, *Edward I* (Yale: Yale University Press, new edition, 1997), pp. 23, 27; Hist. Mss. Com. *Report on the MSS of Lord Middleton* (1911), pp. 67–9.

[28] Prestwich, *Edward I*, pp. 38–41.

[29] Foss, *Judges*, III, pp. 146–7.

[30] *CCR 1279–88*, p. 184.

[31] Foss, *Judges*, III, pp. 121–2; *CCR 1279–88*, p. 184.

[32] Foss, Judges, III, pp. 131–2.

[33] *CCR 1279–88*, p. 472.

[34] Foss, *Judges*, III, p. 95

[35] *CCR 1279–88*, p. 184.

[36] Weyland was not charged with judicial corruption, but with harbouring two murderers and then escaping from custody. On this whole episode see P.A. Brand, 'Edward I and the Judges' in *Thirteenth Century England*, I (1986), pp. 31–40.

[37] Sayles, *Select Cases* (Selden Society 55), pp. lxvii–lxix.

[38] De Windt and DeWindt, *Royal Justice*, pp. 106–7.

[39] DeWindt and DeWindt, *Royal Justice*, pp. 106–7, and no. 152. T.F. Tout and Hilda Johnstone, *State Trials in the Reign of Edward the First* (Camden 3rd Series, vol. 9, 1906), p. 39.

[40] Foss, *Judges*, III, p. 132.

[41] The Dunstable Annals give the date: *Ann. Mon.* III, p. 323. So do all the surviving rolls of the justices (des Vaux, Loveday, Mettingham and Saham), and the Rex roll.

[42] *CPR 1281–92*, p. 197.

[43] Two cases, 37 and 44, were scheduled to be heard on Tuesday 4 February, but 37 was postponed, and 44 probably settled out of court.

[44] Observed in 1241, 1247, 1254, 1262 (when the justices began at High Wycombe and went on to Newport Pagnell), and 1272. The 1236 eyre was held in Newport Pagnell and Aylesbury. Crook, *Records*, pp. 89, 95, 102, 109, 120, 130, 139.

[45] The various writs are given in *Bracton*, II, p. 309. No note of the writs to Buckinghamshire now survives in the Close Rolls.

[46] As in *Bracton*, II, p. 309 (specimen writ to the sheriff).

[47] *Fleta* (Selden Society vol. 72, 1955), I, 45 (ch.19).

[48] The writs in 17, 25, 40, 58, 96, 158, 219, 245, 406. No separate writ file survives.

[49] The writ dates contained in the subsequent 1286 Huntingdonshire eyre did keep within the time limits. See DeWindt and DeWindt, *Royal Justice*, nos. 25, 27, 29, 47; see also 215, 219.

[50] Crook, *Records*, p. 38 and p. 154, quoting CP 40/61, m. 70d.

[51] People with the king's writ of quittance for the 1286 Buckinghamshire eyre were: Edmund, earl of Cornwall (*CCR 1279–88*, p. 378, 4 November 1285); Christian de Marisco, the abbess of Godstow, Adam Galyan of Amersham, John Luvel senior, John Peyvre, John de Columbariis, William Mortimer, the abbess of Barking, Edmund de Salenore, William de Valence, John de Warenne earl of Surrey, William de Warenne, John fitz Nigel, Robert de Pinkeny, William de Brehuse junior, John of Hastings, Jordan de Sakevill, John fitz Thomas, Hugh de Vere, Ralph de Chendut, Thomas de Saunford, Hugh de Courtenay, Roger de Molis, Oliver de Dynham, William de Cantilupo, John of Croxley, R[oger] bishop of Coventry and Lichfield, Eustace de Hacche, the master of the hospital of St John Without Eastgate, Oxford, John Lestrange ("Extraneus"), Hugh de Brok, the prior of Merton, the prior of La Grave, Idonia de Leyburn, master Thomas de Abbebury and Robert de Ludham (*CCR 1279–88*, p. 405, 5 December 1285).

[52] JUST 1/63 mm. 36d to 46d., *passim*. A total of 104 names are listed (a few of them in more than one hundred), of whom 42 were actually amerced. Three men (William de Munchensy of Edwardeston, Bartholomew de Bryanzoun and William Spyleman) paid 40s. each; most were amerced ½ mark or 40d., but John son of John Stefne paid only 20d. Some of those listed but not charged certainly had appointed attorneys.

[53] *Bracton*, II, p. 327; *Fleta*, I, 45 (ch.19).

[54] *Bracton*, II, p. 327. See also DeWindt and DeWindt, *Royal Justice*, pp. 10–11.

[55] 11+389, 42+374+406, 163, 198, 214, 227, 239, 243, 245, 266, 277, 336, 344, 349, 362, 373, 390, 408, 411.

[56] 163, 198, 227, 239, 243, 349.

[57] Individual defendants in one case, 42+374+406, were summoned for different days.

[58] See especially 37, 76+96+163+208+267, 158, 390, 406, 414.

[59] See Appendix III for a comparison between the surviving rolls of the justices and the Rex roll.

[60] Crook, *Records*, p. 43

[61] Hopkinson and Crook, *Derbyshire 1281*, *passim*.

[62] *CCR 1279–88*, p. 297.

[63] JUST 1/496, *passim*.

[64] JUST 1/925, m. 9d, Rutland eyre of January 1286.

[65] I owe this information about the king's presence at Nettleham in February 1284 (in *CPR 1281–92*, pp. 111–13) to Dr Paul Brand, who also kindly told me about a follow-up to the case in KB 27/184, m. 33 (Easter 1306). The king's presence at Nettleham on 4 February 1284 is also noted in the *Calendar of Letter Books of the City of London, 1275–1312*: my thanks to Dr Philip Morgan for this reference.

[66] JUST 1/462, *passim*.

[67] JUST 1/960, *passim*.

[68] *CCR 1279–88*, p. 363. There had been an earlier attempt to rationalize foreign pleas in January 1263, when the king instructed that foreign pleas from southern counties should be sent to Hampshire for Easter, and from northern counties to Lincolnshire (*CCR 1261–4*, pp. 198–9, quoted by Susan Stewart, *Surrey 1263*, p. 40. The Surrey eyre justices did not comply with the instructions.)

[69] JUST 1/622, mm. 33, 37d, 41d, 46, 56d (two cases), 57d.

[70] See essoins, 421–430.

[71] CP 40/66, m. 56d. Again, I owe this reference to Dr Paul Brand.

[72] JUST 1/622, m. 41d.

[73] JUST 1/623, Crown Pleas Roll (where the plaints are enrolled), m. 28d.

[74] DeWindt and DeWindt, *Royal Justice*, I, no. 222.

[75] JUST 1/725, *passim*.

[76] JUST 1/725, m. 9d.

[77] JUST 1/725, m. 9

[78] JUST 1/91, m. 34.

[79] DeWindt and DeWindt, *Royal Justice*, I, no. 222.

[80] See, for example, the Northamptonshire eyre, JUST 1/622, *passim*.

Section 4
The Arrangement and Contents of the Documents

The entries on the membranes of JUST 1/67 may be divided into four sections, of which the first is by far the longest: (a) the civil pleas brought before the eyre are recorded in 420 entries, on 37 membranes. Membrane 38 contains (b) the excuses for non-attendance, or "essoins" (421–430) and (c) the sole "foreign plea" listed separately as such (431). Membranes 39 to 43 have the appointments of attorneys and sureties (432–855).

(a) Civil Pleas

Some of the entries in the civil pleas section do not refer to actual pleas. 211 is an enrolment of letters of protection for the earl of Lincoln, "about to go overseas with the king". There are 21 enrolments of payments made to have a written agreement, or "chirograph", which do not arise from cases noted in JUST 1/67 as brought to the eyre.[1] It also appears that people used the rolls of the eyre to get their private agreements publicly recorded.[2] Many of those who did so were involved in the eyre itself. John de la More of Mursley (207) was a juror and selector for Mursley hundred, and William de Houtot (375) was the bailiff of Rowley hundred. Hugh del Brok, whose financial affairs were much in evidence at the eyre,[3] acted as attorney for a number of people.[4] There were even two justices concerned. In 167, John, son of Gilbert Peche, gave Roger Loveday a receipt for 100s., half the annual rent which Loveday paid him for the manor of Wethersfield in Suffolk, and asked that it should be enrolled.[5] 65 is actually a foreign "plea", marginated "Leicester", in which William le Pestur of Hinckley acknowledges a debt of 200 silver marks owed to Master Thomas de Siddington for his grain in Offley, Passenham and Kislingbury, which he will pay in two instalments. Siddington had been a justice on the northern circuit, sitting at Leicester in autumn 1284, but he went to the southern circuit in mid 1285. He sat in Essex that autumn, and in Norfolk in early 1286. If the name le Pestur is actually *Pistor*, Baker, then this may be big business: to buy 200 marks' worth of grain looks like baking on a grand scale.[6] It is not immediately clear why this deal is recorded at the Buckinghamshire eyre.[7]

A number of other people had their debts, and the dates when repayment was due, enrolled at the eyre.[8] Some of them, such as Hugh de la

Penne (34) and Nicholas de Boys (308), came from families that provided jurors in this or previous eyres, and it may well be that Christian, widow of William de Ravenston (8), felt that enrolment at the eyre was the correct thing to do, as William had been juror and selector for Bunsty hundred at the eyres of 1262 and 1272.[9]

(b) Essoins

These follow the entries for civil cases (nos. 421 to 430). The whole process of essoining, or putting foward a permissible excuse for non-attendance at court, is dealt with at some length by *Bracton*.[10] The essoin for bed-sickness, which was confined to actions brought by a form of writ of right, was rarely used by the late thirteenth century, inasmuch as the writ of right itself was becoming less common.[11] This essoin's cumbersome procedure could involve sending four knights to check that the essoinee really was ill, and, if the knights named by the sheriff for this task defaulted or failed to report back, the delay could be prolonged for years.[12]

Far more common was the essoin for difficulty in coming to court. This was not available for the alleged disseisor in cases of novel disseisin, though they tried to use it (429).[13] The essoiner came to court and said that the litigant had set out, but had been prevented by an accident on the way.[14] He swore to produce him on a given date, generally in two weeks' time, set by the court. At first essoiners were relatives, friends or tenants of the essoinee, but by the late thirteenth century, as Meekings says, "the rise of the legal profession . . . soon reduced the common essoin to a mere procedural device, in which the essoiner was not a real person but a fictitious creature with some such surname as Ape or Fox, Catt, Pratt, Rat . . ." At the 1286 Buckinghamshire eyre we find John Cut and Adam Cort (425), and John Cort and Adam Cut (429)[15].

There are other indications that essoins are fictitious. In 421–2, Robert de la Warde sent two different men to essoin him against his two opponents. If he really had met with an accident on the way, one man could have reported this to the court, however many people Warde was opposing. The authorities, however, did not shut their eyes to all deception. Walter of Ireland was not permitted to essoin: "it does not lie because he was seen in court" (423).

All the essoins at Newport Pagnell in 1286 were from the Northamptonshire eyre of 1285, and all the cases except the first three (421–3) can be found in JUST 1/622, the roll of the chief justice, John des Vaux, for that eyre.[16]

(c) The Foreign Plea

The one foreign plea (431) heard at this eyre (at High Wycombe on 22 April 1286) was also from the Northamptonshire eyre.[17] It is a matter of

trying to raise money from the lands and chattels of Geoffrey de Suthorp to pay his debt to a London merchant, William de St Bartholomew. The sheriff of Northamptonshire reports that the bailiffs of the abbot of Peterborough's liberty have done nothing. The justices in Buckinghamshire give him a writ of *non omittas*, which enables him to go over the bailiffs' heads to raise the money, and the case is sent on to Cambridge. Debts to merchants were a thorny problem, which was receiving much attention in the 1280s. The statutes of Acton Burnell (1283) and Westminster II c.18 (1285) attempted to deal with the matter.[18] A common-law writ of *fieri facias* to the sheriff was one way by which the creditor could proceed, and in 431 this procedure is well under way. The case was not one which could usefully be sent on at this stage to Westminster to comply with the king's orders issued at Nettleham, discussed in Section 3.[19]

(d) The Appointments of Attorneys

An attorney "represented" his principal, in that his words in court were binding on that principal.[20] To appoint an attorney for a particular plea, the litigant had to come to the court and make the appointment, "to win or lose". Married women usually appointed their husbands, though just occasionally a husband appointed his wife; but there are no female attorneys at the 1286 Buckinghamshire eyre.[21] An abbot might appoint one of his monks, and a baron his steward. Attorneys could be appointed to pursue or defend a case in hundred, county and royal courts, or a lord's court, and for doing suit in such courts, and also to receive chirographs and payments of debts or rents.[22]

By 1286 some men were practising as professional attorneys. Paul Brand points to a small group of men (fewer than 10?) practising as such in the Bench by 1260, adding, "There were professional lawyers practising also in other royal courts by the end of Henry III's reign: but of them very little is known".[23] Hopkinson and Crook list Richard of Stapleford, who was named in 14 cases at the 1281 Derbyshire eyre, Richard Huberd (7 cases) and Richard de Marnham (5 cases).[24] There were quite clearly professional attorneys at work in Buckinghamshire in 1286, often with churchmen as their clients. The busiest was Roger de Newport, who was named 20 times. Among his clients was the prior of Tickford; and some important men, including Ralph Pippard and Robert de Grey, retained him to watch their interests, appointing him "against all people on all pleas brought or to be brought".[25] There was also John de Islip, with 14 entries in the attorneys section;[26] clients included the priors of Dunstable and Luffield, and the parsons of Turweston, Drayton Beauchamp and Stoke Hammond (Stephen de Gravesend, later bishop of London); he also appeared for the defendants in the Scoville case (47). Third was Adam de Shortecumbe (13 entries, including the archdeacon of Buckingham, the prior of Merton, master Robert de Fyleby and John de Sutton (who was

the general attorney of the abbot of Westminster).)[27] Other attorneys whose names are found often enough for a presumption that they were professional are Roger de Batchworth, John de Banbury, Hugh and John del Brok, John de Goldore, William de Haddenham, John de la Lude, Robert de Morton, *clericus* (clerk), Robert Partridge and Geoffrey de Stabulo of Newport.[28]

The attorney is not to be confused with the serjeant (*serviens*), or *narrator*, a man employed to put the litigant's case in the actual court pleadings. The serjeant knew the procedures and language of the court, and the intricacies of the law, manipulating them as best he could for his client, but he did not "represent" his client, and what he said was not binding on that client.[29] The appointment of a serjeant did not have to be reported to the court, and so their participation in the proceedings of the eyre is usually hidden from us, unless their names occur in one of the law reports compiled at the time. Four serjeants are attested at this eyre: Thomas de Fishburn spoke for the plaintiff and John de Lisle for the defendant (the Prior of Tickford) in 23; de Lisle and William de Kelloe spoke for the plaintiff and Fishburn for the defendant in 37;[30] and Gilbert de Thornton spoke for the king as plaintiff (with Christian de Marisco) in 180.

No fewer than 107 entries appoint attorneys against all people on all pleas. The principals of many of these were facing actual cases, but some of them were not, and seem to have wanted their representatives to attend in case their interests were unexpectedly threatened. These include the bishop of Winchester, the prior of Dunstable, the archdeacon of Oxford, Isabel de Fortibus (countess of Albemarle), and the abbots of Westminster and Evesham, which shows how seriously a magnate might take the proceedings of an eyre visitation. Many of these magnates had regular attorneys of their own, and it was those attorneys who appointed the eyre attorneys. This is not only so in the case of overseas magnates, such as the abbot of Bec Hellouin (448), but English churchmen (614, 720) or laymen (623, 858).

There are more entries in the attorneys section of JUST 1/67 than there are in the civil pleas (435 compared with 420), and this is not simply because both sides in a case might appoint an attorney. Attorneys are appointed for 123 cases which do not feature elsewhere on the roll, a fact which must be taken into account when final statistics for business done and justice meted out at the eyre are compiled. It is not possible to discover what type of writ had been procured for many of these cases, which are simply stated to have been on a plea of land.

It is interesting that there are four novel disseisin cases, in that such cases were usually dealt with as quickly as possible. The attorneys for two of these cases are listed fairly near the beginning, at 551 and 566. The third is no. 622, and the fourth no. 780, so three at least are not where we might expect to find them if they were last-minute additions to the schedules. As one of the parties to 551 is the earl of Gloucester, we may perhaps suppose that the cases quietly came to nothing rather than that they were

Table 8 Cases for which attorneys were appointed but no hearings held

Land	63
Dower	15
Debt	10
Mort d'ancestor	9
Trespass	5
Novel Disseisin	4
Customs and services	4
Detinue of animals	2
Mesne	2
Detinue of chattels	2
Nuper obiit	1
Various	6
TOTAL	123

held over, and this indeed may be true of other types of case. Some at least of these entries may well be the only trace left of cases in which out-of-court settlements were reached.

Trespasses and Plaints

These are grouped together in the heading of m. 17 of JUST 1/66: "roll of trespasses and plaints". There are, however, 13 other trespass cases among the civil pleas on JUST 1/67.

Trespasses

Trespass covered a wide range of offences against people and property for which there was no specific individual writ. By the later thirteenth century a writ of trespass included some allegations that in many cases were an obvious fiction, that the trespass had been done by force of arms, and against the king's peace. These served to bring the writ into the king's court: the matter was said to affect the king and so could not be heard in a lower court.

Of the 13 trespass allegations brought as civil pleas before the 1286 eyre to Buckinghamshire, a number appear to involve quarrelling among the gentry.[31] In 242 and 398 Robert de Grey accuses Fulk de Rycote and others of fishing in his fishery and breaking his weir; Roger de Bella Fago says that William le Hert took crops, goods and chattels worth £40 from him (412); John Giffard accuses Ralph Pippard and another of violently removing the heir of Simon de Aynho from his custody (98);[32] a number of men are attached to answer Christian de Marisco (and the king, joined with her in the plea) on charges of coming with dogs and hunting in her

park (180); and Roger de Loughton accuses William le Graunt of Hulcott of beating him up and taking his property (45). Alice la Zouche says that Peter and John de la Rokele took her hood and her book from her (72).[33] Nicholas son of Henry de Kingsey accused Walter de Ilmer of taking £40 worth of his goods (73).[34] Other pleas reveal quarrelling among the clergy. The prior of Bicester accused Fulk [Neyrnuit], parson of Pitstone, of carrying off corn (171), and the Prior of Bermondsey accused the parson of Ludgershall and others of the same offence (253) in what are presumably tithe disputes. And Robert Burnell, bishop of Bath and Wells, accused Robert Pugeys of Stoke Poges, and Imbert his son, and others, of maliciously killing his stag (385). Probably the only plaintiff not of good social standing was John Colderel, an ex-villein of the earl of Oxford (10).[35] The last trespass writ was in the liberty of Berkhamsted, where an unidentifiable William Pruce did not pursue his case (401). The evidence from this eyre visitation thus points to a far greater use of the writ of trespass by the propertied classes than by the common folk, whose disputes were likely to have been taken to a lower court, or settled at the sheriff's tourn.

Plaints

The opportunity to initiate an action by an oral or written plaint rather than a writ (which had to be obtained from the king's chancery and paid for) is seen as the opening up of justice, with new possibilities for the common folk to win redress for their complaints against more powerful people. The heyday of the plaint came as a result of the Provisions of Oxford in 1258, though it was not invented then. As Powicke says, "The plaint was perhaps the oldest and most familiar [procedure] of all, for to seek justice at the source of justice is natural to man in human society. Edward [I] himself was never entirely free of the simplest of all plaints, the oral petition of one man to another."[36] He believes that what was new in 1258 was "the systematic use of complaints, investigations, judicial process and local appointments in one big coherent drive to catch up arrears in the correction of malpractice."[37] In an exhaustive study, Richardson and Sayles came to the conclusion that there must have been relatively few plaints up to the Parliament of Oxford in 1258, perhaps because there were strict time limits to them.[38] Andrew Hershey discusses the use of plaints in the years 1258–9 in his paper in *Thirteenth Century England* (vol. 5),[39] and concludes that it was indeed a success: the *querela* or plaint did open up justice. It by-passed "many of the more formalized bureaucratic and expensive processes of the common law",[40] and (as sworn by Bigod and his fellow justices when setting off on the special eyre which followed the Parliament of Oxford) brought justice to "rich and poor alike, villein and freeman, stranger and relative".[41] One factor was that there was no longer a time-limit of one year, but offences committed in the previous seven years could be heard.[42]

In 1275 the eyre was re-modelled, and the justices were given the task of hearing all plaints, but now, according to Richardson and Sayles, there seem to be fewer recorded.[43] On the other hand, Alan Harding says, "How were the manifold petty grievances of the countryside . . . prosecuted before the permanent appointment of justices of the peace? Surely by the *querelae*, which reached such numbers that occasionally from 1261 and generally from 1278 special membranes of complaints were included in the eyre rolls."[44]

There are plaints recorded from nearly every county in the 1278–1289 visitation, but analysis shows that the two circuits, northern and southern, are very different from each other in emphasis.[45] The southern circuit had the expected range of grievances: wrongful imprisonment, detinue of stock, assault, oppressive officials, etc., but the northern circuit had a strong bias towards financial records, which are not "plaints" at all: a number of merchants, both home and overseas, used its records to enrol their transactions. Some of them are well-known men, such as Walteri and Bonaventura of Lucca.[46] Some entries are to do with the wool trade, others with wine. Even very inland counties on this northern circuit, such as Leicestershire and Northamptonshire, had dealings with foreign merchants. The differences between the two circuits are shown in detail in Appendix VI.[47]

The plaints section – "roll of trespasses and pleas" – in the record of the 1286 Buckinghamshire eyre is included on the roll of the crown pleas in JUST 1/66 (m. 17), and there are 19 of them (859–877). Of these (Buckinghamshire being on the northern eyre circuit), nine are enrolments of acknowledged debts,[48] and one (871) is the appointment of an attorney. The other nine have the proper vocabulary of plaints: "X complains of Y", or "it is found (*convictum*) by the jury".[49] Three of these also deal with (unpaid) debts (864, 869, 870), and three concern the taking and detaining of stock animals (860, 866, 872). All except one (874) have the date the offence was committed, which ranges from March 1275 (859) to May 1286 (872).

Of the nine real plaints, as with the writs of trespass in the civil pleas, most are brought by people who can be shown to have a good position in life. Indeed, the plaintiffs in 864 are the earl and countess of Warwick, and in 866 they are Richard fitz John, lord of Aylesbury, and his bailiff. Some are the servants of important men: William in the Lane of Whitchurch (859) was a servant of the earl of Oxford (10), Andrew de Coppykote (860) of the abbot of Osney and Adam Burgeys (873) of master Henry de Bray. In 874 master Arnald of Stoke Poges complained that the vicar of Stoke had kept from him a religious treatise worth 20s. and various furnishings. The Prior of Bicester is sued for debt in 869 and William de Goyz for a debt of 5 marks in 870. Goyz was a juror of Burnham hundred at this eyre, and overlord of a tenement in Chenies who was distraining an undertenant for a scutage of 10s. (186). Perhaps the one which seems closest to the notion that a plaint opens up justice to someone who might otherwise be denied it is 872, in which a number of tenants deny that they

owe labour services to their lord; but even here first impressions are deceptive. The lord was Roger de Moles of Hardwick. He and his men spent Thursday 2 May 1286 rounding up and driving off various cows, a bullock, a mare and two foals belonging to seven men who were refusing to perform labour services for their holdings in Burston. The king's bailiff, Gilbert Mimekan, released the animals the next day. This case, therefore, arose about three weeks before the last known day, 22 May, on which the justices sat at High Wycombe.[50] The plaintiffs said that they held their tenements from the prior of Merton, not from Roger de Moles, and they paid the prior 10 marks a year for all services. This is a fairly large sum (nearly 19s. each if equally divided). The jury found that they did owe labour services to Roger de Moles: each of them owed three ploughing-works, three harvest-works, one hoeing of grain and one afternoon to lift hay every year,[51] so they held at least part of their land by villein tenure.[52] Even in this instance it appears that the plaint mechanism is being used by men who could have afforded to obtain writs: the key point must be the speed with which matters could be settled, with the eyre already in session in the county. Nearly thirty years on from Bigod's eyre, it seems clear that the poorer free tenants of Buckinghamshire were not bringing plaints to the eyre. How far do the "special membranes of complaints" to which Harding refers represent the enrolling habits of the justices' clerks rather than "the manifold petty grievances of the countryside"?

The Issues of the Eyre

The fines and amercements arising from the civil pleas at the 1286 Buckinghamshire eyre are on membranes 34–34d of JUST 1/63 (the Rex roll). They are arranged in three columns, carefully ruled, with the middle, smaller column showing the sum of money. The amercements arising from the plaints are with the crown pleas amercements on m. 54d of JUST 1/63.

Not all the civil amercements were in fact demanded. Five were pardoned because of poverty (31, 97, 277, 330, 413), and four because the losers were under age (50, 289, 325, 402). Four were simply pardoned by the justices without a reason being given (107, 193, 404 and 874, a plaint), and four at the request of a named person of importance (45, 144, 196, 309). These pardons are given with the record of the case on the plea roll, and the recipients' names do not appear on the amercements roll. In other cases (19, 71, 135, 136, 157), amercements are not shown on the roll for some plaintiffs who had not found sureties and did not pursue their cases; perhaps these people were poor. A number of other people listed as "in mercy" on the plea roll are not listed on the amercements roll, for no apparent reason. Some may have been pardoned for poverty, others probably pulled strings.[53] On the other hand, no amercement was pardoned or ignored in the plaints.

The amounts demanded may be analysed as follows:

Table 9 Amercements and Fines Paid in Civil Cases

Amount Demanded	*No. of cases*	*Licence to Concord*	*Did not Pursue*	*Lost the Case*	*Civic Failings*
Over 1 mark	9*	3	–	5	–
1 mark (13s.4d.)	20	16	2	2	–
10s.	3	3	–	–	–
½ mark (6s.8d.)	77	30	28	19	–
5s.	2	–	1	1	–
3s. 4d.	37	–	11	26	–
1s. 8d.	22	–	1	17	4
Totals	170*	52	43	70	4

* includes one payment of 20s. to have a jury of attaint (199). The four "civic failings" are payments by two sureties who did not produce their principal (69) and two jurors who did not attend a hearing (324). Sometimes the entry says "From X, 6s. 8d., and from Y and Z his sureties 6s. 8d." Other entries have "From X and his sureties, 13s. 4d." Both these have been counted as one amercement of 13s. 4d., as presumably the actual amercement was 13s. 4d., and it was a private arrangement between the principal and his sureties as to who paid the money. For the plaints, 4 men were amerced 13s. 4d. each, 5 men were amerced 6s. 8d. each, and six of the men in 872, who had denied that they were liable for labour services, were amerced 3s. 4d. each.

It can be seen from these figures that a payment for licence to concord was relatively more expensive than an amercement for actually losing one's case, which is perhaps why some parties persevered with their cases. By far the most common amount charged in general was ½ mark, but there were more amercements below this amount than above it; yet no-one paid less than ½ mark for licence to concord. It may be deduced that those paying one mark and more were the wealthier members of society, and those paying 3s. 4d. or less were the poorer (apart from the amercements for civic failings, which seem to have been offence-related). It seems to have been relatively more expensive to be amerced for losing one's plaint than losing an ordinary civil case. The figures for payments by women show that they paid proportionately less. Only three (Amice Peverel, the abbess of Godstow and Joan widow of John de Bohun) paid one mark (all for licence to concord); one (Maud de la Grene) paid 6s. 8d. for the same; one woman (369) paid 3s.4d. for not pursuing her case, and two (270, 277) paid 3s.4d. for unjust detention.[54] Three women (62, 116, 315) were amerced 1s.8d. for making a false claim. On the other hand, as noted below (note 53), the countess of Warwick, found guilty in her absence of committing waste, seems not to have been amerced at all.

It was the sheriff's responsibility to pay in to the exchequer all the moneys due to the king from cases at this eyre.[55] The total due from the civil pleas and amercements was £70 14s. 4d. The sums due from the crown pleas are listed in JUST 1/63 mm. 52–56d.[56] Some of the latter

membranes do not have headings, but appear to list the sums which the sheriff has collected by reason of his office: £76 19s. 4d. from the goods of 39 executed felons, the £80 for the county's mistake about who could present *murdrum*, £20 from a man who found treasure, £11 1s. 8d. paid in as goods of executed felons by men who had the right to collect these in their liberties, and sundry other sums, including the amercements for plaints, totalling £14 4s. 4d. The amercements and fines from the Crown pleas came to £988 16s. 7d.[57] This gives a total of £1,191 1s. 11d. for all the Crown pleas. To this must be added the £70 14s. 4d. from the civil pleas, to give a total of £1,261 16s. 3d. as the total issues of this eyre.[58] That is, the sums due for the civil pleas represent 5.6% of the whole.[59]

When we turn to the Pipe Roll, the figures do not at all match.[60] Here we are told that the sheriff owes £960 7s. for amercements of people, vills, hundreds and tithings from the eyre (i.e. from the Crown pleas), of which Alan de Newenton, the bailiff of the liberty of Wallingford, must acquit him of £63 17s. 4d. Therefore the sheriff owes £896 9s. 8d. He has paid in £417 3s. 4d. by five tallies. He is now said to owe £451 10s. 5d.[61] Other payments trickle in, including John de Pateshull's £66 13s. 4d., and the value of the treasure from its finder, William atte Liche. (Unfortunately, we have no clue to the nature of the treasure he found.) The sheriff's debt is reduced to £343 0s. 5d. Alan de Newenton has paid off nearly half his debt by the end of the account, and still owes £36 1s. 8d. Presumably our records are not complete, and the exchequer figures would match those derived from the eyre if more of the paperwork had survived.

Notes

[1] 2, 4, 26, 28, 29, 33, 61, 82, 89, 148, 166, 201, 240, 264, 274, 292, 302, 313, 314, 326, 397.

[2] 32, 66, 167, 189, 207, 364, 375, 376, 417. These perhaps arise from cases heard or arrangements made on other occasions, such as before justices of oyer et terminer, or even represent agreements reached in private for which the parties felt the need not only to enrol the details in an official record but to have an official copy of their own.

[3] 66, 68, 75.

[4] 617, 619, 620, 621, 728, 729.

[5] Saham's roll (JUST 1/68b) contains an enrolment the actual deed (m.11), which is dated at Wycombe on 3 May 1286.

[6] Compare 220, in which Thomas le Provost of Amersham bought Roger de Drayton's grain for 80 marks but did not pay the money when it was due, and 395, in which three men arrange to pay master Peter de Abingdon 10 marks each for his grain in January 1285. One of the three, Nicholas de Hauseby of Aylesbury, defaulted.

[7] Siddington's roll for the 1286 Norfolk eyre (JUST 1/580) contains no mention of this agreement.

[8] 8, 34, 53, 59, 68, 212, 254, 300, 308, 309. Another group of debts is enrolled among the plaints, though they do not appear to differ in any way from those enrolled among the civil pleas: 861, 862, 863, 865 (a debt in Essex and Suffolk), 867, 875, 876, 877. See discussion on p. 75.

[9] JUST 1/58 m. 30; JUST 1/60 m. 34.

[10] *Bracton*, IV, pp. 71–145, ff. 336b–364b.

[11] See pp. 92–4.

[12] For an example see Susan Stewart, *Surrey 1263*, I, pp. 46–7.

[13] In 430, an essoin for the plaintiff (i.e. the person allegedly disseised) in this case was accepted without question.

[14] Meekings, *Surrey 1235*, I, pp. 36–8.

[15] Meekings, *Surrey 1235*, I, p. 36. Adam Cut (429) sounds like the precursor of Adam Cat, a fictitious character whose activities increased with years, until at Easter 1418 he was an essoiner in 20 out of 127 cases. (Meekings, *Various Common Law Records* (Lists and Indexes, Supplement I, reprinted 1970), p. 77 and his appendix 1.)

[16] The earlier hearing for 424 (Alan son of Roald vs Nowers and Hastings) is on JUST 1/622 m. 41d; for 425 (de la Porte vs John son of John Eustach') on m. 56d; for 426 (Bray vs Shepesheved) on m. 56d; for 427 (Horpol vs Eustachia widow of Thomas Kynne) on m. 57d; for *428* (Reginald de Grey vouched to warranty) on m. 37d; for *429* (Den vs Benhall) and 430 (the same case) on m. 46.

[17] JUST 1/623 m. 28d (plaints section).

[18] T.F.T. Plucknett, *Legislation of Edward I* (Oxford: Clarendon Press, 1949), p. 149.

[19] It was not settled in Cambridge, or at the subsequent eyre to Huntingdonshire. DeWindt and DeWindt, *Royal Justice*, I, no. 220, note that most of Suthorp's land has been taken into the queen's hands, but some has not, and it is said he can pay from that. The case was then sent on to Westminster. The DeWindts quote CP 40/64 m. 28d (Michaelmas 1286), in which Suthorp acknowledges the debt and promises to pay by instalments.

[20] P & M, I, pp. 212–17.

[21] Susan Stewart found six women (four wives, a sister and a daughter) named as attorneys in the Surrey eyre of 1263 (*Surrey 1263*, p. 47). There is one woman attorney at the Derbyshire eyre of 1281 (Hopkinson and Crook, *Derbyshire 1281*, no. 370) and one (a wife), and a mother with permission to sue for her daughters, at the Huntingdonshire eyre of 1286 (DeWindt and DeWindt, *Royal Justice*, nos. 303, 320).

[22] Meekings, *Surrey 1235*, pp. 37–9.

[23] P.A. Brand, *The Origins of the English Legal Profession* (Oxford: Blackwell, 1992), pp. 9–10.

[24] Hopkinson and Crook, *Derbyshire 1281*, p. xl.

[25] See 443, 479, 480, 510, 525, 537, 578, 602, 605, 606, 608, 612, 680, 683, 684, 699, 775, 783, 786, 787, 788.

[26] 449, 476, 538, 640, 649, 688, 689, 690, 744, 773, 795, 816, 824, 832. See also 47. John de Islip is also to be found in the Huntingdonshire eyre of 1286: De Windt and DeWindt, *Royal Justice*, nos. 234, 236, 240, 285, 301, 208.

[27] 452, 469, 474, 481, 482, 614, 630, 631, 638, 646, 693, 825, 826, 850.

[28] See the index of names for their cases. Roger de Batchworth may have been the (clerk) commissioner for the Cripplegate ward of London at the 1279–80 Hundred Rolls inquiry (see S. Raban, *A Second Domesday?*, p. 60.)

[29] Brand, *Origins*, pp. 16–18.

[30] My thanks again to Paul Brand for these references. The documents will appear in his forthcoming book on law reports on cases from the eyres (to be published by the Selden Society).

[31] People have been classed here as gentry if they or their family (a) are shown as holding land in the relevant place in *FA* I or in *VCH*; (b) served on juries; (c) belonged to one of Anne Polden's sample families (see Section 2); (d) are litigating about a substantial estate. Roger de

Bella Fago and John de la Rokele served on an IPM jury in 1292 (C 133/63/2); the Rokeles were jurors at the 1286 eyre; Graunt and John de la Rokele are in *FA* I (1284), p. 86 (Graunt), and pp. 75, 82 (Rokele). Ralph Pippard was the nephew and heir of Robert (or Ralph) fitz Nicholas, son of Ralph fitz Nicholas, steward of the king's household (*VCH*, IV, pp. 388–9).

[32] See Section 6, pp. 99–102.

[33] See p. 127. The Zouche and Rokele families both held land in Wotton Underwood (*VCH*, IV, p. 32). Is this evidence of family feuding?

[34] Walter de Ilmer got off on a technicality, but was hanged for felony in 1288 (C145/47/11).

[35] John Colderel is the defendant in 859 (a plaint) accused of attacking one of the defendants in 10 with a hatchet.

[36] M. Powicke, *The Thirteenth Century* (Oxford, Clarendon Press, 1962, 2nd edn.), p. 351.

[37] Powicke, *The Thirteenth Century*, p. 145.

[38] H.G. Richardson and G.O. Sayles, *Proceedings Without Writ under Henry III* (Selden Society vol. 60, 1941), p. xxxiii.

[39] Andrew M. Hershey, 'Success or Failure? Hugh Bigod and Judicial Reform during the Baronial Movement, June 1258–February 1259', in *Thirteenth Century England*, vol. 5, (1995), pp. 65–87.

[40] Hershey, Success, p. 71.

[41] Hershey, Success, p. 69.

[42] Richardson and Sayles, pp. xxxv, lxxv. By 1261 the seven-year restriction had also gone.

[43] Richardson and Sayles, p. xliv.

[44] Alan Harding, *The Shropshire Eyre of 1256* (Selden Society vol. 96, 1980), p. xliii.

[45] Richardson and Sayles point out that what wrongs the eyre justices would redress when a plaint was brought before them was never defined (p. xliii). The heading on the relevant membranes on the southern circuit is always *rotulus de querelis* (roll of plaints), or *de querelis conquerentium* (of plaints of those complaining); the northern circuit sometimes has this, and sometimes *de transgressionibus et querelis* (of trespasses and plaints) (as Buckinghamshire 1286). Northamptonshire (JUST 1/623 m.30) says *adhuc de querelis et placitis transgr[essionum] sine brevi* (still of plaints and pleas of trespass without writ).

[46] For these merchants see Richard W. Kaeuper, *Bankers to the Crown*, (Princeton: Princeton University Press, 1973).

[47] Rolls investigated include (northern circuit): JUST 1/699 m.14 (Notts 1281) [5], JUST 1/486, mm. 46–51d (a sample of Lincs 1281–4) [57], JUST 1/463 mm.17–18 (Leics 1285) [51], JUST 1/958 m. 28 (Warwicks 1285) [15], JUST 1/623 mm. 28–30d. (Northants 1285) [71] and JUST 1/89 mm.40–40d. (Cambs 1286) [16]; (southern circuit):JUST 1/323 mm.58–58d (Herts 1279) [8], JUST 1/759 mm.47–49d (Somerset 1280) [59], JUST 1/784 mm. 42–45d. (Hants 1280–1) [104], JUST 1/210 m.59 (Oxon 1285) [4], JUST 1/246 mm.67–67d. (a sample of Essex 1285) [19], JUST 1/833 mm.51–52 (Suffolk 1287) [40]. The total numbers of plaints recorded are in square brackets. It will be seen that the numbers of "plaints" differ very greatly from county to county. The point is that many of the entries cannot properly be described as "plaints" at all.

[48] 861, 862, 863, 865, 867, 868, 875, 876, 877.

[49] Richardson and Sayles, pp. xv, xlv, xlviii.

[50] See p. 58.

[51] Roger de Moles is shown in *FA* I p. 78 as holding Hardwick with a James Russell as one knight's fee. Burston is held by Baldwin Wake, whose sub-tenant is Robert de Mortimer, whose sub-tenant in turn is William de Lingyure. There is no mention of the prior of Merton; nor does *VCH* (III, pp. 328–30) mention him here.

[52] Compare 22, where master Henry de Beachampton is described as a villein of Robert de Bray of Beachampton. See D.A. Carpenter, *Struggle*, p. 56; also his 'English Peasants in Politics 1258–1267', in *The Reign of Henry III* (pp. 309–48). There appears to be considerable blurring of social categories at this period.

[53] These others are in 23, 30, 47 (William Scoville), 75 (Hugh le Brok), 115, 145, 227, 229, 245, 268 (Richard Grusset), 283, 301, 305, 320, 324, 340, 362, 386, 397, 401, 414 (the countess of Warwick). It is possible that the last three were on an extra piece of parchment which has not survived. The last amercement on m. 34d, right at the bottom, is for 386. M 35 is the kalendar of hundred jurors.

[54] In 277 the woman amerced is Maud, daughter of Alan Bely. In the same case a man named John Bely is pardoned amercement because he is poor.

[55] When the clerks had extracted the details of sums owed from the Chief Justice's roll, and compiled an "estreat" roll, this was given to the exchequer, who would then send details to the sheriff for him to act upon.

[56] The numbering of the last few membranes is confused.

[57] The sums due from the individual hundreds are as follows: Ashendon hundreds: Ashendon £33 19s.0d.; Ixhill £34 18s.3d.; Waddesdon £22 5s.10d. Aylesbury hundreds: Aylesbury £41 7s.8d.; Risborough £82 3s.2d. (including £66 13s.4d. from John de Pateshull); Stone £48 11s.11d.; Buckingham hundreds: Lamua £28 12s.0d. (list incomplete); Rowley £49 13s.7d.; Stotfold £47 6s.2d.; Chiltern hundreds: Burnham £57 3s.6d.; Desborough £49 2s.3d.; Stoke £31 5s.8d.; Cottesloe hundreds: Cottesloe £44 15s.3d.; Mursley £37 14s.6d.; Yardley £34 18s.2d.; Newport hundreds Bunsty £39 8s.0d. (list incomplete); Moulsoe £120 14s.9d. (including one payment of £20 and another of £40); Seckloe £58 16s.3d.; liberty of Berkhamsted £3 5s.8d.; Brill £16 17s.9d.; Aylesbury £32 1s.8d.; Wendover £10 9s.1d.; Buckingham £12 17s.1d.; Amersham £15 18s.4d.; Great Marlow £7; High Wycombe £13 9s.3d.; Newport Pagnell £7 8s.0d.; Olney £6 13s.10d.

[58] The total raised in Buckinghamshire by the fifteenth and tenth levied in 1332 was £601 4s.11½d. A.C. Chibnall, *Early Taxation Returns* (Buckinghamshire Record Society vol. 14, 1966), p. xiv.

[59] The figures for Derbyshire are £48 18s. 4d. for civil pleas and £504 0s. 0½d. for the Crown pleas, giving a total of £552 18s. 4½d., of which the civil pleas are 8.9% (Hopkinson and Crook, *Derbyshire 1281*, p. 249), and for Huntingdonshire in 1286 the figures are £40 11s. 4d. for the civil pleas and £554 19s. 11½d. for the Crown pleas, giving a total of £596 10s. 3½d., of which the civil pleas are 6.9% (DeWindt and DeWindt, *Royal Justice*, I, p. 101).

[60] E 372/132 m. 16d.

[61] Yet £417 3s. 4d. from £896 9s. 8d. is £479 6s. 4d.

Section 5
Introduction to the Civil Actions

This volume is only concerned with the civil pleas and plaints listed in JUST 1/67, and does not deal with the Crown pleas.[1] Plaints are covered above.

Civil pleas are traditionally listed nowadays following the scheme F.W. Maitland employed when he edited *Bracton's Note Book*,[2] as follows:

I Right: (a) right of land; (b) right of customs and services

II Dower

III Entry, including *sur disseisin* (alienation after a disseisin), *dum fuit infra etatem* (alienation while under age), *cui in vita* (alienation by the deceased husband of a married woman), *dum fuit non compos mentis* (alienation while not in possession of senses), *ad terminum qui preteriit* (alienation for a term which has expired), *sine assensu viri* (alienation without husband's consent), *sine assensu capituli* (alienation without chapter's consent), etc.

IV Assize of novel disseisin: (a) of property (b) assize of nuisance.

V Actions of limited descent: (a) assize of mort d'ancestor; (b) cosinage.

VI Assize *utrum*.

VII Assize of darrein presentment. All such cases were to be heard at Westminster and so do not come within the scope of an eyre.

VIII Miscellaneous, including hunting rights, mesne (*quod acquietet*), *quo jure* (by what right), reversion as escheat, suit to mill and waste, etc.

IX Personal, including covenant, debt, detinue of charters or chattels, *de fine facto* (concerning a fine made), replevin, trespass and warranty of charter, etc.

The first five categories largely concern the immediate possession or long-term ownership of land and its issues. The great majority of cases heard at this eyre, or any other, fall into these five categories. Land was still the main source of revenue for the higher echelons of society, and of subsistence for the lower, although (as we see from cases like 65, 220 and 260, and the developing habit of enrolling debts to merchants at an eyre) trade was becoming large-scale in some sectors of the community.

The assizes of *utrum* and darrein presentment have to do with ecclesiastical matters. As noted above, darrein presentment is not relevant to an eyre. There are three writs of assize *utrum* brought at this eyre, and these are discussed in Section 9 below.

As to the actions listed in Maitland's last two categories, some do not feature in the 1286 Buckinghamshire eyre. Others are represented by a few cases. A full list of all relevant cases and their outcomes will be found in the conspectus (Appendix I). Debt and trespass have been dealt with above. The action of warranty of charter has interesting ramifications, and will be discussed below, after a consideration of the important general concepts of seisin and disseisin.

Seisin and Disseisin

"In the history of our law," say Pollock and Maitland, "there is no idea more cardinal than that of seisin."[3] Seisin is possession, sitting on the land, rather than the proprietary right to it. The person in seisin is in a position to enjoy the land, taking "esplees", i.e. issues, from it. That is, he has exploited his seisin by taking, or being in a position to take, the fruits of the land. "The moment at which he acquires his seisin may not be the right moment for mowing hay or reaping corn. Seisin of land therefore is not the enjoyment of the fruits of the earth; it is rather that state of things which in due time will render such an enjoyment possible."[4] In some cases brought before this eyre, great stress is laid on whether the land has been held long enough to establish seisin, and this appears to have been regarded as a matter of days or weeks rather than months, and a special point is made of any work done on the land (47, 86).

Once seisin had been established, the person in seisin had the right not to be disseised without judgment in a court of law. If such an attempt was made, the law provided a remedy, the assize of novel disseisin, one of the most frequently-brought and important actions. It was introduced as a regular process by Henry II in 1166. As Meekings remarks, such actions had been occasionally brought before, but now became a routine procedure in the royal courts, leading to regular visitations in the rest of the country.[5]

At about the same time, or a few years later, Henry instituted the other petty or possessory assizes, of mort d'ancestor, *utrum* and darrein presentment. As Baker says, possessory actions did not go into the right, but protected the *status quo* against wrong.[6] That is, by the assize of novel disseisin a person in possession could protect himself against dispossession done without a judgment in a court of law, but his right to possession in the first place would, if disputed, have to be proved by some other means. In mort d'ancestor, it was a question of establishing the seisin of the ancestor to whom the possessor was heir.

The writ of assize of novel disseisin instructed the sheriff to send a panel of 12 local free-holders to view the property and have them in court

ready to act as the jury. At first, the alleged disseisin had to be fairly recent, a matter of nine years or so, but in 1250 the limit was set at Henry III's first crossing to Brittany, May 1230, and it stayed there, which means that by 1286 some fairly ancient history could be raked up, provided that the parties to the original disseisin were still alive.[7] Steps were taken to ensure that the law's delays were minimal. The defendant was not allowed to essoin, or to default.[8] If he defaulted, the case was heard against him in his absence. He could make objections "to stay the assize", such as that the writ was not the correct one (70) or wrongly drawn up (230), and these were considered first. If the justices did not uphold the objection, then the jury considered and delivered its verdict.[9] Most verdicts in the record do not include the jury's reasons, but some do, especially in cases where the disseisin was forcible or the facts complicated (e.g. 47, 86, 334).

The disseisin was generally the taking of some land or its issues, but occasionally it was of some common right, such as that of pasture (234) or of fishing (27). Meekings remarks that the people involved in novel disseisin of rights of common are usually more important than in ordinary novel disseisin cases,[10] and indeed one party in 234 is Ralph Pippard, and 27 is between William le Graunt and Nicholas Fermbaud, a *vallettus* of the king.[11]

At the 1286 Buckinghamshire eyre, 41 cases of novel disseisin were brought, of which 25 did not reach a jury: in 9 cases the plaintiff did not pursue the matter, in 5 cases the plaintiff withdrew, in a further 7 cases such a withdrawal led to an agreement between the parties, and 4 plaintiffs got leave to withdraw from their writs. Novel disseisin, like so many types of action, could be used as a method of conveyancing property which was not in fact disputed.[12] It may also have been a way of bringing the other party to the negotiating table rather than actually to court. The size of the property involved in these settled cases varies widely, from a messuage (229, 230), a strip 40 perches long by 3 to 6 feet wide (115), or 2 acres (282), up to 3 messuages and 2 virgates (152), a garden, 90 acres, 1½ virgates etc. (342), or 10 marks' worth of rent (309).

Only five of these 41 novel disseisin cases were won, and one of those was only a partial win, of 1 acre out of the 8 claimed (325). The other four were for very small properties: a strip 40 perches long by 4 to 6 feet wide (69); 2½ acres of meadow (324); a strip 70 perches by 4 to 7 feet wide (388); and 28d. worth of rent (194). Yet most of the successful plaintiffs in these actions were leading members of the gentry: William de Jarpenville (69), Ralph Marmyon (324), Miles de Hastings (388), Walter de Amersham (194).[13]

Seven of the 41 cases were lost (including the 7 acres in 325).[14] Again, many of the successful defendants were members of the gentry: William de Oakley (31), Ralph de Ardern (54), John Chaunseu (116), Richard atte More (334). In 47 the dispute was between two brothers of the gentry family of Scoville. The property claimed in these cases ranged from two-thirds of the manor of Turweston (47) to 2 acres (86) and two-thirds of a

messuage (334). Two further cases were brought by an assize of nuisance (223, 244). In both of these the plaintiff lost.[15]

It is impossible to be sure of the status of the litigants in every case, but from the evidence which it is possible to compile it will be seen that the successful party to a case was usually a member of the gentry. It will also be seen that the gentry were ready and willing to go to court about very small pieces of land.

Warranty of Charter

The rise of subinfeudation brought with it new perils of dispossession.

Earlier in the thirteenth century, the practice of confirming a grant of land or its issues by a written charter was becoming widespread. As Michael Clanchy says, "A 'deed' (*factum*) was no longer the physical act of conveyance, symbolized by a turf from the land and livery of seisin; instead it was a sealed document."[16] Charters would include a clause of warranty in which the grantor bound himself and his heirs to warrant for the grantee in any dispute.[17] As chains of subinfeudation became longer, the risk proliferated that a tenant in the chain might lose his tenancy in a court of law, or be adjudged not to have had the right to grant it away, which would put lower tenants at risk of losing theirs. Accordingly, if a grant included a warranty clause and the property was in jeopardy, the grantor or his heir could be "vouched to warranty" – summoned to court to support the grantee; if the property was lost, the grantor or his heir had to give the grantee an exchange, the equivalent of the land lost, in a convenient place.[18]

This clause seems remarkably altruistic. One would imagine it had had to be fought for by people seeking to ensure they had some security of tenure in the land granted to them. Meekings remarks that the early history of the action of warranty of charter has not yet been thoroughly investigated.[19]

Two quite different ploys developed from the use of warranty clauses. The first was that the action came to be used as one of the techniques to convey property where there was no dispute. The grantee brought the action against the grantor, then paid a fine for licence to agree, usually by the surety of the grantor, who admitted the grantee's right to hold the property. Some of these are family arrangements (e.g. 2), others are sales, though sometimes this is only shown by the final concord and not the eyre record. There are 10 entries of this sort at this eyre.[20] Even the most closely argued case, such as 37, may end in a final concord and sale.

The second ploy was to block an heir's claim to alienated property. If an heir tried to claim his rights in such property, the grantee would come to court and point out that the heir was bound to warrant for him if another claimed the property, so he could not be on both sides of the dispute at once. Several cases at this eyre show a defence of this sort put forward. The ploy could lead to trickery and collusion, as discussed later.[21]

Cases from various stages of the voucher to warranty appear at this eyre. People vouched might default (84, 378, 418). At their second default the sheriff would be told to take an equivalent amount of land into the king's hands and summon them again (370, 371), and at the third default the land would be adjudged to the persons who had vouched them (389, 408). We also see what happened when the vouchee duly came to court and vouched, but the case went against the one who vouched him.[22] The handing over of an equivalent amount of land could be hard upon some lesser landholders. Ralph fitz Bernard's recovering of his grandfather's land is a case in point. In 208, William and Margaret Page, and John and Maud le Poer, vouched to warranty by Isabel de Iver for her third of it, come and say they have already lost their two-thirds of the land by judgments of the court, and if they warrant for Isabel they should not be bound to her for the land's value, as they have nothing left of their portion. Ralph wins his case, Isabel has to give up her third, but she is to have nothing from the others' land because they have lost it by judgment and not by default. In 332, Alice, widow of Thomas de Ickford, claims land from Maud de Draycote, who vouches John, son of Thomas de Ickford to warranty. John agrees to warrant, but says he had nothing now by descent from Thomas, but when he has, he will make up the value of what Maud might lose, and the judgment enshrines this offer: she is to have it if he has any, but if he has not then she is to have it when he has.

One case (a writ of entry in the *per* and *cui*)[23] is interesting in that the claimants acknowledge that they gave Elias de Tingewick a charter granting him two messuages and 1½ virgates, but say they never delivered any seisin to him. The jury disagree, finding that they with complete good will sent their attorney to deliver seisin to Elias as well as by the said charter. That is, the verdict does not say that a charter on its own is enough: there also has to be an act of delivery.[24]

Notes

[1] I hope to edit these later for Buckinghamshire Record Society.

[2] *Bracton's Note Book*, ed. F.W. Maitland (3 vols., Cambridge: Cambridge University Press, 1887).

[3] P & M, II, p. 29. A long discussion of the nature of seisin follows.

[4] P & M, II, p. 34.

[5] Meekings, *Surrey 1235*, p. 8.

[6] J.H. Baker, *An Introduction to English Legal History* (London: Butterworths, 1979; 3rd edn.), p. 266.

[7] See pp. 94–5 for the procedure followed when the disseisin was imputed to someone who had since died.

[8] Parties to other types of case were allowed at least one default.

[9] *Bracton*, III, pp. 72–3 = ff. 185–186b describes the procedures.

[10] Meekings, *Surrey 1235*, p. 75. He said the same about the parties in an assize of nuisance, p. 77.

[11] 27 is settled by an agreement; it may have been brought for the purposes of getting such an agreement on record. See pp. 34, 100–1 for Ralph Pippard. William le Graunt held four carucates in Hulcott from William Bardolf (*FA* I, p. 86).

[12] Meekings, *Surrey 1235*, p. 73.

[13] Jarpenville ("Jarkeville") held land in the liberty of Berkhamsted (*FA* I p. 77); (see also Meekings, *Surrey 1235*, p. 213); Marmyon had been an eyre juror in 1272 (JUST 1/60 m. 34) and a Montfortian (C145/42/22); Ardern's wife held half a knight's fee as dower from her previous husband (C145/42/22). Miles de Hastings was a selector of Bunsty hundred.

[14] Two cases (52, 112) were sent on to Westminster, and one (132) is unfinished.

[15] The plaintiffs in 223 were Robert Kynne of Maydeford and his wife Joan; in 244 it was Thomas D'Eyville. The latter was certainly of gentry status.

[16] Michael Clanchy, *From Memory to Written Record* (Oxford: Blackwell, 2nd edn. 1993), p.52.

[17] Sometimes not against the religious or the Jews. Meekings, *Surrey 1235*, p. 63.

[18] *Bracton*, IV, pp. 191–244, has a long discussion on warranty of charter.

[19] Meekings, *Surrey 1235*, p. 64.

[20] 2, 4, 28, 29, 33, 78, 82, 108, 148, 166; 160 is another, but unfinished.

[21] See pp. 106, 109–10.

[22] The vouchee had to hand over an equivalent amount of land in 111, 124, 158, 210, 256, 318, 389, 407, 408, 413.

[23] See pp. 94–5.

[24] On this point see Clanchy, *From Memory to Written Record*, pp. 254–60.

Section 6
Inheritance

The rules of freehold inheritance in the time of Edward I were, in theory and in most places in the kingdom, simple: the eldest legitimate son was heir to both his father and his mother. If there was no son, the daughters shared the inheritance equally between them. If there was no child, then the inheritance went to the deceased's next brother; failing a brother, to all the sisters equally. Given the male-dominated ethos of the period, it is interesting that if a man had no son, his daughter(s) inherited rather than his brother. This facilitated social mobility rather than family stability, as new men came to the fore by marrying heiresses, though of course some established families were able to consolidate by this means.

Land was held in return for services rendered; these ranged from knight service to a money rent. As subinfeudation reached down into the lower levels of society, "tenure became a legal concept of universal application, every occupant of land being presumed to have a tenure, defined by some form of service".[1] No consideration of what service a woman could physically perform stood in the way of her inheriting land.[2]

In practice, most tenements must have passed peacefully to the right heir on the holder's death, from parent to child, or from childless sibling to sibling, or that sibling's child. This section will consider the ways of securing disputed inheritances by use of the king's courts as illustrated by the 1286 eyre to Buckinghamshire, together with the special problems encountered by bastard children and under-age heirs. The main types of action studied are actions of limited descent (the assize of mort d'ancestor and writs of aiel and cosinage), the writ of right, and various writs of entry.

Actions of Limited Descent

When disputes arose, one way to resolve them was by the assize of mort d'ancestor. This, instituted by Henry II in 1176,[3] dealt only with seisin. If a claimant could prove his or her father, mother, brother, sister, uncle or aunt had died seised as of fee of the property in question, and that he or she was the deceased's rightful heir, he or she would recover seisin. How the deceased had obtained that seisin in the first place was not considered. There were other writs to decide questions of right.

Writs of assize of mort d'ancestor were one of the most commonly-brought types of writ in the eyres. The defendant who was withholding

the estate from the heir was theoretically the "lord" from whom the deceased ancestor held it, but by the thirteenth century there had been so much subinfeudation of estates that in practice defendants were not tenants-in-chief or important mesne lords, but much lower down the chain of tenure. They were generally small freeholders, and most of the disputed estates were also small.[4]

The procedure was for the claimant to get a writ of mort d'ancestor from the king's chancery, addressed to the sheriff, who would then (as with writs of novel disseisin) select recognitors to view the estate and find out the facts. He would endorse the writ with their names. At the eyre, or sometimes before special assize commissioners, the sheriff summoned the parties and the recognitors, who became the jury, prepared to give their verdict if matters went that far. Various delaying tactics were available to the defendant, who might essoin, default or vouch to warranty; or he could "take exception" to the claimant's case, saying (for example) that the claimant was not the nearest heir, or the ancestor did not die seised, or that the claimant had omitted to name the defendant's wife, who had a share in the estate – or simply that he had got the name wrong.[5] Many claims were withdrawn or settled out of court. If nothing was said "to stay the assize", the jury were sworn and retired to find their verdict, which had to be on the exception put forward by the defendant rather than simply on the claim in the writ.

Some interesting examples of the writ's use are to be found in the 1286 eyre to Buckinghamshire. We shall see it being used to challenge a claim to tenure by the curtesy of England (1) and wrongly chosen in an attempt to recover a *maritagium* (marriage-gift) (97). In 280 and 386 it was used (unsuccessfully) when an heiress wished to undo her own grants, and in 23 by an heir who tried to regain land he had quitclaimed to Tickford Priory for a corrody when he was under age. Some mort d'ancestor claims seem to be yet another technique for conveyancing property (77+113, 172, 174);[6] the writ seems to have cost 6d.,[7] but the cost of licence to concord or of an amercement must be added to this sum.[8] Another such use of the writ is in 249, which ends with the Warden of Merton College, Oxford, paying 14 marks to Edith, one of the six sisters and heirs of its founder, Walter of Merton, and her husband Thomas Taylard, for her sixth part of Walter's inheritance.

It was by persistent use of the assize of mort d'ancestor that Katherine, wife of William Hawtrey and daughter and co-heir of Ralph del Escheker, muddled through to recover at least some of her father's land. The Hawtreys' first two writs were hopelessly incorrect in their wording. 129 was a claim for half the manor of "Eskeberwe" from Ralph de Chenduyt (the husband of Katherine's dead sister), and half a carucate and half of 2 acres in "Aufryk" from the abbess of Godstow. Chenduyt pointed out that the manor they had put in view was the wrong one, held not by him but by two other men; that is, they should not have claimed the manor of Ellesborough, but "del Escheker in Ellesborough" (now Chequers). The

name the Hawtreys put forward sounds like a conflation of the two. The abbess of Godstow pointed out that there was no such vill or hamlet as "Aufryk". The Hawtreys were in mercy. Next, in 196, they claimed half of 8 acres in "Heselberwe". There were three sub-tenancies in these 8 acres, which were held from Chenduyt. One tenant said he was simply a tenant. Another said he held it together with his wife, whom the Hawtreys had not mentioned, so they had to ask for licence to withdraw from this part. The third sub-tenants said that their two acres formed part of land which had been the subject of a fine in 1265; the Hawtreys denied this, but the jury found against them. At this point one of the justices, John of Mettingham, pardoned the Hawtreys their amercement. Finally, in 255–6, Ralph de Chenduyt acknowledged Katherine's claim to half a messuage and half of 4 carucates, half a toft, another half messuage and half of 56 acres in Ellesborough, and returned them to her by licence; his son Ralph, described as "of age", was present in court and joined with his father in answering. The abbess of Godstow now paid the Hawtreys £10 for their quitclaim of the tenements they claimed from her (264).[9]

By 1237, the right to sue for such estates had been extended to remoter kin, grandchildren and "cousins" (a term which is today more specific than the Latin word, *consanguineus*, from which it derives). Writs could be procured to obtain an inheritance from deceased grandparents (*breve de avo*, aiel), great-grandparents (*breve de proavo*, besaiel), great-great-grandparents (*breve de tritavo*, tresaiel) and kinsfolk or "cousins" (*breve de consanguinitate*, cosinage).[10] The procedure in such cases was not by an assize of mort d'ancestor; they began with a writ *precipe quod reddat.* In addition to these writs there was the writ of *nuper obiit*, by which a parcener sought his or her share (*jus et racionabilem partem*) in an estate of a recently-deceased relative. All these actions, mort d'ancestor, cosinage etc., and *nuper obiit*, are counted as "actions of limited descent".

Uncertainty over the exact number of acres in a local virgate or carucate prevents accurate analysis of the size of estates claimed by actions of limited descent at the 1286 Buckinghamshire eyre, but a provisional analysis may be made by assuming that there were 30 acres in a virgate and so 120 acres in a hide or carucate.[11]

Five estates claimed by writs of mort d'ancestor at this eyre are described in terms of manors and/or carucates. 368 concerns two-thirds of the manor of Milton Keynes.[12] The next largest claims are made by William de Nowers (4 carucates, 39) and Katherine Hawtrey (332 acres, q.v.). Thomas de Doynton (245) and Robert de la Mare (1) each succeeded in recovering one carucate.[13]

The following table shows the relative sizes of the estates claimed at this eyre by actions of limited descent. The final column shows, for the sake of comparison, the percentages calculated by E.A. Kosminksy concerning the size of free holdings shown in the Hundred Rolls survey of 1279 (to which Buckinghamshire evidence contributed).[14]

Table 10 Sizes of estates claimed by actions of limited descent at the 1286 Buckinghamshire eyre

Total Size of Estate Claimed	*Mort d'ancestor*	*Other actions of Limited Descent*	*Total and Percentage*	*Kosminsky's Percentages*
120 acres or more (or a manor)	5	–	5 (6.7%)	8.0%
Over 30 acres	8	3	11 (14.7%)	
30 acres	1	4	5 (6.7%)	15.0%
15 acres or more	10	9	19 (25.3%)	18.0%
7½ ac. or more*	11	1	12 (16.0%)	12.0%
Under 7½ acres or "messuage"	16	5	21 (28.0%)	47.0%
No land (just rent, etc.)	–	1	1 (1.3%)	
Unclear ("tenements")	–	1	1 (1.3%)	
TOTAL	51	24	75 (100%)	100%

* one of these estates contained a mill, which would have put its value up.

It would appear that the estates claimed by actions of limited descent at this eyre tended to group slightly towards the upper end of Kosminsky's scale.

The following tables show how many limited-descent claims brought before it were determined at this eyre. More detailed analyses of the success or failure rate will be found in Appendix II.

From these tables it may be seen that over three-quarters of the mort d'ancestor claims, and nearly two-thirds of the other limited-descent

Table 11 The settling of mort d'ancestor claims at the 1286 Buckinghamshire eyre

Claims on death of	*No. of deceased*	*No. of writs*	*No. of claims**	*Claims settled (agreed or determined)*	*Claims withdrawn*	*Claims postponed*
father	26	33	65	53	9	3
mother	9	10	15	13	1	1
uncle	6	6	7	3	–	4
aunt**	4**	5**	6	2	–	4
brother	6	6	7	7	–	–
sister	1	1	1	–	–	1
TOTALS	52–1 = 51	61–1 = 60	101	78 (77.2%)	10 (9.9%)	13 (12.9%)

* i.e. the number of claims made against individual holders of disputed land.

** includes one nephew joining with his aunt in a claim on the death of that aunt's sister.

Table 12 The settling of actions of limited descent other than mort d'ancestor at the 1286 Buckinghamshire eyre

Claims on death of	*No. of deceased*	*No. of writs*	*No. of claims**	*Claims settled (agreed or determined)*	*Claims withdrawn*	*Claims postponed*
grandfather	8	9	11	6	3	2
grandmother	7	10	16	10	5	1
greatgrandfather	1	1	1	–	–	1
"cousin"	5	5	7	5	1	1
uncle	2	3	2	2	–	–
TOTALS	23	28	37	23 (62.2%)	8 (24.3%)	5 (13.5%)

claims brought before this eyre achieved a result.[15] As we shall see, this is in marked contrast with what happened when litigants used other forms of writ to claim a disputed inheritance.

Actions of Right

Actions of limited descent concerned seisin. If a claimant wished to go back to the question of right, then he had to obtain a writ of right, a *breve de recto*. This concerns his *jus*, his right; he claims the estate as his right (*jus*) and inheritance, saying his ancestor was seised not just as of fee, but as of fee and right (*de jure*). In the past, questions of this sort had been settled by judicial combat only, but in about 1179 the grand assize was created as an alternative. This was a jury of twelve knights of the district, themselves selected by four knights; that is, its grandness lay in the status of its members: lower than God (whose verdict was revealed in the judicial combat), but superior to a normal jury of ordinary free men. The claimant would begin his action by a writ of right in the lord's court or the county court. The defendant could then opt for trial by battle or put himself on the grand assize; if he chose the grand assize, the plaintiff would obtain a further writ ordering the sheriff to arrange for the selection of the twelve knights. The case would be heard either at Westminster or before the justices in eyre. The claimant did not have to find sureties that he would pursue the case. If the estate was held from the king in chief, then a writ of *precipe in capite* came straight to the sheriff, as the king could not send a writ to himself as the claimant's lord.[16]

Meekings remarks that by 1235 it was uncommon for the grand assize to have to give its verdict, rare for battle to be agreed, and even rarer for battle to be fought;[17] claims were either concorded, or won or lost by the parties' doing (the claimant would drop his claim, or the defendant default). Maitland notes that, as writs of entry (q.v.) developed, "the writ of right fell into the background; and, though still popular in Edward I's

day, it was hardly needed by any but those whose claims were of a rare character, or who had allowed so long a time to elapse that they were debarred from writs of entry by the extremely patient statutes of limitation that were in force".[18] He counted the instances to be found in the Northumberland eyres of 1256, 1269 and 1279, and in the Common Bench for Easter 1271, finding eight, one, two and twelve cases respectively, and it is to be noticed that he has limited these instances to cases where the terminology is absolutely clear that a *breve de recto* was employed. He has not counted cases which simply say "he claims as his right (*jus*)": writs of entry also use this formula.[19]

With this strictness in mind, only seven cases involving a writ of right can be found at the 1286 Buckinghamshire eyre. Five of them are for substantial estates: 42 (2 messuages, 11 acres and 5½ virgates), 153 (¾ of a messuage, of 8 acres of wood, of 2 carucates and of 4½ virgates), 177 (the manor of Bledlow, less 5 messuages, a mill, 2 carucates and the advowson), 193 (the manor of Newport Pagnell) and 269 (¾ of the manor of Taplow). 88 is for a messuage and 9 acres, and the estate in 356 is not specified. Two more cases (334, 409) mention that a writ of right has been used in the past.

177, an interesting case, was brought by William Bardolf and Julian his wife, descendant of Hugh de Gornay (who died c. 1215),[20] against the abbot of Bec Hellouin, to whom Hugh had granted Bledlow manor. The writ used was *precipe in capite*. The abbot said that he had Hugh's charter; the Bardolfs said that this had clearly been drawn up outside England and so was invalid. Finally, the Bardolfs quitclaimed to the abbot for 200 marks sterling, so, as in many instances, the outcome was a centrally-recorded sale. The claim that might be most interesting, if we knew more of the circumstances, is 193, in which a John Paynell claimed the manor of Newport Pagnell from Roger de Somery. He failed to pursue his claim, and was in mercy, but pardoned by the justices. There is no note of why the justices should pardon him. Was he too poor to pay? The last Paynell to hold the manor of Newport Pagnell was Gervase, who died about 1194 with no surviving son. The manor went to his daughter Hawise, who married John de Somery, and their descendant, Roger, inherited, aged 18, in 1272. But Gervase had had five brothers, and it must have been a descendant of one of these men who thought for a while that he could dispute the female succession.[21]

In 17 instances at this eyre the wording is simply that the claimants seek the land as their right (*jus*), or in the right (*jus*) of their wives. Without further information it is impossible to say what kind of writ was involved. Not one of these 17 cases reached a jury; 9 of them were won by the defendant's default. Default featured in 4 more, of which 3 (374, 406, 419–20) went on to Westminster for the next stage, and one (266+375) was taken over by tenants higher in the chain, to whom the claimants then granted the land. One (293) went on to Westminster for warranty, one was lost on a technicality (315) and in one (294) the land was agreed as the

defendant's right. In 413, concerning a rent of 3s., the man ultimately vouched to warranty handed the rent over by licence, but was also said to be in mercy (though he was pardoned because he was poor).

The Little Writ of Right Close

Strictly speaking, the writ of right discussed in the previous section was the "great writ of right patent". A specialized writ of right, the "little writ of right close", was needed when the land in dispute lay within the king's ancient demesne. It was addressed to the king's bailiff, instructing him to do right to the claimant. In two cases at this eyre (70+295, 265+396), defendants excepted that the claimants had procured the wrong writ, saying that the land claimed lay in Aylesbury and thus in ancient demesne. In the first, an assize of novel disseisin, the plaintiffs later came and withdrew their suit; the second, a writ of aiel by which three women tried to get land from Percival [de Lavannia], parson of Aylesbury, and the Dean and Chapter of Lincoln, was followed first by Percival's writ of novel disseisin within the summons of the eyre against the women, and then by his withdrawal.[22]

Writs of Entry

Writs of entry developed gradually to meet the needs of claimants with "recent, well-known factors" in their favour who could not use the writs of limited descent and did not wish to face the long-drawn-out procedures of the writ of right. The basis was a writ of *precipe quod reddat* ("instruct him to render"), instructing the sheriff to require a tenant to give up the land claimed or appear in the king's court to explain why he had not complied. The wording pointed to a "recent flaw" in the tenant's title, saying "into which land, etc. he does not have entry except . . ." The tenant had to answer this allegation, and a jury then decided between the parties.[23]

The usual allegation is that the tenant came by the land through an alienation by someone with no power to alienate, because he or she did not hold in fee, but (e.g.) for a limited term now past, by the curtesy of England, or as dower; or because he or she was under age, or insane. Into this category fit the writ *cui in vita*, whereby a widow can retrieve land alienated by her husband without her consent,[24] and the writ *sine assensu capituli*, whereby a bishop can retrieve land alienated by a predecessor without the consent of the chapter. Also linked with these writs is the writ of entry *sur disseisin*. Novel disseisin could be used only if both parties were still alive, and the writ *sur disseisin* developed to deal with cases in which one or both of the parties were dead.

At first these writs could be brought only "within the degrees"; that is, a writ could not be brought "against the fifth hand". The rightful owner was the first hand, and a disseisor was the second. If the disseisor granted the tenement to A, A was the third hand; if A granted to B, B was the

fourth hand; if B granted to C, C was the fifth hand, beyond a writ of entry, and could be reached only by a writ of right; but by c.29 of the Statute of Marlborough of 1267 a writ *sur disseisin* was available for the recovery of any land held as the result of a disseisin, and this was taken as the authority for so extending any writ of entry.[25]

Legal terminology lifted a few words from the wording of these writs in order to categorize them. Suppose that the disseisor granted to A, who granted to B, who granted to C: the writ against A will be a writ of entry "in the *per*" ("he does not have entry except through (*per*) John, who demised/disseised . . ."). The writ against B will be a writ of entry "in the *per* and *cui*" ("he does not have entry except through (*per*) William, to whom (*cui*) John demised . . .".). The writ against C will be a writ of entry "in the *post*" ("he does not have entry except after (*post*) the demise/disseisin which John . . .").[26]

Sixty-four claims by writs of entry came before the 1286 justices to Buckinghamshire. Of these, 42 are not categorized, being notes of claims concorded, postponed or not proceeded with. There are 8 writs *ad terminum qui preteriit* (for a term now past), three of *cui in vita* (40, 93, 142), two where doweresses are accused of alienating part of their dower (101, 170[27]), and one each of *dum infra etatem* (while under age) (43), and *sine assensu capituli* (without the consent of the chapter) (271). There were also seven writs of entry *sur disseisin* (87, 102, 131, 137, 299, 329, 404), of which two were concorded sales, four were lost, and only one won.

Of the eight cases, of varying degrees of complexity, brought by writs of entry *ad terminum qui preteriit*, five were "in the *post*" (85, 144, 169, 184, 288) and three "in the *per* and *cui*" (114+352+ 405, 173, 319). Most were for estates of a virgate or more, and none appears to be brought simply to secure a conveyance: in the two which are concorded (173, 319), a series of arguments is first presented, and a jury asked for. In fact, no Buckinghamshire jury at this eyre was asked to decide a case brought *ad terminum qui preteriit*: one is lost when the claimant cannot deny the case for the defence, two are not proceeded with, one is postponed till infants come of age, and four are postponed to Westminster.

Appendix II contains a detailed analysis of the outcomes of all claims for disputed land and its issues brought before the 1286 eyre to Buckinghamshire. It will be seen that writs of right were mostly brought concerning large estates, were likely to be postponed, and had a low success rate. Writs of entry tended to concern smaller rather than larger amounts of land, but also had a low success rate (5.3%); a third of these claims were lost, nearly all by the plaintiff's own doing (that is, he or she withdrew or did not pursue the suit – which may indicate a private agreement or settlement out of court), a far higher proportion than in other types of action for land. Of all the writs, that of mort d'ancestor was the most likely to bring about a win for the plaintiff (23%), followed by the other limited-descent writs (19.2%), and had the least number of claims concorded (6.6%). On the other hand, limited descent showed the greatest

number of claims lost, with 53.2% for mort d'ancestor and 40.4% for other limited descents. Finally, it is noticeable that very few juries were ever asked to deliver a verdict except in the mort d'ancestor cases, and even there only in 21 out of the 60 pleaded writs.

Bastardy

A bastard child did not inherit, even when there was no legitimate offspring. The church took a more lenient view than the common law, holding that the subsequent marriage of a bastard's parents legitimized him, but in 1236 the barons said that the common law of England on this point should not be changed, and that was that. The issue of general bastardy, i.e. if a person's parents had ever been married, was tried by the church courts, but a jury in the king's courts decided on special bastardy, i.e. if a child had been born before the marriage of his parents and so could not inherit their land.[28]

A bastard could, however, be put in seisin of property by his parents, or anyone else, and if this enfeoffment was not challenged in his lifetime then the seisin passed rightfully in the usual way to the legitimate heir of his body.[29] Maitland remarks that juries were reluctant to bastardize the dead.

This is more than can be said for family members. There are four cases involving bastardy at this eyre. In 126 William le Paumer, a younger son, brought an assize of mort d'ancestor to claim a messuage and 1½ acres which his elder brother Thomas had inherited, saying that Thomas was "a bastard, born of Aline, later his father's wife". It is not stated if William was also Aline's son, so we cannot confidently accuse him of slandering his own mother. The jury, vindicating Maitland, said that Thomas had entered lawfully as his father's son and heir.

In two other cases (107, 283) the plaintiff asks that land should revert to the claimant as his escheat after the bastard holder had died without an heir of his body. In 107, concerning one messuage, the claimant failed to pursue his case. 283 was part of Martin de Carun's unprincipled quest to restore his family fortunes, when he recovered a messuage and 80 acres by "barefaced even if legal robbery", as Chibnall says.[30]

A fourth case (368) resembles 126, in that a younger brother was claiming his father's lands on the grounds that his elder brother was not his father's son, and it must have been one of the *causes célèbres* of Buckinghamshire at the time.

John de Keynes died in 1283. He held the manor of Milton Keynes from the king in chief by the serjeanty of finding and paying for a man to serve for forty days in the king's army, with an unbarded horse, a lance, a hauberk, a haketon and an iron cap. His inquisition *post mortem* was held at Newport Pagnell on 30 May 1283. The sheriff of Buckinghamshire had called upon Sir Geoffrey de [Rou]land and Sir Robert Crevequer to preside with him, and the jury consisted of twelve prominent men of the locality, including John de Pateshull, John Druel, a John fitz John and

Martin de Carun. They said that the manor was worth £45 a year, and that John *tenuit in dominico suo ut de feodo*, held in his demesne as of fee, on the day he died. His heir was his son Nicholas, who had reached the age of 21 on the previous St Nicholas's day.[31]

They were wrong. Did they know they were wrong? It soon became clear that John had made a settlement of the manor in the summer of 1279, acknowledging that it was the right of a Robert de Keynes, who then granted it back to John, and John's wife Maud, for their lives at a penny a year rent, with reversion to Robert.[32] The settlement had been made in the king's court at Westminster, and was endorsed "Nicholas, son of John de Keynes, puts in his claim". So even if the arrangement had not been made public in the neighbourhood, to become part of the knowledge of potential jurors, Nicholas de Keynes knew well enough that on the day of his death his father John did not hold the manor of Milton Keynes in his demesne as of fee, but had a life tenancy jointly with his wife. Did he tell other people, or did he keep quiet? Did John and Maud de Keynes tell people? Were the jurors at John's inquisition *post mortem* doing their best for Nicholas, or innocent of any deception?

The manor of Milton Keynes seems to have been the family's sole landed property, at least in Buckinghamshire, so John had effectively disinherited the man whom the sheriff's inquisition later declared to be his heir. A later addition to the record of the inquisition, in much paler ink, says "nothing is to be done by this inquisition", as a chirograph made in the king's court showed that Maud held the manor for her life, "whereof seisin has been delivered to her by the king". The king's instructions to this effect to the escheator are recorded in the Close Rolls in 1283.[33]

Nicholas de Keynes then brought an assize of mort d'ancestor at Westminster in the Michaelmas term of 1285, claiming two-thirds of the manor from his mother Maud. She vouched Robert, who did not simply say that John had made a settlement of the manor in 1279; he said that he was Nicholas's elder brother, and entitled to the manor by the same descent as Nicholas. The case interested the compilers of the year books, so we have more details of the pleading than just the enrolments in the Common Pleas and the 1286 Buckinghamshire eyre rolls.[34] Nicholas – though never using the word "bastard" – said that Robert was not the son of John de Keynes, but of Roger de Hanslope, born five years before John and Maud made any contract of marriage, and brought up in Great (i.e. North) Crawley for two years at least as Roger's son, and that the whole district knew about it. Robert denied it. He said he was John's lawfully-begotten son by Maud, acknowledged and brought up by John as his eldest son.

If Roger de Hanslope is the Roger son of John de Hanslope shown on the Fitz John family tree printed by Chibnall in his book on Sherington,[35] he is not only the brother of a John fitz John de Hanslope who may well be the John fitz John who was a juror on John de Keynes' inquisition *post mortem*, but his first wife Agnes had been the stepmother of Martin de Carun, another of the jurors.

Chief Justice Weyland had told the jury at Westminster that they could not give their verdict on Robert's paternity, but they could about his upbringing.[36] Their verdict was that Robert was born ten years before John married Maud, but he had never been brought up as Roger de Hanslope's son. After his birth, John and Maud "furent a descorde", were on bad terms, and Maud had had to take John to the church courts to get him to marry her, but he had always treated Robert as his son "avant les esposailes auxibien com apres", before the marriage as well as afterwards.

Gilbert de Thornton, for Nicholas, had pounced on this verdict, saying that obviously Robert could not inherit as he was born before the marriage, but Chief Justice Weyland said this was irrelevant: the plea was not about who was closer in blood, and judgment would be given three weeks after Easter. This meant that the case, being a Buckinghamshire one, was transferred to the eyre there in 1286.

The record in the Court of Common Pleas and at the eyre both say simply that John treated Robert as his son "all his life after he married Maud", and at the eyre Nicholas tried to re-open the case, saying that the jury should be asked how John had treated Robert *before* he married Maud. (The law report quoted above had in fact covered this point, stating that John had treated Robert as his son "avant les esposailes auxibien com apres". Did the law student who took the notes printed in the year book insert "avant les esposailes" of his own accord, or did the clerks who wrote CP 40/57 m.15d. leave it out?) At the eyre, Robert said that the matter had been sufficiently examined, and asked for judgment. A new date was set for this, a week after Trinity at Westminster, but it was not until October 1287 that the judgment on the main matter was delivered. Robert was present, but Nicholas defaulted, lost his case by this default, and was in mercy.[37]

No more is heard of Nicholas de Keynes. Indeed, he seems to have been eclipsed in county life before this. John de Keynes had been a coroner of Buckinghamshire at some point in the years between 1272 and 1286, and it was Robert who came to the first day of the eyre to answer for him.[38] And it was Robert's daughter Margaret who inherited the manor of Milton Keynes and brought it into the Aylesbury family when she married Philip de Aylesbury, who held the manor in 1302.[39]

This is a stirring enough tale in its own right, but the crown pleas from Moulsoe hundred at the 1286 eyre record a list of violent crimes, murder and robbery, imputed to four (or five) more Keynes brothers. Their mother Maud was accused of receiving them and *subtraxit se*, that is, she was not to be found when the sheriff took the next steps in the legal process to cause her to come for trial, and she was put in exigent. Her chattels were assessed at £55 7s. and were taken into the king's hands until Robert came and claimed them. Also accused of receiving his brothers was Walter de Keynes, parson of Milton Keynes, whose confiscated chattels were worth just over £13. These criminal accusations against the Keynes family are recorded in four separate entries which are hard to

disentangle, and to do so is beyond the scope of this volume.[40] It should be noted that three of the Moulsoe hundred jurors bringing these charges, William Fordel or Cordel, Martin de Carun and William de Olney, had also been on the jury for the inquisition *post mortem* on John de Keynes in 1283 which had declared Nicholas his heir.[41]

The Under-Age Heir

The under-age heir to a fee held by knight-service was very much the concern of the law. The property rights vested in him were marketable commodities to be protected and allocated to their rightful owners, the overlords from whom the heir's deceased father or mother had held land. Overlords were entitled to all the revenues of such lands until the heir came of age, and also entitled to arrange the under-age heir's marriage, an important building-block in the edifice of many family fortunes. Custody of the heir's person was also given to the overlord. These rules applied to a child as the heir of either parent, though an overlord could not take a child or his inheritance away from his father's custody. An overlord could not touch a dead wife's property if her husband was still alive to hold it by the curtesy of England, as the child would not inherit from his mother until that husband had died.[42] Nor could a child who had inherited from a relative other than his mother (for example, his dead mother's childless brother) be taken by an overlord from his father. On the other hand, an heir whose father had died could be taken from the widowed mother, however young that heir was. As Plucknett says, the law would take a child away from his mother, but not from his father.[43]

Younger sons, and daughters who were not heiresses, were no concern of the law, and would not be taken from their mothers: it was only the heir who held by knight service who was vulnerable. Other under-age children would remain at home with their mothers, presumably living off her dower until they were established in the world. Into this context fit cases in which doweresses, perhaps not possessing marriage portions or inheritances, attempt to convey land from their dowers to their other children (47, 101). It was quite different for heirs to land held in socage, who were expected by the law, as laid down in c.17 of the Statute of Marlborough, to be in the custody of relatives who would look after their property and render account when they came of age.[44]

There is some evidence from the 1286 Buckinghamshire eyre that this system was not always enforced, and a child heir by knight service could be left in the custody of his mother, or, at least, his father's widow. This may not have been sheer benevolence, as sometimes we see that the mother had paid the overlord for custody of the heir and his lands. Eleven cases at this eyre mention custody arrangements for 13 under-age heirs to land, and a twelfth case, concerning one heir, implies this;[45] some are vouched to warranty, others are mentioned in the narrative of a plea, and four cases are of disputed custody. Not all the entries specify that the land

was held by knight service: perhaps the two girls in 384 whose messuage is held by their mother "in the name of custody from [their] inheritance" are socage heirs; so also perhaps is Richard, son and heir of Peter de Chalgrave, vouched to warranty in 341. He and his smallish estate (4 messuages, 3½ acres of land and 6 acres of meadow) are in the custody of Mary, his father's widow. Of the other 11 under-age heirs, when Robert de Oseburn died, his widow bought the custody of his son Edmund's person and lands from the chief lords, and demised the lands to someone else to cultivate (348); Alice, widow of William Danvers, had custody of the person of her son William although Edmund, earl of Cornwall, had custody of his lands (407); after the death of William de la Penne, his overlord William de Saunderton assigned custody of the heir William to Alice de la Penne, William's widow (416); and in 377+400, when John de la Croiz died, his overlord (and brother) Hugh assigned custody of the heir to John's widow Agnes. This adds up to four of the eleven heirs by knight service remaining in the custody of their mother (or their father's widow).

There are four pleas concerning disputed custody at the 1286 Buckinghamshire eyre. One (387) is an unfinished entry; in two of the others the child's mother is a party to the dispute.

John Giffard and Ralph Pippard contested custody of the son and heir of Simon de Eynho (otherwise known as Simon of Twyford) as part of an ongoing quarrel in which John Giffard was usually the winner, and whose progress must have been as much a talking point in the north-west of the county as the affairs of the Keynes family were in the north-east. The background seems to have been a dispute over who held what land in Twyford. At the *quo warranto* hearings in 1286, John Giffard said that Robert fitz Nicholas (Ralph Pippard's uncle, who died about 1273 and whose heir Ralph was) had given him (John) two-thirds of Twyford, but he could not produce the king's confirmation regarding a view of frankpledge, so this was taken into the king's hands.[46] John never did produce his proof of entitlement, nor did he vouch Ralph Pippard. The 1284–6 Feudal Aids record shows John holding 15½ virgates in Charndon in Twyford from the king, and 40 librates from Ralph, which Ralph held, with the rest of Twyford, from the king in chief.[47] At the 1286 eyre, 117 is Ralph Pippard's writ of entry against John Giffard for the 15½ virgates. John came to court, but Ralph withdrew in contempt of court, and was in mercy. Ralph also brought a writ of assize of novel disseisin for 9 virgates in Paundon in Twyford against John Giffard (131), saying John had disseised his uncle Robert fitz Nicholas; but the land was Robert's widow's dower, and Ralph had warranted this for her in 1277, which he could not now deny, so he lost his case. In 98, John Giffard says that Ralph and one John de Trumpeton ejected him by force of arms from custody of the land and heir of Simon de Aynho, and the jury agreed. John recovered custody and damages of 100s. From the jury verdict, we learn that this ejecting took place in October 1275. Had the child remained in Ralph Pippard's custody ever since? He was still under age when he brought an assize of

mort d'ancestor (402) concerning a messuage and 20 acres which his father had held "and now John Giffard holds" (i.e. by the verdict in 98). He said his father had not held this land by knight service from John Giffard, but had acquired it from various other people, whom he named, and the jury agreed with him; but because Ralph fitz Nicholas (who died in 1257, the father of Robert fitz Nicholas) had enfeoffed John Giffard with Simon's homage, Simon's son lost his claim and was in mercy. The justices pardoned him the amercement as he was under age. Was it Ralph Pippard who encouraged him to bring his claim?

In all these encounters John Giffard came out the winner. He did permit Ralph Pippard one small victory, when he did not come to court to answer Ralph's charge of detaining stock (187) and was in mercy. No amercement of John is recorded, but Ralph Pippard had to pay 10 marks at the eyre "for trespass" (884).

In 416, the custody of Denise and Alice, the under-age daughters and co-heiresses of John Aldyth, is claimed by each of two married couples. John and Maud de Folesham claimed it as part of the dower assigned to Maud from the property of her first husband, Walter de Tokevill, from whom (they said) John Aldyth held by knight service. Ralph de Amersham said that his wife Alice was the widow of William de la Penne, to whom William de Saunderton had assigned custody of William de la Penne's son and heir William, and that John Aldyth had held by knight service from William de la Penne. The eyre justices sent the case on to Westminster, where, if indeed John Aldyth had held from two different overlords, it was presumably decided on the basis of the new rules emerging from Mauley v. Hotham, finally settled at Westminster in November 1285, in which judgment was given that custody was the right of the lord whose grant was the earlier in date.[48]

As we have seen, Agnes, widow of John de la Croiz, secured the custody of the person and lands of her son John from their overlord, her husband's brother, Master Hugh de la Croiz. Unfortunately, Master Hugh himself then died, and John junior was his heir also. That brought John Gernun on the scene, as Hugh's overlord, to claim custody of John junior. Agnes was prepared to fight this, refused to hand John junior over, and vouched him to warranty. John Gernun said she could not do this, as he was claiming the child as the heir of Hugh, not as heir of John. The eyre justices sent this case also to Westminster.

A principle of the common law was that the possessory status quo was not to be changed if there was an infant on either side of the dispute whose rights were involved.[49] A plea could be begun, but not determined; the enrolment usually concluded with the words *loquela remanebit*, or *loquela remaneat*, the plea will, or is to, remain. This cut both ways. The infant's rights could not be taken away, but neither could they be recovered. For most types of plea, everything remained in abeyance until the infant came of age. This applies to heirs in socage as well as those who held by knight service. We shall see how this operated to the disadvantage of Petronilla

Payne (48–9) and Maud Roberd (101). In 285 it operated to the disadvantage of four other people as well, as a fellow-claimant to a messuage and 24 acres in Edlesborough was a minor: so the plea was to remain. Those who began such actions must have known that they would be postponed in this way. Perhaps they wanted to give a formal reminder to those holding the land that their time was limited.

The only types of case where an infant heir had to answer in court were dower claims (128+210, 341, 407) and, by the new Statute of Westminster II, c.93, pleas of *cui in vita* (93).

A minority could even hold up an agreement if a party to it was under age. The agreement between William and Maud de Houtot and Robert and Lora Bardolf had to go into abeyance because Maud was seen in court to be under age (266), though her minority was not mentioned a little later (375) when the Houtots asked for their agreement with the Bardolfs to be enrolled. Nor (of course) does it hold up a case in which the Houtots vouch dower lands for two couples from Maud's inheritance (339).

People having custody of an infant's land (317, 384), men holding by curtesy (97, 169, 405) and women in dower (38, 146, 170), were simply able to say that they could not bring the disputed tenements into court until the infant came of age. For Robert de Vel (169) the delay reached down into the next generation, as one of his three daughters had died, leaving underage children as the heirs of her share. When infant heirs came of age and took control of their own affairs, it was possible for them to repudiate grants they had made while under age (23, 43).

Some cases illustrate how the coming-of-age of an heir could affect the holdings of their relatives. In 255–6, the major claims made by Katherine and William Hawtrey to her inheritance from her father were not disputed by Ralph de Chenduyt, who previously appears to have been using his son's minority to delay a settlement. He said he held the land by curtesy from the inheritance of his son Ralph, and had presumably been saying this in the past; but now Ralph junior was *plene etatis*, of full age, and present in court. He joined his father in answering the Hawtreys. It looks as if Ralph junior had just come of age, and Ralph senior had no further excuse for delay. He gave the Hawtreys what they claimed. In the same way, in 380, Nicholas Bayvel, "who is of full age", moved to recover the manor of Shalstone from William de Aete.

The law's insistence on safeguarding the property rights of the underage heir could thus be an advantage or disadvantage to other people involved in that inheritance, as well as to the heir himself.

Notes

[1] Alan Harding, The *Law Courts of Medieval England*, Historical Problems: Studies and Documents no. 18 (gen. ed. G.R. Elton) (London, Allen and Unwin, 1973), p. 33.

[2] P & M, II, p. 262n.

[3] P & M, I, pp. 147–8.

[4] Meekings, *Surrey 1235*, p. 81. But see p. 91.

[5] See the conspectus (Appendix I) for the range of exceptions put foward at this eyre.

[6] A + sign linking two numbers means that there are two entries dealing with the same case.

[7] D.A. Carpenter, 'The English Royal Chancery in the Thirteenth Century', in *English Government in the Thirteenth Century*, ed. by Adrian Jobson (Woodbridge: Boydell Press/National Archives, 2004), pp. 49–70.

[8] See pp. 76–7.

[9] If William Hawtrey is the same man as the William Hawtrey of Leicestershire, former escheator of Derbyshire (Hopkinson and Crook, *1281 Derbyshire eyre*, no. 738), he may have been unfamiliar with Buckinghamshire place-names.

[10] P & M, II, p. 57.

[11] J.L. Bolton, *The Medieval English Economy* (London: Dent, 1980), p. 18; *Dictionary of Medieval Latin from British Sources* (Oxford: Oxford University Press for the British Academy, 1975–), fasc. C, p. 290 s.v. *carrucata*; fasc. F-G-H, p. 60 s.v. *hidata*. Some evidence for Buckinghamshire is to be found in no. 102 on the present roll, in which Andrew Coleman claimed a messuage and 30 acres in Stoke Poges; this land seems to have been the subject of a fine (*FF* (25) no. 68), where it is described as a virgate.

[12] See pp. 96–9.

[13] See pp. 107–8 for Robert de la Mare.

[14] Kosminksy, *Studies*, pp. 216–23.

[15] Claims not pursued by the plaintiff are excluded from these calculations.

[16] P & M, II, pp. 62 ff.

[17] Meekings, *Surrey Eyre 1235*, p. 49.

[18] P & M, II, p. 71. The limitation in 1286 was 1230, the year of Henry III's first crossing to Brittany.

[19] Maitland's examples from the eyres are to be found in William Page (ed.), *Three Early Assize Rolls for the county of Northumberland* (Surtees Society vol. LXXXVIII, 1890). The entries are: 1256 eyre, pp. 4, 24, 26, 44, 51, 57, 60 and 65; 1269 eyre: p.185; for the 1279 eyre, there appear to be three cases rather than two: pp. 230, 237, 294.

[20] *VCH*, III, p. 24.

[21] *VCH*, IV, p. 414; Lipscomb, IV, p. 273.

[22] See pp. 144–5.

[23] P & M, II, pp. 63–6.

[24] See pp. 105–6, 108–9.

[25] P & M, II, p. 70.

[26] P & M, II, pp. 64–8.

[27] It is not clear whether 170 was brought by a writ of entry or a writ of formedon in the reverter.

[28] P & M, I, p. 127.

[29] P & M, II, pp. 381–2.

[30] A.C. Chibnall, *Sherington* (Cambridge: Cambridge University Press, 1965), pp. 59–66.

[31] C133/33/15.

[32] *FF* (25), no. 255.

[33] *CCR 1279–88*, p. 208.

[34] See P.A. Brand, *Earliest English Law Reports* vol. II, Selden Society 112 (1996), pp. 185–7. The case is recorded in CP 40/57 m. 15d. as well as JUST 1/67. In giving an account of the case I have put together details from all sources.

[35] Chibnall, *Sherington*, p. 126.

[36] Nicholas was proceeding by the wrong writ for Robert's paternity to be an issue (Dr P.A. Brand, personal communication). The issue that actually went to the jury in November 1285 had been whether an assize of mort d'ancestor could lie between Nicholas and Robert. Judgment was supposed to be delivered on 5 May 1286, but Nicholas, perhaps realizing that the judgment would be against him, got a writ of *certiorari* asking for a fuller examination of the neighbourhood's opinion on how Robert was regarded by his father.

[37] CP 40/57 m. 15d.

[38] JUST 1/63, m. 36.

[39] *Feudal Aids*, I, p. 104.

[40] I shall attempt to disentangle them when editing the crown pleas of this 1286 eyre for the Buckinghamshire Record Society (forthcoming).

[41] C133/33/15.

[42] See p. 105.

[43] Plucknett, *Legislation*, p. 118. He comments, "It is not easy to imagine the normal course of family life under a system seemingly so inhuman".

[44] Plucknett, *Legislation*, p. 119.

[45] 98+402, 128+210, 132, 170, 287, 298+317, 341, 348, 377+400, 384, 407 and 416. In 170, James, son and heir of James Audley, is said to be living in Yorkshire, which probably indicates that he is in custody of someone other than his mother Alice. Alice's opponent in the case can even claim that the boy is dead: he is well out of sight.

[46] Lipscomb, III, p. 130; JUST 1/64 m. 2.

[47] *FA*, I, p. 81

[48] Plucknett, *Legislation*, pp. 112–13.

[49] P & M, II, p. 443.

Section 7
Husbands and Wives

This section will illustrate the workings of the common law concerning matrimonial property from cases heard at the 1286 Buckinghamshire eyre, and how the Statutes of Gloucester (1278) and Westminster II (1285) affected such cases.

Thirteenth-century common law reflected the church's view that a valid marriage merged a man and a woman into one flesh; one flesh, that is, which could be in seisin of various tenements. This doctrine had implications for the descent of those tenements: one death was not enough. Provided that there had been a child of the marriage, the death of a wife did not extinguish her husband's right to the tenements she brought to their marriage. After she died, he held them by the "curtesy" of England, until his own death, and the child (even the child of a wife's earlier marriage) had to wait until the husband died before he or she could inherit. By the time of Edward I, the wife was entitled on the death of her husband to a dower of one-third of all the tenements he had held at any time during their marriage.[1] Dower lasted for the widow's life-time, and she took it with her into a new marriage. Neither the tenant by curtesy nor the doweress could dispose permanently of the holdings, and they were not allowed to commit waste in them. Naturally, some tried to do so (47, 101, 170, 280; 52, 119).

The male was regarded as the executive component of the merged personality, and could grant away his wife's holdings, with or without her consent. But a woman immediately became a legal person again on her husband's death, entitled to her own holdings, and the law developed the writ of entry known as *cui in vita* to enable a widow to recover such holdings; it stated that the grant had been made by her husband *cui ipsa in vita sua contradicere non potuit*, "whom in his lifetime she could not oppose" (40+103+104, 93, 142). It was also possible for her heir to recover such holdings after her death by a writ *sur cui in vita*. On the other hand, a married woman could not dispose of anything without her husband's consent, and some cases turn on whether a woman was married or not when she drew up a charter. Some women who had married since drawing up a charter (or their heirs) attempted to repudiate it by saying they had in fact been married at the time – or that it was a forgery (for example, 67, 213, 280, 372).

The property brought to a marriage by the partners could be an inheritance or an acquisition by some other means. Inheritance had its own

rules, and cases at this eyre involving these were discussed in the previous section. The most usual forms of acquisition were the *maritagium*, or marriage-gift, given at marriage to a woman who was not the donor's heiress, and the rather less common gift in fee tail to a man who was not the donor's heir. In practice, the recipients were usually daughters who had a brother, and younger sons.

These gifts, whether made by a father or other kinsman, were usually conditional; they were made to the new couple, or one of them, and the heirs of their bodies, and were intended to provide for the children of the marriage. That is, the estate could be inherited, but only by the heirs of the couple's bodies. If there were no such heirs, then the property should revert to the donor or his heirs *per formam donacionis*, "by the form of the gift" ("formedon"). If the grant is described as a free marriage-gift, the donor paid all the feudal dues and did not claim these back from the recipients. It became customary to extend this until the great-grandchild of the original recipients inherited, at which point this third heir did homage to the original donor or his heir. This meant in practice that the conditional gift made to his great-grandparents now became alienable, as if it were fee simple, held of the original donor or his heir, who would now be obliged to warrant for him in any dispute over the property, whether this had been a clause in the original gift or not.[2]

Provided that the couple had had a child, a woman's marriage-gift remained her property for her life if she was widowed, even if she married again; but then on her death it had formerly passed to that second husband by the curtesy of England, until he himself died. This was a cause of great concern to the woman's original family, and to the child of her first marriage, until it was dealt with by the 1285 statute on conditional gifts (see below).

Various ploys were developed to defeat the intentions manifest in the common law concerning matrimonial property.

A husband who granted away his wife's tenements was able to prevent her heir from recovering them by putting a warranty clause into the charter of enfeoffment, binding his heir to warrant for the feoffee. The husband's heir was usually also the wife's heir, and as such could not bring an action *sur cui in vita* (or any writ) in which, as warrantor, he would have to oppose himself in court. This trick was dealt with by c. 3 of the Statute of Gloucester of 1278. Case 114+352+405 at this 1286 eyre illustrates this (see below).

Likewise, common law had allowed a husband's heir to recover tenements granted away from her dower by the husband's widow, but only at her death. Now, by c. 7 of the Statute of Gloucester, he could recover as soon as she attempted to dispose of them; that is, the widow would forfeit that part of her dower. This new law (if not the writ) is behind case 47 at this eyre, discussed below.

Many disputes arose over marriage-gifts. By a wilfully ingenious interpretation of the wording of such gifts lawyers had developed a theory that

the birth of a child to the original recipients destroyed the reversion. They argued that a gift "to X and the heirs of his body" meant "to X and his heirs if he have heirs of his body", and said this meant that once X had a child he had fee simple and could alienate the gift.[3]

The 1258 Petition of the Barons had complained that childless widows were alienating their marriage-gifts, and asked for a writ of entry to remedy this, but nothing was done until May 1285, when the first chapter of the Statutes of Westminster II, "on conditional gifts", dealt with the whole problem, stating that the will of the donor as expressed in his charter should be observed, so that the reversion was preserved, and the recipients should not have fee simple until the great-grand-child of the original couple inherited.

Another way in which heirs could be prevented from recovering holdings granted away by a tenant by curtesy, tenant for life or doweress was by collusion between the grantor and the alienee. The latter would bring a real action against the former, who would fail to appear in court, and thus lose the holdings by default. The Statutes of Westminster II provided remedies for this also (c. 3–4). A wife could intervene in a case where her husband was colluding with another to alienate her land, and ask to be received to defend her right. An heir could ask to be received to defend his right if collusive proceedings seemed about to deprive him of any holdings.

A number of cases brought at the 1286 Buckinghamshire eyre illustrate the workings of these chapters of the Statutes of Gloucester (114+352+405, 158) and of Westminster II (1, 93, 404). The previous eyre to the county had been in 1272. People wanting urgent remedies in their cases under the Statute of Gloucester could have gone to Westminster, though at considerably more expense, but only a few months had elapsed since the promulgation of Westminster II; cases heard at the 1286 eyre to Buckinghamshire show that some people in the county, or their lawyers, were already well aware of its provisions.

The Husband's Right to his Wife's Property

Six cases heard at this eyre involve land claimed by the curtesy of England (1, 52, 97+286, 119, 169, 255–6). Of these, the most interesting is 1, which is a very clear statement of one of the principles involved in the statute on conditional gifts, that tenements given as a marriage-gift do not pass to a second husband by curtesy, and it must have been one of the first cases brought under that statute.[4] It was probably the first case heard by the justices on arrival in the county, as it is the first recorded on all the surviving rolls from this eyre. The justices told the parties to come to Wycombe for judgment (5), so clearly envisaged that they would make the judgment themselves rather than sending the matter to Westminster. It took the form of an assize of mort d'ancestor, in which Robert de la Mare claimed his mother Joan's lands. Her second husband, John de Bray, claimed them by the curtesy of England, but the lands had been given by Robert de

Birmingham to Joan and her first husband, Wigan de la Mare, and the heirs of their bodies (that is, they were a marriage-gift, not an inheritance, though the word is not used), and as such were excluded by the new statute from passing to her second husband by curtesy. After the arguments were set out, the parties agreed, and John de Bray quitclaimed to Robert de la Mare. It sounds to have been amicable, in that at John's request Robert granted that the sitting tenant, John de Croxley, should continue to hold the land for a rent of 30s. a year. 355 is an action of covenant by John de Croxley asking that Robert should keep to this agreement, which does not mean that Robert had failed to do so, but that the parties had chosen this way of getting their agreement officially recorded; it does not appear in the feet of fines.

Of the others, 52 is a case of a man (Hugh le Maltmaker of Newport Pagnell), who held a messuage by curtesy and enfeoffed someone else, but changed his mind after his feoffee had had seisin of it for a year and more, and tried to eject him. The Buckinghamshire jury found for the defendant, but the justices sent the case to Westminster for judgment, suggesting damages of half a mark if the question arose. 169 is difficult to disentangle, mainly because we are not given enough information about the way the parties are related, but is of interest in that a man holds by curtesy and a woman holds dower in the same tenements: Isabel Ardern, who has the dower, must be the mother of Robert le Vel's deceased wife.

The Statutes of Gloucester contained a remedy for one abuse of the curtesy arrangement. In 119 two women took their stepfather to court for committing 100s. worth of waste in their inheritance which he held by curtesy, taking down a building and cutting down apple trees and ash trees. Richard Mowertyn's defence was that he had had to do so to pay for the schooling of their elder brother John, who was now dead. Before the case went to trial they reached agreement, and Mowertyn quitclaimed the land to the two women, and they thus recovered their seisin. If a jury verdict had gone against Mowertyn, he would have been liable for triple damages under c. 5 of the Statute of Gloucester, which may well be why he settled out of court.

Because a widow could recover her property by the writ *cui in vita*, and her heir by the writ *sur cui in vita*, anyone acquiring from a married couple a holding which was the wife's right ran the risk of losing it later on unless the wife's consent to the transaction had clearly and publicly been obtained. The best way this could be done was for her to join her husband in a fine.[5] At the 1286 Buckinghamshire eyre, 39 surviving fines were levied (and 3 more were supposed to be levied at Cambridge, the next county to be visited by the justices), of which 16 are clearly cases of this sort, with the wife's name included. Some are enrolled in JUST 1/67 simply in the format "A (and B) paid half a mark for licence to agree with C (and D) concerning . . ." (4, 201, 264, 274, 292), some are vouchers to warranty (33, 78, 82, 108, 166+326) or a summons to keep to an agreement (89), others arise out of mort d'ancestor (172, 249) or

novel disseisin cases (152, 185, 282); many of the enrolments do not give all the details, but when matched against the feet of fines are clear enough.[6] Of the 16, 10 seem to be sales of the wife's holdings, some at more advantageous prices than others (78, 82, 108, 166+326, 172, 185, 201, 249, 264, 282).

166 is of special interest in this context. Alan le Botiller pays half a mark to agree with William de Hurtwell and Eve his wife on a plea of warranty of charter, but "the wife did not consent when she was examined by the justices". Later, the men got their way: 326 repeats the agreement, but no objection is recorded from Eve, and the fine is duly levied. The consideration was the standard sore sparrowhawk.[7] A similar case occurs at 91, in an assize of novel disseisin brought by John and Maud le Waleys against eight men, of whom the principal was Hamon Hawtrey (de Hautrive). They withdrew the case, and an arrangement was made by Maud's attorney to sell the disputed garden to Hamon for 25 silver marks; but Maud, questioned by the justices, "utterly refused to agree", so the deal fell through.

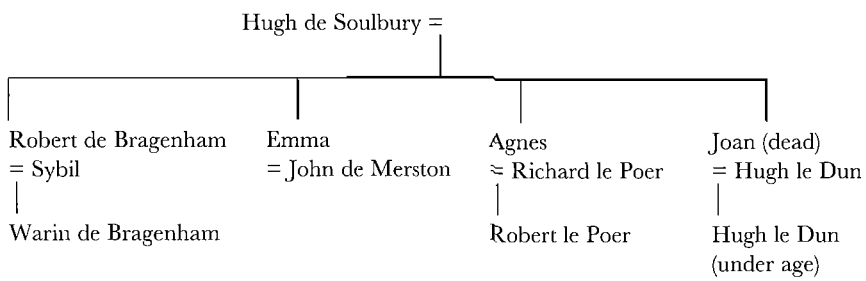
Three widows brought writs of entry *cui in vita* at this eyre. None of them had re-married, and in each case the man to whom the husband demised the land had passed it on to someone else. Alice, widow of Henry Cock, attempted to recover land first described as her marriage-gift, but was defeated on technicalities (40). In the end she quitclaimed the land, now described as her right (*jus*) and inheritance, to the tenants for 60s. cash in hand. At just over 2s. an acre, they got a bargain (103–4). Maud, widow of William Baudewyn, fared better, as the current tenants returned her land to her (142), but Maud, widow of Nicholas de Horncastre, faced a complicated legal battle (93). By the time of her writ, the land had gone to William, the under-age heir of Ingelard de Braylesford, who was vouched to warranty by the tenant. As we saw in Section 6, under-age heirs were not supposed to jeopardize their own holdings by appearing in court, but the Statute of Westminster II c. 40 said that widows in *cui in vita* cases should not have to wait until such heirs were of age. Maud, with up-to-date legal knowledge or advice, urged this point, but the holder of the land said that the statute was not retrospective, and the eyre justices sent the case to Westminster for judgment.[8]

Warin de Bragenham had lost some or all of his mother's inheritance because of the warranty device. At this eyre, relying on c. 3 of the Statute of Gloucester, though not by the writ of mort d'ancestor it envisaged, but by a writ of entry "in the *per* and *cui*", he claimed tenements in Soulbury from three sets of people, John de Merston and Emma his wife, Hugh le Dun, and Agnes widow of Richard le Poer (114+352+405), saying that they only had entry *per*, through, Hugh de Soulbury, *cui*, to whom, Robert de Bragenham and Sybil his wife, Warin's mother, whose heir he was, demised the tenements for a term which was past. The three cases were taken separately at the eyre. John and Emma de Merston (114) said that Warin's grandfather Hugh, whose heir he was, gave the tenements to them

and the heirs of their bodies in the reign of Henry III as a free marriage-gift: Emma was Hugh's daughter. They had a written deed about it which would bind Warin, as his grandfather's heir, to warrant for them if they were sued for these tenements by someone else. Agnes, widow of Richard le Poer (352), also acquired her tenements, to be held by herself and the heirs of her body, from Warin's grandfather Hugh, and she too had a charter with a warranty clause. Hugh le Dun (405) said much the same thing as the de Merstons, that he was enfeoffed with his wife Joan and the heirs of their bodies. Joan was dead, and their son Hugh was under age, which effectively shelved this third case until Hugh came of age. It looks as if Hugh de Soulbury gave the tenements as marriage-gifts to three women, the first of whom is specifically said to be his daughter.

Warin claimed the tenements as the right of his mother Sybil, saying that the Statute of Gloucester said that no-one should be excluded from claiming tenements through his mother's seisin by any act of his father. He was prepared to prove that he inherited nothing of this by hereditary right from his grandfather Hugh, as the statute required, so was entitled to his mother's inheritance even if that had been granted away by his father Robert.

Warin was heir to his mother and to his grandfather. His mother Sybil cannot have been Hugh's daughter, or the inheritance would have gone to her and Emma (and probably Joan and Agnes) as co-heiresses. It is more likely that Robert de Bragenham was the son and heir of Hugh de Soulbury: Bragenham is a hamlet within the parish of Soulbury. This produces a theoretical family tree as follows:



It would appear that Robert de Bragenham gave his father Hugh some of his wife's holdings in order to provide marriage-gifts for his sisters. The defendants simply said that the Statute of Gloucester was not retrospective, and the case was postponed to Westminster.[9]

The Wife's Right to her Husband's Property

There are 28 entries dealing with claims for dower, one of which (224) is void, and three of which (95, 151 and 190) are claims of dower *unde nichil habet*.[10] In the 27 entries, 21 women made 44 separate claims. Of the 21,

Table 13 Claims for Dower at the 1286 Buckinghamshire Eyre

	Women	*Claims*	*Won*	*Lost*	*Not Settled*
Women who re-married	8	15	4 (27%)	3 (20%)	8 (53%)
Women not re-married	13	29	15 (52%)	4 (14%)	10 (34%)
Totals	21	44	19 (43%)	7 (16%)	18 (41%)

eight have married again, but those who have not re-married seem to have had more success in establishing their claims. Of those who re-married, two (128+210, 318) got all they claimed; of those who did not re-marry, four (124, 204+407, 227, 354) achieved this. There is also one case of a woman claiming free bench in Marlow, according to local custom (146), not counted in the table.

It was thus unusual for a woman to lose her claim outright at this eyre, though some were sent on to Westminster for warranty or a decision, and Alice, widow of William Skuret (320), should perhaps have expected to, as William was a felon who abjured the realm in Whitchurch church in the time of Henry III. The 1286 eyre seems rather late for her to be claiming dower.

Two women seem to have made business arrangements for their widowhood. Maud atte Greene had dower rights in two mills in Wycombe, and the other two-thirds of the mills were held by Richard atte Greene, perhaps her son but certainly her husband's heir, or she would have been liable to lose her share of the mill the moment she made the arrangement. In 1271 she had demised her third to Richard: he was to run the mills and pay her a third of the profits for her life. He failed to pay her in the last two years before the eyre, causing her the loss of 100s.; he admitted his failing and undertook to pay up (147).

Alice Cotel, widow of Hugh de Dunest', sued the abbot of Biddlesden (260). She and Hugh had had an arrangement with the abbot that he would give them 17 marks and 3,000 smoked herrings every year, and if Hugh died the abbot would still give Alice the 3,000 smoked herrings every year, but only 11 marks. She now said that the abbot had not given her any smoked herrings for the past two years, which he admitted, and they came to an agreement before the case actually reached a jury. The regular date for the delivery of the herrings was 2 February. Were they all getting in stocks of smoked herring for the coming of Lent? Did Hugh and Alice sell their herrings at local markets, and was Alice continuing the business as a widow?

Three doweresses were accused at this eyre of alienating their dower lands (47, 101 and 170), and one of collusion (280). In the first three cases it looks as if they were doing their best for a younger son, or perhaps their own son when the husband's heir was born of a previous marriage. In 101

the claimant was under age; in 170 the alienee's son was under age, and so both cases had to be postponed.

The Scoville case (47) is an interesting one, and found its way into the year books.[11] It was not begun by the heir's writ of entry, but by an assize of novel disseisin brought by the alienee, William de Scoville, who alleged that a group of sixteen men disseised him of two-thirds of the manor of Turweston. The first man he named was his older brother Baldwin, and the second was Simon de Ellesworth, a parson with a prestigious career ahead of him.[12] After secondary tenures had been sorted out, the jury said that three years ago, on a Saturday, Baldwin's mother Florence had given seisin of this land, which she held in dower, to his brother William and William's heirs without his knowledge while he was three days' journey away. He had hurried home, and ejected William on the following Saturday. William had been busy during the week he held the land, taking the fealty of all the villeins, making an enclosure and ploughing, though he did not manage to sow. The jury upheld Baldwin's self-help, and William was in mercy for his false claim (though no payment is recorded). The aspect that interested the compilers of the year-books is the judges' questions to discover if William had held the land long enough to establish seisin.

The collusion case (280) is complicated. Alice, daughter of Hugh le Draper, had perhaps demised 10½ acres of her inherited land to William de Chalgrave; William's widow Isabel now held 3½ acres of this as dower. But the Chalgraves had enfeoffed Godfrey de Saunford, and Godfrey's nephew and heir Thomas now held the remaining 7 acres. Alice married Richard de Shenholte and then tried to get back her land, bringing an assize of mort d'ancestor concerning her father's death and claiming the 10½ acres. Isabel de Chalgrave did not come to court to plead concerning her dower third, which meant Alice would recover by default. In this instance it is the original heir rather than the alienee who would recover by collusion. Thomas de Saunford therefore asked that he should not lose his tenement through Isabel's default or collusion between Alice and Isabel. He was admitted on this, as the Statue of Westminster II explicitly allowed (though Thomas does not mention this).[13] He put forward Alice's written deed enfeoffing the Chalgraves. Alice said this was a forgery. All the witnesses had conveniently died. In the end they reached an agreement, and the final concord shows that the 10½ acres were agreed to be Thomas's right, and Alice and her husband quitclaimed to them for a sore sparrowhawk, which may of course conceal a purchase price.[14]

Marriage-Gift Cases

Only six cases at this eyre actually use the word *maritagium* in the sense of "marriage gift" (32, 40, 114, 127, 404, 409), but the arrangement appears to be present in several more. Attempts by heirs to recover the gift from the recipients' assigns were covered by writs of "formedon", bringing the claim

per formam donacionis, "by the form of the gift", and four cases at this eyre contain this phrase (76+96+208+267, 97+286, 213–4+241, 238).

213 concerns the land which Ralph le Clerk gave to his daughter Isabel, her husband Ralph de Langetoft, and the heirs of their bodies. They had a son and heir, William. Ralph de Langetoft then died, and after his death Isabel demised tiny portions of land in Bourton (and rent in Lenborough) to a variety of people. At least two of the leases were for 60 years. These holdings should eventually have descended to William de Langetoft by the form of the gift. Isabel married another husband, Robert Devenis.

William de Langetoft set about recovering the alienated portions of Ralph le Clerk's gift. He made six separate claims in 213, and succeeded in four of them. One defendant gave in without a fight, returning the rood of land. In the other three cases, the defendants said they had Isabel's charter, drawn up when she was a widow. William argued that this was not so, and that she had already married Devenis. If she had drawn up the leases as a married woman, they were invalid, as a woman had no right to dispose of her land without her husband's consent. In this way, the matter could be settled in William's favour even without discussing whether the gift to Isabel had been a marriage-gift. William's argument prevailed. One defendant gave in at once, those in the other two cases asked for juries, and the hearings were fixed for 9 May. There is no record of any such hearings, and the *postea* says the defendants gave William back his holdings; but in 241 William de Langetoft is in mercy for not pursuing his writ of entry against Robert Puntays and the others. 895 records William's amercement of half a mark for this: the clerk at first wrote "for the same" (the previous amercement was "for licence to concord"), and had to alter it.

It would be interesting to know why Isabel had tried to give half-acre plots, and one even smaller, to several people, and what proportion of her total holdings these gifts were. Perhaps 214 and 268 account for the rest: William also had to recover an acre of meadow from William Mory, who defaulted (214) and a more substantial holding in Bourton by a writ of formedon from Emma, widow of Richard Grusset (268), a much more difficult undertaking in that the Grusset family were lawyers.[15] Part of the argument turned on the exact wording of the charter Ralph and Isabel received from Ralph le Clerk. The Grussets said that it was perfectly clear that the holdings were "to be held by them and by whoever they should wish to give, sell or assign them to". Their point was that Ralph and Isabel could dispose of them how they wished, which they could not have done in the case of a marriage-gift. The parties reached agreement concerning the portion acknowledged to have been the gift of Ralph le Clerk, and the chirograph is one of the few from this eyre to be drawn up at Cambridge, the next venue of the eyre justices. There was to be a jury concerning the other portion.[16]

97+286 shows the importance of proceeding by the correct writ. The first hearing (97) was by a writ of mort d'ancestor on the death of Annora,

daughter of a widow, Emma de Beyvill. Annora, a biddable girl, was married three times, at least twice to men chosen by her mother. Her first husband was Gregory of Dunstable, and Emma gave them a marriage-gift of a mill and some land in Westbury.[17] A daughter, Emma, was born. On Gregory's death, Annora married Adam Guwer and had a son, Roger. When Adam died, Annora placed her lands and herself in her mother's care, and in due course married Walter de Haunso. After Annora's death Walter held the lands until his own death, not by curtesy – there seems to have been no child of the marriage – but because such was the arrangement Emma de Beyvill had made with him. Then William de Aete claimed the lands by the curtesy of England as the widower of a Beyvill heiress in the mistaken belief that they were part of the manor of Shalstone. Something rather questionable does seem to have been happening at the time concerning this manor, but Annora's marriage-gift was not part of it.[18] Annora's daughter Emma, with her husband William Wylcus, claimed the land, bringing an assize of mort d'ancestor and describing herself as Annora's heir. This of course she was not, as Roger Guwer was, and she lost her case, but the justices recommended that she should proceed by a writ of formedon. She did so (286) and once William de Aete had seen the charter of Emma's mother, Emma de Beyvill, concerning the gift, he handed the tenements over.

404 is interesting in that it shows that it was not only people in the upper reaches of society who gave their daughters marriage-gifts, or were aware of the provisions of the recent Statute of Westminster. Most of the parties, judging by their names, seem to have been tradesmen, and the property in dispute was a messuage in Wycombe.

In 127 it was the donor himself who tried to take back the gift after the death of his elder grandson. On his daughter Elena's marriage to Stephen Bruncostyn, William le Moyne gave them a small marriage-gift, two acres of land in Iver. Was this a token gift, or all he could afford? The couple had two sons, Richard and William. Richard died in his father Stephen's lifetime, leaving an under-age heir, Harold, but after Stephen's death William le Moyne took back the two acres and sold them to Hugh and Elizabeth de Esche; and Harold Bruncostyn, aged under 18, quitclaimed to them. William Bruncostyn then brought an assize of mort d'ancestor concerning his father Stephen's death, and claimed the two acres from the de Esches. Hugh de Esche did not come to court, but his wife Elizabeth came to ask that the assize should not proceed against them through Hugh's default, as she was ready to answer on it (so she must have had some sort of title to it, as Westminster II c.3 required); but she could only show Harold's quitclaim, not a deed of enfeoffment, and so was not admitted. In the event, this did not matter, as the jury found for the de Esches, saying that Stephen had not died seised. William did not give up. He next (272) brought an assize of mort d'ancestor concerning his mother's seisin of the two acres. Both the de Esches defaulted this time, the jurors found that Elena did die seised, and William Bruncostyn

recovered his seisin. The law did not allow William le Moyne to upset his own arrangements.[19] Damages of half a mark were awarded, and paid to the clerks.

Three cases involve land given in fee tail to a man, two of them probably on marriage. One is straightforward, with the dispute centring on the nature of the gift, fee tail or fee simple, and agreement reached with the sale of the holdings in question to the tenant for 26 marks (238). In the second, Ralph fitz Bernard set out on a quest to recover two messuages and two virgates in Addington which he claimed should revert to him when Thomas fitz Bernard died without an heir of his body (76+96+208+267).[20] Although these cases needed four separate hearings, they were all fitted into the Wycombe part of the eyre.

The third case of a gift in fee tail to a male is 330. Nicholas Edeline brought an assize of mort d'ancestor on the death of his uncle, Walter de Brumham, claiming a messuage, 15 acres of land and half an acre of meadow in Hardmead. The tenants vouched William le Butiler to warranty. William said that Walter had not had fee pure and simple, as a mort d'ancestor claim required, but held by a gift which his (William's) father had made to him and the heirs of his body. It was left to the jury to mention why William le Butiler senior had made the gift. Walter had been his villein; he had freed him and given the land to him and the heirs of his body. There were no such heirs. Nicholas lost his case, but was pardoned amercement because he was poor.

Notes

[1] Unless she had accepted a different arrangement "at the church door". P & M, II, pp. 420–6; Plucknett, *Legislation*, p. 120.

[2] Plucknett, *Legislation*, pp. 125–7.

[3] See the discussion in Plucknett, *Legislation*, pp. 129–35.

[4] A woman's *inheritance* was not affected by this statute, and continued to pass to her widower until his own death.

[5] P & M, II, pp. 102, 404, 410–13; Plucknett, *Legislation*, p. 120 n.

[6] FF (25), *passim*.

[7] It is likely that nominal "considerations" such as sore sparrowhawks may sometimes conceal an agreed purchase price. 59 acknowledges a debt of 10 marks owed by William de Kirkeby to Bartholomew and Joan Malemyns, and there is a fine from this eyre in which the Malemyns quitclaim a third of a carucate to William and Christian de Kirkeby for a sore sparrowhawk (FF (25) no. 331). Cf. H.G. Richardson, *English Jewry Under the Angevin Kings* (London: Methuen, 1960), pp. 270–1, for clerks leaving out financial considerations when noting grants to religious houses in their cartularies.

[8] When the case was heard at Westminster on the octave of Trinity 1286, Maud had changed her argument and said that Ingelard de Braylesford did not have an under-age son named William. The sheriff of Derby was told to have the boy in court on the morrow of All Souls (CP 10/63 m. 8), but there is no record of the case on that date.

[9] Warin did not pursue his case against Agnes le Poer at Westminster (CP 40/63 m. 25). The Merston case was postponed until the morrow of St Martin because judgment was not yet made (CP 40/63 m. 50). See note after entry 114 in the text for further details.

[10] A claim of dower *unde nichil habet* was made when the widow had been given no part of her dower entitlement.

[11] CUL ms Ee.1.1. ff. 256r–v; Bodleian ms Douce 139 f. 192r. (O); I owe this reference to Dr Paul Brand, who will be publishing the case as 86 Bucks 2 in his forthcoming Selden Society volume of law reports on cases in the eyres. For the Scoville family see *VCH*, IV, p. 252.

[12] Foss, *Judges*, III, p. 87

[13] Statute of Westminster II c. 3: *eodem modo si tenens in dotem . . . fecerit defaltam . . . admittentur heredes* . . . in the same way, if one holding in dower . . . makes default . . . the heirs shall be admitted . . .

[14] *FF* (25) no. 358.

[15] See pp. 46–7.

[16] The record of the Cambridge eyre, JUST 1/86 m. 33, lists all the property, not just half of it, as the subject of the agreement, but says that the sheriff has done nothing about it. The parties were told to be at the next eyre venue, Huntingdon, on the octave of Michaelmas. No further record of the case appears in DeWindt and DeWindt, *Royal Justice*. See Section 3 for foreign pleas at this date.

[17] The jury do not use the actual word "marriage-gift".

[18] See *Luffield Charters* II, pp. lv, lxxiv (but note that Julian married William de Aete, not a son of William's named John). See also *FF* (25) no. 273, and CP 40/55 m. 53d.

[19] Compare 52, in which a tenant by curtesy who had enfeoffed someone else was unable to recover the tenement. A woman could sometimes undo her own arrangements by saying she had made them without her husband's permission. See e.g. 280 for an attempt to do so. In the present case, Harold Bruncostyn's quitclaim has obviously sufficed for seisin to go to his uncle William.

[20] See also 163.

Section 8
Women at the 1286 Buckinghamshire Eyre

Current scholarship is concerned to stress the inferior status of women in medieval times. "Women passed their lives subject to a system of communal regulation over which they had no direct control; men alone decided what pleas would be disallowed, what crimes would be ignored, and what customs would govern the devolution of land," says Judith M. Bennett.[1] Women's inferiority was assumed in every sphere of life: gender affected women's position in "production, property ownership, family, legal system, politics, learning, religion and culture."[2]

The law too made its value judgments. A woman's word could count for less than a man's in court. A case recorded in the Northumberland Assize Rolls of 1279 failed because, when Ralph de Lamplok claimed Thomas Bouman as his villein, the evidence he produced from Thomas's family was given by just one man, and two women whose evidence was not admitted because of their sex: "which women are not to be admitted as evidence on account of their frailty, and likewise because a male is being claimed, who is a more worthy person than the persons of women".[3] Again, when Peter de Mauley brought a writ of right of wardship against John de Hotham, he said that although the Hotham feoffment was older than the Mauley feoffment, the child in question had inherited the Hotham fief from her grandmother and the Mauley fief from her father's father; and as a father was a more worthy person than a mother, the wardship should go to her father's lord rather than her mother's lord. (After many postponements the justices preferred the date as a criterion, and he lost.)[4]

No woman could serve on a jury.[5] This might be seen as the least of her worries, but it was a fact which must often have disadvantaged a female party to a case, whether a civil or criminal one (particularly a case of rape); and it might possibly have given John de Cantilupe, and the male establishment in general, pause for thought when in 1277 he lost his claim to his dead wife's property by the curtesy of England because he could not prove that a live child had been born to them. Men could not be present at a birth, which meant that no man had heard the infant cry; and so, "because a woman is not admitted to make any inquiry in the king's court" (i.e. to serve on a jury), it could not be established whether the boy was born alive or not.[6]

A married woman was almost invisible to the eyes of the law. Indeed, the magisterial legal historian Maitland, writing in 1895, does not discuss the position of married women in his tiny section on women's rights, but in the much larger section on family law.[7] The husband had an almost unlimited power of dealing with the "common fund" or matrimonial property; he had an estate in all her property, and her moveable goods became his also; he could alienate his wife's property without her consent, apart from the clothes she stood up in. She could not make a contract on her own behalf, or alienate her own land without her husband's consent.[8]

A woman of high birth and prestige might rise above the system. Maitland himself points to Ela, countess of Salisbury, who acted as sheriff of Wiltshire for a few years in Henry III's reign, and Nicola de la Hay did the same in Lincolnshire, but both women had some hereditary claim to the shrievalty.[9] In general, and lower down the social scale, women were excluded from public life.

It is not quite true that women had absolutely no public functions in a court of law (as opposed to appearing as a party to a case). Women could be attorneys for either party, some being appointed as such by their husbands, though there were no women attorneys at the Buckinghamshire eyre of 1286.[10] A woman, even apparently a wife without her husband (208), could be vouched to warrant; and when Richard atte Greene made an agreement with Denise de Sancto Oportuno concerning 120 acres of land in Wycombe, he found four sureties, one of whom was Maud de Horlingley (197).

The study of an eyre roll can throw light on how women coped with these difficulties, and this section will discuss women's experience of and use of the law at the Buckinghamshire eyre of 1286. Their legal position with regard to property has already been discussed in the previous sections, and may be summarized briefly at this point:

(a) inheritance: a daughter will only inherit if she has no brother; when there is no son, all daughters inherit an equal share of the property; a daughter will inherit rather than her father's brother;
(b) right of disposal: a married woman whose husband is living has no legal control over her own fee-simple property, even if it is her inheritance, but an unmarried woman or a widow does have this legal control, retaining her inheritance for life, even if her heir is of age, and can alienate it. A woman has dower rights in her deceased husband's property for life, but may not alienate it or commit waste in it.

It is noticeable that, despite the prevailing atmosphere of denigration and disadvantage, some Buckinghamshire women at the 1286 eyre are seen pressing for their legal rights and even trying to defeat the system by disposing of property in the way they choose.

Analysis of female litigants by marital status

A total of 270 women are named at this eyre as current litigants in the 420 entries concerning civil pleas and the 19 dealing with plaints.[11] Of the 270 women, 60 (29 plaintiffs and 31 defendants) were widows, including two dowager countesses, 161 (70 plaintiffs and 91 defendants) were married women, and 49 (25 plaintiffs and 24 defendants) either single or named in such a way that their marital status is unclear.

Of the married women, 144 (including a countess) are named as appendages of their husbands, i.e. as "and X his wife"; but for 38 out of these 144 wives the entries in the roll or the feet of fines show that the case concerns their land or rights, not those of their husbands.[12] The presumption is that many more, if not all, these cases involve the wife's right, as she has been named in the writ. Although a dispute may be about property brought to the marriage by the wife, the enrolling clerks sometimes forgot the wives existed, and left their names out, or used singular verbs in the pleadings (e.g. 40, 87, 221, 338). Sometimes the clerk corrects his mistake, and sometimes he does not. On the other hand, 17 wives, who are all bringing writs of assize of mort d'ancestor, are named as "X, wife of Y".[13]

The rolls listing attorneys show that at least 28 of the married couples appointed attorneys rather than attend court in person, and at least 36 of the married women appointed their husbands.[14] In six instances a husband appointed an attorney with no mention of his wife, and three wives appoint men not their husbands.[15] Allowing for the fact that nine complaints were not pursued, and so no court appearances would ensue, this means that probably about half of the 161 married women listed would have come to court in person.

Lone and individual female litigants

Turning to the 109 women who were summoned or came to confront the law without a husband in the 439 entries for civil pleas or plaints, 72 of them may be categorized as "lone", in that they had no male co-plaintiff or co-defendant, and 37 as "individual", appearing as part of a group of plaintiffs or defendants which included at least one man.

Among the 72 lone women there are three sets of two sisters, and one set of three sisters; 14 of the women, including the three sisters, appear in more than one entry. Of these 72 lone women, two are in fact wives: Joan, widow of William Tolomer, had re-married since she was summoned to answer Richard de Oxhey's executors, and her husband was admitted to answer with her (215). On the other hand, Elizabeth, wife of Hugh de Eshe, was not admitted on her own to defend her rights when her husband defaulted, because she could not show a deed of enfeoffment but only a quitclaim (127). Of the remaining 70 women, 40 were widows and 30 were single or of unclear marital status. Six of the women were involved in more than one type of action, making total of 78 actions, in which 49 women figured as plaintiffs in 54 cases, and 23 as defendants in 14 cases.[16]

Table 14 Types of Action Pursued and Defended by Lone Female Litigants

Types of Case	*Plaintiffs*	*Defendants*	*Totals*
Right	1 (1.3%)	1 (1.3%)	2 (2.6%)
Dower	13 (16.7%)	1 (1.3%)	14 (17.9%)
Entry (including unclear examples)	10 (12.8%)	6 (7.7%)	16 (20.5%)
Novel Disseisin	2 (2.6%)	1 (1.3%)	3 (3.9%)
Limited Descent	13 (16.7%)	8 (10.3%)	21 (26.9%)
of which mort d'ancestor	*10 (12.8%)*	*7 (9.0%)*	*17 (21.8%)*
Miscellaneous	5 (6.4%)	1 (1.3%)	6 (7.7%)
Personal	10 (12.8%)	4 (5.1%)	14 (17.9%)
Not assigned (formedon)	–	2 (2.6%)	2 (2.6%)
TOTALS OF ACTIONS	54 (69.2%)	24 (30.8%)	78 (100%)

It is not to be thought that these 72 women confronted the law entirely without support or advice. Twenty-two of them are certainly noted on the roll as appointing attorneys, often professionals, who would have appeared in court in their stead.[17] For one woman, Maud, daughter of Roger Roberd, the justices agreed on who was to sue (*sequatur*) on her behalf (101+547). Maud was not permitted an attorney, as she was under age. It should be remembered that an attorney "represents" his principal, and what he says binds that principal as surely as if the principal himself had spoken the words in court.[18] The law did not permit under-age litigants to place their rights in such jeopardy, but they might have a *prochain amy*, or next friend, to act for them.[19]

What about the remaining 49 women? As we have seen, litigants might also avail themselves of the services of a pleader, or *narrator*, who would act for them in court, but whose words could be disavowed.[20] As the justices did not have to be officially informed of their appointment, it is much harder to trace their presence, and it is likely that most (perhaps all?) of the 49 lone women not noted as having attorneys, and so assumed to be present in person, conducted their cases through a *narrator*. Indeed, any woman having an attorney might also employ a *narrator* to plead her case. Moreover, all plaintiffs except the poorest had to find sureties that they would pursue their cases, and these men would generally be there in the background as support, and perhaps even in court.

Other individual female litigants

In addition to the 72 lone female litigants, there are also 40 instances of women appearing in their own right (that is, without a husband) with one or more male co-plaintiffs or co-defendants.[21] Of these, Joan, widow of John de Bohun (209) is also on the list of lone female litigants (though for

Table 15 Types of Action Pursued and Defended by Female Litigants Acting with Co-Plaintiffs or Co-Defendants

Types of Action	*Plaintiffs*	*Defendants*	*Totals*
Dower	–	3 (7.3%)	3 (7.3%)
Entry	1 (2.4%)	5 (12.2%)	6 (14.6%)
Novel Disseisin	–	11 (26.8%)	11 (26.8%)
Limited Descent	5 (12.2%)	14 (34.2%)	19 (46.3%)
of which mort d'ancestor	*2 (4.9%)*	*10 (24.4%)*	*12 (29.3%)*
Personal	–	2 (4.9%)	2 (4.9%)
TOTALS OF ACTIONS	6 (14.6%)	35 (85.4%)	41 (100%)

a different type of action) and two (Margery, widow of William de Beachampton (120, 372), and Aline, daughter of Alice (265, 396), figure in two different types of action. Subtracting these three, we therefore have another 37 women to add to the 72 lone litigants, giving a total of 109 women, and we have 41 actions to add to the 78, giving 119 in all. Of these extra 37 women, 22 are single or of unclear status and 15 are widows. Only 6 of these 37 women appear to stand alone in their groups: 20 are acting together with other members of their family, 6 vouch to warranty, 3 figure in cases where a man is named first and is recorded as doing the talking (though of course that might have been through a *narrator*), one is of a high social position and will thus have had a support network, and another is a villein whose lord takes over the case.

Table 15 is an analysis of the types of action such women are involved in. It will be seen that the proportion of plaintiffs has radically changed. 69.2% of the women litigating alone were plaintiffs, compared with 14.6% of the women in Table 15. Another striking change is the much higher involvement of women as defendants in cases of novel disseisin and limited descent (34.2% compared with 10.3%), but this last point may simply reflect the fact that tenants on many disputed estates include some women in their number.

The Success or Failure Rates for Lone and Individual Female Litigants

Rather more claims are won than lost, but the results are reached very largely by the action of one or both parties rather than by decisions of the court or verdict of a jury. That is, plaintiffs might withdraw or fail to proceed, and defendants might default or admit the facts. The figures in Table 16 are based on the number of individual claims made by the plaintiffs; thus 38, a claim by a woman for individual amounts of land from three parties, has been counted as three claims. On the other hand, 396, in which five women join together and with two married couples to make one claim, has been counted as one claim. There are 129 claims,

Table 16 Success Rates of Lone and Individual Female Litigants

Outcome of Case	*Plaintiffs*	*Defendants*	*Totals*
Won by decision of justices	–	2	2
Won by verdict of jury	4 + ½ + ½*	–	5
Won by opponent's act	19	16	35
TOTAL WON	24 (18.6%)	18 (14.0%)	42 (32.6%)
Lost by decision of justices	6	2	8
Lost by verdict of jury	3 + ½ + ½*	2	6
Lost by own act	11	11	22
TOTAL LOST	21 (16.3%)	15 (11.6%)	36 (27.9%)
TOTAL CONCORDED	12 (9.3%)	11 (8.5%)	23 (17.8%)
TOTAL POSTPONED	19 (14.7%)	9 (7.0%)	28 (21.7%)
TOTALS OF ALL CASES	76 (59%)	53 (41%)	129 (100%)

*in two claims for land the juries found partly for the plaintiff and partly for the defendant.

involving the 109 different women. If these figures are broken down into the success or failure rates of lone women as compared with individual women, no real difference is observable. The lone women, in a total of 94 cases, win 29 (30.9%) and lose 26 (27.7%), with 16 (17%) concorded and 23 (24.5%) postponed. Of the cases won, 24 are by their opponent's act, and of the cases lost 13 are by their own act. The individual women, in a total of 35 cases, win 13 (37.1%), lose 10 (28.6%), with 7 (20%) concorded and 5 (14.3%) postponed. Of the cases won, 11 are by their opponent's act, and of the cases lost 9 are by their own act.

Yet again, it seems clear that the parties to a case are far more likely to bring about its conclusion by their own actions rather than let it be decided by a jury or the justices.

Of the concorded cases, some may be amicable arrangements brought to the eyre for enrolling in the record (e.g. 94, 164, 165); others may have been concorded under pressure. Richard Mowertyn's motives for concording have already been discussed.[22] John Atte mylne set the Grand Assize procedure in motion when Alice Wolvyne claimed a messuage and 9 acres from him (88), and then concorded: Alice quitclaimed to him for five silver marks. Did she quail at the prospect of a Grand Assize? – but it seems to have been a reasonable price. Alice, widow of Henry Cock (40, 103–4), and Isabel Hog[23] were perhaps bullied into agreement. Three other lone women lost their cases on a technicality (50, 116, 315), and of the three lone women who did not proceed with their cases (19, 145, 369), one was facing an abbot and another a man who may well have been a member of the prominent legal family of de Brok. But this does not seem to be a matter of gender: some men too did not proceed with their cases, or lost on technicalities.

The Upholding of Women's Rights

The common law had built some safeguards for women into its procedures. We have already seen how the justices questioned wives separately from their husbands to ensure that they had consented freely to the alienation of their property.[24] A woman named in a writ who did not essoin or appoint an attorney was expected to appear at its hearing, and there is one case at this eyre (44) in which a husband and wife were summoned to answer in a mort d'ancestor case, and the husband came to court, but the wife did not, although she had been re-summoned. The assize was taken against her by default. The point here is that the court does not assume that a husband may act for his wife without her specific consent to this.

Moreover, although women had limited rights, the courts would uphold those rights. We have already seen that a woman without a husband, whether spinster or widow, could dispose of her own property in her lifetime as she wished, provided it came to her by inheritance or her own purchase and without conditions; and a married woman could do the same with the consent of her husband. If she chose to alienate such property, perhaps to make provision for younger children, or daughters who had a brother and were thus not heiresses, her heir could not recover it (7, 86, 324, 386).

Heirs sometimes tried to take such land back, but did not succeed. In 86, Sayva, mother of Ralph de Bromlond, in her widowhood gave two acres of land in Cippenham which were her right (*jus*) and inheritance, to her daughter Joan.[25] When Sayva died, Ralph de Bromlond, as her heir, at once ejected his sister Joan, grabbed the two acres and sowed them with barley. Less than a fortnight later, Joan collected four male supporters and took back the land. Ralph brought a writ of assize of novel disseisin against the men, but the jury threw it out, saying that he was never in seisin so that he could be disseised. This case may be contrasted with the Scoville case (47) and Maud Roberd's case (101), in both of which the alienated land was said to be dower land.[26]

Another woman who fought the system to provide for a younger son was Alice Beauchamp, daughter of Reginald de Mohun (170). Her mother appears to have been a daughter of William de Clinton, who gave the couple £40 worth of land as a marriage-gift; this would have gone to Alice as daughter and heir. Alice seems to have been married three times: to a man named Parys, by whom she had her son and heir William; to an Audley, by whom she had a son James; and to Robert de Beauchamp.[27] When James Audley died, he left a widow, another Alice, who said that Alice Beauchamp had given her £40 worth of land in Chivery and Aston Clinton by a charter specifying that if James Audley died this property would remain to his widow for her life, and then go to the heirs of James's body, which itself sounds like a marriage-gift. At the eyre, one Simon de Montagu claimed that the land was Alice Beauchamp's dower from her Parys husband, and that William Parys had assigned it to his (Simon's) father. Rather than contest this point, Alice, widow of James Audley, said

that she had an under-age son and heir, so could not bring the tenements into court. Simon de Montagu said her son was dead. She said he was alive and living in Yorkshire. In October a Yorkshire jury came to Westminster to prove this. Simon de Montagu could not deny it, and Alice was without day until her son was of age.[28]

Some women alienated their land, not within the family, but as a pious gift to the church. Christian de la Sale, when widowed, gave a messuage and most of three virgates from her inheritance to the abbey of Bec Hellouin in free alms (184). Her son and heir Hugh brought a writ of entry, saying it was not her inheritance, but that she held it from his (deceased) brother Henry. The case was sent to Westminster, but was then perhaps settled out of court. There is a fine showing that Hugh de la Sale agreed the land was the abbey's right, and quitclaimed it, which may show that Christian's gift was valid in law; but other arrangements in the fine perhaps point to a disguised sale. At Hugh's request, the abbot granted the land to Hugh's brother Alexander for 1d. a year rent, and suit of court once a year, and in addition the abbot granted Alexander 40s. a year for life.[29] Perhaps the parties preferred a sensible compromise to long and expensive legal wrangling.

The common law's safeguards for women could not extend to combating any pressure put on them in private in order to force an appearance of consent. Such pressure is very difficult to trace, but is perhaps sometimes to be seen when a woman withdraws from or fails to pursue a claim, and when a woman with a new husband tries to undo arrangements she had made when single or a widow.

Edith, as a widow, had previously remitted the services of rent, finding a man to reap for four days at harvest time, and suit of court to John le Charpenter and Emma his wife. Then she married Henry Baudewyn, and the Baudewyns demanded the services from the Charpenters. The Charpenters produced Edith's deed; she denied she had made it. The matter was to go to a jury, and the witnesses named in the deed, but then the parties agreed. Unfortunately, the terms of the agreement are not recorded on the roll, and there is no matching chirograph (67). Another such case is 280, where Alice, wife of Richard de Shenholte, tried to get back the land she gave away when single, saying she had not been single but married to Richard at the time, which meant that she had had no independent right to alienate the land.[30] This device could, of course, be used by a woman for her own ends, which is possibly what happened in 372, where Alice, widow of Robert Beneyt, claimed dower in land she had given by charter to William de Beachampton. The Beachamptons said she had been a widow at the time; she said it had been in her husband's lifetime. The case was sent on to Westminster.

Two case histories

Some very determined women took their cases to the 1286 Buckinghamshire eyre. One of the most interesting of these is Petronilla,

daughter of William Payne (48–50, 125).[31] First, she brought three cases which are recorded, and so probably heard, one after another. She claimed a messuage and 8 acres in Hardwick from Richard Drabel as her right by a writ of entry; a messuage and 9 acres in Hardwick from John Elys, also as her right by a writ of entry; and that Richard Drabel had committed waste by destroying buildings in Hardwick. Petronilla was present in court, and seen to be under age, therefore the first two claims had to be postponed until she came of age. The waste case was not held up by her minority, but she lost it on a technicality, having omitted to name Richard's wife Alice in the writ. Richard was without day, and Petronilla in mercy, but pardoned because she was under age.

Like Maud Roberd, Petronilla must have had a *prochain amy*, a next friend, to sue for her, although the appointment is not recorded on the roll.[32] This next friend does not at first sight appear competent in the law, in that one writ was deficient and the other two could not be proceeded with owing to her age (but these may have simply been a warning to Drabel and Elys for the future). Petronilla promptly got a new, correct writ about the waste. She said that her father had demised to Richard and Alice a messuage and appurtenances in Hardwick for the term of their lives, but they had pulled down a grange and its courtyard, taken it away and re-erected it on a place they had recently bought beside the messuage. The case went to a jury on 2 May 1286, and the jurors found for Petronilla. The Drabels were amerced 20d. for their trespass (890). Petronilla had claimed 40s. in damages. The jury only awarded her 3s., but this meant that she received treble that sum according to c.5 of the Statute of Gloucester, and – more important – recovered seisin of the land, just as Isabel and Albreda of Berkhamsted had done from Richard Mowertyn, in a case (119) whose concording is recorded on the same membrane as Petronilla's. It could well be that Isabel and Albreda were also young, as the defence in their case had concerned the school expenses of their deceased elder brother. Chapter 5 of the Statute of Gloucester, which dealt with waste, was a most useful weapon for aggrieved young heirs.

If Petronilla Payne managed to manipulate the system, Isabel Hog was not so lucky. She was claiming for much smaller amounts of land than Petronilla: her first claim (38) was for one acre and three roods of land from Maud, widow of Thomas le Clerk; two roods from Master John de Buckingham and his wife Isabel; and one rood of meadow from Philippa, widow of William le Cyrographer, all in Newton Blossomville, of which she said her grandmother Helewise Hog, whose heir she was, had died seised. One case went to a jury, who said Helewise did not die seised of the two roods held by the Buckinghams. Maud and Philippa said they had no rights in the lands claimed, but held them from the inheritance of their children (presumably in dower). Isabel could not deny this, and got permission to withdraw from her writ.

Her next claim (62) was for one acre and three roods from Simon de Blosseville. At the first hearing, he had vouched John son of Robert de

Abingdon to warrant. At the second, this John vouched John Druel, who was present in court and warranted, and the matter went to a jury, who said Helewise did not die seised. Later (351), Isabel claimed a messuage in Newton Blossomville from John son of John of London, and repeated her claim to the rood of meadow, this time naming Simon son of William le Cyrographer. (She makes no further claim to the land held by Maud le Clerk.) This John vouched Simon de Blosseville, who warranted, and further vouched John Druel. At which point Isabel concorded by quit-claiming to John Druel in return for the immediate payment to her of six bushels of wheat.

Granted that (apart from the messuage) she was claiming minimal amounts of land, she settled for even less. The price of a quarter of wheat in 1286 was 4s. 7¾d.[33] A quarter of wheat would give a 2.3 lb. loaf a day for six months.[34] There are usually reckoned to be eight bushels in a quarter, so Isabel received wheat worth about 3s.6d., which would provide a loaf of bread a day for about 20 weeks. The cost of her three writs would have been 1s.6d.,[35] and she was amerced 1s.8d. for her false claim (884). Her net gain was therefore about 4d.

Isabel Hog had faced an interesting range of prominent opponents: the current lord of the local manor, a descendant of the previous lords, and an official of the Common Bench. The de Blosseville family was established in Newton Blossomville by 1086.[36] Anne Polden places them in her Category 2 (having two or three manors), and lists them among the families extinguished in the course of the thirteenth century.[37] It appears that the lands went to an heiress, Alice de Blosseville, by 1262, and that Alice married a Druel.[38] A John Druel, who had supported the Barons, named a Simon de Blosseville in 1266 as one of his sureties for good behaviour.[39] There is a fine dating from June 1265 in which a William Hog acted as attorney for Alice de Blosseville and John Druel against Simon de Blosseville and Maud his wife in a settlement of property in Newton Blossomville.[40] Was this William Isabel's father? The fine is endorsed "William de Nottingham and Philip his wife put in their claim". William de Nottingham is almost certainly the same man as the William le Cyrographer of 38 and 351, whose son Simon had been appointed to follow his father as chirographer of the Common Bench in February 1284, but only lasted one month in office.[41] It is a pity that, although Bunsty hundred is the one recorded in most detail in the surviving Hundred Rolls of 1279, there is no entry for Newton Blossomville or anyone named Hog.

Isabel Hog was one of the eighteen female litigants named without any reference to a male relative. In the course of the narrative, we discover her grandmother's name, though this appears to confer no effective kin on her. In six other instances (147, 208, 260, 270, 288, 386), and perhaps three more (71, 94, 274), the record clarifies their family connections. Indeed, in five cases (71, 94, 147, 208, 270) the dispute is between family members. Four more women (in three cases) belong to families of

sufficient importance for their backgrounds to be generally known, and for them to have the protection of their names: Danvers (3), Zouche (72), Clifford and Leyburn (*nées* Vipont) (110). The remaining four women are named without family background, either expressed or implicit: Felicia Ambroys of Southcott (19), Alice Wolvyne (88), Mabel atte Ourt (186) and Denise de Sancto Oportuno (197). The first two may well have been under pressure; the last two were litigating about substantial property and achieved satisfactory results.

In the foregoing review of the treatment of women at the 1286 Buckinghamshire eyre, it appears clear that, although the law assigned an inferior status to women, it protected them within that status. In two instances we hear that the justices questioned wives separately from their husbands to ensure that their consent to a transaction was freely given, at least in court, whatever had happened at home beforehand. Ralph de Bromlond did not get away with his seizure of his sister's two acres, and the Drabels did not get away with committing waste in Petronilla Payne's inheritance. In civil cases at least, there was no blatant disregarding of a woman's rights by the judicial system in Buckinghamshire in 1286. If this study had included the criminal matters dealt with in the Crown pleas, the picture might have been different. Theory and practice are two very different things. A woman's rights, in the end, depended on the way she was treated in private by the men to whose custody society and the law assigned her.

Notes

[1] Judith M. Bennett, *Women in the Medieval English Countryside* (Oxford: Oxford University Press, 1987), p. 26.

[2] S.H. Rigby, *English Society in the Later Middle Ages: Class, Status and Gender* (Basingstoke: Macmillan, 1995), p. 243.

[3] *Northumberland Assize Rolls*, p. 275; see also P & M, II, p. 484, note 4, quoting Britton, I, p. 207.

[4] Sayles, *Select Cases* (Selden Society 55), pp. 158–60, quoted by Plucknett, *Legislation*, p. 113.

[5] Except on a jury of married women in inheritance disputes, to ascertain if the deceased's widow was pregnant. See for example *Curia Regis Rolls* XVII (1242–3) no. 121.

[6] KB 27/30, (Hilary term 1277) m. 2, published in Sayles, *Select Cases* (Selden Society 55), p. 33.

[7] P & M, I, pp. 482–5 for women's rights; II, pp. 399–436 on family law.

[8] See Section 7, *passim*.

[9] P & M, II, p. 483 n. 2; Louise Wilkinson, 'Women as Sheriffs in Early Thirteenth-Century England', in *English Government in the Thirteenth Century*, ed. Adrian Jobson (Woodbridge: Boydell/TNA, 2004), pp. 111–24.

[10] See pp. 71–2 for women attorneys at other eyres.

[11] These figures do not include female heads of religious establishments (who are dealt with separately in section 9), female villeins named in a suit to mill case (22), female co-parceners who are not suing for their shares and whose presence is not demanded (130, 249, 335), a woman vouched to warrant in a case which did not come to court (335),

women not named in writs when they should have been (if there was no further writ naming them) (196, 213, 248, 267), or a wife mentioned in the feet of fines but not in the eyre record (152).

[12] 4, 7, 9, 24, 33, 42, 54, 55, 67, 78, 82, 96 (two women), 108, 120, 123, 128, 152, 166, 177, 179, 185 (three women), 195, 201, 248, 261, 262, 264, 265 (two women), 266, 282, 312 (three women), 404.

[13] 97+286, 111 (two women), 129+196+255–6, 140, 146, 149, 172, 174+176, 179, 219 (two women), 249, 276, 280, 335, 340.

[14] The example of Petronilla Payne (see pp. 124–5) proves that not all appointments of attorneys or next friends were noted on the roll.

[15] 28–9, 114, 230, 320, 363; 97, 174+176, 271.

[16] The six women were Alice Danvers (3, 204, 207); Joan, widow of Nicholas Haywode (287, 354); Joan, widow of John Bohun (314); Petronilla Payne (48–50, 125); Isabel, widow of John fitz John (362, 370), and Emma, widow of Richard Grusset (235–6, 268).

[17] 3+500, 79+580, 110+637, 145+607, 158+596 (two women), 170+726, 186+660, 235–7+496, 144+804, 246+560, 274+549+719, 284+826, 288+749, 291+600, 311+595, 315+484, 332+480, 362+714, 382+814, 408+699, 414+849. All numbers here above 431 are entries showing the appointment of attorneys.

[18] See pp. 71–2.

[19] P & M, II, p. 441.

[20] See p. 72.

[21] 24+122, 37, 38 (two women), 113, 114, 120+372, 135, 140 (two women), 149 (two women), 155, 159, 174, 204 (two women), 209, 230, 256 (two women), 265+396 (five women), 277, 279, 280 (two women), 285, 287, 312, 327, 338, 342 (two women), 362, 390.

[22] See p. 108.

[23] See pp. 125–6.

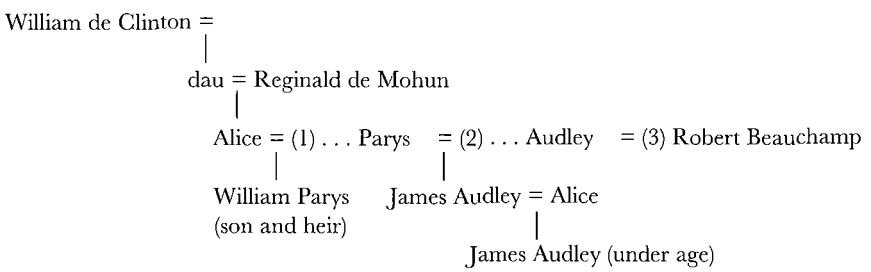
[24] See p. 109.

[25] The Latin of this entry is rather ambiguous at this point. The jurors say that the tenements *fuerunt jus et hereditas cujusdam Sayve matris predicti Radulfi de Bromlond cujus heres ipse est et predicte Johanne.* This could either mean that the tenements were the right and inheritance of Sayva and of Joan, or that Sayva was the mother of Ralph and of Joan. Joan is described as the daughter of Ralph de Bromlond. But Sayva would not enfeoff Joan with the two acres if they were already Joan's right and inheritance, so it is a fair deduction that Sayva's husband was another Ralph de Bromlond, and that Joan and the plaintiff were brother and sister.

[26] See pp. 111–12.

[27] *VCH*, II, p. 314.

[28] CP 40/64 m. 29d. A genealogical table helps to clarify this case:



[29] *FF* (25) no. 385; CP 17/50/1.

[30] See p. 112. The implication is that she claims she did not have her husband Richard's consent to the alienations.

[31] As Petronilla was under age, the determination shown may be on the part of her guardian.

[32] Entries record the selection of next friends for six other under-age litigants, four male and two female: 562, 624, 649, 713, 786. Of these, only 649 (298+317) and 713 (285) were heard at this eyre.

[33] Bolton, *Medieval English Economy*, p. 67.

[34] Alan Harding, *England in the Thirteenth Century* (Cambridge Medieval Textbooks, Cambridge: Cambridge University Press), p. 97 (based on calculations by Christopher Dyer).

[35] David Carpenter, 'English Royal Chancery', p. 55.

[36] *VCH*, IV, p. 423.

[37] Polden, *Crisis*, p. 45.

[38] *VCH*, IV, p. 423.

[39] *CPR 1258–66*, p. 572.

[40] FF (25), no. 93.

[41] P.A. Brand, *The Making of the Common Law* (London, Hambledon Press, 1992), p. 174. Dr Brand deduces that Simon le Cyrographer proved unsatisfactory.

Section 9
The Church in Buckinghamshire at the 1286 Eyre

Buckinghamshire is a county where new religious ideas often took hold early among the ordinary people: Lollards, Anabaptists and Quakers have flourished and suffered there. This section will explore the attitudes to the church and its property revealed in the 1286 Buckinghamshire eyre and consider how these attitudes reflect the general ideas prevalent in England at the time.

Monastic Houses

Domesday shows us that some 45 monastic houses existed in England before the Norman Conquest, holding about one-sixth of the landed wealth south of the Humber (about £11,000).[1] As yet, however, none that we know of had been founded in Buckinghamshire, though some land in the county was in possession of religious bodies elsewhere.[2] After the Conquest, monasteries and nunneries proliferated in England, founded by the new Norman lords, who also endowed their favoured or ancestral houses in France with their new English lands.

In the years between 1113 and 1219 Buckinghamshire acquired eleven monasteries, three nunneries, and a commandery of the Knights Hospitallers, as well as a few small hospitals for the poor. Not one of these houses was in the first rank, although a few enjoyed royal favour.

Perhaps the first was Missenden Abbey, a house of Augustinian canons of the Arrouaisian order founded by William de Missenden in 1113. His overlord, William Giffard, founded another such house, Nutley Abbey in Crendon, at about the same time.[3] Canons had a practical function: they could serve the pastoral needs of the people, in parish churches and hospitals, which Benedictine monks did not. The original endowments of these two abbeys were substantial rather than spectacular, and they each received benefactions from other well-known families. At about the same time, Fulk Paynell founded Tickford Priory near his castle in Newport Pagnell, bringing over monks from the Cluniac abbey of Marmoutiers (the greater monastery of St Martin) near Tours.[4]

Luffield Priory is the first traditional Benedictine house in Buckinghamshire. It was founded about 1124, or perhaps a little earlier,

by Robert Beaumont, earl of Leicester, who gave it some of his demesne land but nothing else. Its only other benefactor of note was Hamon son of Meinfelin, though many people of lesser importance gave it rents and small parcels of land. Most of its lands lay in Northamptonshire. In 1170 it was too poor to do the king's service for its main estate at Silverstone in that county, and the donor's family had to take it back and do the service themselves. Later, the monks regained Silverstone, but they were always poor.[5]

In 1147 the earl of Leicester's steward, Arnold de Bosco, founded the Cistercian abbey of Biddlesden. For reasons best known to himself,[6] but not appreciated by either foundation, he set it up so close to his master's earlier foundation of Luffield Priory that they could hear each other's bells, hardly the isolated wilderness that Cistercians traditionally sought. The two houses competed fiercely for local benefactions. Biddlesden seems to have attracted more and larger gifts, but it was never a wealthy house.[7]

In fact poverty, comparative or absolute, and consequent obscurity, seem to have been the constant state of most Buckinghamshire monastic houses. Bradwell Priory's endowments were very small, and even they were disputed. Lavendon Abbey was never rich, being near the high road and so called upon for much hospitality; it was in great distress by 1397. Medmenham Abbey was small, with no medieval history at all, owning little more than the vill of Medmenham and the parish church. Snelshall Priory was described at the 1321 visitation by Bishop Burghersh as so poor that the monks had to beg even for the necessities of life. Wing and Newton Longville were both small and obscure alien priories, the first a cell of the Benedictine abbey of St Nicholas, Angers, and Newton Longville of the Cluniac abbey of St Faith's at Longueville, near Rouen.[8]

The nuns of Buckinghamshire were poorer still. Three nunneries were founded in the county in the twelfth century and the early years of the thirteenth century, all Benedictine: Ivinghoe (1129), Ankerwick (c. 1160) and Little Marlow (1218). Ivinghoe did not receive many benefactions, and the registers of the bishop of Lincoln make several references to its poverty. Ankerwick was poor, small and obscure, except when a runaway nun brought notoriety to it in 1197. Little Marlow received licence to beg for alms in 1300 and 1311; in 1340 it was excused payment of the ninth levied on sheaves, lambs and fleeces because the house's goods did not cover the maintenance of the prioress and convent.[9]

Besides grants of land, benefactors often bestowed parish churches on monastic houses. The houses could either appropriate the church revenues to their own use by bishop's licence and ordain a vicarage, presenting a vicar to carry out all parish duties, or keep it as a rectory, giving the entire living as a retaining fee to a useful man, one knowledgeable in property matters or the law or with influence at court.[10] The *Liber Antiquus* of Hugh de Welles, bishop of Lincoln 1209–35, names 45 vicarages already ordained in Buckinghamshire.[11] The portions assigned to the vicars were

the usual: the lesser tithes and ordinary offerings made at the altars of the church, amounting generally to about £5 a year.

This trend towards appropriation of parish churches continued throughout the thirteenth century. Usually the monastic house stressed its financial need when applying to the bishop for his permission to appropriate. Well over half the churches in the county had been appropriated to monastic houses before the Taxation of Pope Nicholas in 1291, 34 churches and 8 chapels to houses in Buckinghamshire, and 68 churches and 7 chapels to houses elsewhere, making a total of 102 churches and 15 chapels out of the 183 parishes of the county. Most manorial lords, therefore, no longer had the useful and economical right to present a younger son as rector to the local parish church, and many parish clergy were vicars, men of lesser prestige and probably of lesser learning. Moreover, most of the county's financial contribution to monastic maintenance was going outside the county.[12]

After the twelfth century, the main impetus towards founding and endowing monasteries had petered out. Any new acquisition of land was more likely to have been bought as an investment rather than given as a gift,[13] though pious gifts were still made, usually by local people of lesser standing, as a glance through published cartularies shows.[14]

In the middle of the thirteenth century came a new little spurt of monastic foundation in Buckinghamshire, when two of the king's officials, and then his family, turned their hands to it. Ralph de Norwich's earlier career was spent in helping the king to administer Ireland; later he became a bench and eyre justice. His territorial interests were in the midlands, centred on Buckinghamshire; amongst other preferments, he was rector of Oakley. Having bought up parcels of land in Chetwode over the previous few years, he founded a small Augustinian priory there in 1245 before returning to Ireland as Chancellor.[15] Peter Chaceporc was rector of Ivinghoe and keeper of the royal wardrobe in 1255 when by his will he founded the Augustinian priory of Ravenstone, giving it half a knight's fee and 386 acres.[16] Thus two *curiales*, each holding one of the richest benefices in the county, each chose to found a new, small monastery rather than add to the endowments of an existing house.

Ten years later, Henry III's brother Richard, earl of Cornwall and king of the Romans, fulfilling a vow made in prison after the battle of Lewes, founded the Benedictine nunnery of Burnham Abbey. Why did he choose Burnham? Was it because he knew he could acquire an existing manor house there into which the nuns could move at once?[17] He had already founded the great Cistercian abbey of Hailes in Gloucestershire. Finally, in 1283, Richard's son Edmund, earl of Cornwall, founded the first English house of Bonhommes at Ashridge in honour of the Holy Blood. The king's confirmation of Edmund's charter, and a dispute arising from its foundation, are recorded in the rolls of this eyre.[18] It was dedicated by Oliver Sutton, bishop of Lincoln, in 1286. More splendid than the other Buckinghamshire religious houses, it welcomed Edward I and his court to

spend the Christmas of 1290 within its walls. Edmund died at Ashridge in 1300; part of his body was buried there and part at Hailes.

It should also be noted that in the later thirteenth century other *curiales* such as Robert Burnell were actively helping existing Buckinghamshire monastic houses to acquire new property.[19]

Opposition to the Landed Interests of Monasteries

Court circles might still feel the need to found monasteries and help transfer property to existing houses, but not everyone was happy to see his patrimony vanish into monastic hands. Deeds of endowment had often said they were made "by X with the consent of his son and heir", but what about his grandson? Subsequent generations, especially as economic conditions worsened, may well have resented an ancestor's pious alienation of income-generating property. There were many lawsuits in the course of the twelfth and thirteenth centuries between monastic houses and the descendants of their benefactors. Efforts were also made to get back the advowsons of Wendover, Chesham Leicester, Mentmore, Ilmer, Filgrave, Mursley, Wyrardisbury, Great Woolstone, Bow Brickhill and Great Marlow. Only the last two were successful.[20]

At the 1286 Buckinghamshire eyre, 18 attempts were made by lay persons, and two by rectors of parish churches, to recover property from monastic houses.[21] Some of these may have been fictional cases designed to secure a recorded transfer of the property (e.g. 77+113, 232 and 249). Ten were by writs of limited descent (nearly all mort d'ancestor), five by writs of entry, three by writs of right; one was a novel disseisin and one was by a writ whose very nature was disputed in court (183). One writ of entry (275) was withdrawn, and the claimants then proceeded by a writ of dower (409). Only one (348) was won outright; eight were concorded and four not proceeded with, which may give us 12 actually concorded; five were postponed and two lost outright.[22]

Attempts to recover such land were not just a Buckinghamshire phenomenon. A glance through the thirteenth-century sections of most monastic chronicles, such as that of Dunstable Priory in Bedfordshire, and published eyre rolls, reveals many attempts to undo an ancestor's inconvenient benefaction.[23] Nor indeed were overlords – or the king – happy to see so much property vanish into monastic hands. As Susan Wood said, "monasteries were regarded rather as overmighty landlords, engrossing the profits of their endowers' lords and playing on the same ground, than as institutions reverend and apart."[24] The recent (1279) Statute of Mortmain had made that very clear. Edward I may well have wished sincerely to address the grievances of lords whose feudal incidents were extinguished when their tenants alienated in mortmain, and also to maintain a reserve of active knights for the defence of the realm, but a few years later, by his device of issuing licences to alienate in spite of the statute, he raised much-needed revenue for himself.[25] Whatever Edward's

motives, one message would have been clear: the king did not wish the corporate religious to acquire a disproportionate share of England's wealth.

There is only one mention of mortmain in the 1286 Buckinghamshire eyre. A monastic house could have a writ of entry *sine assensu capituli* to recover land alienated by a previous head of the house without the assent of the chapter. In 271 the abbot of Osney (Oxon.) claimed that his predecessor William had given Emma Grusset a small piece of land, 11 by 1½ perches, in Maids Moreton. After a token effort to make use of legal technicalities, Emma's son Richard returned the land to the abbot and quitclaimed it for ever, with no consideration noted in return.[26] The jury then had to decide if the mortmain legislation, confirmed in the recent Statute of Westminster, applied, and said that it did not, as the abbot had been in seisin before the statute.

Thus the later thirteenth century in Buckinghamshire was a time when court circles rather than the greater local landowners maintained a tradition of monastic foundation; the latter were more likely to be trying to prise land out of the church's grip.

Monastic Houses and the 1286 Eyre to Buckinghamshire

When the eyre justices came to Buckinghamshire in 1286, many of the religious houses holding property in the county were involved in litigation. What this might entail is shown by the experiences of Dunstable Priory in Bedfordshire, whose chronicler has a most interesting passage concerning the eyre session at Northampton in 1285, when Henry de Grey had sought to recover the advowson of Newbottle church from Dunstable by a grand assize.[27] As well as paying one mark for a chirograph, the prior had had to spend 33 marks "namely in presents, donations, his own expenses and in procuring the knights of the assize". The prior was generous. Henry de Grey lost his case.

The monks of Dunstable also took thought for the future: "And in this eyre we granted to sir William de Cateby, clerk of the lord justice Roger Loveday, an annual payment of one mark to be taken from our chamber until he is provided by us to a suitable ecclesiastical benefice. And especially because the same William was necessary to us."[28] Very few Buckinghamshire houses could have afforded to have such a useful man on their pay-roll.

Of the 17 monastic houses in Buckinghamshire, six appointed attorneys at the 1286 eyre "against all": the abbeys of Burnham (453), Biddlesden (491), Nutley (531) and Lavendon (550), and the priories of Luffield (476) and Tickford (502). The abbot of Missenden (527) and the prioress of Marlow (763) appointed attorneys against specified persons. The abbot of Nutley and the abbess of Burnham were not involved in ordinary civil litigation, but they had *quo warranto* claims to make good. A

number of other religious houses outside the county, and higher church officials, also appointed attorneys.[29] Some monastic attorneys were brothers of the house, others seem to have been professionals.[30] Roger de Newport acted for the Prior of Tickford (683–4), John de Islip for the priors of Luffield (449) and Dunstable (476) and the parsons of Drayton Beauchamp (824) and Stoke Hammond (832), and Adam de Shortecumbe for the archdeacon, master Simon de Thame (452), the prior of Merton (469, 482), master Robert de Fyleby (474) and the abbot of Westminster (614).

The people who had writs of quittance of the common summons of the 1286 Buckinghamshire eyre included the bishop of Coventry and Lichfield, the abbesses of Godstow and Barking, the priors of Merton and La Grave, and the master of the hospital of St John outside Eastgate, Oxford.[31] Not all this information seems to have reached the eyre clerks, who list the bishop of Coventry and Lichfield, the abbess of Barking and the prior of La Grave as being in mercy for non-attendance on the first day, together with the bishop of Lincoln, Anthony Bek (bishop of Durham), the abbot of Grestein, the abbess of Fontevrault, the priors of Christchurch Canterbury, Merton, St John Jerusalem in England, the prioresses of Stodley and Ankerwick, and the master of the Temple.[32] The only ecclesiastical absentee actually amerced was the prior of St John Jerusalem in England, reported as missing by the hundreds of Moulsoe and Desborough, who was charged the swingeing sum of £40 for his non-attendance.

Of the 17 monastic houses in Buckinghamshire, three appeared as plaintiffs at this eyre, and seven as defendants.[33] Of houses outside the county, seven appeared as plaintiffs and ten as defendants.[34] The warden of another house, that of St Thomas of Acon, London, was vouched to warranty (51, 118, 121).

It is instructive to consider the experiences of four individual houses, three in Buckinghamshire and one in Normandy, which seemed particularly under attack at this eyre.

Missenden Abbey

Missenden Abbey was one of the most important religious houses in Buckinghamshire, and the one perhaps in the deepest financial trouble. Henry III had often visited it, and its abbot was considered important enough to be one of the 55 in Canterbury province summoned to Simon de Montfort's parliament in 1265,[35] but in the second half of the thirteenth century its affairs were for the most part in a sorry state.[36] The Close Rolls record its debts: £151 to Bartholomew de Castello, citizen of London, in August 1274; 200 marks to de Castello in 1275; 9 marks to William de Luton in 1278; 100 marks to Edmund earl of Cornwall in 1278.[37] In November 1281 matters came to a head and the king appointed Henry Huse and Walter de Amersham (previously a justice in

Buckinghamshire) to take the abbey into royal hands for four years as it was in danger of dispersion owing to murrain among sheep and horses, failure of crops and the accumulation of debts.[38]

The choice of administrators was a sensitive one, in that both men already had connections with the abbey: Walter de Amersham had witnessed its charters,[39] and always seems to have had its concerns at heart: in 1302 Edward I granted the abbey free warren in their demesne lands at his request.[40] Henry Huse, who held half the manor of Great Missenden from the earl of Gloucester,[41] was a grandson through his mother of Joan de Sanford, the ultimate heiress of the abbey's founder.[42]

At this juncture, the abbot, Matthew de Tring, got the king's permission to travel overseas for three years, which was repeated (but then cancelled) in April 1286.[43] He appointed as his attorneys Reginald de Chivele and Nicholas de Tring, the same men as for the eyre (770).[44] Strictly speaking, as the administrators were appointed in November 1281 for a term of four years, this would have expired at the end of 1285. On 30 April 1286 the king appointed another administrator, his clerk William de Luda (William of Louth).[45] Described by Michael Prestwich as "able and upright",[46] de Luda was instructed by the king to apply the abbey's revenues to its relief, in much the same terms as before. It is thus unclear whether the abbey reverted to the abbot's control during the first few months of 1286, when the eyre was taking place, or the administrators continued their work. There is no mention in the 1286 eyre record of Henry Huse. Walter de Amersham figures in a number of cases, but not apparently on behalf of the abbey.[47] On the other hand, master William de Luda (and a master Thomas de Luda) are found in close association with the abbey in 275+409.[48]

At the 1286 Buckinghamshire eyre, the abbot of Missenden had to answer in four cases. Walter and Maud de Newton claimed tenements in Kingshill, Hughenden and Little Missenden (275+409). William de Turville and Nicholas de Charneles claimed a substantial estate in Chalfont and The Lee by a writ of right (153+269). Nicholas de Bosco accused him and others of the novel disseisin of 10 marks' worth of rent in Chalfont St Peter (308–9), and he was part of a chain of warranty for a small property in Chesham (371).

The de Newtons' first claim, by a writ of entry (275), was for 200 acres of heathland and 5 marks' worth of rent from the abbot, and for a messuage, 12 acres of land and most of a carucate from Master William de Luda and Master Thomas de Luda. The de Ludas said they only held for life from the abbot, and vouched him to warrant. The transaction by which they acquired the property is not mentioned in the cartulary: did it happen before or after 30 April 1286, when Master William was put in charge of the abbey's finances? The abbot duly warranted for them, and further vouched Bartholomew "de Turs" (i.e., de Castello), his former creditor. The case was to go to Westminster on 1 July, but the de Newtons got permission to withdraw, and began again by a writ of dower (409).

This time they claimed thirds (of a somewhat larger estate) as Maud's due from the dowering of her former husband, John Braund. This second attempt proceeded in the same way as the first, with the de Ludas vouching the abbot, and the abbot vouching Bartholomew "du Chastel", who was to be summoned in London and Surrey, to be at Westminster for 8 July.[49]

It appears that one MS. of the abbey's cartulary, in recording this dispute, added the further details that de Castello vouched Robert Burnell, bishop of Bath and Wells, and the plea was summoned in Essex in the Hilary term 1287.[50] We have already seen that the abbot owed de Castello substantial sums in 1274–5. The Close Rolls show that the abbot was not the only person indebted to him at this time.[51] He was keeper of the exchange in London from at least November 1266,[52] and is described as *clericus*, "clerk". *The Missenden Cartulary has a most interesting entry*,[53] dated by the editor between November 1272 and November 1276, detailing a grant in free alms to the abbey by Bartholomew de Castellis, citizen of London, of the manor of Kingshill, which he has as a gift from Robert Burnell. Was the abbot's "debt" to de Castello simply the purchase price of this manor? Burnell seems to have obtained the manor from John Braund, Maud de Newton's first husband, which explains her claim for dower in it.[54] John Braund and his father, Robert, had given the abbey other, smaller gifts in their lifetimes.[55]

Thus the manor of Kingshill, which had been the property of John Braund, was transferred in the early 1270s to Missenden Abbey, via Robert Burnell and Bartholomew de Castello. Unlike the abbey's cartulary, the Hundred Rolls say it was de Castello's gift, and do not mention Burnell.[56] Did money change hands and, if so, how far along the chain? At the very least, Burnell and de Castello seem to be joining Ralph de Norwich and Peter Chaceporc in fostering the monastic life of Buckinghamshire. Were they executors of Braund's will?[57]

The writ of right (153) for a substantial estate in The Lee and Chalfont, brought by William de Turville and Nicholas de Charneles against the abbot of Missenden, which had already been begun at Westminster,[58] is a clear example of a benefactor's descendants trying to recover alienated land. At the same eyre they also brought a similar writ against the prior of Merton (Surrey) for three-quarters of the manor of Taplow (269). Their common ancestor was Geoffrey de Turville, who was seised in the time of Richard I. The cartulary records the ramifications of various gifts from Geoffrey, and all looks to have been in order, including two Papal confirmations.[59] From the family tree recited by the plaintiffs, the William de Turville suing in 1286 should have half the estate, Nicholas de Charneles one quarter, and two (under-age) women, Ela and Isabel de Herdebergh, should share the other quarter: but Ela and Isabel were not suing for their share, and the abbot used this fact as the first step in his defence, saying that he did not have to answer without them. The abbot of Merton said the same (269). The abbot of Missenden had said this previously, at

Westminster at Michaelmas 1285, and before that too.[60] The sheriff of Buckinghamshire had been told to have an extent made of the lands due to the Herdebergh girls (whose lands were partly in the custody of Edmund, earl of Cornwall, and partly in that of Hugh de Vyene), but had done nothing in the matter because he could not make the bailiffs of the liberty of Leicester do anything. He was given a writ of *non omittas*, and the case was to be heard on the octave of Hilary. It is not clear if this further hearing in the Hilary term was at Westminster or Newport Pagnell. Strictly speaking, the case should have been transferred with the rest of the outstanding bench cases into the eyre, but there seems room for doubt.[61] The grounds on which the claimaints were attempting to recover the property do not appear in the records of the case.

As to the other two cases involving Missenden Abbey, it would appear that Nicholas de Bosco accepted 20 marks to withdraw his plea that the abbot, Master Nicholas de Hegham (the dean of Lincoln) and three other men disseised him of ten marks' worth of rent (308–9). The Astwyks' dower claim (371) was finally settled at Westminster in the Trinity term 1286, when the abbot vouched Hugh and Joan Whelpley to warranty and they defaulted.[62] Each party in the chain of warranty got land from the one above, and the Whelpleys were the ultimate losers. It is usually held to be odd to find an abbot in such a chain,[63] but there are many instances at this eyre of the religious either vouching or being vouched.

Tickford Priory

Tickford Priory should also have been taken into the king's hands shortly before the 1286 eyre, but for civil disturbance rather than economic failings. Much of the quarrelling stemmed from disputes over jurisdiction between the bishop of Lincoln and the abbot of Marmoutiers, Tours. These quarrels, after at least 20 years of trouble, were first settled by Pope Alexander IV in 1249 in favour of the bishop, but the settlement was contested both in Tickford and in Tours, and later re-opened. In particular, the bishops of Lincoln had excommunicated monks of Tickford who disobeyed them, and the abbot of Marmoutiers claimed Cluniac exemption from such excommunication. In 1256 and 1257 the abbot had secured papal letters from Innocent IV confirming this exemption.

The bishop and the abbot also disputed about who should institute the prior of Tickford. In 1270 the then prior died, and there was a long vacancy, until the bishop nominated Reginald de Cossam. By 1275, Simon de Roda was prior, and Tickford's troubles began again. In June 1278 Reginald de Grey was ordered to take the priory into the king's hands and "imprison all those monks who had lately, under the leadership of one who had been excommunicated for his excesses, attacked the priory, imprisoned the prior and wasted the goods of the monastery". The ringleader was to be imprisoned in Windsor Castle, and the sheriff was ordered to see that this was done.[64] If Grey did anything in the matter, it

was ineffective, for the next September a commission of oyer et terminer was sent to deal with the men and women who continued to trouble the prior.[65]

The *Victoria County History* squarely blames Simon de Roda, calling him "a most unfit person to rule a monastery",[66] and indeed we learn from Bishop Sutton's register that by 1291 he had been removed from office by the bishop's commissioners for the dilapidation of the house's goods, both moveable and immoveable, for incontinence and for homicide.[67] He had admitted the first two charges, but had been unable to clear himself of the homicide charge "through lack of purging" – did he fail to produce enough character witnesses? Before that débâcle, however, in June 1290, Bishop Sutton had visited the priory. Simon de Roda welcomed him, but three monks, Peter de Blays (the sub-prior), John de Chartres and Maurice de Tours, stood at the door to the chapter house and refused to submit to the visitation. Their names show clearly that they were French, from Blois, Chartres and Tours respectively, and they would not recognize the bishop's authority over them. He excommunicated them; whereupon Peter de Blays publicly celebrated mass on St Mary's altar, assisted by the other two. This drew down more episcopal fulminations upon them. There is also a mention of bloodshed in Newport Pagnell churchyard.[68]

Tickford Priory must have been an unsettled house, to say the least, in 1286, and there was also a murder in the house.[69] Philip de Waleys killed William le Bretoun, monk of Tickford, in Tickford Priory and fled. He was a stranger, and was to be exacted and outlawed. The prior of Tickford buried the body without a warrant, and so was in mercy. As far as civil matters were concerned, compared with Missenden Abbey's troubles, Tickford had far less to face. The abbot appointed as his attorney Richard de Wingrave, a cleric, or Roger de Rolleston. There were four cases: complainants did not pursue a writ of entry against the prior for tenements in Newport Pagnell and Sherington (64); the prior twice defaulted when vouched to warrant by William le Fissher, a cleric (and his wife), so had to hand over to them land equivalent to what they had lost – another instance of a religious house in a chain of warranty (389+11), and the prior's claim that two horses had been wrongfully detained by men complaining that his rent to their father was in arrears went to a jury but then vanished without trace (156).

The fourth case (23) had points about it which interested the compilers of the Year Books; their reports differ somewhat from that in the eyre roll.[70] John Heth brought an assize of mort d'ancestor to recover a messuage and 33 acres (or 40 marks' worth of rent, or 43 acres). The prior said that John had quitclaimed the land to him in return for a corrody for his life. The year books say that it was John's father, Robert, who had made the gift, and after his father's death John had in his turn quitclaimed to the priory in return for food, drink and clothing. But John had been aged 9 or 10 when he quitclaimed, and the year books concentrate on if he now

acknowledged the quitclaim, and if he could legally have made it while under age.

Corrodies are described by A. Hamilton Thompson as "gambling in life insurance".[71] People would hand over property or money to a monastic house in return for a daily supply of food and drink, often with lodging, clothing and fuel, as long as they lived. Many agreements included provision for a man's wife after his death. A typical example may be seen in the Buckinghamshire Feet of Fines, between Andrew Moriz and Osney Abbey, which specifically says that the arrangement ends with Moriz's death, when Osney may keep the property.[72] Robert Heth's arrangements seem unusual, in that they included provision for his son John as well; but the only other case at this Buckinghamshire eyre to mention a corrody, that arranged between Geoffrey de Hedsor and the prior of St Mary, Southwark (176), also says that the liveries are to be given "to Geoffrey and his heirs".

Luffield Priory

Yet a third Buckinghamshire house was to be taken into the king's hands at this time.[73] In November 1286 Luffield Priory's debts had become so serious that Edward I gave his clerk Richard de Rothwell custody of its temporalities.[74] Luffield had been having trouble with its priors as well as its finances. When archbishop Pecham visited in 1280, he sacked the prior, William de Esteneson, and forbade Oliver Sutton, then bishop-elect of Lincoln, to give him more by way of pension than the common share, saying that on the day he (Pecham) left the prior had let women into the cloister and wasted the house's goods on them.[75] (One wonders if they were cleaning ladies rather than whores.) When Pecham visited again in 1284, he found that Sutton had allowed de Esteneson all the privileges of a retired prior, which he had abused. Pecham now ordered de Esteneson to be turned out of his special room in the infirmary and to eat with the other monks, and that the door from his room to the orchard should be kept locked until a wall could be built round the orchard. The following year there was so much discord that Sutton deprived the monks of their right to elect, annulling their choice of William de Brackley and re-appointing Adam de Hanred, who had just resigned.[76]

Luffield was involved in only one case at the 1286 Buckinghamshire eyre, a mort d'ancestor case brought by the three nieces of Robert Hervy of Shalstone concerning a messuage and half a virgate in Shalstone. The prior vouched Robert de Audewyncle, and the case went to Westminster.[77]

It would thus appear that at least three of the leading Buckinghamshire monastic houses were in a sorry state in the 1280s, and could hardly have been viewed with much respect. It is against this background that claims to recover from them the land once alienated as pious gifts should be seen.

The Abbey of Bec Hellouin

It was not only local houses that faced trouble in the king's courts. The abbey of Bec Hellouin in Normandy seems to have come under a concerted attack at the 1286 Buckinghamshire eyre. In 1198, Hugh de Gornay had given the abbey most of his manor of Bledlow in exchange for tithes and other property in Bray, Normandy.[78] Now, nearly a hundred years later, Hugh's descendant and heir Julian, and her husband William Bardolf, claimed Bledlow back, urging that Hugh's charter was invalid as it had clearly been drawn up outside England and so could not be verified in an English court (177).[79] The abbot's attorney (or, rather, the attorney of his attorney (744)), first argued that as the Bardolfs had not denied Hugh's charter they were tacitly admitting it; but, rather than prolong the arguments, and the expense, the abbot gave them 200 marks (£133 6s. 8d.) for their quitclaim. This sounds a large sum of money, but should be set in context of the revenues which the abbot received from Bledlow. In 1288–9 the receipts were £55 12s. 0¾d., mostly from the sale of corn.[80] A 1289 inquisition quoted by Lipscomb gives a similar figure: the stock and crops there were worth £57 7s. 3½d.[81] Of this, £35 10s. 11½d. came from the crops; all revenues there amounted to £61 6s. 4½d. Thus it would take the abbey rather less than three years to recoup what they had paid the Bardolfs.[82]

As we have seen, Hugh de la Sale was also trying to recover land in Bledlow from Bec Hellouin, in this case his mother's pious gift of a messuage and just under three virgates (184).[83] This claim also turned on the validity of a charter. The abbot's attorney pointed out that Christian de la Sale had bound her heirs to warranty, and that Hugh was acknowledging his mother's deed. The case was sent to Westminster and was settled by a fine. In the course of the pleading, we hear that 16 acres were not covered by Christian's charter; these appear to be the same as the land for which the abbot vouched Thomas de Saunford to warrant for him (418), and even perhaps part of the land in Bledlow which in 280 was the subject of a dispute between Alice, daughter of Hugh le Draper, and her husband Richard de Shenholte, on the one hand, and Thomas de Saunford on the other.

The abbot of Bec Hellouin was also under attack from the rector of Bledlow, master John [de Audenard].[84] The advowson of Bledlow did not belong to Bec, but had been given by Robert, count of Mortein, to the abbey of Grestein in Normandy at the end of the eleventh century. Grestein does not appear to have appropriated Bledlow church. John is the *persona* of Bledlow, that is, the rector,[85] and as such entitled to all the tithes. In 183 he claimed "two-thirds of the crop of the tenth acre in all the abbot's demesne in Bledlow", saying that his predecessor had been in seisin of this in the right of his church on the day he died. The abbot fought a rear-guard action, challenging the form of John's writ, and then saying that the Bardolf case must be settled first; but John's writ had an

earlier date than the Bardolfs' writ, so his case proceeded. The abbot then said he could not hand over two-thirds of a tenth, because John was in seisin of the whole tenth anyway, and John pointed out that his tenth, or tithe, was a spirituality, and Robert de Mortein had granted the two-thirds of a tenth to the rectors of Bledlow as a temporal possession (i.e., it was something completely different from the tithe). In the end they reached agreement. John was to have his two-thirds of a tenth in all the abbot's Bledlow demesne except the de la Sale three virgates and 25 acres of assarts. He gave the abbot 100s. in return. It is interesting that neither party saw fit to mention Grestein abbey in the case.

Parish Clergy at the 1286 Buckinghamshire Eyre

The Assize Utrum

The assize *utrum*, when set up by Henry II's Constitutions of Clarendon in 1164, was originally an action to decide which type of court was competent to hear such a dispute. If the land in question was a lay fee, the king's (or the lord's) court heard the dispute; if it was *elemosina*, alms, the dispute went to the church courts.[86] By 1286 the assize *utrum* had become "the parson's writ of right", by which rectors of parish churches could recover land alienated from their churches.[87]

Of the three such cases heard at this eyre, the vicar of Wexham's claim for one acre was successful by a jury verdict; not only did Henry le Chapelyn have to give it up, he was also amerced 40d. "for unjust detention" (200, 896). Another claim, by Neapoleo de Filiis Ursi, rector of Buckingham (51), and prebendary of Sutton in Lincoln Cathedral, the highest-paid incumbent in Buckinghamshire at £173 6s. 8d. p.a.,[88] for a messuage in Buckingham, was sent to Westminster when the tenant, Robert de Punteyse, vouched the prior of St Thomas of Acon, London, to warrant.[89]

The third assize *utrum* is a claim by another very highly-paid rector, Ralph de Ivinghoe, archdeacon and chancellor of London, whose church of Ivinghoe was worth £36 13s. 4d. a year, the fifth wealthiest (unappropriated) living in Buckinghamshire after Buckingham, Aylesbury (which includes Bierton, Quarrendon, Stoke and Buckland), Amersham and Hanslope.[90] He claimed a mill in Pitstone from Thomas Fidekyn (109). The case had been begun at Westminster, and transferred to the 1286 eyre. The tenurial history of the mill is spelt out in the long jury verdict: when Humphrey de Meliers was rector of Ivinghoe,[91] William Fidekyn, the father of Thomas, granted the mill to him and his heirs at an annual rent of half a mark. Humphrey died without heirs, and so William took back the mill as his escheat. The next rector was Peter Chaceporc, presented by Henry III in 1241, while the see of Winchester was vacant. Chaceporc ejected William Fidekyn, who did nothing about it. Chaceporc died seised of the mill, whereupon Thomas, as William's son and heir,

took it back as his escheat. Chaceporc's successor, Amaury, brought an assize *utrum* against Thomas.[92] They settled out of court, Amaury paying 5 marks for a grant to himself and his heirs at an annual rent of 5s. Then came the Barons' War, before which Amaury, a foreigner, had to go into exile;[93] but he sent his bailiff to England, and the bailiff enfeoffed one Richard de Molendino, who enfeoffed Thomas Fidekyn, i.e. the son of the original donor.

In his claim, master Ralph said that the gift had been made to Humphrey and his successors, not to Humphrey and his heirs, but the jury rejected this, and master Ralph did not pursue his claim.

Thomas Fidekyn must have thought he had won back the mill. The authorities, however, had other ideas, and sent a writ to John des Vaux and his fellow justices demanding that the record and process of the case be sent in to Westminster. The account in the eyre roll says that the king sent these instructions, but they are witnessed by Edmund, earl of Cornwall,[94] a man with reasons of his own to monitor the disposition of property in Pitstone, in that he had endowed his new foundation of Ashridge with various manors including Pitstone manor and all its appurtenances (417). A *quo warranto* case shows that the king claimed the mill as his escheat as being Norman property,[95] saying that Humphrey de Meliers had died seised, and that if England and Normandy had been one community the mill would have descended to Humphrey's heirs; but as the two dominions were separate, the mill should have escheated to the king. Thomas Fidekyn held the mill from Richard de Molyns (i.e. the Richard de Molendino of 109), who tried to wriggle out of warranting, but was told he had to. Thomas was granted an equivalent amount of Richard's property, and the mill was leased back to Ralph de Ivinghoe for 20s. a year. Fidekyn may not have been a loser in the end, but neither was Ralph de Ivinghoe – except that the mill's rent had been increased fourfold now that it was paid to the king.

Other Parish Clergy at the 1286 Buckinghamshire Eyre

Besides the three assizes *utrum* dealt with above, 14 incumbents, of whom 13 were rectors and one a vicar, were parties to civil pleas at the 1286 eyre. Two were plaintiffs. John Audenard, as we have seen, claimed two-thirds of a tenth as a temporality from the abbot of Bec Hellouin (183), and Fulk Neyrnuit, rector of Pitstone, considered that Edmund, earl of Cornwall, and the prior of Ashridge had disseised him of tenements in Pitstone (222). Neyrnuit was also a defendant in another case, accused by the prior of Bicester of making off with 20s. worth of tithe corn (171).

Of the other defendants, the rector of Ludgershall successfully upheld his right to 100s. worth of tithe crops against the prior of Bermondsey (253), two were involved in dower claims (124, 247), three faced writs of entry (307, 357, 399), four faced claims by writs of assize of mort d'ancestor (303, 335, 348) or aiel (265), and Richard, rector of Drayton

Beauchamp, came to an arrangement with the abbot of Grestein over his arrears of rent (202). Simon de Ellesworth, the rector of Turweston, was one of the incidental defendants in the Scoville novel disseisin case (47).[96]

In 348, we see yet another family's attempts to recover tenements given to the church. From the jury verdict, we learn that Jordan, once lord of Stocking, gave to Walter Baython, once rector of Lathbury, rather more than half a virgate of land in Lathbury to have a chantry three days a week in his chapel at Stocking. Baython duly sang during Jordan's lifetime, and also that of John Passelew, his son-in-law and successor; but when Richard de Gatesden was rector,[97] he gave back the tenements to Robert de Oseburn, son-in-law of John Passelewe and Margery de Stocking, because the bishop of Lincoln did not permit the chantry to continue. Robert died seised, his widow Margery bought the wardship from the chief lords of the fee, and demised the land to someone (name left blank in the account) to farm.[98] A new rector, named Manolo, ejected Margery's tenant and held the land until he resigned from the church, not perhaps the way a man of God should have treated a widow. Robert's son Edmund secured a jury verdict in the mort d'ancestor case he brought against the next rector, Robert de Harlegh.

Another part of Lathbury, however, had been given to the church in 1272. This had been part of the Bidun lands. John Bidun had died childless before 1186,[99] and his heirs were his five sisters. Lathbury had been allocated before 1225 to Ermengarde de Bidun, who married Arnulf de Gatesden and produced two sons, John and Richard.[100] The latter was probably the Richard Gatesden whom Ermengarde presented as rector in 1232 and to whom she subinfeudated part of the manor in 1241; her elder son, John, conveyed the rest of the manor to his relative Walter de Gatesden in 1269, and Walter promptly transferred it to Robert Burnell. Three years later, Burnell gave both manor and advowson of Lathbury to Lavendon abbey, a Bidun foundation.[101] Thus we see Robert Burnell again assisting in the transfer of landed property to a monastic house in Buckinghamshire. Walter bought it for 25 marks from John, and sold it to Burnell for 10 marks. Burnell's recompense was not financial, but "benefits and prayers of the church"; so Walter and Burnell had both contributed financially to the gift. Unlike William de Turville and Nicholas de Charneles at Missenden, the Gatesdens – as heirs to part of the Bidun lands and thus founder's kin – are adding to Lavendon's endowment rather than trying to prise land out of its grasp.

Another civil plea of interest involving a parish clergyman is the claim by the three heiresses of John de Burton against Percival de Lavannia, rector of Aylesbury, prebendary of Aylesbury in Lincoln Cathedral, the second-highest-paid rector in the county at perhaps £133 6s. 8d. a year.[102] He was the brother of Ottobuono, the papal legate who was afterwards himself Pope. The women claimed two messuages and 2½ virgates from the dean and chapter of Lincoln, and 12 acres from de Lavannia (265). The dean and chapter said the land claimed from them was de Lavannia's

freehold, not theirs; de Lavannia (or, rather, his attorney (265), for he himself rarely set foot in England, let alone Buckinghamshire) said the land was ancient demesne of the king, in which no writ was valid except the little writ of right close. The women could not deny this, and were amerced half a mark for their false claim (900). De Lavannia's attorney tried to take matters further, bringing an assize of novel disseisin within the summons of the eyre about a messuage in Aylesbury (396). This was finally heard on 22 May, when the attorney got permission to withdraw.[103]

It is noticeable that no fewer than five out of the 21 highest-paid rectors in Buckinghamshire, those whose churches were worth £20 or more p.a., were involved in cases concerning their temporalities at the 1286 eyre.[104] A sixth, Thomas de Luda, rector of Oakley, was also involved as a result of Missenden Abbey's difficulties. It is also worth noting that the two highest-paid benefices, those of Buckingham and Aylesbury, with prebends in Lincoln Cathedral, were given to men of Italian origin, Neapoleo de Filiis Ursi and Percival de Lavannia.[105]

We have already noted that the plaints brought before the 1286 Buckinghamshire eyre do not differ from the sort of complaint enrolled as trespass cases among the civil pleas.[106] Four of these 19 "plaints" involve parish clergy. Three are acknowledgements of debt: 20s. owed to the rector of "Omston" (861) and £10 17s. 6d. owed to Simon de Ellesworth, parson of Turweston (867); and £10 owed by Peter Passelewe, rector of "Badelesdon" (Biddlesden?) and two other men to a Walter de Ellesworth (868).

At first sight, the fourth (874) seems to arise from the transfer of vicarage furnishings at a change of incumbent. Master Arnold de Stoke Poges complained that Richard son of Adam de Stoke Poges had kept back from him a chest, various pots and pans, cloths, towels and six silver spoons, and that Nicholas, vicar of Stoke Poges, had kept back a book worth 20s. entitled *Abiciamus opera tenebrarum*, "Let us cast away the works of darkness". A jury found both defendants innocent. As Lipscomb says that Nicholas de London was presented as vicar of Stoke Poges in 1274, and stayed until 1294, when he resigned and went to Wendover, there seems to have been no transfer of the vicarage at the relevant time.[107] The circumstances behind this plaint remain mysterious.

Conclusion

Buckinghamshire came comparatively late to monasticism, and none of the houses founded there emerge as great. Perhaps this was because no great family predominated in the county to foster their own foundation, though possession of the honour of Wallingford meant that Richard, earl of Cornwall, and his son Edmund made their contribution. In the later thirteenth century, as the old Norman families waned, new men in court circles appeared as monastic patrons. Buckinghamshire was near enough to Westminster, and had good transport links via the Thames, Watling

Street and Akeman Street, for it to be a suitable county in which to reward clerical *curiales*, not all of whom merely exploited their benefices: Peter Chaceporc, who founded Ravenstone Priory in his will, could not have been envisaging it as useful future property.

Although there were many attempts to recover an ancestor's pious gifts, giving to monastic houses did not entirely cease. The Gatesden family at least were supporting their local priory in the 1260s, and cartularies show that lesser tenants still conveyed land to nearby houses. Robert Burnell seems to have played a key part in transferring some larger gifts.

The troubles of Buckinghamshire monastic houses appear not to have come singly. Those in greater financial or organizational difficulties were the ones under attack. The more obscure houses, like the priories of Ankerwick, Bradwell, Ivinghoe and Snelshall, and Medmenham Abbey, did not even appoint attorneys at this eyre. The larger houses, though, were going through periods of such difficulty, strife and insubordination that they can hardly have been viewed with respect by the people of the county.

Curiales, many of foreign origin, occupied many of the higher-paid benefices in the county, and some were challenged over their holdings. Whether the ordinary people of Buckinghamshire preferred their alien rectors, or the vicars substituting for them, to the younger sons of the manor is beyond conjecture. Popular piety at the time found one form of satisfaction in well-worship at High Wycombe and Linslade, and "supersititious vanities" in North Crawley church;[108] and a local cleric became the focus for grass-roots devotion. An official of Percival de Lavannia in 1280 was Master John Schorne, perhaps rector of Monks Risborough and then of North Marston until he died in 1314. Said to have struck his staff into the ground to produce a holy well, and to have "conjured the devil into a boot", Schorne became a local, though not official, saint, and after death was said to have performed miracles at his holy well.[109]

Buckinghamshire in the later thirteenth century perhaps did not differ significantly from other counties in its attitudes to organized religion. The seeds of the next century's Lollardy may have been there in the ground waiting to germinate, but perhaps not more thickly than elsewhere in the midlands and south-east of the country.

Notes

[1] Janet Burton, *Monastic and Religious Orders in Britain 1000–1300* (Cambridge Medieval Textbooks, Cambridge: Cambridge University Press, 1994) p. 9.

[2] *VCH*, I, pp. 281–2.

[3] *VCH*, I, pp. 369, 377.

[4] *VCH*, I, p. 361; Chibnall, *Beyond Sherington*, p. 68.

[5] *VCH*, I, p. 347; *Luffield Charters*, *passim*.

[6] *VCH*, I, p. 365.

[7] *VCH*, I, p. 347; *Luffield Charters*, *passim*.

[8] *VCH*, I, pp. 350 (Bradwell), 352 (Snelshall), 376 (Medmenham), 384 (Lavendon), 395 (Newton Longville), 396 (Wing).

[9] *VCH*, I, pp. 353–7, 385.

[10] A. Hamilton Thompson, *The English Clergy and their Organization in the Later Middle Ages* (Ford Lectures, 1933) (Oxford: Clarendon Press, 1947), p. 105.

[11] *VCH*, I, p. 184; *Rotuli Hugonis de Welles, episcopi Lincolnensis* (Canterbury and York Society, vols. 1, 3, 4).

[12] *Pope Nicholas Taxation*, pp. 32–4, 45–8.

[13] D.A. Carpenter, *The Struggle for Mastery, Britain 1066–1284* (London: Allen Lane, 2003), p. 446.

[14] Some cartularies have been published by the Buckinghamshire Record Society: Luffield Priory by G.R. Elvey, vols. 15 (1968), and 18 (1975); Missenden Abbey by J.G. Jenkins, vols. 2 (1938), 10 (1946) and 12 (1962); Snelshall Priory by J.G. Jenkins, vol. 9 (1945); and see for example *FF* (25) no. 13, when in 1260 Missenden Abbey was given slightly more than 25 acres in Little Missenden in return for "benefits and prayers of the church".

[15] Meekings, *Surrey 1235*, p. 224; Lipscomb, I, p. 359.

[16] *VCH*, I, p. 381; Lipscomb, III, p. 393.

[17] This was in fact the case. Sister Jane Mary, SPB, and D.D. and D.M. Miller, The Manor and Abbey of Burnham, *Records of Buckinghamshire*, vol. 27 (1985), pp. 94–100.

[18] 222, 417.

[19] See pp. 137, 144.

[20] *VCH*, I, p. 285.

[21] 23, 64, 77+113, 129+264, 137, 153, 176, 177, 178, 184, 232, 249, 269, 273, 275, 337, 348, 369; 183, 222.

[22] These figures have taken into account later judgments at Westminster, where known.

[23] See also *Sanctity and Scandal*, ed. by David Marcombe and John Hamilton for the Archdeaconry Research Unit of the University of Nottingham (1998), *passim*.

[24] Susan Wood, *English Monasteries and their Patrons in the XIIIth Century* (Oxford: Oxford University Press, 1955), p. 35.

[25] Plucknett, *Legislation*, pp. 94–102; P.A. Brand, 'Control of Mortmain Alienation in England 1200–1300', in his *The Making of the Common Law* (London: Hambledon Press, 1992), pp. 242–3.

[26] This seems very unlike normal Grusset behaviour.

[27] *Annales Monastici*, III (ed. by H.R. Luard, London: Longmans 1866), pp. 318–20.

[28] *Annales Monastici*, III, p. 321. The exact significance of *necessarius* is a nice point here. It can mean "necessary, essential", "associated by friendship or kinship", or "qualified, suitable, fit". See the *Medieval Latin Dictionary*, fascicule N (2002), p. 1897. For the retaining of royal justices see J.R. Maddicott, *Law and Lordship: Royal Justices as Retainers in Thirteenth- and Fourteenth-Century England*, Past and Present Supplement 4 (1978).

[29] 432–4, 440, 441, 446–9, 451–2, 455–6, 461, 469, 471, 477–8, 486, 494, 581–2, 588, 614, 683, 720, 722, 731, 770, 781, 808.

[30] See pp. 71–2.

[31] *CCR 1279–88*, p. 405. See section 4.

[32] JUST 1/63, mm. 36d–46d, *passim*.

[33] Plaintiffs: Tickford (156), Marlow (278, 313), Ashridge (222). Defendants: Tickford (23, 64, 389), Missenden (153+269, 275, 308–9, 371, 409); Luffield (178), Biddlesden (260), Lavendon (369), the hospital of St John at Wycombe (361) and Snelshall (381).

[34] Plaintiffs: Rochester, Kent (151, 181), Bicester, Oxon. (226, 171), Bec Hellouin, Normandy (418), Osney, Oxon. (271), Grestein, Normandy (202) and Bermondsey, Surrey (253); defendants: Woburn, Beds. (77+113, 337), Godstow, Oxon. (129+264), Merton, Surrey (137, 269), St Mary's Southwark, Surrey (176), Bec Hellouin, Normandy

(177, 183, 184), St John Without Eastgate, Oxford (232), Thame, Oxon. (273), Bicester, Oxon. (300, 869), Kenilworth, Warwicks. (393), and the house of scholars of Merton, Oxford (249).

[35] *Missenden Cartulary*, III, pp. xiii, xv.

[36] There is no suggestion at this time of anything other than misfortune and perhaps incompetence: it was not until 1361 that the then abbot was caught clipping coins and sentenced to be drawn and hanged: *VCH*, I, p. 371; *CPR 1361–4*, p. 59. The sentence was not carried out.

[37] *CCR 1272–79*, pp. 126, 235, 500, 512, 653. On the other hand, Robert Malet and Master Walter de la Mare paid the abbot 130 marks in 1275, *CCR 1272–79*, pp. 228, 236. The abbey had been found guilty of a disseisin at Eton in 1275, and amerced £10, but the king had pardoned five marks of this at the request of his mother, *CCR 1272–79*, p. 154.

[38] *CPR 1281–92*, p. 4.

[39] *Missenden Cartulary*, I, nos. 61, 142; II, no. 311; III, no. 729.

[40] *Missenden Cartulary*, I, no. 17.

[41] *FA*, I, p. 85.

[42] *VCH*, II, p. 348. His mother Agnes, with his consent, had sold the abbey 3½ virgates in Missenden for 37 marks, *Missenden Cartulary*, I, no. 109, probably dated 1253–61.

[43] *CPR 1281–92*, pp. 18, 237 ff.

[44] In 770, both men are called "Brother". It could be that Nicholas was Matthew's brother in kinship as well as monastic terms.

[45] *CPR 1281–92*, p. 242.

[46] Prestwich, *Edward I*, p. 235.

[47] 41, 89, 139, 140, 194, 206, 833.

[48] A master Thomas de Luda gave the abbey a female villein from his manor of "Herpeswelle" (Harpswell, Lincs.?) about 1280. *Missenden Cartulary*, III, no. 740. Thomas de Luda had been presented by the bishop of Lincoln as rector of Oakley in 1280, Lipscomb, I, p. 359.

[49] CP 40/64, m. 59, for one month after Michaelmas 1286, records the hearing when the abbot, through his attorney, vouched de Castello, who (although essoined for this day) did not appear. Land to the value of the disputed land was to be taken from him, and he was to be summoned for the quindene of Hilary (27 January) 1287. As part of this process the sheriff of Buckinghamshire returned on the quindene of Martinmas (25 November) 1286 that a third of the 300 acres of heath was worth 5s. a year, the third of the messuage was worth 3s. a year, and the third of the 16 acres of wood worth 5s. a year.

[50] *Missenden Cartulary*, I, p. 243, from a transcript of the cartulary made by the eighteenth-century Buckinghamshire antiquary Browne Willis. The item does not appear in BL Harley 3688, from which the published cartulary was transcribed, I, p. x.

[51] *CCR 1272–79, passim.*

[52] *CCR 1264–68*, p. 262.

[53] *Missenden Cartulary*, I, no. 116.

[54] *Missenden Cartulary*, I, no. 116; footnote referring to the Plea Rolls of the Exchequer of the Jews; vol. II, p. 41, where de Castello is named as Burnell's attorney, executing an arrangement with John Braund.

[55] *Missenden Cartulary*, I, nos. 110–14; II, no. 307. It should be noted that John Braund did not die childless: in 261 Walter and Maud vouch to warranty Maud, daughter of John Braund, who is under age.

[56] *RH*, I, p. 44.

[57] Is it possible that Bartholomew de Castello was a member of the Knights Templar? He is described as *clericus*, "clerk" (*CCR 1272–79*, pp. 111, 582). The Templars were much

concerned in financial matters at this period. A Templar named Bartholomew de Turri, who had been a priest 29 years, was interrogated in Spain in January 1310. (Malcolm Barber, *The Trial of the Templars* (Cambridge: Cambridge University Press, 1978) pp. 211–12.)

[58] CP 40/60, m. 96.

[59] *Missenden Cartulary*, I, nos. 6, 202, 205, 206, 248, 892, 894. They were not the first members of the Turville family to try to get property back from Missenden Abbey. A dispute was settled in 1183 with Geoffrey's son and heir William "and Geoffrey his brother, rector of Taplow church" concerning Weston Turville church: the canons gave up any rights in it in exchange for £3 p.a. out of the revenue of Taplow church, and the Turvilles kept the advowson, *Missenden Cartulary* III, p. xiii; in 1245 the then rector of Taplow got a judgment in the papal court that this charge should not be paid. *Cal.Papal Reg.*, I, 217.

[60] CP 40/60, m. 96.

[61] CP 40/60, m. 96.

[62] CP 40/63, m. 36.

[63] See p. 87 n. 17.

[64] *CPR 1272–81*, p. 272.

[65] *CPR 1272–81*, p. 293.

[66] *VCH*, I, p. 362.

[67] Rosalind Hill, ed., *The Rolls and Register of Bishop Oliver Sutton*, vol. VIII (Lincoln Record Society, vol. 76, 1986), p. 128 (= fol. 317v.)

[68] Rosalind Hill, ed., *The Rolls and Register of Bishop Oliver Sutton*, vol. III (Lincoln Record Society, vol. 48, 1954), pp. 6–9. Sutton sent instructions to Canon Walter de Wutton when he heard of this mass, saying he had heard that the monks "had presumed to profane divine things boldly and in public". Wutton was to inquire into this, and also into bloodshed in the church. The dispute between the bishop and the abbot of Marmoutiers was finally settled at a meeting in the Old Temple, London, in 1292; the bishop gave up visitation and correction rights, and the priory gave him the advowson of Sherington church. *Reg. Sutton*, VIII, pp. 128–37.

[69] This case appears in the Crown Pleas, JUST 1/63 m. 40.

[70] CUL ms. Ee.1.1 f. 265r, Bodleian ms. Douce 139, f. 193r. I should once more like to thank Dr Paul Brand for this reference.

[71] A. Hamilton Thompson, *The English Clergy*, p. 174.

[72] *FF* (25), no. 102.

[73] A fourth, Biddlesden, held out until 1302, when the king put in John de Tingewick, rector of Wappenham, to run the abbey, and he "took base advantage", *VCH*, I, p. 366.

[74] *CPR 1281–89*, p. 253.

[75] *VCH*, I, p. 349.

[76] In 1287 Hanred resigned again, and so – promptly – did Richard de Silveston who had been elected to succeed him. clearly no-one was willing to take on the onerous task. *VCH*, I, p. 349.

[77] *Luffield Cartulary*, II, pp. 479–80. Robert Audewyncle, a forester in Whittlewood, granted half a virgate to the priory some time after 1268, and William Baivel had granted half a virgate to Audewyncle in 1262.

[78] *VCH*, II, p. 247; Marjorie Morgan, *The English Lands of the Abbey of Bec* (Oxford: Oxford University Press, 1946), p. 144.

[79] See *Bracton*, IV, pp. 328–9: "just as an Englishman is not heard impleading anyone with respect to lands and tenements in France, so an alien or French man who is in the allegiance of the king of France [and resident] in France ought not to be heard pleading in England."

[80] Morgan, *English Lands*, pp. 45–61.

[81] Lipscomb, II, p. 112.

[82] On the other hand, according to the Pope Nicholas taxation of 1291, p. 46, the abbey of Bec held temporalities in Bledlow worth £19 17s. 5d "in lands, meadows, rents, woods, curtilages, tallages, courts and the produce of animals". And that was at a time when the price of wheat was 5s. 6½d. per quarter, as opposed to 2s. 11¼d. in 1288 (Bolton, *Medieval English Economy*, p. 67).

[83] See p. 124.

[84] Surname supplied from *FF* (25), no. 371.

[85] A. Hamilton Thompson, *English Clergy*, p. 102.

[86] P & M, I, p. 245.

[87] P & M, I, p. 247.

[88] *Pope Nicholas Taxation 1291*, p. 33.

[89] See also 118, 121.

[90] *Pope Nicholas Taxation*, p. 33; *VCH*, I, p. 290; R.P. Hagerty, *Peter de Wintonia, Parson of Crawley*, Records of Buckinghamshire, vol. 31 (1990), p. 96.

[91] Meliers was presented to the living in 1221, Lipscomb, III, p. 393.

[92] Amaury is not listed by Lipscomb, III, p. 393, or Hagerty, 'Peter de Wintonia'.

[93] 109 is quite specific on this point: "afterwards before the war which broke out between King Henry and his barons, when it was provided that all foreigners should go into exile, the same Amaury, in exile with the other foreigners. . . ." He was presumably counted as an adherent of the Lusignans. See D.A. Carpenter, King Henry III's 'Statute' against Aliens: July 1263', *The Reign of Henry III*, pp. 261–80.

[94] Edward I was in Gascony at the time.

[95] JUST 1/64 m. 1, printed in *Placita de Quo Warranto* (Record Commission, 1818), pp. 83–98.

[96] See p. 112.

[97] Gatesden was presented in 1232. Lipscomb, IV, p. 203.

[98] See p. 100.

[99] Lipscomb, IV, p. 110.

[100] *VCH*, IV, pp. 374–5.

[101] *FF* (25), nos. 113, 116, 161.

[102] *Pope Nicholas Taxation*, p. 33; *VCH*, I, p. 290.

[103] There is no note on the roll that de Lavannia appointed an attorney, but the attorney is mentioned in the text.

[104] *Pope Nicholas Taxation* shows Buckingham £173 6s. 8d.; Aylesbury £133 6s.8d.; Amersham and Hanslope £40 each; Ivinghoe £36 13s. 4d.; Great Marlow, Wyrardisbury, Iver and Olney £33 6s. 8d. each; Edlesborough £30; Haveringdon and Morton, Oakley, Newton and Wing £26 13s. 4d. each; Hambleden £23 6s. 8d.; Aston Clinton, Bledlow, Hughenden, Crawley, Quainton and Crendon £20 each. The incumbent of Iver, who was also involved in a case at this eyre, was probably a man of high secular rank. Listed by Lipscomb (IV p. 520) as Ingelram de Balliol, he is one of the men who is accused in 180 by Christian de Marisco (and the king) of hunting in her park at Langley Marish. When he appointed an attorney (741) he named himself as Engeramus, son of John, parson of Iver – a fact not mentioned in 180, where he is simply described as Ingelram son of John. The Lincoln diocese registers of institutions are missing for 1280–90, but he died in 1295, when Robert de Clavering was presented to Iver in his place by Sir Robert fitz Roger (*Reg. Sutton*, VIII, p. 161.) Unless the king was misinformed of the date of his death, it seems he cannot have been the Ingelram de Balliolo, parson of the church of St Rumald, to whom the sheriff of York was ordered "to restore his lands goods and

chattels if they were taken into the king's hands solely by reason of his order to take into his hands the lands, goods and chattels of John de Balliolo, late king of Scotland . . . as the king wishes to show favour to Ingelram." (*CCR 1288–96*, p. 487, dated 26 August 1296.)

[105] *VCH*, I, p. 290.

[106] See pp. 74–6.

[107] Lipscomb, IV, p. 562.

[108] *VCH*, I, p. 288.

[109] *VCH*, I, pp. 288–99; *Records of Buckinghamshire* III, pp. 354–69; unfortunately, as noted above, the Lincoln registers of institutions are missing for 1280–90.

Section 10
The End of the Eyre System

The 1286 eyre was the last such visitation Buckinghamshire experienced. On 12 June 1294 both eyre circuits were suspended because of the coming war with France, and the visitations were never fully resumed.[1] There were sporadic revivals: visits to Cambridgeshire and Ely in 1299, to Cornwall in 1302, to Kent in 1313–14, and to London in 1321, and a short partial revival in 1329–30 (Northamptonshire, Bedfordshire, Nottinghamshire and Derbyshire).[2] The eyres had once had an important rôle in the coherent functioning of the kingdom: Harding viewed them as still "the one strong link between the king and the local community" in the last quarter of the thirteenth century, though it was "a link under strain".[3] He said categorically that "the breakdown of the eyre system in the last decade of the thirteenth century was caused by the burden placed upon it by the poorer class of litigants";[4] not only was it under strain from the volume of plaints, but also "Edward I's linked inquiries into royal rights, baronial franchises and official abuses, piled burdens on the eyre which it could not carry. By 1290, when the king compromised with the barons in the matter of their franchises, the eyre was visibly failing."[5]

On the other hand, David Crook contested this assertion, pointing to the evidence of the rolls themselves, where "up to 1294 the number of plaints membranes was never more than a fraction of the number devoted to civil pleas by writ".[6] He listed the many ways by which, in the course of the thirteenth century, the authorities lightened the eyre's load. In the first place, the Common Bench was made permanent at Westminster in 1249, when its justices were no longer those sent on eyre; this meant that another court was available to hear pleas. Secondly, in the 1280s it no longer had to deal with "foreign pleas", which went to Westminster rather than to swell the amount of business waiting for the eyre justices in the next county to be visited. The growing availability of professional attorneys meant that people in the shires no longer had to go in person to the next county or to Westminster in pursuit of justice.[7] Regular assize circuits were established in 1275, though it was not until they were re-modelled by the Statutes of Westminster in 1285 that they really got under way. Gaol delivery was done by special commissions, and other special commissions of oyer et terminer proliferated. Crook concludes, "A case can be made that by the last decade of the thirteenth century the general eyre was inessential to the functioning of legal administration in England."[8] And

Sutherland, in his edition of the 1329 Northamptonshire eyre, described them as having been "gliding into oblivion" for many years.[9]

Was the final abandoning of the eyre due to a popularity that led to its overloading, or to the development of other methods of redressing wrongs?

It is a fair point, and one made by Crook himself, that the sessions of the later eyres lasted longer than earlier ones.[10] The 1227, 1232 and 1241 Buckinghamshire eyres lasted 22, 23 and 21 days respectively. In 1247 this rose to 29 days. The time taken in 1254 is hard to estimate, as the final closing date is not recorded, but it took at least 24 days. In 1262 the eyre to Buckinghamshire lasted 30 days. The 1272 visitation was broken off after the death of Henry III, when the justices had already sat for 29 days; they had adjourned cases for a further session of 8 days at Newport Pagnell, which would give a total of 37 days.[11] In 1286 the justices sat for at least 45 days.[12] These increases were happening at the same time as the removal of some business from the eyre just noted, so if that removal had not happened the sittings would have taken even longer.

The need for more time seems to have arisen more from the proliferation of the eyre's functions than from the proliferation of civil litigation brought to it. At the 1227 Buckinghamshire eyre, there were 397 entries on the membranes of civil pleas. Of these, 36 were appointments of attorneys, 3 were essoins, and 4 actually Crown pleas from the liberty of Berkhamsted. Subtracting these gives a total of 354 entries for civil pleas.[13] In 1286, there were 420 entries for civil pleas, not a massively increased total. It may be remarked that the one thing which did change radically during that period was the proportion of essoins to attorneys. In the roll for 1227 there are 99 essoins and 49 appointments of attorneys; in 1286 there were only 10 essoins, but 426 appointments of attorneys. Personal attendance at a hearing was becoming far less usual. It would be interesting to know if there were professional essoiners, who then became professional attorneys, but the tendency, already noted,[14] for essoiners to bear fictional names obscures the evidence.

The DeWindts in their edition of the 1286 Huntingdonshire eyre did not agree with Harding's comment that it had been "the poorer class of litigants" who overloaded the eyre. The evidence they adduced from Huntingdonshire was, however, rather ambiguous: they said that there were relatively few trespass cases (i.e. plaints), but the eyre was "crowded with litigants who can be identified as villagers", that is, about half the identifiable people who brought civil pleas to that eyre were "villagers": claims for 5 acres or less made up 42% of cases, and claims for between 6 and 30 acres made up 32%, giving a total of 74% of claims for up to 30 acres (which may be viewed as a virgate). The figures for Buckinghamshire may be found in Appendix II, the statistical summaries, but are not strictly comparable, in that claims for 30 acres have not been included there among the smaller claims. In Buckinghamshire, claims for up to 29½ acres make up 70% of mort d'ancestor pleas, 67% of cosinage pleas, 43.8% of writs of entry, 57.2% of entry sur disseisin (though this only

represents 4 such pleas), 14.3% of writs of right (1 plea only), 42% of novel disseisin pleas, and 41% of dower claims.[15]

This very much begs the question of how one defines "villager" or "peasant", or, indeed, "poorer class of litigant". We have already seen that the plaints mechanism was used more by the substantial members of society at this Buckinghamshire eyre than by the poorer people for whom it was designed.[16] It is not safe to assume that a small claim brought to the eyre means that the claimant was "poor". A leading member of society might well go to law about a tiny tenement. In 69, William de Jarpenville claimed a strip 40 perches by 6 feet maximum from Thomas fitz Eustace and others; in 174 Amice, daughter of Richard of Stoke, and her husband Robert Pugeys, claimed 10 acres in Wexham which was divided between four tenants, and in 176 claimed another 9½ acres from the prior of Southwark. William and Katherine Hawtrey claimed 4 acres of her Escheker lands in 196. These people were far from "villagers".[17] Nor did the church permit small parcels of land to escape it. The parson of Wexham claimed 1 acre from Henry le Chaplain (200), and Neapoleo de Filiis Ursi, the highest-paid parson in the county, claimed a messuage in Buckingham (51).[18]

Legal procedures contained within themselves a number of methods by which litigants could delay a hearing, and so take up more of the justices' time. They could essoin; they could default. Even if the resorting to these procedures were simply reported to the court by the justices' clerks, it would take time. Subinfeudation brought with it more possibilities for delay, in that a tenant might vouch an overlord to warranty, and that overlord might in turn vouch someone still higher in the chain, which would necessitate a further hearing. Occasionally we are told that a vouchee is present in court, and vouches there and then, but more often another hearing is required. In 1227, a voucher to warranty was reported or set up in 36 (10.2%) of the 354 entries. In 1286, there was a voucher to warranty reported or set up in 66 of the 420 entries, which is 15.7%. Again, there is an increase in the total, but not massively so.

Many pleas were delayed because the plaintiff had not got the facts correct: wives or co-heirs were not named in writs, place-names wrongly given or the disputed tenement wrongly described.[19] More fundamentally, the plaintiff might have proceeded by the wrong writ.[20] Sometimes one may suspect that a tenant has deliberately set up a delaying device, as when a defendant answers that he does not hold the tenement in its entirety, but someone else holds a very small part of it (as in 17, 25, 158), or that his son holds it (374), so that the plaintiff must obtain a new writ if he wishes to continue with his claim. This device was already present in 1227.[21] Several protracted cases at the 1286 eyre show the constructive use of delaying tactics by defendants.[22] There does not, however, seem to have been any increase in the employment of procedural devices or delaying tactics over the years, as the following table shows. (Entries which do not deal with contested pleas have been removed from the lists; there were probably 65 such in 1227, and 71 in 1286, giving totals of 289 pleas for 1227 and 349 for 1286.)[23]

Table 17 Undetermined entries at the 1227 and 1286 Buckinghamshire eyres

Year	*No. of entries*	*Vouchers to warranty*	*Defendant did not come*	*Jury did not come*	*Adjourned for next step*	*Total undetermined*
1227	289	18 (6.2%)	12 (4.2%)	2 (0.7%)	31 (10.7%)	63 (21.8%)
1286	349	23 (6.6%)	19 (5.4%)	1 (0.3%)	40 (11.5%)	83 (23.8%)

Perhaps individual cases were taking longer to complete, in that the professional pleaders, or serjeants, might adduce more arguments than an inexperienced litigant. The few law reports that survive do not appear to record a complete case, but only the aspect which interested the reporter, and so provide no evidence on this point.[24]

It may be observed how, in the later membranes of an eyre roll, the subsequent stages for pleas not determined are sent on elsewhere and not given a date later on in the county's own visitation. In 1286 a few pleas were sent to Westminster apparently because they involved tricky points of law (e.g. 93, 352, 368), or the paperwork was there (112), or a warrantor was summoned from a distance (162, 321), or at the request of the parties (110). But 358 is a voucher to warranty in which the warrantor is to be summoned in Buckinghamshire, and this plea was adjourned to Westminster, as were a number of cases in which a debtor or other defendant did not attend the hearing.[25] Pleas 359, 391 and 399 were adjourned to Westminster for the tenement to be viewed, and 416 for the defendant's wife to be summoned. Clearly the justices knew there would be no time to determine these pleas in Buckinghamshire. The crowding of such adjournments in the last quarter or so of an eyre roll is evidence that the arrangement of the membranes is at least partly chronological.

A study of the crown pleas at this eyre might well reveal differing success rates in the meting out of justice; the increase of lawlessness has not been a subject of study in this volume. Nor have such matters as the hundred juries' answers to the articles of the eyre, or the reports of accidental death from the coroners' rolls. Nor, indeed, have the pleas in the *quo warranto* cases, which are already in print.[26] But the 1286 eyre to Buckinghamshire achieved a degree of success. Of the 420 entries in the civil pleas membranes, 349 were actual pleas in which a decision was sought. As we saw above, no decision was reached in 83 of these; therefore 266 pleas were decided.[27] It is impossible to tell now exactly how many of those decisions secured closure for people who might not have been able to use the king's courts, whether for reasons of expense or diffidence, until the justices in eyre came to their locality; but many are small claims made by people with obscure family names. People like Joan Bromlond (86), Nicholas Edeline (330), Isabel Hog (38 etc.) and William Bruncostyn (127, 272) may well have gone to law only because the eyre justices came to the county. The last eyre to Buckinghamshire served a

useful function for many litigants who made use of it; in future, they would have to find other ways to get a hearing.

Notes

[1] Crook, 'The Later Eyres', in *English Historical Review*, vol. xcvii, no. ccclxxxiii, 1982, pp. 241–68 (p. 241).

[2] Crook, *Records of the General Eyre*, pp. 170–86.

[3] Harding, *The Law Courts of Medieval England*, p. 85.

[4] Harding, *Law Courts*, p. 86.

[5] Harding, *Law Courts*, p. 87.

[6] Crook, 'The Later Eyres', p. 244n.

[7] Although the foreign pleas had placed an increasing burden on the justices, who still had to hear them in the next county to be visited, the parties to them might well have found their journey to the next county shorter and more convenient than to travel to Westminster. A professional attorney could be commissioned to travel any distance.

[8] Crook, 'The Later Eyres', pp. 243–8. Meekings, *Surrey 1235*, I, p. 110.

[9] D.W. Sutherland, *The Eyre of Northamptonshire* (London, Selden Society, vol. 97, 1983), p. xvii.

[10] Crook, 'The Later Eyres', p. 243. It is also immediately obvious when reading them that the rolls of later eyres are physically bulkier than the earlier ones.

[11] Crook, *Records*, pp. 83, 89, 102, 120, 130, 139, 154.

[12] See p. 58.

[13] *Calendar of the Roll of the Justices on Eyre 1227*, ed. J.G. Jenkins, (Buckinghamshire Record Society vol. 6, 1945).

[14] See p. 70.

[15] These figures are arrived at by adding the percentages in the three middle columns of each table: 15–29½ acres, 7½ to 14½ acres, up to 7 acres; claims for messuages, rents, etc., are not included.

[16] See pp. 75–6.

[17] See p. 84 and n. 13 (Jarpenville); p. 43 (Pugeys); pp. 89–90 (Hawtrey).

[18] As incumbent of Buckingham he received £173 6s. 8d. a year. See p. 145.

[19] See index under *technicalities, cases won on.*

[20] e.g. 97, 112.

[21] Jenkins, *Buckinghamshire 1227*, nos. 231, 258.

[22] The best example is, perhaps, the claims of Isabel Hog, discussed on pp. 125–6.

[23] Entries such as notes of amercements, debts acknowledged, days given, agreements recorded, licences to concord which were probably also the recording of agreements, unfinished entries and administrative details are omitted. The 1227 evidence is not entirely clear as it is published in terse calendar form only.

[24] The law reports of the Scoville case (47) and the assize of mort d'ancestor brought by Robert le Forester (37) are much shorter than the records of the cases on the roll. See Paul Brand, Selden Society, forthcoming.

[25] 360, 361, 363, 365, 366, 367, 370, 371, 378, 392.

[26] *PQW*, pp. 83–98.

[27] Of the 19 plaints, 9 were determined, and for 10 (being acknowledgement of debt, and the appointing of an attorney) this was not relevant.

The Civil Pleas of the 1286 Eyre to Buckinghamshire

JUST 1/67 The roll of the Chief Justice, John des Vaux

Membrane 1 VALL[IBUS]

[*A space of 6 inches was left at the top of m.1 (after the name* Vallibus, *des Vaux) for the heading, whose text has been supplied here from the Rex roll* (JUST 1/63).]

Pleas of juries and assizes before John des Vaux, William of Saham, Roger Loveday, John of Mettingham and Nicholas le Gras, justices on eyre in the county of Buckinghamshire, on the octave of St Hilary in the fourteenth year of the reign of King Edward, son of King Henry [20 January 1286].

1. (*Marginated:* Buckinghamshire) The assize comes to ascertain if Joan who was the wife of Wigan de la Mare, mother of Robert de la Mare, was seised in her demesne as of fee of a messuage and one carucate of land with appurtenances in Bokelaunde and Aston on the day on which [she died], and if [Robert is her next heir]; which [messuage and land] John de Bray and John de Crockesle hold.

They come. And John de Cro[ckes]le says that he does not hold these tenements, nor any part of them, but on the contrary John de Bray holds all these tenements in their entirety. And John de Bray acknowledges this same, and says that the assize should not be taken on this, because he fully acknowledges all the articles of the writ. And he says that previously he had married the aforesaid Joan, on whose death [the assize is taken], and had had a child by her, one Joan by name, and so he says that he claims nothing in the said tenements except by the curtesy of England from the inheritance of the same Robert de la Mare.

And Robert says that John can claim nothing in the tenements by the curtesy of England, because he says that one Robert de Bermyngham, whose tenements these once were, gave the same tenements to one Wigan and the said Joan, Wigan's wife, about whose death [the assize is taken], to be held by the same Wigan and Joan and the heirs issuing from their bodies, and so, as Joan had nothing in the tenements except fee tail, he asks for judgment whether John ought to or could enjoy the tenements by the curtesy of England.

And John says that after a child was born to Wigan and Joan they had fee simple, with no regard had to any fee tail, so that they could have sold or given them to anyone had they wanted, and levied a fine on them in the king's court, and so could whichever of them happened to survive the other; and so, as he had had a child by Joan, who had fee simple, he asks for judgment whether in his [John's] the said Robert ought to have seisin of the tenements, since the foregoing happened before the Statute of Westminster.[1]

And Robert says that no-one can enjoy tenements by the curtesy of England by reason of a child he had had by his wife unless those tenements can descend from his wife to that child after the death of a child of that wife begotten by her first husband, which in the present case is impossible; because, with issue of this sort failing a man and a woman to whom tenements have been given in the said form, the same tenements ought to revert to the giver. And if they do have issue, the same tenements ought to descend to that issue after the death of the man and the woman in question, and not to the issue of the second husband. And so he asks for judgment.

Afterwards they agreed, and Robert gives one mark for licence to agree (*marg:* 1 mark). The agreement is as follows, that John of Bray has acknowledged that the said tenements with appurtenances are Robert's right, and he has returned, remitted and quitclaimed them to him in court on behalf of himself and his heirs to Robert and his heirs for ever. So let him [Robert] have his seisin.

Afterwards, (at the request of the said John de Bray[i]), Robert acknowledged in the court that, after he had full seisin of the said tenements, he would re-grant them to John (de Crokesle[i]) to be held by John [de Crokesle] for all his life, paying Robert and his heirs 30s. a year, namely, half at Michaelmas [29 September] and the other half at Easter. And Robert and his heirs will warrant, acquit and defend the said tenements with appurtenances for the said John de Crokesle [to hold] by the said service for all the life of the said John [de Crokesle]. And after the death of the same John, these tenements with appurtenances will revert in their entirety to the said Robert and his heirs without interference from the heirs of John (de Crokesle[i]) for ever (*marg:* acknowledgement).

1. *Statutes of the Realm* I, p. 71, Statute of Westminster II (1285), no. 1 "nor in future is a second husband of such a woman to have any [right] by the curtesy of England after the death of his wife in a tenement thus conditionally given . . . but immediately after the death of the man and the woman to whom the tenement was thus given it is to revert after their death either to their issue or to the donor or his heir." See Section 7 of the Introduction for a discussion of conditional gifts of this sort.

[See also 5, 355.]

2. Richard son of Richard le Someter pays half a mark for licence to agree with Richard le Someter on a plea of [warran]ty[1] of charter, by surety of the said Richard (*marg:* ½ mark). They have a chirograph.

Richard le Someter puts in his place [*i.e. appoints as his attorney*] Robert de Hyndes to receive his part [of the document].[1]

1. Membrane torn: missing words supplied from the equivalent entry in JUST 1/63.

[CP 25/1 17/49/21 (46) = FF (25) no. 344, dated Wycombe, the morrow of Low Sunday [22 April]: 5 acres land and half of ½ acre of meadow in Wolverton and Calverton agreed as right of Richard son of Richard by grant of Richard le Someter for life at 2d. per acre.]

3. William son of John de le Kave who brought an assize of mort d'ancestor against Alice de Anvers concerning a tenement in Dorneye, [did not][1] pursue the matter, so Alice is to be without day on this, and William and his sureties to proceed in mercy, namely Ralph Geffray of [Dorney][1] and Geoffrey de Fonte of the same (*marg:* amercements[c]).

1. Membrane torn on right: missing words supplied from JUST 1/63.

[See also 407.]

4. Roger de Drayton gives one mark for licence to agree with Richard de Astewyk and Cecily his wife on a plea of warranty of charter by surety of Richard (*marg:* 1 mark). They have a chirograph.

[CP 25/1 17/48/2 = FF (25) no. 348, dated Wycombe, three weeks after Easter [5 May] 1286: 40 acres land and 10s. 9d. rent in Chesham to be held by Drayton and his heirs from the Astewyks and Cecily's heirs; warranty; consideration, a sore sparrowhawk. A Roger of Drayton was a commissioner in 1279–80 for the hundred roll inquiry in Nottinghamshire and Derbyshire (S. Raban, *A Second Domesday?* p. 61). Raban notes (p. 66) that he may also have been the Roger of Drayton, steward of the earl of Cornwall, who "met an untimely death in 1292", and refers to Prestwich, *Edward I*, p. 281: Drayton was said to have maliciously caused a woman to be put in the stocks at Berkhamsted, and her son, with others, had killed him as he walked to Parliament. Our Roger of Drayton may well have been this steward, whether or not the steward is the same man as the hundred roll commissioner.]

5. A day is given to them to hear judgment when the justices come to Wycombe, because [they are] from the nine hundreds. (*marg:* Wycombe).

[*This, written at the bottom of the membrane, probably refers to 1. For the justices at Wycombe, see 13.*]

6. Alanus de Tesdale. [*Entry ends here; there is no capitulum mark before the entry, so this may be the name of the clerk.*]

Membrane 1 dorse

7. Assize of mort d'ancestor to ascertain if Richard fitz William of Hanslape, father of Robert son of Richard fitz William of Hanslape, died seised in his demesne as of fee of 3 acres of land with appurtenances in Hanslape, which John Folkard and Agnes his wife hold; and if Robert is his next heir.

They come. As to ½ acre of land, he says[1] that the late Richard never had any right in it, and put themselves on the assize concerning this. As to

the rest, namely the other 2(½[i]) acres of land, they say that Richard only had rights in them through his late wife Ivetta, whom he found seised of them at the time he married her; and that Richard and Ivetta, long before Richard's death and after he had married Ivetta, enfeoffed Agnes with these 2½ acres. They put themselves on the assize concerning this.

The jurors say on their oath that Richard did not die seised of these tenements, and so judgment is given that John and Agnes are to go without day, and Robert is to take nothing by this assize but is to be in mercy for his false claim (*marg:* amercement[c]).

1. The clerks who wrote these plea rolls occasionally forgot to use plural verbs for a married couple. The Latin here has *dicit* (for *dicunt*).

8. Stephen de Berwyck has acknowledged that he owes 10 marks to Christian who was the wife of William de Raveneston', of which he will pay her 2 marks at the next feast of the Purification [2 February] and 4 marks next Easter and 4 marks at the next feast of All Saints [1 November]. And if he does not, he agrees that the sheriff may raise [this sum] from his lands and chattels (*marg:* acknowledgement).

9. Simon fitz John and Alice his wife, who brought a writ of entry against John son of John Pevere concerning a messuage and a carucate of land with appurtenances in Weston, come and ask for licence to withdraw from their writ. They have it.

[See 85 for details of the case.]

10. Robert de la Mare, William Ithelane, Robert le Provost, Simon de Kensington and Thomas of Aston were attached to answer John Colderel on a plea as to why they had taken and carried off John's goods and chattels to the value of 60 marks from Whytchurche, and had committed other outrages against him, causing him serious loss and against the peace; whereof he complains that on Thursday before the feast of the Exaltation of the Holy Cross 3 Edward I [12 September 1275] they took and carried off from Wychurche his barley, oats, beans and other goods, to the value of 60 marks, by force of arms, (namely bows and arrows[i]), and committed other outrages against him, causing him loss to the value of 100 marks, against the peace; and on this he produces his suit.

Robert and the others come and deny force and injury and acting against the peace. Robert, William and Simon totally deny that they went to that place on that date and committed any trespass against John as he accuses them. They put themselves on a jury concerning this. John does likewise. So let there be a jury.

[*There follows a gap of about 1½ inches.*]

Robert and Thomas say that at the time Thomas was the earl of Oxford's bailiff in the vill of Wythchurche, and John was the earl's villein,

and held his tenements from the earl in villeinage; and because John tried to take himself off with his chattels, fleeing from the earl, his lord, Thomas (and Robert[i]) seized John's chattels into the hand of their lord, as was fully lawful for him [Thomas] because John was the earl's villein and held from him in villeinage. And that they had committed no other trespass against him, they put themselves on a jury.

John said that four years before the date mentioned he had acquired a burgage plot with appurtenances in Whytchurche from one Thomas Baudewyn, to be held freely from the said Thomas by the service of 12d. a year for all service. At that time he was of free status, and he is prepared to prove this. So let there be a jury trial. But because John says that Robert and Thomas unjustly disseised him, and has procured an assize of novel disseisin against them, let the trial be postponed until after that assize is taken.

[See also 859. The novel disseisin assize is not recorded elsewhere.]

11. Assize of mort d'ancestor to ascertain if John de Notingham, father of Richard son of John de Notingham, died seised in his demesne as of fee of a messuage with appurtenances in Neuportpaynell, which William le Fisser, clerk, holds; and if Richard is his next heir. William comes and says that he cannot answer him on this, because his wife Julian, who has as much [right] in the messuage as he has, is not named in the writ and he cannot answer without her; and so he asks for judgment. Richard cannot deny this, and asks for licence to withdraw from his writ. He has it.

[See 389, Richard's second attempt, with a correctly-worded writ.]

12. [*Darker ink*] Roger de Westbyry, chief bailiff of Stane [Hundred], in mercy for contempt, and he is to be amerced at 20s

Membrane 2

13. Nine marks paid by the hundreds of Burneham, Stok', Dusteb', Ayll', Rysebergh, Ikeshull', Essendon and Wottesdon to plead at Wycumbe, of which each hundred pays one mark (*marg:* 9 marks[c]).

14. William Curteys and Emma his wife, who brought a writ of novel disseisin against Thomas de Hauville and others [named] in the writ concerning property in Little Linford, did not pursue the matter,[1] so they[1] and their sureties to proceed are to be in mercy, namely Roger Curteys of Hameslep and Stephen le Bruton of the same (*marg:* amercements[c]).

1. Written in the singular in the Latin: *est prosecutus, ipse* (which was then altered to the plural *ipsi*).

15. Thomas le Puyle, who brought a writ of aiel against Walter Godewyn and Amabilla his wife concerning a messuage and 16 acres of land with appurtenances in Schenlee, did not pursue the matter, so he and his

sureties to proceed are to be in mercy, namely John de la More in Mureslee and Richard de Hoggistone in Shenlee (*marg:* amercements[c]).

16. William de Boyvill, sheriff, in mercy for contempt. He is to be amerced £20 (*marg:* £20).

17. Assize of mort d'ancestor to ascertain if John le Feure father of Deodatus le Feure (of Neuport[i]) died seised in his demesne as of fee of 3 messuages and 20½ acres of land with appurtenances in Linfford, of which William son of Christian of Linford holds a messuage and 8 acres of land, Gilbert son of William Christian 2 acres of land, Richard son of William Christian 2 acres of land, Luke Botild and Amice his wife a messuage and 4 acres of land, Richard le Carreter and Alice his wife a messuage and 4 acres of land, and Richard son of William Osebern ½ acre of land; and if Deodatus is his next heir.

William son of Christian does not come. He has been summoned and re-summoned; judgment that the assize should be taken [against][1] him by default. Gilbert and all the others come.

Concerning the tenements claimed from him, Gilbert says nothing to stay the assize except that the late John did not die seised of these tenements in his demesne as of fee, but only had a claim to them in the name of his wife Maud, whose right and acquisition they were by gift of one Herbert Pykenot, who enfeoffed Maud with them, to be held by her and her heirs without John having any claim to them except in her name. He puts himself on the assize concerning this.

Concerning the 2 acres claimed from him, Richard son of William Christian says that he cannot answer him on this writ because he does not hold the 2 acres of land in their entirety, but William son of Christian holds 1 acre of land, and held it on the day the writ was obtained, namely 30 December 1285. If the assize should decide that Richard holds the whole, then he further answers that the late John did not die seised in his demense as of fee of these 2 acres of land, and puts himself on the assize concerning this.

Concerning the tenements claimed from them, Luke and Amice, Richard le Carreter and Alice, and Richard son of William Osebern vouch John le Franklin to warranty. He is present and warrants for them, and says that the late John did not die seised of these tenements in his demesne as of fee, because he only had a claim to them in the name of his wife Maud, as has already been said, and he puts himself on the assize concerning this.

Deodatus says that these tenements[2] were acquired by his father John from one Roger Pypart, who enfeoffed John and his heirs to have and hold them from Roger and his heirs by right of inheritance for ever. He says that John never afterwards changed his status, but died seised of them in his demesne as of fee, and after the time-limit.[3] He asks for the assize to inquire into this.

Afterwards Deodatus withdrew his claim against William son of Christian, and came to an agreement with Gilbert and all the others, giving ½ mark for licence to agree, by surety of Luke Botild (*marg:* ½ mark[c]). The agreement is as follows: Deodatus has acknowledged that these tenements with their appurtenances are the right of Gilbert, Richard son of William Christian, Luke and Amice, Richard le Carreter and Alice, and Richard son of William Osebern, and he has remitted and quitclaimed them on behalf of himself and his heirs to Gilbert and the others and their heirs for ever. For this, Gilbert and the others give Deodatus 20s.

1. The right-hand margin is torn.
2. The first five words are written on an alteration.
3. John died after 1230, the year of Henry III's first expedition to Gascony, which by this time was the limit of legal memory. Writs of assize of mort d'ancestor could not be brought concerning a death before this date.

18. Robert de Bray of Bechampton was summoned to answer Elias, son of Elias de Tyngewyk, on a plea that he should use Elias's mill at Bechampton [*lit.* do suit to Elias's mill] as he ought and is accustomed.

Robert comes, and they reach agreement by licence. The agreement is as follows: Robert acknowledges on behalf of himself and his heirs that they (and all others subsequently holding the tenements[i])[1] will in future mill at Elias's (mill[i]) at Bechampton all kinds of grain growing on (their[i]) demesne lands at Bechamton, that is, on two carucates of land, paying one twenty-fourth [*lit.* at the twenty-fourth measure] for the whole year, except Robert's demesne malt at Christmas, which malt Robert will then mill without [payment][2]; and likewise except all Robert's demesne wheat for the whole year, for the milling of which neither Elias nor his heirs will take any part except at Christmas. At that feast Robert and his heirs and all other future tenants of these tenements will pay one twenty-fourth when milling, [for ever][2]. And in return for milling the said wheat without payment for the whole year, except at Christmas, [Robert][2] agreed on behalf of himself and his heirs and all others subsequently holding the tenements, that they will give Elyas, instead of the twenty-fourth measure of wheat, the twenty-[fourth][2] measure of other mixed grain, whenever it happens that Robert or his heirs or other tenants holding those tenements mill their wheat, for ever. For this, Elias has remitted his damages to Robert.

1. These words inserted in tiny writing. 'Subsquently' is written as *subsequenta* (for *subsequenter*).
2. Words supplied from JUST 1/63 as the right-hand edge of JUST 1/67 is torn away here.

[See also 22, and CP 40/52 m. 44 for a previous dispute between Robert of Bray of Beachampton and Elias of Tingewick senior concerning mills in Beachampton: Robert said that Elias senior held him in prison until he gave him the mills, and the case was sent for trial. For Elias of Tingewick see G.R. Elvey, *Luffield Priory Charters* part II, pp. xxii–xxiii, (Buckinghamshire Record Society, 18).]

19. Felicia Ambroys of Suthcote, who[1] brought a writ of assize of mort d'ancestor against Laurence, son of Hugh del Brok, concerning a messuage, 2 virgates of land and 4 acres of meadow with appurtenances in Suthecote by Leyghton has not pursued her claim, so she and her sureties to proceed are to be in mercy. Nothing concerning the sureties because she sued by affidavit on the writ (*fides in brevi*). (*marg:* amercements[c]).

1. The masculine *qui* written for the feminine *que*. JUST 1/63 has the correct *que*.

20. William de Hotoft, bailiff of Roulow [Hundred], in mercy for contempt. He is to be amerced 40s. (*marg:* 40s.[c]).

21. Walter de Aillesbury, bailiff of Roger de Somery and of Richard Siward and Emma his wife, presented himself on the fourth day against William son of Deodatus de Tyringham, clerk, on a plea of novel disseisin which William had brought against them concerning property in Neuport Paynel. William, the plaintiff, did not come, and so Roger and the others are to be without day on this, and his sureties to pursue the matter in mercy, namely Laurence Bradeye of Neuport and Robert de Stoke Hamond (*marg:* amercements[c]).

Membrane 2 dorse

22. Robert de Bray of Bechampton was summoned to answer Elias, son of Elias de Tyngewyk', on a plea that he should permit his villeins at Bechampton to use Elias's mill at Bechampton, as they ought and are accustomed to do.

Elias says that he was in seisin of suit to his mill as of fee and right in the time of peace and in the time of the present king, taking the proceeds from the hands of William Irnemanger, Robert Sonduner, Walter Heved, Adam Pollard, John Spendelove, Alan le Maresch', Peter de Sanden, William Mayding, master Henry de Bechampton, William de Haveresham, Robert Farel, John le Kyng, Richard de Waddon', Sybil who was the wife of Robert Godefray, John Burre, Laurence Carter, Richard Balet, Helota la Blaunche and Lucy Smythe, villeins of the same Robert, for all kinds of grain growing on 9 virgates and 13 acres of land, to be milled at Elias's said mill [paying] the twenty-fourth measure.[1] William le Irnemanger, Robert Sonduner, Walter Heved, Adam Pollard, John Spendelove, Alan le Maresch', master Henry de Bechampton and John le Kyng should each pay on all kinds of grain growing on ½ virgate; Peter de Sanden, William Mayding, Robert Farel and Richard de Waddon' should each pay on all kinds of grain growing on 1 virgate; William de Haveresham should pay on all kinds of grain growing on 1½ virgates; Sybil who was the wife of Robert Godefray should pay on all types of grain growing on 3 acres of land; John Burre, Laurence Carter, Robert Balet, Helota la Blaunche and Lucy Smythe should each pay on all types

of grain growing on 2 acres of land. Robert has not permitted these villeins to do suit to his mill for the last year, as a result of which, he [Elias] says, he has suffered damage to the value of 10 marks, and of this he produces his suit.

Robert comes, and they have agreed by licence. The agreement is as follows: Robert has granted on behalf of himself and his heirs that the said William and all his other villeins, and all others into whose hands the said tenements may come, shall in future mill all their grain growing on the said lands at Elias's mill at Beachampton on payment of one twenty-fourth part. In return for this, Elias has given up his claim to damages.

1. The translation has been compressed from this point on to avoid lengthy repetition.

[See also 18.]

23. Assize of mort d'ancestor to ascertain if Robert Hetth, father of John Heth, died seised in his demesne as of fee of a messuage and 33 acres of land with appurtenances in Chechele which the prior of Tykeford holds; and if John is his next heir. The prior comes by his attorney, who says that the assize between them should not be taken, because John has remitted and quitclaimed to the prior, in the prior's seisin, all the right and claim which he had or could have in those tenements in exchange for receiving an annual corrody for the whole of John's life, of which John is now in seisin, by a written deed in John's name, which he puts forward, and which bears witness to this. John freely admits that the written deed is his, but says that the deed ought not to harm his case nor to count in the prior's favour because at the time it was drawn up he was under age. Afterwards,[1] John did not pursue his claim, and so the prior is to be without day on this, and John and his sureties to proceed in mercy (*marg:* amercements[c]). The names of his sureties are to be inquired into.

1. This added section (the '*postea*' – the Latin word for 'afterwards') is written in different ink in both JUST 1/67 and in JUST 1/63.

[This case of a corrody deed made by an under-age boy interested the compilers of the Year Books. See CUL MS. Ee.1.1, f. 265r and Bodleian MS Douce 139, f. 193r (O), from which it appears that Saham was the presiding judge, Fishburn the *narrator* for John Heth, and John de Lyle for the Prior. I am grateful to Dr Paul Brand for these references; the documents will appear in his forthcoming book for the Selden Society, *Earliest English Law Reports* (vol. IV).]

Membrane 3

24. Hugh Hardy and Christian his wife and Agnes her sister claim from Robert Paulyn of Great Croule and Sarah his wife 4½ acres of land with appurtenances in Great Croule of which (Edith[i]) de Croule, grandmother of the said Christian and Agnes, whose heirs they are, died seised in her demesne as of fee. They say that Edith was seised of these tenements in time of peace in the time of King Henry III, father of the present king,

taking issues, etc., and died seised; and that the fee descended to one Ralph, her son and heir, and from him to Christian and Agnes, his daughters and heirs. They produce suit of this.

Robert and Sarah come and deny force and injury. They say they should not have to answer on this writ because Christian and Agnes had a sister named Maud, who had a son named Ralph who is still alive but is not named in the writ. They ask for judgment. Hugh, Christian and Agnes cannot deny this and so judgment is given that Robert and Sarah should go without day and Hugh, Christian and Agnes are to take nothing by their writ, but are to be in mercy for their false claim (*marg:* amercements[c]).

[See 122 for their correct claim, including Ralph, son of Maud Attewyndmille.]

25. Assize of mort d'ancestor to ascertain if Cecily la Brode, mother of Hugh le Brode of[1] Bukyngham, died seised in her demesne as of fee of one virgate of land in Morton', which John de Morton' holds; and if Hugh is her next heir. John comes and says that he does not hold the said land in its entirety, but Elias Droys holds 3 acres of it, and did so on the day the writ was obtained, namely 12 January 1286. If the assize should find[2] that he holds the land in its entirety, then his answer is that the late Cecily did not die seised of the land in her demesne as of fee, because William, her former husband, and Cecily together held the land from Gilbert, John's father, by a yearly tenancy at Gilbert's pleasure, and so Cecily did not die seised of it as of fee. He puts himself on the assize concerning this.

The jurors say on their oath that Cecily did not die seised of the land in her demesne as of fee, and so judgment is given that John should go without day, and Hugh[3] is to take nothing by this assize, but is to be in mercy for his false claim (*marg:* amercement[c]).

1. 'Of' [*de*] not written in either JUST 1/67 or JUST 1/63, but appears necessary.
2. 'Should find' [*convincatur*] written on an alteration.
3. There is an obliteration struck through after 'Hugh' [*Hugo*].

26. William Tolus pays half a mark for licence to agree with Geoffrey de Wetherfeld and Maud his wife concerning a messuage and 13s. 8d. worth of rent with appurtenances in Bossenho and Hampeslape by surety of the said Geoffrey. They have a chirograph (*marg:* ½ mark[c], chirograph).

[CP 25/1 17/47/13 = FF (25) 337 dated Newport Pagnell, quindene of Hilary [27 January] 1286 (which prints Tobus for Tolus). The tenements are given by the Wetherfelds to be held by William from them and Geoffrey's heirs at a rose rent. Consideration, 12 marks.]

27. Assize of novel disseisin to ascertain if William le Graunt, Walter and William his sons, Thomas de sancto Andrea [St Andrews?], Laurence son of Roger de Huckote, Richard son of Richard de la Hulle, William le Cock of Huckotte and Hugh Felawe unjustly disseised Nicholas Fermbaud of his common rights of fishing in Rollesham which belong to his free tenement there; whereof he complains that they disseised him of

his right to fish in the water of Rollesham from the said William le Graunt's mill in Rollessham up to William's mill in Huckote, in which water (he was accustomed[i]) to have common rights of fishing with all kinds of nets and contrivances to catch all kinds of fish throughout the year.

William comes, but the others do not; William answers on his own behalf and for the others as their bailiff. Afterwards Nicholas withdrew [his accusation] and so William and the others without day on this and Nicholas and his sureties to pursue the matter in mercy, namely John Russell of Wengrave and John Carpenter of Rollesham (*marg:* amercements[c]).

Afterwards an agreement was made between Nicholas and William, namely that William grants on behalf of himself and his heirs that Nicholas and his heirs in future shall have common rights of fishing in the said water with all kinds of contrivances except traps (to catch all kinds of fish[i]) for ever. Also William grants on behalf of himself and his heirs that Nicholas and his heirs in future shall have common rights of pasture in a meadow belonging to William in Rollesham which is called Mulleshamed with all kinds of beasts in the open season. Also William has acknowledged that he owes Nicholas £10, of which he will pay him 5 marks at Easter next, 5 marks at the next feast of St John the Baptist [24 June] and 5 marks at the next feast of St Martin [11 November] (*marg:* acknowledgement). If he does not do this, he agrees that the sheriff may raise the money from his lands and chattels. For this, Nicholas has remitted and quitclaimed on behalf of himself and his heirs, to William and his heirs, all the (right[i]) and claim to fishing which he had in William's mill-ponds in the waters of Rolesham and Huccote (for ever[i]), just as those ponds were accustomed to be of old. The amercement is pardoned because he [Nicholas] is a *vallettus* of the king.

[See also 45.]

28. Adam son of Peter of Crendon, and Denise[1] his wife, pay 1 mark[1] for licence to agree with Nicholas de Luscy of Crendon and Maud his wife on a plea of warranty of charter, (by surety of Nicholas[i]). They have a chirograph (*marg:* 1 mark[c], chirograph).

1. Denise [*Dionisia*], 1 mark [*unam marcam*], written on alterations.

[CP 25/1 17/48/1, (9–10) = FF (25) 333–5, dated Newport Pagnell, quindene of Hilary [27 January] 1286. In 333 Adam and Denise grant Nicholas and Maud his wife a messuage, 10 tofts, 149 acres and 8 acres in Crendon for 2s. a year, for life, with reversion to Adam and Denise; in 334 Nicholas and Maud quitclaim 2 messuages, 3 virgates, 9 acres and 8½ acres to Adam for 10 marks; 335 is a repeat of 333, with the additional detail that Nicholas and Maud hold from Adam and Denise and the heirs of Adam.]

[See also 29.]

29. The same Adam pays 1 mark for licence to agree with the said Nicholas and Maud on a plea of covenant by surety of Nicholas. They have a chirograph (*marg:* 1 mark[c], chirograph).

[*There follows a gap of about 3½ inches.*]

30. Ralph de Kirketon in mercy for contempt and he is to be amerced at 40s. (*marginated and struck through in darker ink:* Northampton, 40s.)

Membrane 3 dorse

31. Assize of novel disseisin to ascertain if William de Ocle [of Oakley?], Richard de Merlawe, clerk, Walter de Whyte and Alice his wife, and Ralph le Taillor unjustly disseised Robert Lether and Agnes his wife of their free tenement in Styvecle, whereof he complains that they disseised them of a messuage, ½ acre and 9 strips of land with appurtenances. Walter and Alice come, and the others do not, but Walter answers for himself and all the others as their bailiff. He says nothing to stay the assize except that William and the others have done no injury or disseisin, and puts himself on the assize concerning this.

The jurors say on their oath that Robert and Agnes were never in seisin of the tenement as their freehold so that they could be disseised of it. And so judgment is given that William, Walter, Alice and the others are without day. Robert and Agnes are to take nothing by this assize, but are to be in mercy for their false claim (*marg:* amercements[c]). Amercement pardoned because they are poor.

32. Robert de Verdon and Alice his wife came into court here and acknowledged an agreement between them and Richard de la Vache senior contained in a written deed which they put forward, in these words: Be it known to all present and future [persons] that there was a dispute in the king's court at Westminster one month after Easter 13 Edward I [22 April 1285] between Richard, son of Richard de la Vache, and Mabel his wife and Robert de Verdon and Alice his wife, querents, and Richard de la Vache senior, defendant, concerning some lands and tenements which had belonged to Sir Thomas Maunsell, father of the said Mabel and Alice, whose heirs they are, in Schenle in Buckinghamshire, Wrestlingworthe in Bedfordshire, Berton, Brunne [Bourn] and Caldecote in Cambridgeshire, and Wytewye [Whitwick?] and Swainton [Swannington?] in Leicestershire. These lands and tenements the said [Richard][1] [senior] had had by the grant of Sir William de Eyete, to whom King Henry had given them when Thomas Maunsell was accused of trespasses at the time of the disturbance in the realm of England. The said Richard senior, in that court and at that term, granted and gave these tenements to them quit of himself and his heirs for ever. Now the said Robert and Alice have given, granted and quitclaimed, on behalf of themselves and their heirs for ever, to the said Richard senior, for 120 marks sterling in which Robert and Alice were bound to the said Richard for forfeiture and redemption of the lands and tenements which belonged to Thomas Maunsell and for Alice's marriage: a messuage and ½ virgate of land with appurtenances held by Alan de Croudene; a messuage and 10 acres of land with appurtenances held by John Hervy;

a messuage and 2 acres of land with appurtenances held by William Campion; a cottage and 1 acre of land with appurtenances held by Richard Malin; a cottage and 1 acre of land with appurtenances held by Julian Galyan; a cottage and ½ acre of land with appurtenances held by Hugh Bacun; a cottage with appurtenances held by Margery Bischope; with the bodies of the (said[1]) customary tenants and their households in the vill of Schenle Maunsell in Buckinghamshire; and half of the manor of Berton with appurtenances, and half of 38 shillingsworth [of rent][1] with appurtenances in Brome [Bourn] and Caldecote in Cambridgeshire – which lands and tenements, and half[2] of the manor of Berton and half of the rent in Bourn and Caldecote fell to the said Robert and Alice as their share of the aforesaid inheritance. Richard de la Vache senior and his heirs are to have and to hold all the said lands and tenements and half of the manor of Berton, with half of the said rent of 38s., with all their appurtenances, quit of Robert and Alice and their heirs for ever, doing the due and customary services to the chief lords of the fee. And Robert and Alice and their heirs will warrant all the said tenements with all their appurtenances for the said Richard and his heirs or assigns against all men and women for ever. In witness whereof Robert and Alice have set their seals to this present written deed.

1. These words omitted from JUST 1/67 and supplied from JUST 1/63.
2. Altered in the MS from 'halves'.

[See also 219, 381, 392.]

33. Thomas Hende and Isabel his wife give half a mark for licence to agree with John de Wykene and Maud his wife on a plea of warranty of charter, by pledge of the said John. And they have a chirograph (*marg:* ½ mark,[1] chirograph).

1. The margination is not cancelled.

[CP 25/1 17/48/8 = FF (25) 332, dated Newport Pagnell, quindene of Hilary [20 January] 1286: 8 acres land and 12d. rent in Bosenho by Hanslope, which is Thomas's right, and given to Thomas and Isabel by John and Maud, to be held by the Hendes and the heirs of Thomas from the de Wykenes and the heirs of Maud for 1d. at Easter; consideration, a sore sparrowhawk.]

34. John de Stonham of Neuport Paynel has acknowledged that he owes Hugh de la Penne 23½ marks, of which he will pay him half next Easter and the other half at the feast of the Nativity of St John the Baptist next following [24 June] (*marg:* acknowledgement). And if he does not do so, he agrees that the sheriff may raise the money from his lands and chattels and those of his heirs. And on this he finds him these sureties, Richard de Middelton, Peter le Somenur and Thomas Gregory,[1] who agree that if John does not pay back the 23½ marks at the said terms the sheriff may raise the money from their lands and chattels and those of their heirs.

1. 'Of Neuport Paynell' inserted above the line but then obliterated.

35. Hugh son of Thomas Pech [*entry partly erased from this point*] of Thornebergh, who brought a writ of assize of mort d'ancestor against [*entry ends here*] (*marg:* void).

[See 36 below.]

36. Henry de Helydon, who brought a writ of entry against Hugh son of Thomas Pech of Thornbergh (and others [named] in the writ[i]) concerning property in Thornebergh, has not pursued his claim, so he and his sureties to proceed are in mercy, namely Henry de la Graunge of Thornebergh and William of Bourton of the same.[1]

1. Presumably originally marginated 'amercements', but the left margin is torn away here.

Membrane 4

37. Assize of mort d'ancestor to ascertain if Alice, who was the wife of William le Forester and mother of Robert le Forester of Bayworth, died seised in her demesne as of fee of four messuages, 37 acres of land and 3 acres of meadow with appurtenances in Hamslape, of which Thomas, son of John Bayon, holds a messuage, 14 acres of land and 2 acres of meadow; Peter Attehull holds a messuage and 5 acres of land; Robert de la More of Dodeford and Avice his wife hold a messuage, 8 acres of land and ½ acre of meadow; and Julian, daughter of John fitz John, holds a messuage, 10 acres of land and ½ acre of meadow; and if Robert is her next heir.

They come. Thomas vouches Margery fitz John of Hameslape to warrant for him; Peter vouches John, son of Peter; and Robert, Avice and Julian vouch John fitz John of Hameslape. They are present and warrant for them.

Concerning the lands which she holds by warranty, Margery says that she holds them for the term of her life from the inheritance of John fitz John of Hameslape, and vouches him to warranty; John, son of Peter, also vouches him to warranty for the lands which he holds by warranty. John fitz John is present and warrants for them, but says that an assize of mort d'ancestor has to be brought concerning the seisin of the last person seised, and that, after Alice's death, her uterine brother Henry was seised of these tenements. He is prepared to prove this by the assize, and so asks for judgment on his writ.

Robert le Forester says that the seisin which John fitz John says that his uncle Henry had of these tenements after Alice's death ought not to quash his writ, because Simon de Bossenho, father of Henry and Alice (and a certain Maud[i]), enfeoffed Alice with these tenements, to be held by herself and her heirs, and he [Robert] is her heir; and because of this enfeoffment the right to these tenements could have been determined at any time by a grand assize or trial by combat between the late Alice and Henry, notwithstanding any relationship between them. Robert therefore

asks for judgment whether this writ should be quashed through the later seisin of Henry, who usurped it from him.

He also says that a writ of mort d'ancestor should not be quashed through the seisin of the last person seised except in a case where the plaintiff can have a like writ concerning the seisin of that last person. He himself could not have an action by writ of mort d'ancestor concerning the death of his uncle Henry except jointly with William de Bosenho son of a certain John son of the said Maud, and by such a writ could only establish his title to half of the said tenements, as he is just one of Henry's heirs, and so his action would fail as far as the other half is concerned. That is contrary to the law, as he has an action claiming the tenements in their entirety in respect of the seisin of his mother, whose heir he is, as she acquired these tenements independently. And so he asks for judgment.

John says that he should not have to answer Robert on this because Robert's uncle Henry (one of whose heirs Robert is, receiving £30 worth of lands as his share of the inheritance from his uncle Henry) enfeoffed a relative of his [John's] named Joan (the sister of his grandfather John), whose heir he is, with these lands, to be held by her and her heirs from the said Henry and his heirs by the service of one penny a year for all service, and Henry bound himself and his heirs to warranty. And so, if he were to be sued by a third party concerning these tenements, Robert would be bound to warrant for him. He asks for judgment whether he has to answer him. He puts forward a charter in Henry's name which bears witness to this, its seal bound with a thread. The justices untied this in the presence of the parties, and found the seal cut through the middle. Its impression is whole, its dorse whole, and part of the wax of the seal remains on the document from which the seal hung, with the wax edges matching. They undid the seal and held out the charter to Robert so that he could answer to it.

He says that he ought not to be excluded [from his action] by it, as Henry's seal was not on it, although John says it is Henry's charter. So he asks for judgment whether he has to answer to this document, which is not ratified by the impression of Henry's seal.

John says that if the court so wishes he is prepared to prove that the charter is the deed of the said Henry, predecessor[1] of Robert and William, and asks that if Robert refuses to allow that proof the court should regard this point as conceded by his adversary.

Robert says that if John were to be sued by anyone about these tenements and vouched him and William, his co-parcener, to warranty because of this charter, which he does not recognize as the deed of his predecessor Henry, he would not be bound to warrant except for half of the tenements, and so he asks for his seisin to be awarded to him as far as the other half is concerned, since the articles of his writ are acknowledged.

John, as before, says that the charter is the deed of the predecessor[1] of Robert and William, and he is prepared to prove this as the court shall

decide, as has been said before, and he asks for judgment, as before. He also says that Robert ought to be excluded by the charter from the whole of his claim; however [if he is not excluded] he would only be bound to warrant for half what was sought if he had been vouched to warrant together with his co-parcener, because Robert, as one of Henry's heirs, ought to be excluded by Henry's deed from legal action concerning the portion of the tenements[2] which have descended to him from Henry; and he says that £30 worth of land has descended to him from the same Henry as his share, and he is prepared to prove this. So he asks for judgment.

Robert says that the charter is not the deed of his predecessor[1] Henry, and he is prepared to prove this if the court shall so decide that he should be admitted without his co-parcener, as he is only one of Henry's heirs. A day is given them to hear judgment, on the eve of the Purification [1 February 1286].

On which day the parties came. And so did William, co-parcener with John, who freely joined himself with John in answering. They strongly deny that the charter was the deed of their ancestor[1] Henry. They say that Henry gave these tenements to John's relative Joan, to hold as long as she lived outside the habit of religion [*i.e.* did not enter a nunnery]. They put forward[3] a written deed which bears witness to this, and put themselves on an assize, to be taken in place of a jury, and on Richard de Tykefford, a witness named in the charter (because the others have died), that Henry did not give her the tenements in fee. And so the sheriff is instructed to cause twelve[4] to come here on the Monday after the Purification [4 February], together with the said witness.

[*Different ink*] Afterwards they reached an agreement. John of Hamslape gives half a mark for licence to agree, by surety of the said Robert (*marg:* ½ mark[c]). They have a chirograph.

1. The MS has *antecessor*, which is usually translated as 'ancestor', but cannot always bear this sense in this entry.
2. JUST 1/63 has *nisi* (except) instead of *tenementorum* (of the tenements), altering the sense to 'for his share, except those tenements which descended to him from the said Henry'.
3. MS *profert* (he puts forward) for *proferunt* (they put forward).
4. That is, twelve respectable and lawful men (*xij probos et legales homines*), to form the jury.

[CP 25/1 17/49/7 (32) = FF (25) 367, Wycombe, one month of Easter [12 May] 1286. John fitz John of Hanslope warranted for Thomas, son of John Bayon, Peter Attehull, Robert de la More and Avice his wife. The holdings are John's right, to be held of Robert le Forester for 1d. p.a.; consideration, 24 acres in Hanslope.]

[*There follows a gap of about 5 inches, then a note of the date when judgment was to be given. Notes such as this are sometimes added at the foot of membranes, or after a gap of some inches, with the space left for further details arising from subsequent hearings.*]

37(b) A day is given at Wicumbe, Saturday 4 May 1286, from day to day, and the sheriff is instructed to cause the parties to come there on the said day.

Membrane 4 dorse

38. Isabel Hog claims 1 acre and 33 roods of land with appurtenances in Neuton Blossevill' from Maud who was the wife of Thomas le Clerck; 2 roods of land with appurtenances in the same vill from Master John of Bukyngham and Isabel his wife; and 1 rood of meadow with appurtenances in the same vill from Philippa, who was the wife of William le Cyrographer; of which Helewise Hogge, Isabel's grandmother, whose heir she is, was seised in her demesne as of fee on the day she died.

Maud and the others come. Maud says that she has no rights in the land claimed from her because they are the right and inheritance of Agnes, Alice and Maud, her daughters by her late husband Thomas, and descended to them by hereditary right from the said Thomas after his death; so she asks for judgment on the writ. Philippa says that she has no rights in the lands claimed from her, because they are the right and inheritance of her son Simon by her late husband William le Cyrographer, and descended to him by hereditary right from the said William after his death; so she asks for judgment on the writ. Isabel Hog cannot deny this, and asks for licence to withdraw from her writ in this respect. She has it.

Master John and Isabel his wife totally deny that Helewise, grandmother of Isabel, whose heir she is, died seised in her demesne as of fee of the tenements claimed from them. They put themselves on a jury concerning this, and Isabel does likewise. So let there be a jury.

[*Darker ink*][1] The jurors chosen by agreement of the parties say on their oath that Helewise, grandmother of Isabel Hog, did not die seised of the tenements in her demesne as of fee, and so it is adjudged that Master John and Isabel his wife are to go without day on this. Isabel Hog is to take nothing by this jury-trial, but is to be in mercy for her false claim (*marg:* amercement[c]).

1. Also written in darker ink in JUST 1/63.

[See also 62, 351.]

39. Assize of mort d'ancestor to ascertain if Lucy de Nowers, aunt of William de Nowers, died seised in her demesne as of fee of a messuage, 3 carucates of land and 3 acres of wood with appurtenances in Ocle, which John son of Adam de Montalto holds; and if William is her next heir.

[John] comes, and vouches Geoffrey de Chaham to warranty. He is to have him at Westminster on the quindene of Easter [28 April] with the help of the court. He is to be summoned in Surrey (*marg:* Westminster, Surrey). The sheriff is instructed to have the recognitors there on the same day. John appoints Richard le Rus or John of Stok' as his attorney

40. Alice, who was the wife of Henry Cock, claims 25 acres of land with appurtenances in Caldecote from Nicholas de Eure [Iver], and 3 acres of meadow and ½ acre of land with appurtenances in Wykes from Laurence

le Suour of Wykes (and Agnes his wife[i]), as her right and marriage gift, in which Nicholas, Laurence and Agnes only have entry through Henry, her late husband, who demised them to them and whom she could not oppose in his lifetime.

Nicholas and the others come. Nicholas says that he cannot answer her on this writ because he does not hold the tenements she claims from him, nor any part of them, because his son Adam holds them, and did so on the day she obtained the writ, namely 2 January 1286. He puts himself on a jury concerning this and asks for judgment on the writ. Concerning the tenements claimed from them, Laurence and Agnes totally deny that they entered them through Alice's late husband Henry, but through Nicholas de Iver, and they put themselves[1] on a jury concerning this. Alice cannot deny this, and so it is adjudged that Nicholas and the others should go without day on this. Alice is to take nothing by her writ, but is to be in mercy for her false claim (*marg:* amercement[c]).

1. The MS has a singular verb (*ponit*) written for the plural (*ponunt*).

[See also 103, 104.]

41. Assize of mort d'ancestor to ascertain if Hugh de Hurst, father of Nicholas son of Hugh de Hurst, died seised in his demesne as of fee of a messuage, 12 acres and 3 roods of land and 2 acres of meadow with appurtenances in Hurst, of which Henry le Clerk and Agnes his wife hold 3 acres of land, Robert Paulyn 3 acres of land, Robert le Feure and Agnes his wife 3 roods of land, William le Chapman 1 acre and 3 roods of land, John del Brock and Emma his wife 1 acre of land, Hugh Oweyn 2 acres of land, Walter Goldyng and Maud his wife ½ acre of land, Adam le Corviser and Emma his wife 3 roods of land, William le Mouner of Craule and Amice his wife 2 acres of meadow and ⅔ of a messuage, and William le Lepre and Petronilla his wife ⅓ of a messuage; and if Nicholas is his next heir.

They come and say that the assize ought not to be taken, because the same Nicholas formerly brought an identical assize against them in the king's court concerning these tenements, before Robert Fuk' and Walter of Aymondesham, justices appointed for this in this county. They had vouched Robert, son of the late Hugh and brother of this Nicholas, to warrant for them, and he did so, and in his answer to Nicholas he said that Nicholas could not claim anything in the tenements because, the tenements being in Robert's seisin, Nicholas had remitted and quitclaimed, for himself and his heirs, to Robert and his heirs, all the right and claim[1] which he had in the tenements for ever. He put forward a deed in Nicholas's name which bore witness to this, which deed Nicholas had denied in that court was his. And Robert says that by the same assize, taken in place of a jury, it was decided that the deed was Nicholas's and adjudged that Robert should go without day on this, and that Nicholas should be committed to gaol. And so he seeks judgment.

Nicholas cannot deny this, and so it is adjudged that Henry and the others are to go without day on this. Nicholas is to take nothing by his writ, but is to be in mercy for his false claim (*marg:* amercement[c]).

1. The Latin has *clamium* 'claim' written in full. It only seems to be in the phrase *pro falso clamore* 'for his false claim' where the form *clamor* is preferred.

42. [*Smaller writing*] Richard de Paskeden of Burton claims from Walter de Geyton and Amice his wife two messuages, 11 acres and 5½ virgates of land with appurtenances in Weston, Babbegrave and Broughton as his right by a writ of right patent. Walter and Amice come and say that they hold the tenements jointly with Thomas de Kymberworth and Lucy his wife of the inheritance of William Malet, father of Amice and Lucy, whose heirs they are, and they cannot answer him without them. So let Thomas and Lucy be summoned to be at Westminster one month after Easter [12 May] to answer with them. They are to be summoned in Somerset (*marg:* Westminster, Somerset).

[See also 374, 406.]

Membrane 5

43. Peter le Botiller, who is of full age, claims from Ivo le Botiller 9½ acres of land and ½ acre of meadow and ¾ of a messuage with appurtenances in Clyfton, which he demised to Ivo when he was under age. Ivo comes. He readily acknowledges that he has entry into the tenements through Peter, but says that Peter can claim nothing in the tenements because he is in seisin of his homage for them. He puts himself on a jury concerning this. He also says that Peter granted the tenements to him and the heirs of his body, and confirmed this by his charter, and bound himself and his heirs to warranty. And so he asks for judgment.

Peter readily acknowledges that he is in seisin of Ivo's homage, and that he made him the said charter, but he says that at the time he made him that charter and received his homage he, Peter, was under age. He asks that the truth of this should be inquired into by a jury. Ivo does likewise. And so let there be a jury. And because it is useful to put the witnesses named in the charter on that jury, the sheriff is instructed to cause those witnesses to come to ascertain [the truth], namely Ascelin Borard, Robert Borard, Thomas de Reyns, John le Botiller and John de Stokwell.

[*Darker ink*] Afterwards they reach agreement, and Ivo gives half a mark for licence to agree, by surety of Peter (*marg:* ½ mark[c]). The agreement is as follows, that Peter has acknowledged that the said tenement with its appurtenances is Ivo's right, and has remitted and quitclaimed it to Ivo and his heirs, (to be held[1]) from Peter and his heirs by homage and the service of 4s. 6d. a year, paying half at the Annunciation [2 February] and the other half at Michaelmas [29 September] for all service. Peter and his

heirs will warrant this tenement with its appurtenances for Ivo and his heirs against all people for ever.

44. Assize of mort d'ancestor to ascertain if William de Covington,[1] uncle of Elena daughter of John Balle of Netherden, died seised in his demesne as of fee of three messuages and 1 acre of land in Stanystratford, of which William le Clerk of Drayton and Julian his wife hold three messuages, and William Wyteman holds 1 acre of land; and if Elena is William's next heir.

William and William come. Julian does not come, and has been resummoned. Judgment that the assize is to be taken against her by default. William le Clerk says that the late William de Covington did not die seised in his demesne as of fee of the tenements claimed from him, because a long time before his death William de Covington enfeoffed Peter le Grik with them, and Peter afterwards enfeoffed William, vicar of Wolryngton. The vicar afterwards enfeoffed his daughter Agnes.[2] [William] puts himself on the assize concerning this.

Concerning the tenements claimed from him, William Wyteman on another occasion has vouched Thomas Bolur, chaplain, to warranty; he now comes by summons and warrants. He freely acknowledges that the late William died seised in his demesne as of fee of these tenements, but says that Elena is not William's next heir. He is prepared to prove this by means of twelve men of the view of Covington in the county of Huntingdon, where the late William was born (*marg:* Huntingdon). Therefore the sheriff is instructed to cause twelve men to come here on Monday after the Purification [4 February] by whom [the matter may be tried] and who are not [connected to either party] to reach a verdict with twelve men of this county, because both [parties have put themselves on a jury].

1. There is a place called Covington and another called Conington in Huntingdonshire. Most of the time, including in this entry, the clerk does not distinguish between -v- and -n-.

2. Is the vicar enfeoffing his own daughter, or William le Clerk's? The Latin has *quamdam Agnetem filiam suam.*

[*There is a gap of about 2 inches before the next entry, which would allow for a continuation of the case to be recorded.*]

45. [*Darker ink*] William le Graunt of Huckote, Walter, John and William his sons, Gilbert le Gardiner, Laurence his son, Richard de la Hulle, William le Keu, Hugh Felawe, John de Bebbegrave, Gilbert Kyld, David le Hayward, Robert de Stevenach, Adam atte Grene, Robert Aunger, Walter Goky and Ralph Mare of Huckote were attached to answer Roger de Lughton' on a plea as to why they attacked him at Rollesham by force of arms, and beat, wounded and ill-treated him, and took his goods and chattels which they found there, and committed other outrages against

him, causing him £60-worth of damage and against the peace; whereof Roger de Lughton' says that William and the others came to Roffellesham on the Tuesday after the feast of St Lucy 13 Edward I [19 December 1284] by force of arms, namely with bows and arrows, swords, axes and hauberks and other weapons, and beat, wounded and maimed him and committed other outrages against him causing him damage; he produces his suit of this.

William and all the others come. Afterwards Roger did not pursue his case and so William and all the others are to go without day on this, and Roger and his pledges to proceed are to be in mercy, namely John Knythwine and William Gose of [*blank*] (*marg:* amercements[c]). Afterwards the amercement is pardoned at the request of Nicholas Fermbaud, the king's servant [*valettus*].

[See also 27.]

46. John Sweyn and Margery his wife claim from John Brien and Anne his wife a third part of a messuage and of 2 virgates of land with appurtenances in Chetingedon as Margery's dower from one Thomas son of J[ohn][1] le Clerk of Chetingedon, her first husband. John Brien and Anne come and say that Margery should not have dower in these tenements as Thomas was not in seisin of them on the day he married her, [nor][1] ever afterwards, so that he could dower her from them. They put themselves on a jury concerning this, so let there be a jury. (*Marginated:* Friday after the quindene of Hilary [1 February].)

1. Words torn away; supplied from JUST 1/63.

Membrane 5 dorse

47. Assise of novel disseisin to ascertain if Baldwin de Scovile, Simon de Ellesworth parson of Thrapeston' church, Walter[1] de Ellesworth, William de Pepeworth, Robert Greylang, William de Colne, Warin de Walton', Roger de Luton' [Loughton?], Gilbert de Kirkby, Thomas de Luton' [Loughton?], Peter Rever, Roger de Westbur', Matthew le Messer, John le Kyng and Ralph Page unjustly disseised William de Scoville of his free tenement in Torueston', whereof he complains that they disseised him of two-thirds of the manor of Torueston' with appurtenances.

Simon the parson comes. The others do not come, but John de Islep comes and answers for them as their bailiff. Simon the parson answers as tenant, and says that, as far as one virgate from half of the manor is concerned, he has committed no injury or disseisin, because he entered this virgate[2] through one Stephen de Hauville, who enfeoffed him with it and is not named in the writ; and so he asks for judgment on the writ. As far as the rest of the tenements are concerned, he says that he entered them[2] through Simon de Thorp, and not by any disseisin, so that if any disseisin has been committed it was by Simon and not by himself.

Simon de Thorp, through John [de Islip] his bailiff, says that he has committed no injury or disseisin, because he entered the tenements through Baldwin de Skovill' and not by any disseisin, so that if any disseisin has been committed it was by Baldwin and not by himself.

Baldwin, through John de Islep his bailiff, says that he has committed no injury or disseisin, because Florence, who was the wife of Humphrey de Skovill', held the said tenements in dower from his, Baldwin's, inheritance; but Florence, by fraud and to his disinheritance while he was in distant parts, made a charter of enfeoffment of these tenements for William de Scoville, that they were to be held by him and his heirs, and she put William in seisin without Baldwin's knowledge. He says that, as soon as he perceived this, he at once removed[3] William from these tenements before he had any seisin and freehold in them and so could be disseised of them. And he puts himself on the assize that he has committed no other injury or disseisin.

John [de Islip] says on behalf of all the others that they have and make no claim in the said tenements, and have committed no injury or disseisin, and he puts himself on the assize concerning this.

[*Smaller writing*] The jurors say on their oath, concerning the virgate of land, that Stephen de Hauvill' enfeoffed Simon the parson with it. Asked if the virgate was part of the two-thirds of the manor, or from the third part, they say from the third part. Therefore it is adjudged that (on this[i]) Baldwin and the others are to go without day, and William de Scovile is to take nothing by this assize, but to be in mercy for his false claim.

Concerning the rest of the tenements, they say that Simon the parson entered them by the enfeoffment of Simon de Thorp, and Simon de Thorp by the enfeoffment of Baldwin; and that Baldwin at some time gave them to his mother Florence to hold as dower in exchange for some other tenements which Florence formerly held in dower. They say that about three years ago, before the Annunciation [25 March], Florence enfeoffed William de Scovile with these tenements which she held in dower by the said exchange, to be held by William and his heirs, and put him in seisin of them one Saturday.

Asked where Baldwin was at the time of the said enfeoffment, they say that he was in distant parts, three days' journey away from the manor; and as soon as the foregoing came to his notice he returned to Thorueston, and removed William from these tenements on the following Saturday, because he saw that this enfeoffment had been made to disinherit him.

Asked what sort of profits William took from these tenements, they say that he took the fealty of the villeins holding[4] in villeinage in the two-thirds, and made an enclosure in the two-thirds, and ploughed with the ploughs of the villeins, and also with Florence's plough, in various places in the field. Asked if he did any sowing, they say no.

Because[5] it was decided by the assize that Florence held these tenements in exchange for other dower lands belonging to her from Baldwin's

inheritance, and that by putting William in seisin and enfeoffing him and his heirs she had disinherited Baldwin, to whom the reversion of those tenements belonged, and likewise that Baldwin had returned to the tenements after rumours of the enfeoffment had come to his notice when he was far away, and had removed William as soon as he could, and William's possession of the tenements ought rather to be described as injury than seisin of a free tenement, it was adjudged that Baldwin, Simon and the others were to go without day, and that William de Scovile should take nothing by this assize, but to be in mercy for his false claim (*marg:* amercement[c]).

1. Instead of *Walterus*, JUST 1/63 has *W* obliterated and *Henr* written above it.
2. In the Latin, the first expression has *in* followed by the accusative case, and the second has *in* followed by the ablative case, showing clearly that the usages were interchangeable.
3. 'removed' (*amovit)* written in different ink above an obliteration. JUST 1/63 has *ejecit*, which means 'threw out'.
4. The same mistake in the Latin (*tenentes* written for *tenentibus*) has been made in both JUST 1/67 and JUST 1/63, which is evidence for one roll being copied here from the other (or both from the same original).
5. At this point, the writing grows smaller to fit into the available space. In JUST 1/63 this paragraph is written on a small extra schedule.

[This case is another found in the Year Books (CUL MS Ee.1.1, ff. 256r–v, Bodleian MS Douce 139, f. 192r) and kindly communicated to me by Dr Brand (see 23). The justices asked how long William had held the land, and how he had exploited it.]

48. Petronilla, daughter of William Payn, claims from Richard Drabel a messuage and 8 acres of land with appurtenances in Herdewyck as her right by a writ of entry. Richard comes and says that Petronilla is under age, and asks for judgment if he should answer her on such a writ before she is of age. Because Petronilla is seen in the court and is under age, therefore the plea is to be postponed until she is of age (*marg:* age).

[See below, 49 and 50; also 125.]

49. The same Petronilla claims from John Elys a messuage and 9 acres of land with appurtenances in Herdwyck as her right by a writ of entry. John comes and says that Petronilla is under age, and asks for judgment if he should answer her on such a writ before she is of age. Because Petronilla is seen in court and is under age, therefore the plea is to be postponed until she is of age (*marg:* age).

50. Richard Drabel was summoned to answer Petronilla Payn on a plea of why, whereas it is provided that it is not lawful for anyone to commit waste in, sell or destroy lands, buildings, woods or gardens demised to him for the term of his life or a term of years, or those held by the curtesy of England, he has committed waste and destruction of buildings in Herdwyke which William Payn, father of Petronilla, whose heir she is, demised to him for life, against the form of the said provision and to the disinheriting of the same Petronilla.[1]

Richard comes and says that William, father of Petronilla, did not demise the tenements to him alone, but to him and Alice his wife, to hold for the term of the life of each of them, Richard and Alice, and that Alice is not named in the writ; and so he asks for judgment on the writ. Petronilla cannot deny this. So it is adjudged that Richard should go without day, and Petronilla should take nothing by her writ, but is to be in mercy for her false claim (*marg:* amercement[c]). She is pardoned because she is under age.

1. Statutes of the Realm, I, p. 48, Statute of Gloucester, c.5: *ensement purveu est qe len eit desoremes bref de Wast en la Chauncelrie (fet de ceo sur) home qi tient par la lei de Engleterre, ou en autre manere a term de vie, ou a terme de annz, ou femme en doweire, e celui qi serra ateint de Wast perde la chose (qil ad) Wastee e estre ceo face gre del trebble de ceo qe le Wast serra taxe. E Endreit de Wast fet en garde seit (fet) selom ceo qe il est contenu en la graunt chartre* "It is Provided also That a Man from henceforth shall have a Writ of Waste (made thereupon) in the Chancery against him that holdeth by the Law of England, or otherwise for Term of life, or for Term of Years, or a Woman in Dower; and he which shall be attainted of waste, shall loose the Thing that he wasted, and moreover shall recompense thrice so much as the waste shall be taxed at. And for Waste made in the Time of Wardship, it shall be done as is contained in the Great Charter."

[See also 125.]

51. A jury comes to ascertain whether a messuage with appurtenances in Bukyngham is free alms belonging to the church of Bukyngham, of which Neapoleo de Filiis Ursi is parson, or the lay fee of Robert de Puntayse and Robert le Daveys [*or* Daneys], of which Robert de Puntayse holds three-quarters and Robert le Daveys [*or* Daneys] one quarter. [Neapoleo] says that his predecessor Matthew, formerly parson of the said church, was seised in fee by right of his church in time of peace in the time of King Henry, (father of the king[i]), taking profits to the value, etc., and at the same time he alienated these tenements.

Robert de Punteys comes. Robert le Daveys [*or* Daneys] does not come, and has been re- summoned. On this, Robert de Punteys says that he holds the whole of the messuage, and Neapoleo acknowledges this. Robert de Punteys vouches the warden of the house of St Thomas of Acre, London, to warranty, to be at Westminster one month after Easter [12 May] by the help of the court. He is to be summoned in the county of Middlesex. The sheriff is instructed to have a jury present at the same time (*marg:* Westminster, Middlesex).

[Matthew, formerly parson of Buckingham, is Matthew of Stratton, archdeacon of Buckingham, who died in 1269: Lipscomb, II, p. 572.]

Membrane 6

52. Assize of novel disseisin to ascertain if Hugh le Maltemaker of Neuportpaynell' and John son of Warin unjustly disseised William son of Deodatus of his free tenement in Neuportpaynell', whereof he complains

that they disseised him of a messuage with appurtenances. Hugh and John come. John says that he has no claim in the messuage and has done no injury or disseisin, and puts himself on the assize concerning this. Hugh *answers as tenant and says nothing to stay the assize, except that he says* William was never in seisin of the messuage as of a free tenement so that he could be disseised of it, and puts himself on the assize concerning this.

The jurors say on their oath that Hugh held the messuage by the curtesy of England after the death of Alice, his (late[i]) wife, whose right and inheritance that messuage was, because he had had a child by her; and Hugh had by his deed enfeoffed William of (all[i]) the messuage except one shop, and put William in seisin, for him and his heirs to have and hold it in fee. And they say that William was in seisin of the messuage for one year and more until Hugh and John ejected him from it. A day is given them to hear judgment at Westminster on the quindene of St John the Baptist [8 July].[1] (*marg:* Westminster). Damages, if any, half a mark.

1. This whole sentence is in tiny writing, probably inserted later.

53. Reginald de Beauchamp has acknowledged (*marg:* acknowledgement) that he owes Nicholas le Gras[1] £16 2s. 8d., of which he will pay him half at the next feast of the Annunciation [25 March] and the other half on the quindene of Easter next following [29 April]. If he does not do so, he grants that the sheriff may raise it from his lands and chattels and those of his heirs.

1. Nicholas le Gras is one of the justices at this eyre.

54. Assize of novel dissisein to ascertain if Ralph de Ardern' and Isabel his wife unjustly disseised William Dyve of his free tenement in Wlreton, whereof he complains that they disseised him of 12(s.-worth[i]) of rent with appurtenances. Ralph and Isabel come. Ralph says that he has done no injury or disseisin because he found Isabel his wife seised of the rent on the day he married her, so that if any disseisin had been done it was done by Isabel and not by him. And for Isabel he says that she has done no injury or disseisin because William was never in seisin of the rent as of his free tenement so that he could be disseised of it, and puts herself on the assize concerning this.

The jurors say on their oath that William was never in seisin of the rent as of his free tenement so that he could be disseised. Therefore it is adjuged that Ralph and Isabel are to go without day, and that William is to take nothing by this assize, but is to be in mercy for his false claim (*marg:* amercement[c]).

55. Assize of novel disseisin to ascertain if John de Stonham and Alice his wife disseised John le Loupe of Neuport Paynell of his free tenement in Neuportpaynell, Caldecote and Great Linford, whereof he complains that they disseised him of a messuage, 10 cottages and 24 acres of land with appurtenances.

John and Alice come and say that the assize should not be taken, because Alice and Roger, her former husband, entered these tenements through Ralph le Lupe, who is not named in the writ, and so they ask for judgment. And if the assize should decide that they did not enter these tenements through Ralph, then they say nothing to stay the assize except only that John (le Lupe[i]) was never in seisin of the tenement as of his free tenement so that he could be disseised of it. They put themselves on the assize concerning this.

John le Lupe says that he was in good and peaceful seisin of the tenements by the gift and enfeoffment of Ralph, who had enfeoffed him while he was overseas, and delivered the seisin of this tenement to Alice to keep it for John's use, so he says that Alice does not have any seisin of the tenements except in John's name, as aforesaid.

Afterwards, John le Lupe did not pursue his claim, and so John de Stonham and Alice are to go without day. John le Lupe and his sureties to proceed are in mercy, namely William son of William of Oluewyk' and Walter son of Robert of Neuport paynell. (*marg:* amercements[c]).[1]

1. Another faint margination above *amercements*, possibly erased, looks like *transgressio* (trespass).

56. John de Salop' and Alice his wife, who brought a writ of entry against Hugh le Brater concerning 1 acre of land with appurtenances in Neuportpaynell, have not pursued their claim, and so they and their sureties to proceed are in mercy, namely John Crysp of Neuport and Ralph le Swoin of the same (*marg:* amercements[c]).

57. The same John and Alice, who brought a writ of entry against the said Hugh concerning 1 acre of land with appurtenances in Neuportpainell, have not pursued their claim, and so they and their sureties to proceed are in mercy, namely Robert God of Neuport and Walter Lauman [*or* Lanman] of the same (*marg:* amercements[c]).

[See also 64 and 65.]

58. Maud who was the wife of William Sewaker claims from Walter de Wodemancote and Isabel his wife and Edmund son of R[ichard][1] Villy a third part of a messuage, a third part of 16 acres of land and a third part of 1 acre of meadow with appurtenances in Great Merlawe; and from Walter son of Walter Princhard a third part of 5d.-worth of rent with appurtenances in the same vill; and from John son of John le Clerk a third part of 1 acre of land with appurtenances in the same vill, as her dower from the dowering of her late husband William.

Walter and the others come. Walter and Isabel say that they have nothing in the third part claimed from them except by wardship of Edmund's inheritance until he comes of age. Walter, Isabel and Edmund give Maud her dower by licence, so let her have her seisin.

Walter son of Walter says that he does not hold the rent of which Maud claims a third part, but holds the tenement from which the rent comes, not the rent, and so asks for judgment on the writ. Maud cannot deny this, and asks for licence to withdraw from her writ in this respect, and has it.

John says that he cannot answer her on her writ because he does not hold the tenement of which Maud claims a third part; he says that his brother Edmund holds it, and did so on the day Maud obtained the writ, namely 27 January 14 Edward I [1286]. He puts himself on the jury concerning this. Maud does likewise, so let a jury come. (*Marginated:* on Wednesday after the Close of Easter [24 April].)

1. Only the R- is legible of this name in JUST 1/67; the rest supplied from JUST 1/63.

[*There follows a gap of 2 inches, which would allow for a continuation of the case to be recorded.*]

59. William de Kyrkeby has acknowledged (*marg:* acknowledgement) that he owes Bartholomew Malemeyns and Joan his wife 10 marks, which he will pay on the octave of the Purification next [9 February]. If he does not do so, he agrees that the sheriff may raise it from his lands and chattels.

[See CP 25/1 17/48/12 = FF (25) no. 331, dated octave of Hilary [20 January] 1286, recorded at Newport Pagnell on the morrow of the Purification [3 February]: Bartholomew Malemeyns and Joan his wife recognize the right of William de Kirkeby and his wife Christine to ⅓ of a carucate in Stoke Mandeville (consideration, a sore sparrowhawk). Are the 10 marks the purchase price?]

[*There is a capitulum mark at the bottom of the page, whose descenders appear to have been cut off slightly, so the page may perhaps have been trimmed along the bottom.*]

Membrane 6 dorse

60. Robert, son of Robert Polet, who brought a writ of assize of mort d'ancestor against Walter de Chekeseie and Maud his wife concerning tenements in Hugendon' and Kingeshull', did not pursue his claim, so Walter and Maud are to go without day, and Robert and his sureties to proceed are in mercy, namely Richard Kite of Grendon and William Sampson of the same (*marg:* amercements[c]).

[*This is the only entry on membrane 6 dorse.*]

Membrane 7

61. Silvester Doynel and Margaret his wife give one mark for licence to agree with Alexander Fizunle on a plea of covenant by surety of Alexander. They have a chirograph (*marg:* 1 mark[c]).

[CP 25/1 17/48/11 = FF (25) no. 336, dated Newport Pagnell, quindene of Hilary [27 January] 1286, concerning a messuage, 77½ acres of land, 6 acres of meadow and 5s. rent in Drayton Parslow.]

62. Isabel Hog claims 1 acre and 3 roods of land in Neuton' Blossevill' with appurtenances from Simon de Blossevill', of which Helewise Hog, Isabel's grandmother, whose heir she is, died seised in her demesne as of fee. Simon comes. On another occasion he has vouched John son of Robert de Abyngdon' to warranty, who now comes by summons and warrants for him, and further vouches John Druell, who is present in court and warrants for him. He denies her right and says that Helewise did not die seised in her demesne as of fee, and puts himself on a jury concerning this. Isabel does likewise, and so let there be a jury.

The jury,[1] chosen by consent of the parties, say on their oath that Helewise did not die seised of the said tenements in her demesne as of fee, and so it is adjudged that John should go without day on this. Isabel is to take nothing by this writ, but to be in mercy for her false claim (*marg:* amercement[c]).

1. The writing of this entry is more compact from this point on. JUST 1/63 has different ink at this point.

[See also 38, 351.]

63. John de Salop' and Alice his wife, who brought a writ of entry against Hugh le Brater concerning tenement(s) in Neuport, did not pursue their claim, so John and Alice and their pledges to proceed are in mercy, namely Robert God of Neuport and John de Astewode (*marg:* amercements[c]).

64. The same John and Alice, who brought a writ of entry against Simon de Rede, prior of Tykeford, concerning tenement(s) in Neuport and Shyrington' did not pursue their claim, so the prior is to go without day, and John and Alice and their pledges to proceed are to be in mercy, namely Thomas le Prud and William Helewys (*marg:* amercements[c]).

[See also 56 and 57.]

65. (*marg:* Leicester)[1] William le Pestur of Hynkeley has acknowledged that he owes Master Thomas of Sodyngeton' 200 silver marks for Master Thomas's grain in Offeley, Passenham and Kisselingebyry for the 13th year of the present king, and will pay him half on 1 August in the 14th year of the present king [1286], and the second half at the feast of St Andrew the Apostle next following [30 November]. If he does not, he agrees that the sheriff may raise this sum from his lands and chattels and those of his heirs. And on this he has found sureties, namely William le Mareschall' of Uppeton, William de Estokes and Geoffrey de Scheppeye, who acknowledge that if William le Pestur does not pay the money at those terms the sheriff may raise it from their lands and chattels and those of their heirs (*marg. in very tall letters*: acknowledgement).

1. This entry has a false start: there is a capitulum mark, then *Willelmus le Pestur* is written. In the margin is *Northpt'*. An attempt has been made to erase these words, and the entry proper begins 1½ inches further down, with the correct county marginated.

66. Hugh de Brok', son and heir of Laurence de Brok', comes into the king's court here and acknowledges that he has drawn up a deed for Roger de Brayton,[1] clerk, and Robert de Hemelhamste, clerk, and asks that it should be enrolled; it is enrolled in these words:

Hugh de Brok', son and heir of the late Laurence de Brok', to all, etc., greeting. Know that I have granted, remitted and by this present deed confirmed on behalf of myself and my heirs for ever to Roger de Braybrok',[1] clerk, and Robert de Hemelhamstede, clerk, for their homage and services, all the manor of La Grave with appurtenances in the parish of Cestresham in the county of Buk', together with all the land in the fields of Ryschmerefeld, Wodefeld, Chiere, Eldehul, Newelond and Brecroft, with their appurtenances [and] I have granted, remitted and confirmed on behalf of myself and my heirs for ever to the said Roger and Robert the homage, rents and services with their appurtenances of John *Pistor* [Baker], Richard de Blakemere and William le Lung and of their heirs and assigns.

I have also granted, remitted and confirmed on behalf of myself and my heirs for ever to Roger and Robert all the lands and tenements in Whelpeleye with appurtenances in the same parish in the said county, together with a meadow called Putmede which is in the parishes of Cestresham and of St Mary of North in Berchamstede in the counties of Buk' and Herteford.

I have also granted and remitted and confirmed on behalf of myself and my heirs for ever to Roger and Robert two mills at Blakewade, of which one is a fulling mill and the other for grain, with their ponds, fish-ponds and suit adjacent [i.e., the people who are bound to use these mills] with all appurtenances; and 9 acres of meadow with appurtenances in the same vill, all of which property the Lord Edmund, earl of Cornwall, held from me for a term; all the said manor, lands and tenements of la Grave and Whelpeleye with all their appurtenances in houses, buildings, gardens, woods, crops, mills, waters, pools, fishpools, plains, meadows, pastures of all kinds, roads, paths, ditches and all other things belonging to the manors of la Grave and Whelpeleye, to be held by Roger and Robert and the heirs of whichever one of them shall live the longer and their assigns, or by any person or persons to whom Roger and Robert [or] the heirs or assigns of whichever one of them shall live the longer shall wish to sell, give or assign [them], to be held of me and my heirs or assigns freely, quietly, well and in peace in fee and inheritance for ever.[2]

For this, Robert [and Roger] and the heirs or assigns of whichever one of them shall live the longer shall perform for me and my heirs one fourth part of a knight's fee whenever scutage occurs for the land of Whelpeleye, paying 13s. 4d. annually to the earl of Oxford and his heirs for the land of la Grave as my attorneys on behalf of myself and my heirs, and to John de Brok', son of Robert de Brok', 1d. a year for the same land, and 11d. a year to the abbot of Leyc' for Delforlong, and to me and my heirs one pair of gilded shoes and suit to my court at

Esseleye three times a year, namely at the next court after the feast of St Michael [29 September] and at the next court after the feast of St Hilary [8 January] and at the next court after Hokeday [23 April (the second Tuesday after Easter)] upon reasonable summons, for all secular service, suit of other courts, exactions and demands (*marg. in tall letters:* acknowledgement).

And I, the said Hugh, and my heirs or assigns will warrant, acquit and by these services everywhere defend for ever all the said lands and tenements with their appurtenances for the said Roger and Robert and the heirs and assigns of whichever one of them shall live the longer. And for this Roger and Robert have given me 200 marks sterling in the hand. In witness whereof, etc.

1. These variations on the name appear in both JUST 1/67 and JUST 1/63.
2. Erasure struck through after *for ever.*

[See also 68, 75.]

[*Membrane 7 dorse is completely blank.*]

Membrane 8

67. John le Charpenter of West Wycumbe and Emma his wife were summoned to answer Henry Baudewyn and Edith his wife on a plea that they should do them the customs and correct services which they ought to do concerning the free tenement which they hold from them in West Wycumbe, in rents, arrears and other respects. They say that, although John and Emma hold and should hold from them a messuage and 2 acres of land with appurtenances in West Wycumbe by the service of 22d.-worth of rent a year and finding one man for four days at harvest time with his own sickle and to be fed by John and Emma, and doing suit at Henry's and Edith's court at West Wicumbe every three weeks, of which services Henry and Edith have been in seisin by the hands of John and Emma as of fee and in Edith's right in time of peace in the time of the present king, taking issues to the value, etc., for the last seven years John and Emma have refused and still refuse to do them these services. They say they have suffered damage to the value of 100s., and produce suit of this.

John and Emma come and deny force and wrong. They fully acknowledge that they hold the tenements from them, and should hold them, by the service of 22d.-worth of rent a year only, without doing them any other service. They say that Edith, in her free widowhood and free from all conjugal bond, remitted and quitclaimed the rest of the services on behalf of herself and her heirs, namely the work of one man for four days as is aforesaid, and likewise the suit, by her deed which they put forward, and which witnesses that Edith, in her free widowhood and in her own free power and unmarried, demised, remitted and fully quitclaimed, on behalf of herself and her heirs for ever, to

John and Emma his wife and their heirs all that service, namely of four days at harvest which they had been accustomed to do for Edith and her ancestors in return for a messuage and a croft in Westwycumbe to be held by John and Emma and their heirs, paying 22d. a year for them to Edith and her heirs at the four terms of the year contained in the deed for all services, customs, suits of court, wards and all other demands. They ask for judgment if an action can lie to exact these services against her own deed.

Henry and Edith say that Edith never remitted or quitclaimed the service of four days at harvest and likewise suit of court on behalf of herself and her heirs to John and Emma and their heirs, nor did she make them any deed, and the deed which John and Emma now put forward in Edith's name is not her deed. Concerning this they put themselves on a jury and the witnesses named in the deed, namely Adam the rector of the church of Bradenham,[1] John de Falle, Richard de Wydendon', Simon de la Hull', Elyas de Nordene, Richard de Norden and Stephen de Cumb'. John and Emma do likewise, so let there be a jury etc.

Afterwards they reached agreement, and John gives one mark for licence to agree, by surety of Henry, (*marg:* 1 mark[c]) and they have a chirograph. (*Marginated:* and they are to come on Friday next after the Close of Easter [26 April].)

1. Adam of Warwick occurs as rector of Bradenham in 1276: Lipscomb, III, p. 556.

[The chirograph is not recorded in FF (25). There is a gap of nearly 3 inches after this entry, presumably to allow for a jury verdict to be recorded.]

68. Hugh de Brok' has acknowledged (*marg:* acknowledgement) that he owes Maurice Caperon 8 marks, which he will pay him at Michaelmas next [29 September]. And if he does not, he agrees that the sheriff may raise this sum from his lands and chattels and those of his heirs, and also from anyone into whose hands his goods and chattels may come.

[See also 66, 75.]

69. Assize of novel disseisin to ascertain if Thomas fitz Eustace, Robert de Ardern' of Brouthon', Roger atte Cruche, William le Keu of Upper Schendeley and William le Gayn unjustly disseised William de Jarpenvile of his free tenement in Totenho and Upper Schendeley, whereof he complains that they disseised him of 40 perches of land in length, and 6 feet in width in one place, and 4 feet in another place, with appurtenances, etc. Thomas and the others do not come. Thomas was attached by Robert del Forest of Schenle and Roger [*or* Robert][1] *Molendinarius* [Miller] of the same, and Roger atte pitte[1] was attached by John le Man of Schenle and Henry Popin, and so they are in mercy (*marg:* amercements[c]). The assize is to be taken against them by default. Robert de Arderne, William le Keu and William le Gayn were not attached because they were not found, and so the assize is to be taken against them by default.

The jurors say on their oath that Thomas and the others disseised William of 40 perches of land in length and 3 feet and 2 feet in width in places, and not 6 feet as he complains. And so it is adjudged that William should recover his seisin by view of the recognitors, and Thomas and the others are to be in mercy (*marg:* amercement[c]). Likewise William is to be in mercy with regard to the excess (*marg:* amercement[c]). Damages, 2s.

1. JUST 1/63 has Robert Molendinarius, Roger atte Cruche.

70. Assize of novel disseisin to ascertain if William son of William de Aylesbyry and Richard and Thomas his brothers unjustly disseised John le Clerk of Walton and Maud his wife of their free tenement in Aylesbyry, whereof he complains that they disseised him of a messuage, a water-mill and 6s.-worth[1] of rent with appurtenances. [*Smaller, straighter writing*][2] William, Richard and Thomas come and say that they do not have to answer them on this writ because they say that the tenements which they placed in view and of which they claim they were disseised are within the bounds of the manor of Aylesbiry, which is in the king's ancient demesne in which, according to the custom of the manor, no writ runs except the little writ of right (close[i]); and they ask for judgment.

William de Heyton, for[3] Richard fitz John, who holds the manor of Aylesbiry at fee farm from the king, now comes and says that these tenements are of limited tenure and held from this manor, in which no writ runs except the little writ of right close. He asks that this writ, obtained in the common form, should not proceed here in this court to the prejudice of his lord. He also says that William son of Hugh, father of William fitz William, brought an assize of novel disseisin concerning the same tenements against John fitz John, brother of Richard, whose heir he is, before Ralph de Hengham and Bartholomew de Suley, justices assigned for this purpose, to which writ John answered that a writ of assize ought not to proceed between them, because the tenements were of the ancient demesne of the king, and so it was adjudged before Ralph and Bartholomew that William should take nothing by that writ, but that he should obtain for himself a little writ of right close, if he wished.[4] He put himself on the record of the rolls of Ralph and Bartholomew concerning this. And so a date was given them, three weeks after Easter [5 May]. Meanwhile the rolls are to be sought.

1. *solidatatis* written for *solidatis*.
2. Also thus in JUST 1/63.
3. Small gap after 'for' (*ex parte*), with a line drawn through.
4. Entry ends here in JUST 1/67, some 4 inches of the membrane being left blank for its completion. The remaining text is here supplied from JUST 1/63.

[See also 295.]

Membrane 8 dorse

71. William le Blund of Olney who brought a writ of mort d'ancestor against Emma la Blunde of Olney concerning property in Olney did not pursue his claim, so he is to be in mercy (*marg:* amercment[c]). Nothing concerning sureties, because [he proceeded] by his word alone.

72. Peter de la Rokele, John de la Rokele and Richard Wobod' were attached to answer Alice la Zuche on a plea of why they had seized and carried off her goods and chattels to the value of 20s. at Wotton' [Underwood] and committed other outrages against her, to her grave damage and against the peace, whereof she complains that on Sunday next before the Ascension of the Lord in the 10th year of the present king [3 May 1282] at Wotton', they had seized and carried off her goods, namely a hood and a book worth 20s., and committed other offences, namely that they had beaten, wounded and ill-treated her, for which she claimed 1 mark in damages; she produces suit of this.

Peter and John de la Rokele and Richard come and deny force and injury, etc. John says in his defence that he did not take Alice's goods or chattels on that occasion, nor did he do her any trespass against the peace as she accuses him, and he puts himself on a jury concerning this. Alice does likewise, so let there be a jury.[1] Peter says in his defence that he did her no trespass. He says that she was walking across John's growing crops and trampling them underfoot, and was thus found doing John damage; therefore he [Peter] had taken a surety from her, namely one book, which he still has in his possession and is prepared to replevy to her according to the (law and[i]) custom of the kingdom if she wishes to ask for it. He puts himself on a jury that he has done her no other injury or trespass. Alice does likewise, so let there be a jury.[2] Richard says in his defence that he did her no trespass. He says that she was walking across[3] John's growing crops and trampling them underfoot, and was thus found doing John damage; therefore he [Richard] had taken a surety from her, namely one hood, which he still has in his possession and is prepared to replevy to her according to the law and custom of the kingdom if she wishes to ask for it. He puts himself on a jury that he has done her no other injury or trespass. Alice also puts herself on a jury, so let there be a jury on the matter.

[*Darker ink*] Afterwards Alice came and asked for licence to withdraw from her writ, and has it. (*Marginated:* they are to come on the Friday after the Close of Easter [26 April].)

1. This sentence omitted in JUST 1/63.
2. 'So let there be a jury' omitted in JUST 1/63.
3. Latin *transsivit* written for *transivit.*

[This sounds very much like a quarrel between neighbours. The Zouche family and the de la Rokeles both held land in Wotton Underwood. Alice is a name found in the Zouche family: the Alan la Zouche who was killed in a brawl in 1270 had a sister named Alice, who

married William of Harcourt (*G.E.C. Complete Peerage*, XII/2 p. 931). Perhaps the Alice in this incident is an unrecorded daughter of Alan. As it took place on a Sunday, and Alice had a book with her, did she take a short cut across de la Rokele land on her way to church?]

73. Walter de Hilmere was attached to answer Nicholas son of Henry de Kingeseye on a plea of why they had seized and carried off[l] by force of arms Nicholas's goods and chattels at Herlesriseboru to the value of 40 marks and committed other outrages against him, to his grave damage and against the peace. Walter comes and denies force and injury, and says that he ought not to have to answer to this writ, because it is badly drawn up and deficient in its language, because the writ was obtained against him, Walter, alone, and at the end of the writ the complaint is that Walter "have seized and have carried off" his goods and chattels, as if more people had been named in the writ, when it is clear from the above that the contrary is the case. So he asks for judgment on the writ. Nicholas cannot deny this, and so it is adjudged that Walter should go without day, and that Nicholas is to take nothing by this writ, but is to be in mercy for his false claim (*marg:* amercement[c]).

1. These plural verbs are the substance of Walter's defence. Later, his luck ran out: TNA C 145/47/11 is an inquiry dated 15 April 1288 into 6 acres in Kingsey held by Walter de Ilmer, hanged for felony.

74. Robert de Gratele was summoned to answer Henry de Shenholt on a plea that he should give him back a charter which he unjustly detains from him, whereof he complains that, when at Christmas in the 7th year of the present king [25 December 1278] one William de Saundredon, attorney of the same Henry de Shenholt, had bought from William le Chamberleyn of Horsenden for the use of the same Henry 8 acres of arable land in the vill of Horsenden for 6 marks sterling, and a charter of that enfeoffment had been handed over to Robert's custody to be looked after impartially until Henry had fully paid over the 6 marks to William le Chamberlain, he had fully paid over the 6 marks to William two years ago, and so had asked Robert for the charter. Robert refused to give it to him and still refuses. He says he has suffered damage to the value of 40s. because of this, and produces suit of this. Robert comes and denies force and wrong. He fully acknowledges that the charter was handed over to his custody in the said form, and gives no reason why he should not hand it over to Henry. He handed it over to him by licence, and it is delivered to him here in court.

75. Hugh de Brok' was summoned to answer Adam de la Leye on a plea that he should pay him the 50 marks which he owes him and unjustly detains. Hugh comes and they have agreed. (Adam gives 1 mark for licence to agree, by surety of Hugh[i]),[1] and the agreement is as follows. Hugh has acknowledged (*marg:* acknowledgement) that he owes Adam the

50 marks, and will pay him one half on the octave of St Michael in the 14th year of the present king [6 October 1286] and the other half on the octave of Epiphany next following [13 January 1287]. And if he does not, he agrees that the sheriff may raise this some from his lands and chattels. In return for this, Adam remits his claim for damages.

1. This sentence, omitted and inserted later, is in its proper place on the line in JUST 1/63. The fine is not marginated, and does not appear in the fines section.

[See also 66, 68.]

76. Ralph fitz Bernard claims from Henry le Conestable of Adington two-thirds of a virgate of land with appurtenances (except ½ acre of land) in Adington which Ralph fitz Bernard, grandfather of the said Ralph, whose heir he is, gave to Thomas fitz Bernard and the heirs of his body, and which, according to the form of the gift, should revert to Ralph after the death of Thomas, because Thomas has died without an heir of his body. Ralph says that his grandfather Ralph was seised of these tenements as of fee and right in time of peace in the time of King Henry, father of the present king, taking profits from it to the value, etc., and gave the tenements to Thomas in the said form, and the tenements should revert to him, Ralph, because Thomas has died without an heir of his body. The right to the reversion descended from Ralph [the grandfather] to John, his son and heir, and from John to Ralph, who now claims as son and heir. He produces his suit of this.

Henry comes and denies his right, saying that Ralph [the grandfather] did not give the tenements to Thomas in the form stated, nor in any other form, for they were the right and inheritance of Robert fitz Bernard, elder brother of Thomas. Robert had died seised of the tenements in his demesne as of fee and without an heir of his body, and so Thomas had succeeded Robert in these tenements as his brother and next heir. Therefore he says that Thomas had the tenements in fee simple and by descent from his brother Robert and not by the form of the gift mentioned above. He puts himself on a jury concerning this. Ralph[1] does the same, so let a jury come. (*Marginated:* on Saturday next after the Close of Easter [27 April].)

The jurors, chosen by agreement of the parties, say on their oath that Thomas had the tenements by the gift of Ralph fitz Bernard, grandfather of Ralph, whose heir he is, to be held by himself and the heirs of his body, and not by descent from his brother Robert. And they say that Thomas died without an heir of his body. Therefore it is adjudged that Ralph should recover his seisin of the tenements from Henry, and Henry is to be in mercy (*marg:* amercement).

1. JUST 1/67 here says *Henricus*. JUST 1/63 has the correct name *Radulfus*.

[See also 96, 208, 267.]

77. Assize of mort d'ancestor to ascertain if Robert Mile, father of Alexander son of Robert Mile, died seised in his demesne as of fee of two-thirds of a virgate of land (except 4 acres of land) (with appurtenances[1]) in

Dreyton Passelewe, which the abbot of Woburn holds. The abbot comes and they have agreed by licence. The agreement is as follows: the abbot has acknowledged that the tenements with appurtenances are Alexander's right and has rendered, remitted and quitclaimed them to him on behalf of himself, his successors and his church for ever. So let him have his seisin of them.

[See also 113.]

[*There is a gap of 2 inches to a horizontal rule at the bottom of the membrane. Below this is written, rather sketchily,* dms*; below and to the right of this are letters that look like* dns Isus *(lord Jesus?)*]

Membrane 9

[*Membrane 4 of JUST 1/63, where these cases occur, is headed WYCUMBE.*]

78. Giles de Stenistrete and Alice his wife were summoned to answer John le Wayte of Wyndesor and Isabel his wife on a plea that they should warrant for them three acres of land with appurtenances in Datchet which they hold and claim to hold from them, and for which they have their charter. Giles and Alice come, and they have agreed. John and Isabel give ½ mark for licence to agree (*marg? (very faint):* ½ mark[c]) and they have a chirograph. Afterwards the ½ mark is pardoned because John is a minstrel of the king.

[CP 25/1 17/48/3 = FF (25) no. 340, dated Wycombe, morrow of Low Sunday (22 April 1286). The land is to be held by John and Isabel and their heirs from Giles and Alice and Alice's heirs, paying 3s. 3d. a year; consideration 100s. See also *Records of the Wardrobe and Household 1285–86*, no. 1694, where John of Windsor is listed as one of the king's minstrels.]

79. Assize of mort d'ancestor to ascertain if Maud who was the wife of Humphrey Vydelu, mother of William Vydelu, died seised of 49 acres of land and 8s.-worth of rent with appurtenances in Estwode, which Leticia who was the (wife[i]) of William de la Rokele holds and withholds the rent from him. Leticia comes and vouches Robert[1] de la Rokele to warranty. She is to have him at Westminster (*marg:* Westm') on the octave of St John the Baptist [1 July] by the aid of the court. He is to be summoned in the county of Essex (*marg:* Essex). The sheriff is instructed to have the recognitors present at the same time.

1. Both JUST 1/67 and JUST 1/63 have an erasure with a line drawn through it after *Robertum.*

80. John le Usser, plaintiff, and Robert de la Rokele placed themselves on a jury before the justices at Westminster [on a plea] that Robert should keep to the agreement made with him in the king's court at Westminster

concerning a messuage, one carucate of land, 4 acres of meadow and 5 marks'-worth of rent with appurtenances in Estwode, on which a chirograph was made between them in that court,[1] as John has now complained that, although on the octave of St Hilary in the 12th year of the present king [20 January 1284] before the justices Thomas de Weylaund and his associates it was agreed between John and Robert that John should acknowledge that these tenements with appurtenances were Robert's right, and should hand them over to him, to be held by him and his heirs from John for John's life-time, paying him £12 sterling every year at two terms, namely half at Easter and the other half at Michaelmas, for all service, custom and exaction belonging to John, and doing to the chief lords of the fee on John's behalf all other services which belong to these tenements, Robert has not paid him £36 of this rent, but rather he has refused, causing John £20 in damages.

The above-mentioned jury comes to ascertain if Robert has detained this rent and has refused to pay John and has gone against the fine they made, as John has said, or not, as Robert has said. It says on oath that Robert has detained the rent and has refused to pay it and has gone against the fine, and so it is adjudged that John should recover the £36 and (also[i]) the £12 of arrears for the Easter and Michaelmas terms last past[2] (while the case was pending[i]), and likewise his damages, assessed by the justices at £10. Robert is to be committed to gaol (*marg:* gaol). Because he does not have enough property in this county from which the money can be raised, and he does have enough in Essex, the sheriff of Essex is instructed to raise the money from his lands and chattels and have it here for John without delay (*marg:* Essex). Damages £10, of which 100s. to the clerk(s).

1. CP 25/1 17/46/17 (6) = FF (25) no. 285, dated the octave of Hilary [20 January] 1282(?). The payment of £12 a year is to cease at John's death. Robert's property in Essex is the manor of Wygepit.

2. '£12 . . . past' (Latin *duodecim . . . preteritis*) written on an erasure.

[*There is a gap of nearly 3 inches after this entry.*]

81. Assize of mort d'ancestor to ascertain if William del Stokkyng, father of Simon son of William del Stockyng, died seised in his demesne as of fee of a messuage and one rood of land with appurtenances in Gahurst, which William son of Peter de Nodariis of Gahurst holds, and if Simon is his next heir. [William de Nodariis] comes and says that he cannot answer the writ because he has no claim in the tenements except in the name of his wife Beatrice, who acquired the tenements long before he married her from one William de Nodariis, for herself and her heirs to hold. He cannot answer without her and she is not named in the writ; therefore he asks for judgment. Simon cannot deny this, and so it is adjudged that William should go without day on this and Simon should take nothing by this writ but should be in mercy for his false claim (*marg:* amercement[c]).

[See 195 for the amended writ naming Beatrice.]

82. Robert Ovelabarbe and Maud his wife give ½ mark (*marg:* ½ mark[c]) for licence to agree with Walter le Man and Alice his wife on a plea of warranty of charter, by surety of Walter. They have a chirograph. Alice appoints her husband Walter as her attorney to receive her copy of this.

[CP 25/1 17/48/16 = FF (25) no. 341, dated Wycombe, the morrow of Low Sunday [22 April] 1286. Land in Broughton acknowledged as Robert's right, to be held as a gift from Walter and Alice and Alice's heirs; consideration 4 marks.]

83. Nicholas de Ayswell, who brought an assize of mort d'ancestor against Philip de Monte Gomery and others in the writ concerning property in Embreton, has not pursued his claim, so Philip and the others are without day on this, and Nicholas[1] and his sureties to proceed in mercy, namely John Maunsel of Checl' and John Chynnor of Neuport (*marg:* amercements[c]).

1. JUST 1/63 has from 'and the others' (*et alii*) to *Nicholas* inserted above the line.

84. [*Darker ink*] Richard de la Vache senior presented himself on the fourth day against[1] Geoffrey de Fontibus and Margery his wife on a plea that they should be present on this day to warrant for him a messuage, 2 virgates of land and 66s. 4¾d.-worth of rent with appurtenances in Wendovere, which he holds and claims to hold from them, and on which he has their charter. They did not come, and the sheriff was instructed to summon them to be present here on this day, but did nothing. He gave evidence that they have no lands or tenements in his bailiwick where they could[2] be summoned. Evidence was given that they have lands and tenements in Lincolnshire where they can be summoned, and so the sheriff of Lincolnshire is instructed to summon them to be present at Westminster on the quindene of Trinity [Sunday 23 June] to warrant (*marg:* Westminster, *but no mention of Lincolnshire*). The sheriff (gives evidence[i]) of this, and evidence of this is given, etc.[3]

1. Text as far as 'against' perhaps written on an obliteration.
2. 'they have' (*habent*) to 'they could' (*possent*) squashed in on obliteration.
3. In JUST 1/63 this entry is followed by a gap of about 1½ inches and then *Dies datus est eis de audiendo judicio suo in adventu justiciariorum apud Wycombe eo quod de novem hundredis etc.* (A day was given to them to hear their judgment when the justices come to Wycombe, because [they are] from the nine hundreds [who paid a fine to have hearings there; see 13].)

Membrane 9 dorse

85. Simon fitz John and Alice his wife claim from John Peyure a messuage, 90 acres of land, 7 acres of meadow and 4s.-worth of rent with appurtenances in Weston by Olneye [Weston Underwood] as Alice's right, in which John only has entry by a demise which Robert Curtfalur, uncle of the said Alice, whose heir she is, made concerning it to Walter de l'Isle

for a term which is past, which after that term must revert to Simon and Alice.

John comes and denies their right. He says that Alice can claim no right in the tenements because he says that Robert, Alice's uncle, whose heir she is, in the court of King Henry, father of the present king, on the morrow of All Souls in the 29th year of Henry III [2 November 1244] before Robert of Lexington and his associates, justices of King Henry, at Westminster,[1] remitted and quitclaimed all the right and claim he had in these tenements on behalf of himself and his heirs, to Paulinus (Peyure, John's grandfather, whose heir he is[i]), and his heirs for ever, and so a fine was levied between them concerning this. He asks for judgment if an action against that fine is possible for Alice, and puts forward a chirograph of the fine[1] in these words:

This is the final concord made in the king's court at Westminster on the morrow of All Souls in the 29th year of the reign of King Henry, son of King John, before the justices Robert of Lexington, Roger de Thurkelby, Jollan de Nevill, Gilbert of Preston and John of Cobbeham, and other faithful subjects of the king who were present there and then, between Paulinus Peyvere, plaintiff, and Peter de Mora, defendant, concerning one carucate of land with appurtenances in Weston, on which a plea of warranty of charter was summoned between them in the same court, namely that Peter has acknowledged that the land with appurtenances is the right of Paulinus as that which Paulinus had of the gift of Peter, to be held by Paulinus and his heirs from the chief lords of the fee for ever, doing all the services which belong to that land. For this acknowledgement, fine and concord, Paulinus has given Peter 100 marks of silver. This concord was made in the presence of Robert Cortefelon, by whose gift Peter formerly held this land, and he has remitted and quitclaimed to Paulinus and his heirs on behalf of himself and his heirs all the right and claim which he had in this carucate of land with appurtenances in demesne or service for ever. Moreover, Robert has granted for himself and his heirs that all that land with appurtenances which Olive, who was the wife of Simon Cortefelon, Robert's father, whose heir he is, held in dower in the same vill from Robert's inheritance on the day this concord was made should remain after Olive's death to Paulinus and his heirs, to be held with the aforesaid land and appurtenances for ever from the chief lords of the fee by the services which belong to those lands.

Therefore he asks for judgment. [*Darker ink and rather smaller writing at first.*][2] Simon and Alice say that the fine levied between Peter and Paulinus should (not[i]) harm them, nor be to John's advantage, because they say that where the fine supposes that Paulinus had seisin from the gift and grant of Peter, Paulinus never had any seisin in these lands, because Walter held them for the term of 12 years by Robert's demise, paying 2 marks a year, of which Robert was seised during the whole lifetimes of both Peter and Paulinus, without Peter and Paulinus having any seisin in it. They say that

after the term of 12 years was completed John de Grey[3] intruded himself into the tenements after Paulinus's death, because he had married Joan who was the wife of Paulinus when the fine was levied between Peter and Paulinus. They are prepared to prove this[4] by a jury trial, or otherwise as the court shall think fit, (and ask for judgment[j]) if any quitclaim made to Paulinus by Robert (concerning these tenements[i]), which were outside the seisin of each of Peter and Paulinus but were always in Robert's seisin, should bar them from their action.

John Peyvre says that Simon and Alice should not be allowed to ask for a jury verdict on the seisin of Peter and Paulinus in this case, because Alice is not Peter's heir; Peter was a direct party to the fine and to him alone, if he were still alive, or to his heir, would belong the right to make it void. On the contrary, she says she is the heir of Robert, by whose seisin she claims the tenements, and by whose gift Peter formerly held them; and Peter also remitted and quitclaimed all the right and claim which he had in those tenements in demesne or in service on behalf of himself and his heirs to Paulinus and his heirs for ever. And also he granted on behalf of himself and his heirs that all the land which Olive, who was the wife of Simon Curtefalor, Robert's father, whose heir he is, held in dower in that vill from Robert's inheritance on the day the fine was made should remain to Paulinus and his heirs after Olive's death, by which grant John is now in seisin of Olive's fealty and service, namely of 8d. a year, as is contained in the said fine. And since John is in seisin both of the said tenements and of Olive's fealty and service by that fine, so that the fine has come into full effect in all conditions, he asks for judgment whether Simon and Alice have the right to an action against the terms of the fine, or if they should be allowed a jury verdict to annul the quitclaim of Robert, Alice's ancestor, and to take away the seisin of Olive's fealty and service from him [John] in this, although he holds a free fee, and the right to the said tenements had rested[5] together in the person of the said Robert at the time the fine was made, as Simon and Alice suppose – to the verification of which they should in no way be admitted, as it seems against the said fine and quitclaim. And so he asks for judgment.

A day is given them to hear judgment, five weeks from Easter [20 May]. Afterwards a day is given them at Westminster on the quindene of Trinity [13 June] because judgment has not yet been made.[6]

1. The rest of this line and part of the next has an erasure struck through.
2. Darker ink also at this point in JUST 1/63.
3. *le Grey* written for *de Grey*.
4. JUST 1/63 has 'and so they seek judgment' (*unde petunt judicium desicut*) at this point.
5. 'right' (*jus*) given a plural verb by the clerk by attraction from the plural 'tenements'.
6. The last sentence is at the foot of the membrane after a gap of about 2½ inches.

[The fine of 29 Henry III referred to in the text is CP 25/1 15/27/6 = FF (4) p. 85, dated Westminster, morrow of All Souls [3 November] 1244. See also 9 (withdrawal from a previous writ?) and 346.]

Membrane 10

[*A space of 4 inches has been left at the beginning of this membrane. Something has been written and obliterated on the left at the top. The first word may perhaps have been* Rotul[us], *roll.*]

86. Assize of novel disseisin to ascertain if Robert son of Walter de Sippeham, Ralph le Hayward of Farneham, Robert son of Ralph le Mouner and Ralph son of Ralph Nicol of Sippeham unjustly disseised Ralph de Bromlond of his free tenement in Sippeham by Burneham, whereof he complains that they disseised him of 2 acres of land with appurtenances.

Robert son of Walter comes. The others do not come, but John son of Robert comes and answers for them as their bailiff, and says that they claim nothing in the tenements, nor have they committed any injury or disseisin, and put themselves on the assize concerning this. Robert son of Walter answers as tenant and says that he has committed no injury or disseisin. He says he entered these tenements through Joan, daughter of Ralph de Bromlond, and not by any disseisin, so that if any disseisin has been done this was by Joan and not himself. He puts himself on the assize concerning this.

Ralph says that he was in good and peaceful seisin of these tenements in freehold until Robert and the others unjustly disseised him, and he asks that this should be inquired into by the assize.

The jurors say on their oath that the tenements were the right and inheritance of Sayve, mother of the said Ralph de Bromlond, whose heir he is, and [mother] of Joan;[1] and that Sayve, in her widowhood and in her own power, enfeoffed Joan with the tenements, to be held by herself and her heirs, and that Joan was in peaceful seisin by this enfeoffment all the time Sayve was alive. After Sayve's death, Ralph at once ejected Joan from the tenements before the feast of the Invention of the Holy Cross [3 May] and sowed the land with barley. So Joan, taking Robert and the others with her, ejected Ralph within a fortnight after she was ejected, and continued her seisin together with Robert; and in Joan's name Robert fed his sheep on the barley that Ralph had sown, and restored her seisin to her. On this point[2] the jurors, asked by the justices, say precisely that Ralph was not in seisin of these tenements in freehold so that he could be disseised of them, and so it is adjudged that Robert and the others should go without day, and Ralph is to take nothing by this assize, but to be in mercy for his false claim (*marg*: amercement[c]).

1. Another interpretation of the Latin would be that the tenements were the right and inheritance of both Sayve and of Joan, but the case makes better sense if Ralph and Joan were brother and sister. See *Place-Names of Bucks.* p. 183 for the name Sayve in Hughenden.
2. Writing becomes more squashed from this point.

[See also 90.]

87. Richard Orpede of Ilmere claims from Gilbert de Templo and Julian his wife 18 acres of land, 4 acres and 1 rood of meadow, half of 2 messuages and [half] of a third part of a mill and of ½ virgate of land with appurtenances in Great Kynebell', of which Gilbert and Julian unjustly disseised Maud Orpede, Richard's mother, whose heir he is.

Gilbert and Julian come and say that Richard can claim nothing in these tenements because they say that Maud, Richard's (mother[i]), whose heir he is and whom Richard says was disseised, granted and gave them these tenements with appurtenances, and confirmed this by her charter; and she bound him [Richard] and his heirs to warranty, so they say that if someone else were to sue them Richard would be bound to warrant the tenements for them by that deed of Maud, his mother. And they put forward a charter in Maud's name to prove this, and ask for judgment.

Richard freely acknowledges that the charter is his mother Maud's deed, but says that, whatever charter they may put forward, Gilbert and Julian entered the tenements by disseisin done to Maud and not by any charter.

Afterwards, Gilbert and Julian abandoned that exception, and say[1] that, when the said tenements were in their seisin, Maud remitted and quitclaimed all the right and claim which she had in them, on behalf of herself and her heirs, to Gilbert and Julian and their heirs for ever. And they put forward[1] a quitclaim in Maud's name to prove this, and ask for judgment if an action is available to Richard.

Richard says that the written quitclaim should not injure him nor count for Gilbert and Julian, because he says that it is not the deed of his mother Maud. He puts himself on a jury concerning this, and on the evidence of the witnesses named in the deed, namely Walter de Upton, Robert de sancto Clero, Elias de Esple, Walter de Ilmere, William de la Merse and Henry de la Merse. Gilbert and Julian do likewise, so let there be a jury on the matter. (*Marginated:* on Saturday after the Close of Easter [27 April].)

The jurors, chosen by agreement of the parties, together with the said witnesses, say on their oath that the written quitclaim is not the deed of Richard's mother Maud, and so it is adjudged that Richard should recover his seisin of the tenements with appurtenances from Gilbert and Julian, who are to be committed to gaol (*marg:* gaol[c]).

1. Here the clerk uses a singular verb although recording the actions of a married couple; cf. 7, etc.

[The quitclaim may not have been the deed of Maud Orpede, but it had an impressive list of witnesses. Walter of Upton (who had property in Great Kimble), Robert de sancto Clero and William de la Merse were jurors for Stone Hundred at this eyre (JUST 1/63 m. 35). Merse and Esple had been jurors on the 1269 eyre concerning land confiscated after the Barons' War, Merse for Stone and Esple for Aylesbury Hundred (JUST 1/59). For Walter de Ilmer, see 73.]

88. William de Sauntresdon, Robert de Chettewod, Elias de Whytyfeld and Gilbert[1] Bolebeck, the four knights summoned to choose on their oath

twelve[2] of the lawful knights[3] of the neighbourhood of Horton to make recognition at the king's grand assize between Alice Wolvyne, claimant, and John Attemylne concerning a messuage and 9 acres of land with appurtenances in Horton, of which John is the tenant, and concerning which, in the king's court before the justices at Westminster, he asked for a grand assize in which a decision should be made whether he or Alice had the greater right in these lands, came and chose these men: Ralph de Ardern, Reginald de Bello Campo, Philip Duredent, John le Waleys, Walter de Upton, John Druel, William de Eyate, John Neyrnut, William Turvill', Henry de Bruly, William de Luton, Alexander de Hamden, Hugh Gerunde, Robert Barry, William de Noers and Miles de Hastinges.

Afterwards [the parties] agreed. John gives 10s. for licence to agree (*marg:* 10s.[c]), and the agreement is as follows: Alice has acknowledged that the tenements with appurtenances are John's right, and has remitted and quitclaimed them to him and his heirs on behalf of herself and her heirs for ever. For this, John has given Alice 5 silver marks.

[*Written below the next entry* (89), *but belonging here*: A day was given them on Monday next after the third week of Easter [6 May] and the knights will come then.]

1. JUST 1/63 has Richard for Gilbert.
2. As quite usual, the four knights chose sixteen men.
3. 'of the lawful knights' (*de legalibus militibus*) written on an alteration.

[For John Attemylne or de Molendino of Horton, see *CPR 1272–89*, p. 351, and *CCR 1279–88*, p. 411. This is the Horton in Stoke Hundred, in the southernmost tip of the county; the knights chosen are based throughout the entire county, some in its north: see pp. 39–50.]

89. Walter de Agmondesham gives ½ mark for licence to agree with Richard son of Richard de la Grene on a plea of covenant (*marg:* ½ mark[c]). They have a chirograph.

[The chirograph does not appear in the published Feet of Fines.]

90. Ralph son of Ralph de Bromlond, who brought an assize of mort d'ancestor against Robert son of Walter concerning property in Sippeham, has not pursued his claim, so Robert is to go without day on this, and Ralph and his sureties to proceed are to be in mercy, namely Stephen de Elmeden of Tappelawe and Ralph Dorwyne of Bornham (*marg:* amercements[c]).

[See also 86.]

Membrane 10 dorse

91.[1] Assize of novel disseisin to ascertain if William Giffard, Ralph de Goldyngton, Hamon de Alta Rypa [Hawtrey], Ralph de Berewyk, John de

Achecote, Robert Bygod, John Le Blund and John le Neuman unjustly disseised John le Waleys and Maud his wife of their free tenement in Netherupton, whereof they complain that they disseised them of half a garden, (with appurtenances[i]), containing 3½ acres of land. Hamon comes and the others do not;[2] Hamon answers for himself and the others as tenant, and says [*sentence breaks off here*]. (*Marginated:* Monday after the quindene of Easter [29 April].)

Afterwards John le Waleys and Maud came and withdrew, so William and the others are to go without day on this, and John and Maud and their sureties to proceed are to be in mercy (*marg:* amercements[c]). The names of the sureties are to be inquired into. Afterwards John and Maud made a fine of ½ mark for themselves and their sureties.

Afterwards John and Maud, (through Maud's attorney[i]), agreed with Hamon: that John and Maud have acknowledged that these tenements with appurtenances are Hamon's right, and have remitted and quit-claimed them on behalf of themselves and their heirs to Hamon and his heirs for ever. And for this Hamon has acknowledged that he owes John and Maud 25 silver marks, of which he will pay 10 marks at the feast of St John the Baptist next [24 June] and 15 marks at the feast of All Saints next following [1 November]. If he fails, he agrees that the sheriff may raise the sum from his lands and chattels. Moreover, he has found him these sureties, namely Robert Bardolf and Ralph de Aumondesham, who grant that if Hamon fails to pay the money at these terms the sheriff may raise it from their lands and chattels. Moreover, they have a chirograph.

Afterwards[3] Maud, wife of John, questioned by the justices to see if she were willing to agree to the said covenant, refused absolutely, and so the chirograph is suspended, and the acknowledgement of the debt is not to be pursued.

1. This is the first case on m. 3 dorse of JUST 1/63, a membrane which is headed WYCUMB.

2. This sentence is on an alteration.

3. This paragraph is squashed into a small space in both JUST 1/67 and JUST 1/63: the clerks had not allowed for the possibility that Maud would refuse to agree.

[See 92 below.]

92. Hamon de Hauteryve was summoned to answer John le Waleys and Maud his wife on a plea of why he withholds from them a carucate of land with appurtenances in Netherupton which John le Botiller of Compton demised to them for a term not yet past, within which term the same John le Botiller sold the land to Hamon, on the occasion of which sale Hamon ejected John and Maud from that land. Hamon comes, and they agree by licence. The agreement is as follows, that John and Maud remit to Hamon and his heirs their term and all the claim which they had in any way to these tenements on behalf of themselves and their heirs for ever. Moreover, John and Maud have remitted to Hamon all their right of

action concerning any manner of trespass done to them by Hamon up to the day on which this concord was made.

[See 91 above.]

93. Maud who was the wife of Nicholas de Hornecastre[1] claims from Ralph Pyppard 10 acres and 1½ roods of land with appurtenances in Twyford, into which Ralph does not have entry except by a demise which the late Nicholas, once her husband, whom she could not oppose in his lifetime, made to Ingelard de Braylesford.

Ralph comes. On a previous occasion[2] he has vouched Isabel, who was the wife of Simon de Eynho, to warranty, and she now comes by summons and further vouches to warranty on this William, son (and heir[i]) of Ingelard de Braylesford, who is under age, in accordance with Ingelard's charter which she puts forward to prove that Ingelard confirmed, granted and quitclaimed these tenements with appurtenances on behalf of himself and his heirs to Simon, son of William de Eynsho, and the said Isabel, and that he and his heirs would warrant. And she asks that this plea should be postponed until William son of Ingelard is of age.

Maud says that this plea should not be delayed until William is of age, because in the last statutes of Westminster it is contained that when anyone alienates his wife's right it is agreed that henceforth the woman's suit or that of her heirs should not be postponed after her husband's death by reason of the minority of an heir who should warrant; but let the buyer wait until the coming of age of the warrantor to have his warranty, as he should not be ignorant that he is buying someone else's right.[3] Therefore she asks that in accordance with the statute the plea should proceed without waiting for William to come of age.

Isabel[4] says that the tenements[5] which Maud is claiming as her right were demised before the statute was promulgated, and she is prepared to prove in any way (the court[i]) shall require that those statutes are not binding except on demises made after the time of the statute, and so she asks for judgment whether this should prejudice her having her warranty (*marg:* to judgment).

A day is given to them to hear judgment at Westminster on the octave of Trinity [16 June] (*marg:* Westminster).

1. See *Place-Names of Bucks*, pp. 34–5.
2. In March 1285 (CP 40/60 m. 102).
3. *Statutes of the Realm*, I, p. 91, Statute of Westminster II, 40. The entry in JUST 1/67 here repeats the text of the statute almost word for word: *cum quis alienat jus uxoris sue concordatum est quod decetero secta mulieris vel ejus heredis non differatur post obitum viri per minorem etatem heredis qui warantizare debet set expectet emptor qui ignorare non debuit quod jus alienum emit, usque ad etatem waranti sui de warantia sua habenda*: "when any doth aliene the Right of his Wife, It is agreed, That from henceforth the Suit of the Woman or her Heir after the Death of her Husband, shall not be delayed by the Nonage of the Heir that ought to warrantise, but let the Purchaser tarry, which ought not to have been ignorant that he bought the Right of another, until the Age of his Warrantor, to have his Warranty".

4. JUST 1/63 has John. The word 'prepared' (*paratus*) is written in the masculine, and so wrong with JUST 1/67's *Isabella*, but would fit a male name.
5. A redundant 'and' (*et*) is written here.

[At Westminster on the octave of Trinity [16 June] Maud said that Ingelard had no son named William who was under age, so the sheriff of Derbyshire was instructed to have him at Westminster on the morrow of All Souls (3 November) CP 40/63 m. 8. No further reference to the case has been found.]

Membrane 11

94. Amice Peverel was summoned to answer Hugh Peverel and Margery his wife on a plea that she should keep to the agreement made between them concerning a messuage and two carucates of land with appurtenances in Iveden. Amice comes and they agree. Amice gives 1 mark for licence to agree (*marg:* 1 mark[c]) by surety of Hugh, and they have a chirograph (*marg:* chirograph).

[CP 25/1 17/49/17 (42) = FF (25) no. 343, dated at Wycombe on the morrow of Low Sunday [22 April], in which the manor of Yewden is acknowledged to be Amice's right; she grants it to Hugh and Margery for a rose rent.]

95. William le Gaunt[er] of Shreppham and Maud his wife claim from William Adam of Hameldon a third part of a messuage, of 60 acres of land and of 15 acres of wood with appurtenances in Hameldon as Maud's dower from her first husband, William (le Girdeler[i]), of which she has nothing.

William Adam comes. Concerning the third part of all the tenements taken together, he says that she should not have dower in this because Alice, William's mother, had a third part of these tenements in dower from Robert le Gyrdelere, William's father, whose heir he is. He says that William le Gerdelere died while Alice was still alive, and so William [le Girdler] was never in seisin of these tenements to dower Maud from them. William le Gaunt[er] and Maud cannot deny this, and ask for licence to withdraw from their writ, and they have it. Concerning the third part of the two parts of these tenements, he vouches John, son of Jordan de sancto Paulo, to warranty; he is to have him at court at Westminster (*marg:* Westminster) five weeks after Easter [15 May] by the help of the court. He is to be summoned in London.

[At Westminster, Trinity term, 1286, William Adam of Hanslope appointed John le Butyler against William le Gaunter and Maud his wife on a plea of dower (CP 40/63 m. 71). On the octave or quindene of St John the Baptist [1 or 8 July] William Adam did not come by essoin, so the land was to be taken into the king's hand, and William was summoned to be at Westminster one month from Michaelmas [27 October] (CP 40/63 m. 55d).]

96. Ralph fitz Bernard claims from William Page of Bukingham and Margaret his wife a third part of 2 messuages and of 2 virgates of land

with appurtenances in Adington; and from Isabel de Evere a third part of 2 messuages and of 2 virgates of land with appurtenances in the same vill; and from John le Poer and Maud his wife a third part of 2 messuages and of 2 virgates of land with appurtenances in the same vill, which Ralph fitz Bernard, grandfather of Ralph, whose heir he is, gave to Thomas fitz Bernard and the heirs of Thomas's body. After Thomas's death they ought to revert to Ralph according to the form of the gift, because Thomas died without an heir of his body.

William and Margaret, Isabel, and John and Maud come and deny his right. Concerning the tenements claimed from her, Isabel says that she holds them in dower from the inheritance of Margaret, wife of William, and of Maud, wife of John, and vouches William and Margaret and John and Maud to warranty: she is to have them here on the Monday after the quindene of Easter [29 April]. They are to be summoned in this county.

Concerning the tenements claimed from them, John and Maud[1] say that they cannot answer him concerning them on this writ, as they do not hold them in their entirety, as Henry le Conestable holds one plot in them, which contains 10 perches in length and 3(½[i]) perches in width, and he held them on the day Ralph obtained his writ, namely 5 February in the 14th year of the present king [1286]. Ralph cannot deny this, and asks for licence to withdraw from his writ as far as this claim is concerned, and he has it.

Concerning the tenements claimed from them, William and Margaret say that Ralph did not give these tenements to Thomas in the aforesaid form, nor in any other form, because the tenements were the right and inheritance of Robert fitz Bernard, Thomas's elder brother. This Robert died seised of them in his demesne as of fee, and without an heir of his own [body], and Thomas succeeded to Robert in these tenements as his brother and next heir. And so he says that Thomas held them in fee simply by descent from his brother Robert, and not in the form of gift specified above. He puts himself on a jury concerning this, and Ralph does likewise. Therefore let there be a jury. (*Marginated:* on Saturday next after the Close of Easter [27 April].)

1. 'John and Maud' (*et Johannes et Matill'*) written on an alteration.

[See also 76, 208, 267; and also 163. In Mettingham's roll (JUST 1/65), m. 17d, the report of this case had had a jury verdict added, but then scraped away.]

97. Assize of mort d'ancestor to ascertain if Annora who was the wife of Gregory de Dunstapl', mother of Emma wife of William Wylcus, died seised in her demesne as of fee of a mill, 8 acres of land and 2½ acres of meadow with appurtenances in Westbury, which William [de] Eyte holds, and if Emma is her next heir.

William de Eyte comes and says that he has no claim in these tenements except for the term (of his life[i]) by the curtesy of England[1] of the inheritance of John de Eyte, because the tenements were the right and acquisition of Julian, once his wife, on whom he begot a child, namely the said John, who

is under age and without whom he cannot bring these tenements into court. He also says that Nicholas de Beyvill' gave those tenements to Julian, who was formerly his [William's] wife, and afterwards a fine was levied between them in the king's court,[2] by which Nicholas[3] acknowledged that these tenements with appurtenances as well as other tenements were Julian's right, to be held by William and Julian and Julian's heirs. And he asked that this plea should be postponed without day until the said John was of age.

William [Wylcus] and Emma readily acknowledge that a fine was levied, but say that this concerned the manor of Chaldeston with appurtenances.[4] And they say that the tenements about which this assize was summoned are not part of that manor nor of its appurtenances. On the contrary, immediately after the death of Walter de Hunso, who held these tenements for life, William [de Eyte] had intruded himself into them by his own authority, and he still held them in this way. So they say that the assize ought not to be delayed because John is under age, and they ask that it should be verified by the assize in the place of a jury.

The jurors say on their oath that Emma de Boyvill', whose right and inheritance these tenements were, gave them to Gregory de Dunstapel with her daughter Annora, mother of the said Emma [Wylcus], to be held by Gregory and Annora and the heirs of their bodies. They say that Gregory died, and Annora survived him; after his death Annora placed herself completely under the guidance of Emma, her mother, and afterwards in the course of time, by her mother's advice, married Adam Guwer, who begot on Annora a son named Roger. They say that Adam died, and Annora survived him; after his death Annora, as before, completely subjected herself to the arrangements of her mother both as far as the disposal of her person and the care of her land were concerned. Emma held those tenements for some time as guardian, and afterwards gave them to Walter de Haunso and Annora, to have and hold for the lives of both Walter and Annora. Because Annora died and Walter survived her, Walter held those tenements for his whole life, and after he died William [de Eyte] intruded himself into them, and thus by that intrusion holds them to the present day.[5] And because Emma by this writ calls herself the next heir of Annora, as succeeding by common descent, and the opposite of this was found by the jury, especially since the aforementioned Roger was Annora's son and (heir[l]) male, and is still alive, and Emma is an heir of the said Gregory and Annora but restricted by the form of the aforesaid gift, it is adjudged that William [de Eyte] is to go without day on this, and William [Wylcus] and Emma are to take nothing by this writ which they took out in common form, but they are to be in mercy (*marg:* amercements[c]). Let them proceed if they wish by the form of the gift.[6] The amercement is pardoned because they are poor.

1. 'by the curtesy of England' (*per legem Anglie*) omitted in JUST 1/63.
2. CP 25/1 17/46/10 (11) = FF (25) no. 273, dated the octave of St Martin [18 November] 1280; in the published version Nicholas's surname is shown as Beynel.
3. Smaller writing from now on.

4. This was true. There was something rather questionable going on concerning the manor of Shalstone at this time. See Elvey, *Luffield Priory Charters*, part II, p. lv (where the family tree is wrong: William de Aete married Julian himself, as we see from the above).
5. The writing is very squashed from now on.
6. i.e. obtain a writ of formedon, claiming that Emma should inherit by the form of the gift. See 286 for Emma's subsequent claim by a writ of formedon.

98. John Gyffard, junior, plaintiff, and Ralph Pypard and John de Trumpeton put themselves on a jury before the justices at Westminster on a plea that, although the custody of the land and heir of Simon de Anho belongs to John Gyffard until the heir comes of age, because Simon held his land of him by knight service, and the same John had for a long time been in peaceful seisin of this custody, the said Ralph and John de Trumpeton, while the heir was under age, had ejected John Gyffard from that custody, thus causing him serious loss. The jury comes here to ascertain if Ralph ejected John from this custody by force of arms, as John says, or not, as Ralph says.

[The jury] says on oath that Simon held his land from John Gyffard by knight service, and John was in peaceful seisin of this (custody[i]) for a fortnight before the feast of St Frideswide the Virgin, and for eight days after that feast, in the 3rd year of the present king [5–28 October 1275], until Ralph and John de Trumpeton and others unknown, ejected John Giffard in Ralph's name by force of arms from his custody, causing John the loss of 110s. (*marg:* 110s.). And so it is adjudged that John Giffard is to recover his custody and damages, and Ralph and John de Trumpeton to be in mercy (*marg:* amercements[c]).

Damages 100s. and 10s. to the c[lerks]. Afterwards, he paid 100s. And 10s. are remitted.

99. John Gyffard, plaintiff, and John Cok put themselves on a jury before the justices at Westminster on a plea that John Cok should produce reasonable accounts for the time when he was John Giffard's bailiff in Twyford. The jury comes here to ascertain if John Cok was John Gyffard's bailiff in Twyford, and received his goods and chattels as his bailiff, and held his court and [dealt with] the administration, for which goods and chattels he has not yet produced accounts, as John Gyffard says, or not, as John Cok says.

[The jury] says on oath that the said John Cok and the reeve of the manor of Twyford who held office then were John Gyffard's bailiffs at some time, for which time he has not yet produced his accounts. And so it is adjudged that John Cok should produce his accounts for the time when he was bailiff.

Membrane 11 dorse

100. Richard son of John was summoned to answer Nicholas de Bosco on a plea that he should repay him the 36 marks which he owes him and

unjustly detains. Richard[1] comes and they agree by licence. The agreement is as follows, that Richard has acknowledged that he owes Nicholas 18½ marks, which he will pay him five weeks from next Michaelmas [3 November] (*marg:* acknowledgement). And if he does not, he agrees that the sheriff may raise this sum from his lands and chattels. For this, Nicholas remits the rest of the debt, and likewise his damages.

1. In JUST 1/67 John (*Johannes*) is written for Richard (*Ricardus*). JUST 1/63 has the correct *Ricardus*.

101. Maud, daughter of Roger Roberd of Craule, claims from John Roberd of Craule a messuage with appurtenances in Great Craule in which John has no entry except through Mabel, who was the wife of Hugh Roberd and demised it to him. Mabel held it in dower by gift of Hugh, her former husband, grandfather of Maud, whose heir she is. John comes and denies her right, and says that Maud is under age, and he should not answer her on a writ of this sort when she is under age. Maud is in court and seen to be under age, and so this plea is postponed until she is of age (*marg:* age).

102. Andrew Coleman claims from Hugh Bataylle of Stok' a messuage and 30 acres of land with appurtenances in Stok' by Wyndesore [Stoke Poges] in which Hugh does not have entry except through Julian Bataylle, to whom Master Henry de Wytemersse demised them,[1] unjustly and without a judgment disseising Henry Coleman, father of the said Andrew, whose heir he is.

Hugh comes and they agree. Andrew gives ½ mark for licence to agree (*marg:* ½ mark[c]). The agreement is as follows, that Andrew has acknowledged that the tenements with appurtenances are Hugh's right, and he has remitted and quitclaimed them to him on behalf of himself and his heirs for ever. For this, Hugh has acknowledged (*marg:* acknowledgement) that he owes the said Ralph [*written for* Andrew][2] 50s., of which he will pay him 30s. one month from Easter next [13 May] and 20s. at the following Michaelmas [29 September]. And if he does not, he agrees that the sheriff may raise this sum from his lands and chattels. Andrew appoints Nicholas de Bolingbrok' as his attorney to receive the money. They also have a chirograph (*marg:* chirograph).

1. CP 25/1 16/38/36 (17) = FF (25) no. 68, dated at Newport Pagnell, the quindene of Easter [23 April] 1262: Master Henry de Witemers, quer., Henry Coleman, def., concerning one virgate of land in Stoke. Agreed as Master Henry's right by gift of Coleman, to hold of chief lords; consideration, a sore sparrowhawk.
2. Both JUST 1/67 and JUST 1/63 have *Radulfo* for *Andree* here.

103. Alice who was the wife of Henry Cok of Cleydon has acknowledged that in her free widowhood she has granted, remitted and completely quitclaimed to Adam, son of Nicholas de Eure, on behalf of herself and her heirs, all the right and claim which she had or in any way could have in a messuage and 25 acres of land with appurtenances in Caldecote and

Wylies, which messuage and land she claimed from Adam as her right and inheritance by a writ of entry before the justices here [40], to be held by Adam and his heirs freely, quietly, completely, well and in peace (for ever[1]), so that neither Alice herself nor her heirs, nor anyone in her name, shall be able to exact or claim any right or claim in this messuage and land with appurtenances for the future, but are to be excluded from any action to claim this messuage and land for ever. And for this grant, remission and quitclaim Adam has given Alice 60 shillings of silver cash down, as is more fully contained in a deed drawn up between them concerning this.

104. The same Alice has acknowledged that in her free widowhood she has granted and completely remitted and quitclaimed for ever to Nicholas de Eure, on behalf of herself and her heirs, all the right and claim which she had or in any way could or should have in 1 acre of land and 3 acres of meadow with appurtenances in Wylies by Neuport, which land and meadow she claimed from Laurence Sutor [*Tailor*] and Agnes his wife as her right and inheritance by a writ of entry before the justices here [40], which land and meadow, after the death of Laurence and Agnes, ought to revert completely to Nicholas and his heirs or assigns, according to the form of the enfeoffment made to Laurence and Agnes concerning this, to be held by Nicholas and his heirs or assigns freely, quietly, completely, well and in peace, so that neither Alice nor her heirs, nor anyone in her name, shall be able to exact or claim any right or claim in future in this land and meadow with appurtenances, but are to be excluded from any action to claim these tenements for ever, as is more fully contained in a deed drawn up between them concerning this.

[See also 40, 103.]

105. John de Tyngewyk' and Rose his wife and Richard Plauntefoyle were summoned to answer Ralph de Padebiry on a plea of why they had taken and unjustly detained his stock animals and chattels, whereof he complains that on Friday before the feast of St Bartholomew in the 13th year of the present king [17 August 1285], in a place named[1] Lawfurlong, they had seized and caused to be seized by the agency of Richard, one mare and four scythes, and had taken them to John's house in Thornton, and detained them there for the next fortnight from the said Friday against gage and pledge until they were delivered by the king's command. He says that he has suffered loss to the value of 40s. and produces his suit of this.

John, Rose and Richard come and deny force and injury, and ask that the writs be heard, namely the originating writ and the writ which is called *Pone*. When these were read, heard and understood, it was found that the two writs differed, in that according to the originating writ Ralph wants one mare and some of his chattels to be replevied, and according to the writ *Pone* he wants his stock animals to be replevied, as if stock animals had been the subject of the plea in the originating writ although only one animal is mentioned in it; and so he seeks judgment on the variation.

Ralph cannot deny this, and so it is adjudged that John and the others are to go without day, and Ralph is to take nothing by this writ, but to be in mercy for his false claim (*marg:* amercement[c]).

1. 'named' (*vocatur*) is followed by an erasure, struck through.

106. From William de Boyville, sheriff, 2s. from the issues of the lands of Walter de Geyton (*marg:* 2s.[c]).

[See no. 374.]

107. Roger le Boueyere[1] claims from Robert de Borle a messuage with appurtenances in Stoke Maundevill' which Richard de Bretewell, chaplain, held from him, and which should revert to Roger as his escheat because Richard was a bastard and died without an heir of his body. He says that Richard the chaplain held the messuage of him by homage and the service of 6d. a year, and died in his homage, and was a bastard, and of this he produces his suit.

Robert comes and denies his right, and says that the messuage which Roger is now claiming cannot be his right and escheat, because Richard did not hold it from Roger, but from Robert himself, by service of 6d. a year, and he puts himself on a jury concerning this. Roger does likewise, so let there be a jury. (*Marginated:* Monday after the quindene of Easter [29 April].) Afterwards Roger did not pursue his claim, so he and his sureties to proceed are in mercy.[2] [The amercement] is pardoned by the justices.

1. In JUST 1/68a (Loveday's roll), this name is clearly written as *Deboney*.
2. There is no note of amercement in the margin.

108. Richard le Furmager and Agnes his wife were summoned to answer John le Casiere on a plea that they should warrant for him a messuage with appurtenances in Wycumb' which he holds and claims to hold from them, and concerning which he has their charter. Richard and Agnes come, and they agree. John gives 1 mark (*marg:* 1 mark[c]) for licence to agree, by surety of Richard. They have a chirograph (*marg:* chirograph).

[CP 25/1 17/49/16 (41) = FF (25) no. 342, dated Wycombe, the morrow of Low Sunday [22 April]. The messuage is agreed to be John's right by the gift of Richard and Agnes; he is to hold it from them and the heirs of Agnes, paying a clove at Easter. Consideration 100s.]

Membrane 12

109. A jury came before the justices at Westminster to ascertain whether one mill with appurtenances in Pychelesthorne is free alms[1] belonging to Ivingho church, of which master Ralph de Ivingho is parson, or the lay fee of Thomas Fydekyn. Master Ralph said that Amaury, his predecessor as parson of Ivinghoe church, was in seisin of it in time [of peace][1] in the time of King Henry III, father of the present king, but afterwards alienated it.[2]

Thomas came by his attorney and said that the mill once belonged to his father William, whose heir he is, and William enfeoffed Humphrey de Meylers, the master's [Ralph's] predecessor as parson of the church, to be held by himself and his heirs for ever. Because Humphrey had died without an heir, Thomas entered the mill as into his escheat; he put himself on a jury concerning this.

Master Ralph said that Humphrey acquired the mill to be held by himself and his successors as parsons of the church and Humphrey had held it all his life and died seised of it in the right of his church. After his death, Peter Chasemore,[3] once parson of that church, similarly held it all his life as in the right of his church, and died seised of it; after whose death Amaury, Ralph's predecessor, held it as the right of his church, and afterwards alienated it. He was prepared to prove this by a jury.

And now by the common proclamation of the eyre of this county this plea has been returned here, and the parties come and ask for the said jury's verdict. The jurors, chosen by consent of the parties, say on their oath that the mill belonged at one time to William, father of Thomas, and he enfeoffed Humphrey, formerly parson of the church and Ralph's predecessor, with it, to be held by him and his heirs, paying half a mark annually for it. By that enfeoffment, Humphrey was in seisin of the mill, and died seised of it in his demesne as of fee. After his death William seized the mill into his hand as his escheat because Humphrey had died without an heir. And they say that afterwards Peter Chacepork, Humphrey's successor as parson of the church, had ejected William from the mill, asserting that it was the right of his church, and he died seised of it. After his death, Thomas entered the mill and seized it into his hand as William's son and heir, so that Amaury, formerly parson of the church and Peter's successor, immediately called a jury of *utrum* against Thomas before the justices at Westminster concerning the mill, and afterwards they agreed out of court, and Thomas gave and quitclaimed the mill for 5 silver marks to Amaury, to be held of Thomas and his heirs, paying ½ mark annually for it.

Afterwards, before the war which broke out between King Henry and the barons, when it was enacted that all foreigners should be exiled,[4] this Amaury, a foreigner, was exiled with other foreigners, but sent his bailiff to England, and the bailiff enfeoffed one Richard *de Molendinis* [Mills] with the mill, to be held by himself and his heirs, and gave this Richard de Molendinis the deed which Thomas had formerly drawn up for Amaury. Richard afterwards enfeoffed Thomas from his own seisin, and delivered the deed to him. Asked if Thomas had given the mill to Aumary to be held by himself and his heirs, or by himself and his successors, the jury say that because Amaury sold the mill through the agency of his bailiff they believe that Thomas gave (and quitclaimed[i]) it to him to be held by him and his heirs.

Afterwards, master Ralph did not pursue his claim, and so Thomas[5] is to go without day on this and Ralph and his sureties to proceed are to be

in mercy (*marg:* amercements[c]). The names of the sureties are to be inquired into.

Afterwards, the king sent his writ in these words: Edward, by the grace of God, etc. to his beloved and faithful John des Vaux, greeting. Because for certain reasons we wish to have further information on the record and process of the assize, summoned and taken before you and your fellow justices on the last eyre in the county of Buk' by our writ between master Ralph de Ivingho, parson of the church of Ivingho, and Thomas Fidekyn, to ascertain whether one mill with appurtenances in Pechelesthorn' is free alms belonging to Ralph de Ivingho's church, or the lay fee of the said Thomas, we order you to send the record and process of that assize, with all things touching it, clearly and openly to us without delay, together with this writ. Witnessed by Edmund, earl of Cornwall. And so the record and process together with the writ are sent to the king.

1. JUST 1/67 is damaged here; parts of words supplied from JUST 1/63.
2. A few words obliterated after 'alienated' (*alienavit*).
3. *Chasemore* written for *Chaceporc*.
4. Henry III's statute against aliens is dated 16 July 1263.
5. *Thomas* written on an alteration.

[See pp. 142–3 for the outcome of *quo warranto* proceedings concerning this mill.]

110. Assize of mort d'ancestor to ascertain if Robert *de Veteri Ponte* [Vipont], father of Isabel de Clifford and Idonea [de Leyburn] her sister, died seised in his demesne as of fee of a messuage and 2 virgates of land with appurtenances in Aston' Clynton', which Richard de la Vache holds, and if they are his next heirs.

Richard de la Vache comes and says that there should not be an assize about this, because in the court of King's Bench, before Thomas de Weylaund and his fellow justices, on the quindene of St John the Baptist in the 12th year of King [Edward] [8 July 1284][1] a fine was levied between Richard de la Vache, querent, and Richard son of Richard de la Ture, impedient, concerning a messuage and 6 virgates of land with appurtenances in that vill, arising from a writ of warranty of charter, namely that Richard son of Richard should acknowledge these tenements with appurtenances to be Richard de la Vache's right, as those which the same Richard de la Vache had of the gift of Richard son of Richard, to be held by the same Richard de la Vache and his heirs from Richard son of Richard and his heirs for ever. And he says that the tenements about which this assize has been brought are among the tenements contained in that fine. He is prepared to prove this as the court shall consider fit. And he says that Isabel and Idonea, on the day the fine was levied, were within the four seas of England, not in prison, and of full age, but did not put their claim to the foot of that fine within a year and a day of the time of its levying. And so he asks for judgment.

Afterwards, at the request of the parties, a day was given to them at Westminster on the quindene of Michaelmas [13 October] (*marg:*

Westminster). The sheriff was instructed to have the jury there in person on the same day.

1. Cf. 25/1 17/47/11 (6) = FF (25) no. 315, dated the quindene of St John the Baptist [8 July] 1284: a messuage and 6 virgates of land in Aston Clinton to be held by Richard de la Vache from Richard son of Richard de la Tour for a rose yearly.]

111. Assize of mort d'ancestor to ascertain if Henry de Calewenhull, brother of Julian, wife of William Brekesper, and of Atheline, wife of John le Ladde, died seised of a messuage and 5 acres of land with appurtenances in Mentemore and Leteburn', of which Adam son of John le Kene holds a messuage and 3 acres of land and William son of Walter of Leteburn' holds 2 acres of land. And if Julian and Atheline are his next heirs.

Adam does not come, but at another time appeared in court here and vouched Hugh de Stredle to warranty. Judgment: the assize is to be taken against him by default, but it is postponed until Thursday after the quindene of Easter [2 May] through lack of jurors. William does not come, and he was summoned. Judgment: he is to be summoned again, to be here on the said date. The sheriff is instructed to have the jurors here on the same date. (*Marginated:* the writ is to remain with the sheriff.) Afterwards, Hugh came and freely warranted for Adam the tenements claimed from him; Hugh and William give back the tenements by licence to Julian and Atheline, and so it is adjudged that Julian and Atheline should recover their seisin from Adam and William, and that Adam should have land in a suitable place from Hugh to the value of the tenements claimed from him.

112. Assize of novel disseisin to ascertain if Master Roger de Heselardeston and Roger de Tyryngham unjustly disseised Roger de[1] Furneys and Eleanor his wife of (their[i]) freehold in Emberton, whereof they complain (that they disseised them[i]) of 30 acres of land, 2 acres of wood, 1 acre of meadow and 14s.-worth of rent with appurtenances in Emberton.

Master Roger and Roger do not come, but Roger de Schyryngton' comes as their bailiff and answers for them, and says that the assize should not be taken, because the same Roger [de Furneys] on another occasion, before Robert Fuke and Walter de Agmodesham, justices assigned [to hear the case], in the 13th year of the present king [Nov 1284 – Nov 1285] at Edelesbergh, brought an assize of novel disseisin against them concerning those tenements; from which assize Roger and Eleanor took nothing, but were in mercy for their false claim. He asks for judgment if an assize should proceed after an [identical] assize, and puts himself on the record of the rolls of Robert and Walter that the facts are so. And so a day is given[2] to them at Westminster on the octave of Trinity [16 June]. Meanwhile, the rolls are to be sought.

1. *de* repeated.

2. 'and so given' (*ideo datus*) torn away in JUST 1/67 and supplied from JUST 1/63.

[See also 182.]

Membrane 12 dorse

113. Assize of mort d'ancestor to ascertain if Robert Mile, father of Alexander son of Robert Mile, died seised in his demesne as of fee of half a messuage and ½ virgate of land with appurtenances in Dreyton' Passelewe, which Maud la Paumere [*or* Panniere] holds; and if Alexander is his next heir. Maud comes and says she cannot answer to this writ, because she holds the tenements in villeinage from the abbot of Wouborn'. He is present and acknowledges this, and freely answers [Alexander],[1] and by licence gives him back the tenements. Therefore let him have his seisin of them.

1. JUST 1/67 and JUST 1/63 both have *Roberto* for *Alexandro* in both places.

[See also 77.]

114. Warin de Brakenham claims from John de Merston and Emma his wife a messuage, 12 acres of land and 1 acre of meadow with appurtenances in Sullebyry; and from Hugh le Dun a messuage, 30 acres of land and 3 acres of meadow with appurtenances in the same vill; and from Agnes who was the wife of Richard le Poer a messuage, 5 acres of land and 1 acre of meadow with appurtenances in the same vill; into which John, Emma, Hugh and Agnes have no entry except through Hugh de Sullebyry to whom Robert de Brakenham and Sybil his wife, the mother of Warin, whose heir he is,[1] demised them for a term which is past.

John and the others come. Concerning the tenements claimed from them, John and Emma say that Warin can claim no right in them because Hugh, Warin's grandfather, whose heir he is, gave, granted and by his charter confirmed these tenements to John in free marriage with Emma, Hugh's daughter, to be held from Hugh and his heirs by John and Emma and the heirs of their bodies for ever, and he bound himself and his heirs to warrant. They say that if they were being sued by anyone else Warin would be bound by this deed of his grandfather Hugh to warrant these tenements (for them[i]), and they put forward Hugh's written deed which bears witness to this. And so they ask for judgment if [Warin] can have an action.

(*Marginated*: on the Thursday after the quindene of Easter [2 May]) Warin says that in the recent Statute of Gloucester[2] it is contained that no-one in claiming any tenements by the seisin of his mother should be excluded from his action by a deed of his father, except for the part of the tenements which descended to him from his father. He says that nothing [of these tenements] descended to him from his grandfather Hugh by hereditary right, and he is ready to prove this, so asks for judgment if by the deed of his grandfather Hugh, from whom no tenements descended to him, he should be excluded from claiming these tenements by his mother's seisin.

John and Emma say that Warin's grandfather Hugh, whose heir he is and whose written deed Warin acknowledges by his silence,[3] enfeoffed

them, John and Emma, with these tenements in the reign of King Henry and so, as the statute is not binding except for future [transactions], and before the statute the heirs to whom tenements descended from their ancestors by hereditary right, and likewise those to whom no tenements descended by a deed of their father or a deed of an ancestor on the father's side, were excluded from claiming tenements on their mother's side, it seems to them that they do not need to show whether or not any tenements descended from Warin's grandfather Hugh to Warin himself by hereditary right; and so they ask for judgment (*marg:* to judgment).

A day is given to them to hear judgment at Westminster on the quindene of Trinity [24 June] (*marg. in paler ink:* Westminster). [*There follows a gap of 3 inches.*]

1. JUST 1/67 has *ipsa* ('she') here; JUST 1/63 has *ipse* ('he'), altered from *ipsa* ('she'). This family tree is very complicated (see pp. 109–10) but *ipse* ('he') seems correct.

2. *Statutes of the Realm* I, p. 47, Statute of Gloucester III. The wording here is not a verbatim quotation from the Statute, the relevant parts of which read *establi est ensement qe si home aliene tenement qil tient par la lei de Engleterre, sun fiz ne seit pas barre, par le fet sun pere, par qi nul heritage ne lui est descendu, a demaunder, e recovrer par bref de mort de auncestre la seisine de sa mere, tut face la chartre sun pere menciun qe lui e ses heirs seient tenuz a la garauntie. Et si heritage lui seit descendu par sun pere dunge seit il forclos de la value del heritage qu lui est descendu. . . . Ensement en mesme la manere ne seit le heir la femme, apres la mort le pere e la mere, barre de accion par la chartre sun pere, si il demaunde le heritage ou le mariage la mere, par bref de entre, qe sunpere en tens sa mere aliena, dunt nule fin est levee en la Curt le Rey.* "It is established also that if a man aliene a tenement that he holdeth by the law of England, his son shall not be barred by the deed of his father from whom no heritage to him descended, to demand and recover by writ of mortdauncestor of the seisin of his mother, although the deed of his father doth mention that he and his heirs be bound to warranty. And if any heritage descend to him of his father's side, then he shall be barred for the value of the heritage that is to him descended. . . . Likewise in like manner the heir of the wife shall not be barred of his action after the death of his father and mother by the deed of his father, if he demand (by action) the inheritance or the marriage of his mother by a writ of entry which his father did aliene in the time of his mother whereof no fine is levied in the king's court."

3. That is, he has not challenged it.

[See also 352, 405. At Westminster in the Trinity term 1286 Warin of Bragenham appointed Roger of Newport as his attorney against John de Merston and Emma his wife, and Agnes who was the wife of Richard le Pouer, on a plea of land (CP 40/63 m. 71d). On the quindene of St John the Baptist [8 July] is an entry (marked *vacat* in the margin) to the effect that Warin did not come, and the tenements in question were to be taken into the king's hand, and Warin summoned to Westminster for the morrow of St Martin [12 November]. A further entry says that Warin was to come on that day because the judgment was not yet made. Only the Merstons are mentioned as defendants in this entry (CP 40/63 m. 50).]

115. Assize of novel disseisin to ascertain if Robert Rychold of Herterugg' unjustly disseised Philip Maheu of his free tenement in Cestresham, whereof he complains that he disseised him of land measuring 40 perches in length and in width in one place 6 feet, in another place 4 feet, and in another place 3 feet. Robert comes. Afterwards Philip withdrew, and so

Robert is to go without day on this and Philip and his sureties to proceed in mercy. The names of the sureties are to be inquired into. Afterwards there was an agreement between them, namely that Robert acknowledges that this tenement with appurtenances is Philip's right, and has given it back and quitclaimed it in court to Philip and his heirs on behalf of himself and his heirs for ever. So let him have his seisin of it.

116. Assize of novel disseisin to ascertain if John Chaunseu, John his son, and Peter Attehull unjustly disseised Lucy Attenok of Eure of her free tenement in Eure, whereof she complains that they disseised her of 3½ acres of land with appurtenances in Eure.

John son of John comes. Peter Attehull does not come, and was not attached because he was not found, so the assize is to be taken against him by default. John de Chaunseu does not come, but John son of John answers for himself and John de Chaunseu as his bailiff, and says that the assize ought not to be taken because the tenements of which Lucy complains she has been disseised and which she has placed in their view are in Oke[1] and not in Eure. And if it should be decided by the assize that they are in Eure, then as far as one rood of them is concerned he says nothing to stay the assize except that Lucy was never in seisin in freehold of it so that she could be disseised, and he puts himself on the assize concerning this. As far as the rest of the tenements are concerned, he says that he has done no injury or disseisin because Lucy is in seisin of them, and he puts himself on the assize concerning this.

The jurors say on their oath that the tenements are in Oke, which is a hamlet of Eure, and that Lucy was never in seisin in freehold of the rood of land so that she could be disseised. As to the rest of the tenements, they say that she is in seisin of them. So it is adjudged that John is to go without day on this, and Lucy is to take nothing by this assize but to be in mercy for her false claim (*marg:* amercement[c]).

1. Mawer and Stenton, *Place-Names of Bucks*, (p. 239) list an Oak End as part of Hedgerley but not an Oke in Iver. *VCH* (III pp. 278, 286–7) does not mention an Oke in either place.

117. John son of Osbert Gyffard presented himself [on the fourth day][1] against Ralph Pypard on a plea concerning 15½ virgates[2] in Charneden', which (Ralph[i]) claims from him as his right by a writ of entry. Ralph comes by his attorney, and does not pursue his claim against John, but withdraws in contempt of court, and so it is adjudged that John is to go without day on this, and Ralph and his sureties to proceed are to be in mercy, namely Nicholas the reeve of Charneden and Richard le Careter of Twyford (*marg:* amercements[c]).

1. 'on the fourth day' (*quarto die*) omitted in JUST 1/67 and supplied from JUST 1/63.
2. JUST 1/63 has 'acres' (*acrarum*) for 'virgates' (*virgatarum*), and omits '½' (*et dimidie*).

118. William Arnald of Buk' claims from Robert de Punteyse a messuage, 10 acres of land and 15s.-worth of rent with appurtenances in

Buk' as his right by a writ of entry. Robert comes (and says that he holds these tenements for his life only, by demise of the master of the house of St Thomas Acre[i]), and he vouches the master of the house of St Thomas Acre in London to warranty. He is to have him at Westminster with the help of the court on the octave of Trinity [16 June]; he is to be summoned in the county of Middlesex (*marg:* Westminster, Middlesex).

Membrane 13

119. Richard Mowertyn was summoned to answer Isabel daughter of William Berkamstede and Albreda her sister on a plea as to why, since by the common council of the kingdom it is provided that no-one is permitted to commit waste or destruction of lands, buildings or gardens which are held by the curtesy of England,[1] Richard has committed waste and destruction of the buildings and gardens in Wycombe which he holds by the curtesy of England from the inheritance of (Isabel[i]) and Albreda, against the form of the provision, to the disinheriting of Isabel and Albreda; whereof they say that,[2] whereas he holds some tenements in Wycombe by the curtesy of England from their inheritance, he has torn up and taken away a building and has cut down the greater part of the apple-trees growing in the garden of the tenement, and has felled 60 ash-trees in the same garden and sold them, to their disinheriting (and against the said provision[i]). They say they have suffered damage by this to the value of 100s., and produce suit of this.

Richard comes and denies force and injury. As far as the building is concerned, he says that he did not tear it down, rather he has repaired it and other buildings which he holds of the inheritance of Isabel and Albreda. As far as the felling of the apple-trees and ash-trees is concerned, he says that Isabel and Albreda had an elder brother named John, the heir of these tenements, for whose support while he was alive and attending school he had sold a part of the trees growing in the garden; but he says that after John's death he did not fell any tree, to cause destruction of the tenements or the disinheriting of Isabel (and Albreda[i])[3], and he puts himself on a jury concerning this. Isabel and Albreda do likewise. Therefore let there be a jury.

Afterwards they agreed. Richard gives ½ mark (*marg:* ½ mark[c]) for licence to agree. The agreement is as follows: Richard has acknowledged that the tenement which he holds by the curtesy of England in the vill of Wycomb' of the inheritance of Isabel and Albreda is the right of Isabel and Albreda, and in court he has returned, remitted and quitclaimed it, on behalf of himself and his heirs, to Isabel and Albreda and their heirs for ever. Therefore let them have their seisin of it.

1. For the statute, see 50.
2. JUST 1/63 has 'they complain (*queruntur*) for 'they say' (*dicunt*).
3. 'and Albreda' (*et Albrede*) inserted in different ink.

120. Alan le Orfevre and Joan his wife claim two parts of 2 virgates of land with appurtenances in Bechehampton from John son of William de Bechehampton, and a third part of 2 virgates of land with appurtenances in the same vill from Margery who was the wife (of William de Bechehampton[i]), of which Amice who was the wife of Benedict le Clerk, grandmother of Joan, whose heir she is, was seised in her demesne as of fee on the day she died.

John and Margery come. Concerning the third part claimed from her, Margery says that she holds the tenements in dower from the inheritance of John, and vouches him to warranty. He is present and warrants for her. And concerning the tenements claimed from him as well as those which he warrants for Margery he says that Joan, wife of Alan, can claim nothing in them because Robert son of Benedict, father of Joan, whose heir she is, remitted and quitclaimed on behalf of himself and his heirs all the right and claim which he had in all his land at Bechehampton to William de Bechehampton, father of John, whose heir he is, while these tenements were in William's seisin. And likewise he says that Joan, after her father Robert's death, while these tenements were in William's seisin, remitted and quitclaimed on behalf of herself and her heirs to William and his heirs for ever all the right and claim which she had in these 2 virgates of land with appurtenances. And he puts forward a written quitclaim in the name of Robert, father of Joan, whose heir she is, and likewise another written quitclaim in the name of Joan herself, which bear witness to this.

Alan and Joan cannot deny this, and ask for licence to withdraw from their writ. They have it.

[See also 144.]

121. Assize of mort d'ancestor to ascertain if Christian who was the wife of John de la Legh, aunt of Ralph de Langeport, died seised in her demesne as of fee of 12 acres of land with appurtenances in Bukingham, which Robert de Punteys holds. He comes and says that he holds these tenements for the term of his life only, by demise of the master of the house of St Thomas Acre in London, and he vouches the master to warranty. He is to have him at Westminster on the quindene of Trinity [24 June] by the help of the court (*marg:* Westminster). He is to be summoned in the county of Middlesex (*marg:* Middlesex). The sheriff is instructed to have the jurors present at the same term.

[At Westminster in the Trinity term 1286 Ralph of Lamport appointed Roger of Newport as his attorney against Robert Punteys on a plea of assize of mort d'ancestor (CP 40/63 m. 71d).]

122. Hugh Hardi and Christian his wife, Agnes who was the wife of Robert le Clerck and Ralph, son of Maud Attewyndmilne, by the attorney of Christian and Agnes, claim from Robert Paulyn 4 acres of land with appurtenances in Great Craule of which Edith Attehull', grandmother of

Christian and Agnes and great-grandmother of Ralph, whose heirs they are, was seised in her demesne as of fee on the day she died.

Robert comes, and they agree by licence. The agreement is as follows, that Hugh, Christian and Agnes have acknowledged these tenements with appurtenances to be Robert's right, and they have remitted and quitclaimed them on behalf of themselves and their heirs to him and his heirs for ever. For this Robert has given Hugh, Christian and Agnes 6 marks, which Hugh, Christian and Agnes acknowledge have been paid to them (*marg:* acknowledgement).

[See also 24, for an earlier, defective claim.]

123. Robert son of Roger Munchun claims 3 acres of land with appurtenances in Chechele and Tykeford from William de Botelesford and Alice his wife as his right by a writ of entry. William and Alice come, and they agree by licence. The agreement is as follows, that Robert has acknowledged these tenements with appurtenances to be the right of William and Alice, and has remitted and quitclaimed them to them and Alice's heirs for ever on their behalf and that of their heirs. And for this William and Alice have given Robert 19s. sterling (*marg:* acknowledgement).

124. Felicia who was the wife of Ralph de Clopton' of Wylies claims from Robert, vicar of the church of Wylus, a third part of a messuage with appurtenances in Wylus as her dower, of the dowering of Ralph, her former husband. Robert comes. And on another occasion he has vouched Robert de la Barbe to warranty, who has warranted for him and further vouches to warranty John de Clopton'; who now comes by summons and warrants for him. [Robert] by licence returns her dower to Felicia, therefore let her have her seisin of it. And because John has enough of the free tenement which belonged to Ralph, Felicia's former husband, it is adjudged that Robert should hold in peace, and that Felicia should have land to the value of the said third part in a suitable place in John's land.

[Robert de Combewell was presented as vicar of Willen on 7 March 1274: Lipscomb, IV, p. 410.]

125. Richard Drabel and Alice his wife were summoned (to answer[i]) Petronilla daughter of William Payn on a plea of why, whereas by the common council of the kingdom it has been provided[l] that no-one shall be permitted to commit waste, sale or destruction in lands, buildings, woods or gardens demised to him for the term of his life or a term of years, Richard and Alice have committed waste and destruction, to the disinheriting of Petronilla and against the form of the provision, in a building at Herdewyk which William Payn, father of Petronilla, whose heir she is, demised to Richard and Alice for the term of their lives; whereof she complains that whereas William, her father, demised to Richard and Alice a messuage with appurtenances in Herdewyck to hold

for the term of their lives, Richard and Alice pulled down a grange erected in the courtyard of the messuage and took it away to a place beside the said messuage which they had recently bought and there erected it, to the disinheriting of Petronilla and against the form of the said provision. She says that by this she has suffered damage to the value of 40s., and produces suit of this.

Richard and Alice come and deny force and injury. They firmly deny that they pulled down the grange or committed any waste or destruction, and they put themselves on a jury concerning this. Petronilla does likewise. So let there be a jury. (*Marginated:* Thursday after the quindene of Easter [2 May].)

The jurors[2] say on their oath that Richard Drabel and Alice pulled down the grange and took (it[i]) away, and so committed waste against the form of the said provision, to Petronilla's loss of 3s. And so it is adjudged that, according to the form of the provision, Richard and Alice should lose [the rest of] their term in the messuage, and that Petronilla should recover her seisin in it, and treble damages, namely 9s. Richard and Alice in mercy (*marg:* amercements[c]).

1. For the Statute, see 50.
2. From 'the jurors' (*juratores*) to the end in smaller writing and different ink.

[See also 50.]

Membrane 13 dorse

126. Assize of mort d'ancestor to ascertain if Geoffrey le Paumer, father of William le Paumer, died seised in his demesne as of fee of a messuage and 1½ acres of land in Woburn', of which David de Stotevill' holds a messuage and ½ acre of land, and Richard de Bluntisden holds 1 acre of land; and if William is his next heir.

David and Richard come and say that the assize ought not to be taken on this, because a writ of assize of mort d'ancestor is of such a nature that it always concerns the death of the last person seised. They say that after the death of Geoffrey, concerning which this assize has been set up, one Thomas entered the tenements as Geoffrey's eldest son and heir, and sold the tenements to them, David and Richard, and so they ask[1] for judgment.

William says that this writ should not be quashed by the seisin of the last person seised unless an action were possible for him concerning the seisin of the last person seised. He says that Thomas, whom David and Richard say to have been Geoffrey's son and heir, was a bastard, born of one Aline who was afterwards (Geoffrey's[i]) wife, and that he did not enter the tenements after Geoffrey's death as his son and heir. They ask that this should be inquired into by the assize.

The jurors say on their oath that Geoffrey had two sons, namely Thomas the elder and William the younger, and that after Geoffrey's death Thomas entered the tenements as his son and heir. So it is adjudged

that David and Richard are to go without day on this, and William is to take nothing by this assize, but to be in mercy for his false claim (*marg:* amercement[c]).

1. 'he asks' (*petit*) written for 'they ask' (*petunt*).

127. Assize of mort d'ancestor to ascertain if Stephen Brun Costyn, father of William Brun Costyn, died seised in his demesne as of fee of 2 acres of land with appurtenances in Iver, which Hugh de Eshe and Gilbert Norman hold.[1]

They do not come, and they were re-summoned. On this comes Elizabeth, wife of the said Hugh, and says that Gilbert has no claim in the tenements because she was enfeoffed of them jointly with Hugh, her husband, by Harold Bruncoste, son of Richard, son of Stephen and brother of William. This Harold enfeoffed Hugh and Elizabeth jointly of these tenements. She puts forward a quitclaim in Harold's name which bore witness that Harold had remitted and quitclaimed, on behalf of himself and his heirs for ever, all the right and claim which he had in these tenements to Hugh de Esse and Elizabeth his wife for ever. She asks that the assize should not proceed by Hugh's default, and that she should be admitted to defend their tenement. Because she does not show any deed of enfeoffment of the tenements, but only a quitclaim, she is not admitted, and the assize against Hugh and William is to proceed by default.

The jurors say on their oath that one William le Moyne gave Stephen Bruncoste, on whose death this assize is brought, these tenements with appurtenances in free marriage with William's daughter Elena, mother of William [Bruncoste] and his elder brother Richard. They say that Richard died in the lifetime of Stephen,[2] his father, and that after Stephen's death William le Moyne took these tenements into his hand and afterwards sold them to Hugh and Elizabeth. They say that afterwards in the course of time Harold, son of Richard, made this quitclaim to Hugh and Elizabeth while he, Harold, was under the age of 18 years, and so they say that Stephen[2] did not die seised of these tenements in his demesne as of fee. So (it is[i]) adjudged that William should take nothing by this assize but is to be in mercy for his false claim (*marg:* amercement[c]).

1. '(he) holds' (*tenet*) written for '(they) hold' (*tenent*).

2. Stephen (*Stephano, Stephani*, etc.), on alterations. JUST 1/63 has Geoffrey (*Galfrido, Galfridi*, etc.).

[See also 272.]

128. Herbert de Thedmersch[1] and Alice his wife claimed before the justices at Westminster[2] from John de la Brech' and Joan his wife a third part of a messuage, of 10 acres of land and of 1 acre of meadow with appurtenances in Suthcaldecote and Belebrykehull'; and from Robert Gyffard and Felicia his wife a third part of a messuage and of ½ mark's-worth of rent with appurtenances in Belebrykehull', Suthcaldecote and

Wayden' as Alice's dower from the dowering of Robert de Keynes, her first husband.

John and the others come; on the other occasion before the justices at Westminster they vouched to warranty Thomas, son and heir of Robert de Keynes, who is under age and whose body and lands are in the custody of Matilda, countess of Gloucester, by the charters of Robert de Kaynes, father of Thomas, whose heir he is; which they put forward, and which bear witness that Robert the father etc. gave them these tenements, and that Robert and his heirs would warrant. They say that at the time when they vouched Thomas to warranty the countess had [custody of] him as Robert's eldest son and heir, but now the countess has [custody of] one John as Robert's eldest son and heir; and they now vouch this John to warranty.

Herbert and Alice say that as John and the others at another time in the king's court vouched Thomas to warranty as Robert's son and heir, and are not now pursuing that voucher to warranty, they ask for judgment. And because John and the others at the other time before the justices in the king's court at Westminster vouched Thomas to warranty as Robert's son and heir, as appears by the record of the bench sent to the justices here, and now are not pursuing that voucher, it is adjudged that Herbert and Alice should recover their seisin of the said third parts with appurtenances from John de la Brech' and others as Alice's dower. John and the others in mercy (*marg:* amercements[c]).

1. JUST 1/63 has *Thedingham.*
2. On 3 November 1285 (CP 40/60 m. 72).

129. Assize of mort d'ancestor to ascertain if Ralph del Escheker, father of Katherine wife of William de Alta Rypa [Hawtrey] and grandfather of Ralph son of Ralph de Chenduyt, died seised in his demesne as of fee of half of the manor of 'Eskeberwe' and ½ carucate of land and ½ of 4 acres of wood with appurtenances in Aufryk by Messingden'. And if Katherine is his next heir. Note that the other half of these tenements is not included, because Ralph [de Chenduyt] is not suing for his share. Ralph de Chenduyt[1] holds the said half of the manor, and the abbess of Godestowe holds the other half of the land and of the wood.

They come. Concerning a half of the half of the manor claimed from him, Ralph says that William de Cantolupo holds in its entirety half of the whole manor, and Richard, son of John de Seyton', holds in its entirety the other half of the manor. He says that the tenements which Katherine is claiming from him and which she has put in view are called the manor of the Escheker, which is part of Eskeberwe, and so he asks for judgment on the writ. Concerning the land and wood which Katherine is claiming from her in Aufryk, the abbess says that Aufryk is not a vill nor a hamlet, but that the tenements she has put in view are in Little Messingden', and she is ready to prove this; and so they ask for judgment. Katherine cannot

deny this, and so it is adjudged that Ralph and the abbess are to go without day and that William and Katherine are to take nothing by this writ, but are to be in mercy for their false claim (*marg:* amercements[c]).

1. The Ralph de Chenduyt who is a party to the case is the father of the Ralph de Chenduyt who is not claiming his share, and husband of Katherine's deceased sister. See also 196, 255, 256, 264.]

130. Robert son of William le Blund of Aston claims from John Brian and Avice his wife a fifth part of a messuage and of 21 acres[1] of land and of 4 acres of meadow with appurtenances in Chetyngdon' as his right and reasonable share which belongs to him of the inheritance of John le Clerck of Chetyngdon', his grandfather, and grandfather of John, son of Maud the daughter of John, and of John son of Petronilla, and father of Joan of Leghton and of Avice, whose heirs they are, and who lately [died] etc. Note that three[2] parts of the tenements are excluded because John, John son of Petronilla and Joan are not suing for their shares.

John Brian and Avice come and deny his right. They say that John le Clerck of Chetyngdon' did not die seised of the tenements because a long time before his death he enfeoffed them, John and Avice, with them, to be held by them and their heirs, etc., and they put forward a charter in the name of John le Clerk which bears witness to that enfeoffment.

Robert says that whatever charter John and Avice put foward, John le Clerk did die seised of the tenements, and asks that a jury should inquire into this. John and Avice do likewise, so let there be a jury. Afterwards Robert comes and asks for licence to withdraw from his writ, and he has it. (*Marginated:* on Friday after the quindene of Easter [3 May].)

1. '21 acre' written. It is the idiom throughout this document (and in others of the period) to make the Latin word *acre* singular to agree with 'one' *unius*, rather than write the plural *acrarum* to agree with 'twenty-one' *viginti unius*.
2. 'three' (*tres*) supplied from JUST 1/63. JUST 1/67 has 'thirds' (*tercie*) here.

[See also 46.]

Membrane 14

131. Ralph Pypard, through his attorney, claims from John son of Osbert Gyffard 9 virgates of land with appurtenances in Paundon' by Twyford, of which the same John unjustly and without judgment disseised Robert, son of Ralph fitz Nicholas, uncle of Ralph, whose heir he is.

John comes and denies his right, and says that Ralph can claim no right in these tenements, because William de Kavereswell and Joan his wife, on another occasion in the court of the present king at Westminster on the octave of Trinity in the 5th year of his reign [30 May 1277] claimed a third part of 468 acres of land, and of 46 acres of meadow, of 31 acres of pasture, of 100 acres of wood, of 24 virgates of land which are held in villeinage, and of 19 cottages with appurtenances in Twyford, Charendon'

and Paundon'; and a third part of 20 messuages and of 20 virgates of land with appurtenances in the same vill, and of a messuage and one virgate of land with appurtenances in Charendon'; and a third part of 48s.-worth of rent with appurtenances in Twyford, as the dower of Joan from the dowering of Robert, son of (a certain[1]) Nicholas,[1] her first husband. He says that the tenements which Ralph is now claiming from him are contained within those tenements from which William and Joan at another time in the same court of the king claimed Joan's dower. He says that he himself in that court vouched Ralph to warranty on this, and Ralph came to that court and warranted for him; so he asks for judgment whether Ralph can have an action concerning tenements which he had previously warranted for him [John] in the king's court.

Ralph cannot deny this, so it is adjudged that John should go without day on this and Ralph is to take nothing by his writ, but to be in mercy for his false claim (*marg:* amercement[c]).

1. The interpolator of 'a certain' (*cujusdam*) presumably thought that Nicholas was Robert's father's Christian name rather than that the family surname was fitz Nicholas.

132. Assize of novel disseisin to ascertain if Florus le Clerk and William son of Thomas Pypard unjustly disseised John le Waleys and Maud his wife of their freehold in Wengrave, whereof they complain that they disseised them of 4 messuages and 2 virgates of land (with appurtenances[i]). Florus and William do not come. They were not attached because they were not found. So let the assize be taken against them by default.

The jurors say on their oath that the tenements belonged to Ralph de Eyvill', who died seised of them in his demesne as of fee. After his death, Thomas Pypard, the chief lord of the fee from whom Ralph held the tenements, took seisin of them in the name of custody because Thomas de Eyvill', Ralph's son and heir, was under age, and held them until the said heir came of age, and then gave them back to him. Thomas enfeoffed John le Waleys and Maud his wife with them eight[1] days before Michaelmas and put [them][2] in seisin. Asked what (sort of[i]) profits John le Waleys and Maud took by that enfeoffment,[3] they say that they took the fealty of the villeins holding the tenements. And they say [*entry ends here*][4]

1. JUST 1/63 has 'eighteen' (*octodecim*) for 'eight' (*octo*).
2. 'and put him' (*et ipsum inde*) written untidily on alteration, with 'him' (*ipsum*) written for 'them (*ipsos*).
3. The JUST 1/63 entry ends here.
4. Both JUST 1/67 and JUST 1/63 have about 5 inches left blank after the entry.

[Flurus, parson of Bletsoe, Beds., was the clerk commissioner for the 1279 Hundred Rolls inquiry in Bedfordshire and Buckinghamshire (Raban, *A Second Domesday?*, pp. 62, 66). Could this be the same man as Florus le Clerk?]

133. Richard son of William le Mouner of Great Kynebell', who brought a writ of mort d'ancestor against Alexander de Hamdene concerning one

mill in Hamden', has not pursued his claim, so he and his sureties to proceed are in mercy, namely Reginald de Molend' [of the Mill] of Wendovere and Hugh le Jeune [Young] of Kynebell'[1] (*marg:* amercements[c]).

1. JUST 1/63 has *Hugo le Jevene de eadem*, 'of the same'.

134. Thomas le Vigrus of Dodereshull', who brought a writ of novel disseisin against Roger of Dodereshull' concerning property in Dodereshull' has not pursued his claim, so he and his sureties to proceed are in mercy, namely John de Craunford of Dodereshull' and Thomas *Scriptor* [Writer] of Quenton (*marg:* amercements[c]).

135. William, son of Mabel la Vittere [the vintner?][1] who brought a writ of mort d'ancestor against Walter Pychard and Julian, who was the wife of William le Feure, did not pursue his claim, so they are to go without day, and William, son of Mabel, in mercy (*marg:* amercement[c]). Nothing concerning pledges, because [he proceeded] by his word.

1. JUST 1/63 has *Vyntere*.

136. Robert Heved, who brought a writ of assize of mort d'ancestor against William Gricke and Amabel his wife concerning property in Caldecote by Neuport, has not pursued his claim, so William and Amabel are to go without day on this, and Robert in mercy (*marg:* amercement[c]). Nothing concerning pledges, because [he proceeded] by his word.

137. John del Burghgate claims from Gilbert, prior of Merton, ½ of 1 virgate of land with appurtenances in Wexham in which the prior[1] has no entry except through Eustace, formerly prior of Merton, the prior's predecessor, who demised it to him, and who unjustly and without judgment disseised Richard, son of William le Fraunceys, father of John, whose heir he is.

The prior comes and says that he ought not to answer him on this writ, because it is obviously defective in that John is claiming the half as that which Eustace, the predecessor, etc., demised to the present prior and who unjustly etc. He says that Eustace did not demise this half to the present prior; on the contrary, the present prior succeeded Eustace as a successor succeeds a predecessor, so that [John] could have obtained a good and competent writ in this case with this wording: "in which the same prior has no entry except through Eustace, formerly prior of Merton, his predecessor, who unjustly disseised Richard, son of William le Fraunceys, father etc., of it". He seeks judgment on the writ.

John cannot deny this, and so it is adjudged that the prior is to go without day on this, and John should take nothing by his writ, but is to be in mercy for his false claim (*marg:* amercement[c]).

1. JUST 1/63 has 'William' (*Willelmus*) for 'the prior' (*prior*).

138. Assize of mort d'ancestor to ascertain if Constance de Bedeford, aunt of master Nicholas of Ouvynge, died seised in her demesne as of fee of 7 acres of land in Ouvynge, of which Walter de Wymbervill'[1] holds 5 acres and Philip son of Reginald holds 2 acres; and if master Nicholas is her next heir.

They come. [*Different ink*] Concerning the tenements claimed from him, Walter says that he only holds 4 acres. Master Nicholas acknowledges this, and they reach agreement. Master Nicholas gives ½ mark[2] for licence to agree, by surety of Walter. The agreement is as follows, that Walter has acknowledged that half of the 4 acres with appurtenances, namely the southern part,[3] is the right of master Nicholas, and has handed over and quitclaimed them, on behalf of himself and his heirs, to master Nicholas [and his heirs][3] for ever.[4] For this, master Nicholas has acknowledged that the other half of the 4 acres with appurtenances is [the right][3] of Walter, and has handed over and quitclaimed them, on behalf of himself and his heirs, to Walter and his heirs for ever.

1. *Wymbervill'* altered from *Wymberhul'*.
2. Presumably once marginated *½ mark*, but the margin is torn away.
3. Torn away in JUST 1/67 and supplied from JUST 1/63.
4. The entry in JUST 1/63 ends here.

[See also 168.]

139. Roger de Eton and Agnes his wife were summoned to answer Walter de Agmondesham on a plea that they should keep to the agreement made between them concerning a messuage, 16 acres of land, 17d.-worth of rent and a rent of 1 lb. of cumin with appurtenances in Chalfhunte St Peter. Roger and Agnes come. They agree by licence, and have a chirograph. Roger and Anne appoint John de Coldon as their attorney to collect their part [of the chirograph].[1]

1. Last sentence added later and squeezed in.

[CP 25/1 17/49/1 (26) = FF (25) no. 345, dated Wycombe, quindene of Easter [28 April] 1286. The tenements agreed to be Walter's right, to hold of the chief lords; consideration, a sore sparrowhawk.]

140. Assize of mort d'ancestor to ascertain if Simon Thoby, uncle of Adam Bysuthirne, (of Agnes wife[i]) of Ralph Moryce and of Isabel de Frecheburgh, died seised in his demesne as of fee of a messuage and 12 acres of land with appurtenances in Chalfhunte, which Walter of Agmondesham holds, and if they are his next heirs. Walter comes. They agree by licence, and have a chirograph. Adam and the others appoint John de Coldon as their attorney to collect the chirograph.

[CP 25/1 17/48/23 = FF (25) no. 347, dated Wycombe, quindene of Easter [28 April] 1286. The tenements agreed as Walter's right, with all the lands Walter holds of the plaintiffs' hereditaments in Chalfont. Quitclaim to Walter; consideration, a sore sparrowhawk.]

Membrane 14 dorse

141. Assize of mort d'ancestor to ascertain if Robert de Oseburn', father of Edmund de Oseburn', died seised in his demesne as of fee of ½ a virgate of land and 1 acre and 3 roods of meadow with appurtenances in Lathebury, which Robert de Harleg', parson of Lathebury church, holds. He comes.[1]

1. Entry ends here; so also in JUST 1/63. In both JUST 1/67 and JUST 1/63 this whole entry is bracketed on the left, and 'void' (*vacat*) written in the margin.

[See 348 for the completed entry.]

142. Maud who was the wife of William Baldewyne claims from Richard le Taylliur of Hardmade and Cecily his wife a messuage and 2 acres of land with appurtenances in Hardmade which she claims to be her right and inheritance, and in which Richard and Cecily have no entry except through William Le Botiler, to whom they were demised by William Baldewyne, Maud's former husband, whom she could not oppose in his lifetime. Richard and Cecily come. On another occasion they vouched William le Botiler to warranty on this, but now they abandon that warranty and give Maud back[1] her lands by licence; so let her have her seisin of them.

1. 'they abandon' (*resortiuntur*) and 'they give back' (*reddunt*) originally written as singular verbs and then altered to the plural.

143. John son of Silvester de Fennystretford, who brought a writ of mort d'ancestor against Walter Thorald concerning property in Little Brikilne, did not pursue his claim, so he and his sureties to proceed are in mercy, namely William Beaufrere of Bragenham and Thomas de la Foillie of Shenle (*marg:* amercements[c]).

144. Alan le Orfevere and Joan his wife claim from John son of William half a messuage with appurtenances in Bechampton'; and from Adam Balle and Julian (his[i]) wife half a messuage with appurtenances in the same vill, which they claim as the right and inheritance of Joan and into which John, Adam and Julian do not have entry except by the demise which Robert son of Benedict, father of the said Joan, whose heir she is, made concerning it to William son of William of Bechampton' for a term which has expired, and which should revert to Alan and Joan after that term.

John and the others come and deny Joan's right. Concerning the tenements claimed from them, Adam and Julian vouch John to warranty, and he warrants for them. And concerning the tenements claimed from him, as well as those which he has warranted for Adam and Julian, he denies Joan's right, and says that Alan and Joan his wife can claim no right in the tenements because Robert, father of the aforesaid Joan, whose heir she is,[1] while the tenements were in the seisin of William, his father, whose heir he is,[2] remitted and quitclaimed, on behalf of himself and his heirs, (to

William and his heirs,[i]) all the right and claim which he had in all the lands which had ever belonged to him in Bechampton'; and likewise Joan had remitted and quitclaimed, on behalf of herself and her heirs, to William, his father, and his heirs, all the right and claim which she had in 2 virgates of land with appurtenances, within which virgates of land the said messuage is contained. He is prepared to verify this, and puts forward a quitclaim in Robert's name, and another in Joan's name, which bear witness to this; and so he asks for judgment.

Alan and Joan cannot deny this, and so it is adjudged that John should go without day on this, and Alan and Joan should take nothing by this writ, but are to be in mercy for their false claim (*marg:* amercements[c]). Pardon is granted by the justices because J. de Vescy wrote on their behalf.

1. The clerk seems to have been confused here between Joan and John: the masculine 'aforesaid' (*predicti*) is written, and left unaltered. He seems originally to have written 'of John' (*Johannis*), and changed it to 'of Joan' (*Johanne*), not really obliterating the final -s. 'She' (*ipsa*) appears to have been altered from 'he' (*ipse*).
2. A word inserted above the line, then partly obliterated.

[See 120 above. No connection can now be traced between Alan and Joan le Orfevere and John de Vescy.]

145. Benedicta who was the wife of Geoffrey le Sweteson, who brought a writ of entry against Robert de Bereford concerning property in Hardemede, has not pursued her claim, and so she and her sureties to proceed are to be in mercy, namely Thomas Sweteson of Astwode and Geoffrey Attewode of Turveye (*marg:* amercements[c]).

[No amercement appears for this in the roll.]

146. Assize of mort d'ancestor to ascertain if Agnes who was the wife of William le Bucher, sister of Joan wife of John Gylberd, and aunt of John son of Maud in the hurne,[1] died seised in her demesne as of fee of a messuage with appurtenances in Chepinge Merlawe, which Isabel who was the wife of William le Bucher holds, and if they are the next heirs. Isabel comes and says that she claims nothing in this messuage except her free bench, (according to the custom of the vill of Merlawe[i]), of the inheritance of Alice and Swanild, daughters and heirs of the said William, her late husband, who are under age and without whom she cannot bring this tenement into court. John and the others cannot deny this, and so this plea is to be postponed until Alice and Swanild are of age (*marg:* age).

1. 'in the hurne' written in English.

147. Richard Attegrene was summoned to answer Maud Atte Grene on a plea that he should keep to the agreement made between them concerning two mills with appurtenances in Wycomb'. She says that she held a third part of these mills as dower, and it was agreed between her and Richard that she granted and demised that third part to Richard from

Michaelmas in the 55th year of the reign of King Henry, father of the present king [29 September 1271], to be held by Richard and his assigns for the term of eight years next following; and Richard within that term should at his own costs and expense completely keep up the mills and find everything necessary; and he ought to have paid Maud all the profits and issues of the third part of these mills (every year[i]) for her whole life. But Richard, contrary to the agreement, for two years past has completely kept back the profits and issues of that third part from her and refused to pay them to her loss of 100s. She produces suit of this.

Richard comes and acknowledges this, and so it is adjudged that Maud should recover the third part of the profits of these mills and her damages, which are assessed by the justices at [*left blank*].[1] And Richard in mercy (*marg:* amercement).

1. Also left blank in JUST 1/63.

[Richard is presumably the heir of Maud's husband, or by the Statute of Gloucester c. 7 he could have contested her attempt to alienate her dower holdings.]

148. Richard de Arches and Denise his wife give 1 mark (*marg:* 1 mark[c]) for licence to agree with Robert Gyngelot on a plea of warranty of charter, by surety of Alexander de Arches.[1] They have a chirograph.

1. JUST 1/63 has 'with Robert Gyngelot . . . by surety of the said Robert' (*cum Roberto Gyngelot . . . per plegium predicti Roberti*).

[CP 25/1 17/48/22 = FF (25) no. 346, dated Wycombe, quindene of Easter [28 April] 1286, concerning 2 messuages and a virgate of land (less 4 acres) in Cranwell recognized as Richard's right by Robert Gyngelot and Agnes his wife, and given to him and Denise and his heirs; consideration, 11 marks.]

149. Assize of mort d'ancestor to ascertain if Isabel de Harleford, mother of Isabel wife of Walter de Harleford, died seised in her demesne as of fee of a messuage, ½ of 6 acres of land and ½ of 3 acres of meadow with appurtenances in Wycombe, of which Alice, daughter of Richard de Cantelo, holds a messuage and ½ of 3 acres of land; William le Draper holds ½ of 3 acres of land; Robert de Cantelo holds ½ of 2 acres [of meadow];[1] and Isabel who was the wife of Richard de Cantelo holds ½ of 1 acre of meadow; and if Isabel is the next heir.

They come. Alice and Isabel [de Cantelo], concerning the tenements claimed from [them],[1] vouch Robert de Cantelo to warranty. He is present and warrants for them. They agree, both concerning the tenements claimed from Robert [and][1] those he warrants for them. Walter and Isabel give ½ mark for licence to agree (*marg:* ½ mark[c]). The agreement is as follows, that Walter and Isabel have acknowledged that these tenements with appurtenances are Robert's right, and have remitted and quitclaimed them, on behalf of themselves and the heirs (of Isabel[i]), to him [and his][1] heirs for ever.[2]

Concerning the tenements claimed from him, William le Draper

vouches Adam atte Lombe atte Lanesende to warranty; he is to have him here on Friday after the quindene of Easter [13 May] with the help of the court. He is to be summoned in this county.

1. Torn away in JUST 1/67 and supplied from JUST 1/63.
2. A faint *tra(n)s'* is written in the margin beside this paragraph, although there appears to be no question of trespass.

[See also 347.]

Membrane 15

150. William, son of Alice de Havecumb', claims from Simon Hauek' of Chetyngdon' ¼ of a messuage and of 21 acres of land, and of 1 acre of meadow with appurtenances in Chetyngdon' as his right and reasonable share which falls to him of the inheritance of Robert son of Simon, uncle of William and of Walter (Blot[i]) and of Simon Hauek', and grandfather of Richard son of Robert son of Maud; whose heirs they are and who recently [died]. And note that two parts of these tenements are excluded because Walter and Richard are not suing for their shares.

William says that Robert son of Simon was seised of the whole of these tenements in his demesne as of fee, in the time of peace, in the time of King Henry, father of the present king, taking profits to the value, etc., and died so seised. And from Robert the right to these tenements descended to Albreda, Agnes, Alice, Maud and Sibyl as his sisters and heirs. From Albreda the right to her share descended to her son and heir Walter, who is not suing for his share. From Agnes, because she died without an heir of her body, the right to her share descended to her sisters and heirs Alice, Maud and Sibyl.[1] From Alice the right to her share descended to her son and heir Walkelin, and from Walkelin, because he died without an heir of his body, the right descended to this William, son of Alice, who is now suing. From Maud the right to her share descended to her son and heir Robert, and from Robert the right descended to Richard, son of Robert, who is not suing for his share. From Sibyl the right to her share descended to her son and heir Simon, who now holds the whole and withholds their reasonable share from them. He produces his suit of this.

Simon comes and say that in his writ William calls Robert, son of Simon, the 'grandfather' of Richard, son of Robert, and in his narration[2] he calls Robert Richard's 'kinsman' because [he was][3] the brother of Maud, Richard's grandmother; and so he asks for judgment on the writ. William cannot deny this, so it is adjudged that Simon is to go without day, and William is to take nothing by his writ, but to be in mercy for his false claim (marg: amercement[c]).

1. *Albreda* omitted from the list.
2. A 'narration' is the plaintiff's statement of his case in court, which must not differ from the wording used in the writ.
3. Verb omitted in the text.

[See also 302.]

151. William de Valence was summoned to answer the prior of Roff' [Rochester] on a plea that he should allow him to have common of fishery in the water of Tame which belongs to his free tenement in Hadenham and of which William unjustly disseised brother John de Benham, formerly prior of Rochester, his predecessor.

William comes through his attorney, who puts forward the king's letter of protection, which says that the king has taken into his protection his beloved uncle William de Valence, who is about to set out overseas with the king at his command, and his men, lands, property, rents and all his possessions, and that William should be quit of all pleas and complaints except pleas of dower *unde nichil habet* and *quare impedit* and assizes of novel disseisin and of last presentation. These letters will be invalid if William does not go on the journey or after he has returned from the said parts if that should be before the expiry of the term. And so let this plea remain, etc.

Afterwards [*smaller writing, squeezed in*][1] the prior and William came through their attorneys and agreed. The fine and the form of the agreement appear elsewhere.[2]

1. Also smaller writing at this point in JUST 1/63.
2. There is a fine concerning this common of fishery made between Alexander, prior of Rochester, and Hugh de Cressy dated 29 October 1247 (CP 25/1 15/29/7 = FF (4) p. 91. The later fine referred to here is not in FF (25). See 181.

152. Assize of novel disseisin to ascertain if William des Arches, William le Porter and Agnes his wife and Roger de Bracy unjustly disseised William de Luyton' of his freehold in Hertewell', whereof he complains that they disseised him of 3 messuages and 2 virgates of land with appurtenances.

William and the others come. William (des Arches answers as tenant and[i]) says that he has done no injury or disseisin because he entered the tenements through William le Porter and Agnes his wife, and not by disseisin, so that if any disseisin has been done it was by William le Porter and Agnes and not by him.

William le Porter says[1] that he has done no injury or disseisin because he found Agnes[2] seised of the tenements at the time he married her, so that if any disseisin has been done it was by Agnes and not by him. Agnes says that she has done no injury or disseisin because these tenements were the right and acquisition of John le Sauvage, her first husband. This John and Agnes acquired the tenements jointly, to be held by them and their heirs. And she says that John was bound to Mossy, son of Ysaac, a Jew of London, for a debt of £11 3s., and the Jew sued John before the justices assigned to the custody of the Jews concerning this debt, and recovered it before these justices, in that it was adjudged that the Jew should have these tenements and hold them in his hand until he had fully taken that debt from their issues. When the Jew had acquired seisin of these tenements in this way according to the custom and assize of the Jews, he made over the estate and term which he held in these tenements to William de Luyton',

to be held until the end of his term. And she says that as soon as William de Luyton' had held the tenements until the end of the term assigned to the Jew, and had fully taken the debt from them, they, William le Porter and Agnes, entered the tenements as was fully lawful for them. And they put themselves on the assize that they have done no other disseisin.

Afterwards William de Luton' came and withdrew, and so William de Arches and the others are to go without day on this. William [de Luton] and his sureties to proceed are to be in mercy (*marg:* amercements[c]). The names of the sureties are to be inquired into. Afterwards an agreement was reached between them, and William le Porter and Agnes his wife freely came and warranted the tenements to William [de Luton]. And William de Arches and William de Luton' agreed, and William de Luton' gives 1 mark (*marg:* 1 mark) for licence to agree. They have a chirograph.

1. 'says' (*dicit*) written on alteration.

2. The name Agnes (*Agnetem*) written in full, showing that the clerk regarded it as a 3rd-declension name.

[CP 25/1 17/49/6 (31) = FF (25) no. 366, made at Wycombe, one month after Easter [12 May] 1286. William and Agnes de Porter, vouched to warranty by William Darches, warrant for him; quitclaim to William of Luton from defendants and Agnes's heirs for a sore sparrowhawk.]

Membrane 15 dorse

153. William de Turvill' (and Nicholas de Charneles[i]) claim from the abbot of Missenden' ¾[1] of a messuage, of 8 acres of wood, of 2 carucates and of 2½ virgates of land with appurtenances in La Legh' by Wendovere and Chalfunt as their right by a writ of right, because Edmund, the king's brother, the chief lord of this fee, has remitted his court here to the king. He says[2] that their ancestor Geoffrey was seised of the whole of these tenements with appurtenances in his demesne as of fee in the time of peace in the time of King Richard, kinsman of the present king, taking profits from it to the value, etc. And the right to these tenements descended from Geoffrey to William, his son and heir, and from William to [another] William as son and heir; and from this William, because he died without an heir of his body, the right descended to Cecily, Petronilla and Isabel, his sisters and heirs. And from Isabel, because she died without an heir of her body, the right to her share descended to Cecily and Petronilla, her sisters and heirs.

From Cecily, the right to her share descended to Roger, her son and heir. From Roger, because he died without an heir of his body, the right descended to Isabel, Cecily and Beatrice, his sisters and heirs. And from Cecily, because she died without an heir of her body, the right to her share descended to Isabel and Beatrice, her sisters and heirs. From Isabel, the right to her share descended to Hugh, her son and heir, and from Hugh to Roger, his son and heir, and from Roger the right descended to Ela and Isabel, his daughters and heirs, who are now not suing[3] for their shares.

And from Beatrice the right to her share descended to Nicholas, her son and heir, who now[4] sues for his share together with the said William.

From Petronilla, the right to her share descended to Simon, her son and heir, and from Simon the right descended to this William, who is now suing, as son and heir. And that such is his right he offers [to prove] etc. Note that the fourth part[5] of the said tenements is excepted because Ela [and][6] Isabel, co-parceners with the same[7] William (and Nicholas[i]), are not suing for their shares.

The abbot comes and says that he does not have to answer William and Nicholas without Ela and Isabel, their co-parceners. So let these co-parceners be summoned to be at Westminster (*marg:* Westminster) on the quindene of Trinity [23 June] to sue at the same time. The same day is given to the abbot in the King's Bench.

1. ¾ (*tres partes*) written on an alteration.
2. The entry was originally written as if only one person, William of Turville, was suing.
3. 'who are now not suing' (*que modo non sequuntur*) written on an alteration.
4. After 'now' (*modo*), JUST 1/67 has 'not' (*non*) written very faintly (erased?) but not struck through; JUST 1/63 has an erasure struck through.
5. 'fourth part' (*quarta pars*) written on an alteration. JUST 1/63 has 'third parts' (*tercie partes*).
6. 'and' (*et*) supplied from JUST 1/63. There is an erasure struck through after *Isabella.*
7. 'the same' (*ipsorum*) written on an alteration. JUST 1/63 has the singular *ipsius.*

[This case had already been brought at Westminster, and transferred to Buckinghamshire because of the eyre. See CP 40/60 m. 96, Michaelmas 1285, when the sheriff of Buckinghamshire was instructed to investigate the share of Ela and Isabel. A space of 5 inches has been left after this entry in JUST 1/67 for further developments.]

154. John Attethorn', who brought an assize of novel disseisin against John de Esseley and others in the writ concerning a ditch in Chesham has not pursued his claim. So John de Esseley and the others are to go without day on this, and John Attethorn' and his sureties to proceed in mercy, namely John *Pistor* [Baker] of Cestresham and Simon de Hida of the same (*marg:* amercements[c]).

155. At the request of the parties, a day was given to the prior of the hospital of St John of Jerusalem in England, plaintiff, through his attorney, and Matilda de Clare, countess of Gloucester and Hertford, and William le Webbe of Lechton' on a plea of taking of stock-animals: the quindene of St John the Baptist [8 July] at Westminster (*marg:* Westminster).

156. Hugh Le Sauvage and William le Sauvage were summoned to answer the prior of Neuportpaynell[1] on a plea of why they took the prior's stock-animals and unjustly detained them, whereof the prior says that on the morrow of St Nicholas in the 13th year of the present king [7 December 1284] in the vill of Chichesle they took two horses belonging

to the prior and drove them to a place called Aldemandale and unjustly detained them there until they were delivered by the king's writ; which caused him loss and damage to the value of 40s., and he produces his suit of this.

Hugh and William come and deny force and injury. Hugh freely acknowledges that he took the stock-animals and caused them to be taken by William, but claims he was justified because one Simon (Sauvage[i]), father of William, held tenements from him in this vill by homage and the service of 12d. per year, which service was in arrears. He says that because of these arrears of the services owed to him, of which he was seised by the hands of Simon Le Sauvage, he has distrained his fee, and he puts himself on a jury concerning this.

The prior says that the tenement in which Hugh took his horses is not part of Hugh's fee because he, (the prior[i]), holds it from Serlo Mansel and not from Hugh's fee. He asks that this should be inquire into by a jury. Hugh and William ask the same, so let there be a jury on this. (*Marginated:* Monday after the third week of Easter [6 May].)

1. i.e. of Tickford.

Membrane 16

157. Margery who was the wife of Thomas le Fraunkeleyn, who brought a writ of dower against John son of Nigel [fitz Nigel?] concerning property in Burstall, did not pursue her claim, and so John is to go without day on this, and Margery in mercy (*marg:* amercement[c]). Nothing concerning sureties, because [she sued] by her word.

158. Rose, daughter of Ralph son of William Le Clerk' of Husseburn' Gravele, and Maud her sister claim 9½ acres of land with appurtenances in Edlesborough from William son of Elias de la Waude of Edelesbergh'; 3½ acres of land and ½ an acre and ½ a rood of meadow with appurtenances in the same vill from Nicholas son of Elias de la Waude of Edelesbergh'; and 6 acres of land with appurtenances in the same vill from John de Bergeveny and Lettice his wife; of which Gilbert le Chapeleyn, kinsman[1] of Rose and Maud, whose heirs they are, was seised in his demesne as of fee on the day he died.

She says[2] that their kinsman Gilbert was seised of these tenements in his demesne as of fee in time of peace, in the time of King Henry, father of the present king, taking profits to the value etc., (and died so seised[i])[3]. As Gilbert died without an heir of his body, the fee descended from him to one William, his brother and heir; and from William to Ralph, his son and heir; and from Ralph to Rose and Maud, his daughters and heirs, (the present claimants[i]). They produce suit of this.

William, Nicholas, John and Lettice come by their attorney. William son of Elias says that Gilbert did not die seised in his demesne as of fee of the tenements claimed from him, because long before his death Gilbert

had enfeoffed him, William, with these tenements and put him in seisin. He puts himself on a jury concerning this. Rose and Maud do likewise, so let there be a jury. (*Marginated:* Monday next after the third week of Easter [6 May].)

The jurors, chosen by consent of the parties, say on their oath that Gilbert their kinsman died seised of the said tenements in his demesne as of fee, and so it is adjudged that Rose and Maud should recover their seisin from William in the tenements claimed from him, and William is to be in mercy (*marg:* amercement[c]).

[*In larger writing*] Damages, 10 (s.[i]) after the statute.

Concerning the tenements claimed from him, Nicholas says that he cannot answer them because he does not hold these tenements in their entirety, as the prior of Grave holds ½ acre and ½ rood of meadow, and held them on the day [the writ][4] was obtained, namely 14 April in the 14th year of the present king [1286].[5] He puts himself on a jury concerning this. Rose and Maud do likewise, so let there be a jury.

Afterwards, Rose and Maud came and they cannot deny that the prior holds the said halves, and so Nicholas is to go without day on this, and Rose and Maud are to take nothing by their writ as far as this is concerned, but are to be in mercy for their false claim (*marg:* amercements[c]). (*Marginated and struck through:* Monday after the third week of Easter [6 May].)

John and Lettice vouch Nicholas to warranty concerning the tenements claimed from them. They are to have him here on the morrow of the feast of the Finding of the Holy Cross [4 May] by aid of the court. He is to be summoned in this county. On this day Nicholas comes by summons and warrants for them. He says that Gilbert, the kinsman of Rose and Maud, was not seised in his demesne as of fee on the day he died, and puts himself on a jury concerning this. (Rose and[i]) Maud do likewise, so let there be a jury. (*Marginated:* Monday after one month after Easter [13 May].)

The jurors, chose by consent of the parties, say on their oath that, as far as 5 acres of tenements are concerned, Gilbert, kinsman of Rose and Maud, did not die seised of them, but he did die seised of the 6th acre. And so it is adjudged that Rose (and Maud[i]) should recover their seisin of the said acre with appurtenances from John and Lettice, and that John and Lettice should have land to the value of that acre with appurtenances in a suitable place in Nicholas's land. Nicholas is to be in mercy (*marg:* amercement[c]), and so are Rose and Maud for their false claim concerning the 5 acres (*marg:* amercements[c]).

[*In larger writing*] Damages after the Statute of Gloucester 2s.

1. The clerk spells the word for 'kinsman' (*consanguineus*) as *consagwineus* in the first part of this entry.

2. 'she says' (*dicit*) written for 'they say' (*dicunt*); it is not only when a husband and wife are parties to the case that the clerk may forget that more than one person is involved.

3. 'and died so seised' (*et inde obiit seisitus*) is inserted above the line in different ink.
4. 'the writ' (*breve*) supplied from JUST 1/63. The word is torn away in JUST 1/67.
5. 14 April 1286 was Easter Sunday.

159. Thomas Goioun claims two thirds of a messuage, of 60 acres of land, of 4 acres of meadow and of 10 acres of wood with appurtenances in Burnham from Walter Goioun, and a third part of a messuage, of 60 acres of land, of 4 acres of meadow and of 10 acres of wood with appurtenances in the same vill from Julian, who was the wife of Ralph Goioun, of which Ralph Goioun, grandfather of Thomas, whose heir he is, was seised in his demesne as of fee on the day he died.

Walter and Julian come and deny his right. Julian says in respect of [the tenements][1] claimed from her that she holds them as dower from the dowering of Ralph, Thomas's grandfather, and Walter had assigned them to her. Walter acknowledges this, and answers concerning the tenements claimed from him as well as those held by Julian in dower, saying that Ralph, Thomas's grandfather, did not die seised of them in his demesne as of fee. He says that at some time Ralph was seised of them in his demesne as of fee, but that in his lifetime he demised[2] them and enfeoffed Walter with them, and that [afterwards],[1] in the king's court at Westminster, Ralph had acknowledged that these tenements with their appurtenances were Walter's right as those which Walter had by Ralph's [gift][1] by a fine made there between them.[3] And for this acknowledgement Walter had granted these tenements to Ralph, (to hold[i]) from Walter and his heirs for the term of Ralph's life, paying one penny[4] for all services annually for the whole of Ralph's life to Walter and his heirs; and after Ralph's death these tenements with appurtenances were to revert quit to Walter and his heirs. And so he says that Ralph did not die seised of these tenements in his demesne as of fee. On the contrary, he only had freehold in them for his life, as has been said. He puts himself on a jury concerning this.

Thomas says that, whatever fine was levied between them, Ralph was always in seisin of these tenements, before the making of the fine, during its making and [after its mak]ing,[1] and he died seised of them in his demesne as of fee. He puts himself on a jury [concerning][1] this. Walter does likewise, so let there be a jury.

[*Darker ink and larger writing*] Afterwards, they agreed, and Walter gives 1 mark for licence to agree, by surety of Thomas (*marg:* 1 mark[c]). They have a chirograph.

1. These words are torn away in JUST 1/67 and supplied from JUST 1/63.
2. Here the Latin shows an unusual construction of *dimisit* with a reflexive and *de*, not found in the *Dictionary of Latin from Medieval Sources* (British Academy). It occurs again in 217.
3. CP 25/1 16/39/4 = FF (25) no. 78, dated quindene of Easter [23 April] 1262 concerning tenements in Burnham, Cippenham, Dorney, Eton, Taplow, Hitcham and Beaconsfield.
4. After 'penny' (*denarium*), both JUST 1/67 and JUST 1/63 have an obliteration, struck through.

[CP 25/1 17/48/17 = FF (25) no. 357, dated Wycombe, one month after Easter [12 May] 1286; tenements agreed to be the right of Walter, son of Ralph; consideration, a sore sparrowhawk.]

160. William Gyffard of Boyton' was summoned to answer Hamon de Alta Rypa [Hawtrey] on a plea that he should warrant for him one garden with appurtenances in Netherupton' which he holds and claims to hold from him, and concerning which he has his charter. William comes and readily acknowledges that he should warrant for him, and is prepared to warrant this for him when he [Hamon] should be sued. And on this Hamon puts forward a (charter[i]) in William's name which witnesses that William granted, gave and by this charter confirmed to Hamon one garden with appurtenances in Netherupton', and that he and his heirs will warrant, acquit and defend the garden with appurtenances[1] for Hamon and his heirs for ever.

1. 'with appurtenances' (*cum pertinenciis*) supplied from JUST 1/63; torn away in JUST 1/67.

[This entry seems unfinished, perhaps because Maud le Waleys would not consent to the arrangements concerning this garden: see 91–2.]

Membrane 16 dorse

161. Thomas de Eyvill' and Agnes his wife claim a messuage and 26 acres of land with appurtenances in Haulton by Wendovere from Maud who was the wife of Jordan Palcok by a writ of entry. Maud comes and by licence gives them back these tenements, so let them have their seisin of them.

162. John Bret and Sarah his wife claim one carucate of land with appurtenances in Caversfield from Simon de Wynescote [of Winscott?][1] by a writ of entry. Simon comes and vouches William de Wynescote to warranty. He is to have him at Westminster (*marg:* Westminster) on the octave of Trinity [16 June] with the aid of the court. He is to be summoned in the county of Gloucester (*marg:* Gloucester). Simon appoints Philip de Alyncestr' as his attorney.

1. See *Place-Names of Bucks*, p. 85.

163. Ralph son of Bernard [fitz Bernard?] presented himself on the fourth day against Robert le Marescal and Nichola his wife on a plea of a third part of one virgate of land with appurtenances in Adington', except 1 rood of land with appurtenances, which he claims as his right. They do not come. They have defaulted on another occasion, namely on the morrow of the Close of Easter [22 April], so that the sheriff was instructed to take the said land into the king's hand, to say what day he so took it, and to summon them to be present here on the Thursday[1] next

after the Close of Easter [25 April]. The sheriff now testifies what day he took the land, and that they have been summoned. So it is adjudged that Ralph[2] should recover seisin of these tenements from Robert and Nichola by their default. Robert and Nichola in mercy (*marg:* amercements).

1. 'Thursday' (*Jovis*) written on an alteration.
2. 'Ralph' (*Radulfus*) altered from 'Robert' (*Robertus*).

[See also 76, 96, 208, 267.]

164. Stephen de London' and Cecily his wife were summoned to answer Alice daughter of Thomas de London' on a plea that they should keep to the agreement made between them concerning 3 acres of meadow and ½ a virgate of land with appurtenances in Cestresham and Agmodesham. Stephen and Cecily come, and they agree. Stephen and Cecily give ½ mark for licence to agree (*marg:* ½ mark^{c}). The agreement is as follows, that Alice acknowledges that these tenements with appurtenances are Stephen's right, being those which Stephen and Cecily have by the gift of Hugh de London, grandfather of Alice, to be held by Stephen and Cecily and Stephen's heirs for ever; and she has remitted and quitclaimed them to Stephen and Cecily and Stephen's heirs on behalf of herself and her heirs for ever.

165. Roger de Finemere and Alice his wife were summoned to answer Alice daughter of Thomas de London' on a plea that they should keep to the agreement made between them concerning ½ a virgate of land with appurtenances in Cestresham. Roger and Alice come, and they agree. Roger and Alice give ½ mark for licence to agree (*marg:* ½ mark^{c}). The agreement is as follows, that Alice acknowledges that these tenements with appurtenances are [Roger's][1] right, being those which [Roger][1] and Alice have by the gift of Hugh de London', grandfather of Alice, whose heir she is, to be held by Roger and Alice and Roger's heirs; and she has remitted and quitclaimed them on behalf of herself and her heirs to Roger and Alice and Roger's heirs for ever.

1. Stephen (*Stephani, Stephanus*) written for Roger (*Rogeri, Rogerus*), presumably by confusion with 164.

166. Alan le Boteler of Merlawe gives ½ mark (*marg:* ½ mark^{c}) for licence to agree with William de Hurtwell' and Eve his wife, by surety of William, on a plea of warranty of charter. He has a chirograph (*marg:* chirograph^{c}). The wife did not agree to this when she was examined by the justices.

[The fine was, however, levied: CP 25/1 17/48/19 = FF (25) no. 359, dated Wycombe, one month after Easter [12 May] 1286. A messuage and 1 acre of land in Burnham recognized as Alan's right by the Hurtwells' gift, holding from them and Eve's heirs, paying a clove at Michaelmas. See also 325.]

167. John son of Gilbert Peche acknowledges that he has drawn up a deed for Roger Loveday and asks that it be enrolled. It is enrolled in these

words: John, son of Gilbert Peche, gives greeting in the Lord to all, etc. Know that I have received 100 silver shillings from Sir Roger Loveday in the Easter term in the 14th year of King Edward [1286] from that annual rent of £10 in which Sir Roger is bound to me for the manor of Wyteresfield, which manor I have remitted and quitclaimed to the same Sir Roger and his heirs on behalf of myself and my heirs for ever. I witness by this present deed that I have been fully paid concerning these 100s., and that Sir Roger is quit thereof. In witness whereof, etc. Given at Wycombe, 3 May in the 14th year of King Edward [1286].

[Roger Loveday was one of the justices at this Buckinghamshire eyre. His IPM, (C 33/49/5) contains no mention of Wethersfield (which is in Suffolk); nor do the king's instructions to the escheator to delivery Loveday's lands to his son Richard (*CCR* 1279–88, pp. 460, 500).]

168. Assize of mort d'ancestor to ascertain if Constance de Bedeford, aunt of master Nicholas of Ovyng', died seised in her demesne as of fee of 2 acres of land with appurtenances in Ovyng', which Philip son of Reginald holds. And if master Nicholas is her next heir. Philip comes and vouches to warranty Joan and Maud, daughters of Isabel de Shalton,[1] by help of the court. They are under age.

Master Nicholas says that Philip cannot vouch Joan and Maud to warranty, nor can he have the help of the court for that voucher, for neither Joan and Maud, nor their mother Isabel, ever (had[i]) any right in these tenements, either in demesne or in service, after the death of Constance into whose seisin the inquiry is being made, so that they could enfeoff Philip with them. On this, he puts himself on the assize in (the form of an inquiry[i]). Philip does likewise, so let an assize be held.

The jurors say on their oath that Isabel was in seisin of the tenements after the death of Constance, and held them for some time, and afterwards enfeoffed Reginald, father of Philip, with them. So it is adjudged that the said voucher is to be admitted and to take place, and that he is to have Joan and Maud at Westminster on the quindene of Trinity [23 June] by the help of the court. They are to be summoned in Bedfordshire.[2] The sheriff is instructed to have [the?] jurors present on the same date.

1. The *h* is written above the rest of the name.
2. No marginations visible: there is a mending-strip on the left of the membrane here.

[See also 138.]

169. Robert le Clere of Bodicote claims a messuage and 1 virgate of land with appurtenances in Adington, except ½ acre of land, from William de Tolthorp and Maud his wife, and 1 virgate of land with appurtenances in the same vill from Ralph de Arderne and Isabel his wife and master Richard de Hetherington; in which William and Maud, Ralph and Isabel and Richard do not have entry except in accordance with a demise which Roger le Clere, father of Robert, whose heir he is, made to Robert de la

Haye for a term which has expired, and which should revert to Robert [le Clere] after that term.

William de Tolthorp and Maud, Ralph, Isabel and Richard come. Concerning the tenements claimed from them, William and Maud vouch Robert le Vel to warranty. He is present and warrants for them. He says that he holds the tenements by the curtesy of England from the inheritance of Maud, (wife of John de Meysy[i]), and of Felicia, (wife of William de Brekerol[i]), his daughters, and of Joan, Maud and Felicia, the daughters of Emma, who was sister to Maud and Felicia. Joan, Maud and Felicia, the daughters of Emma, are under age. Robert le Clere acknowledges this, and so this plea is to be postponed until they are of age (*marg:* age).

Concerning the tenements claimed from him, Richard says that he holds nothing in these tenements, but that on the contrary Ralph and Isabel hold the whole.[1] (Ralph and Isabel acknowledge this, and say that they hold these tenements[i]) as Isabel's dower of the inheritance of the said Maud, Felicia, Joan, Maud and Felicia. Joan, Maud and Felicia, the daughters of Emma, are under age. Robert cannot deny this, so this plea is to be postponed until they are of age.

1. After 'whole' (*totum*), a small obliteration is struck through. The insertion following is written on two small lines above this.

170. Simon de Monte Acuto claims from Alice who was the wife of James Aldethel [Audley] £40-worth of land with appurtenances in Cheveray and Eston' Clynton' in which Alice does not have entry except through Alice de Bello Campo [Beauchamp], who held it in dower from the inheritance of William de Parys, and which after the death of Alice de Bello Campo ought to revert to Simon by an assignment which William made to William de Monte Acuto, father of Simon, whose heir he is.

Alice comes by her attorney and says that Alice daughter of Reginald de Mohun formerly the wife of Robert de Bello Campo, gave, granted and by her charter confirmed the whole manor of Cheveray to James, her son, and Alice de Aldethel (his wife[i]), to be held by James and Alice and their heirs by the charter of Alice, daughter of Reginald, which she puts forward, and which witnesses by one of its clauses that if James should happen to die before Alice, his wife, then the whole of the manor with its appurtenances should remain fully and wholly to Alice, his wife, for her whole life, and that after Alice's death the whole manor with all its appurtenances should remain to the legitimate heirs of James's body. She says that her husband James has died, but before he died he begot a child on her, Alice, namely James, son of James, whose right and inheritance these tenements are, and without whom she cannot bring these tenements into court. James, son of James, is under age, so she says she claims nothing in these tenements except for the term of her life according to the tenor of the said charter.

Simon freely acknowledges that James, once the husband of Alice, begot the said James, son of James, on her, but says that this James, son of

James, is now dead. Because it was testified by Alice's attorney that this James, son of James, is alive at Goldborough in the county of York, a day is named at Westminster (*marg:* Westminster)[1] on the quindene of Trinity [23 June]. The sheriff of Yorkshire is instructed to cause twelve [lawful men][2] to come to Westminster on the appointed day by whom [the matter may be tried] and who are not [connected to either party] to reach a verdict in the aforesaid form, because both [parties have put themselves on a jury].

1. Any marginations are lost under the repair strip. These may be assumed to have been present.
2. 'lawful men' (*legales homines*) supplied from the standard formula, as the membranes are cut off here at the bottom in both JUST 1/67 and JUST 1/63.

[At Westminster on the quindene of, or three weeks after, Michaelmas [13 or 20 October] 1286, Alice repeated her claim that James, son of James was alive and well and living at Goldborough in Yorkshire, and Simon de Montagu could not deny it, so Alice was *sine die* until he was of age (CP 40/64 m. 29d).]

Membrane 17

171. The prior of Burencestr' [Bicester] presented himself by his attorney on the fourth day against Fulk [Neyrnuit],[1] parson of the church of Pechelesthorn', on a plea as to why he took and carried off the prior's corn to the value of 20s. from Pychelesthorn' by force of arms and committed other outrages against him.[2] Fulk did not come. The sheriff was instructed to attach him to be here on this day. The sheriff has done nothing in the matter, but bears witness that he [Fulk] is a cleric and does not have a lay fee in his bailiwick by which he can be attached. And so the bishop of Lincoln is told to cause Fulk, his cleric, to come here five weeks after Easter [19 May]. The sheriff bears witness to this.

1. Name given in full in 222; see Lipscomb, III, p. 437. The Neyrnuit family held the manor of Pitstone, and presented three members of the family (Walter, Fulk and Thomas) as rector between 1263 and 1317.
2. Here JUST 1/63 inserts 'to the serious loss of the Prior and against the peace' (*ad grave dampnum ipsius Prioris et contra pacem etc*). It omits 'by force of arms' (*vi et armis*).

172. Assize of mort d'ancestor to ascertain if John Goce, brother of Agnes wife of Henry Hod, died seised in his demesne as of fee of 3 roods of land with appurtenances in Edesberghe, which John de Bergeveny holds; and if Agnes is his next heir. John de Bergeveny comes, and they agree by licence. The agreement is as follows, that Henry and Agnes have acknowledged that these tenements with appurtenances are John's right, and have remitted and quitclaimed them, on their behalf and on behalf of Agnes's heirs, to John and his heirs for ever. They also have a chirograph.[1]

1. No margination noting the chirograph.

[CP 25/1 17/49/4 (29) = FF (25) no. 364, dated Wycombe, one month from Easter [12 May]. Consideration, ½ mark.]

173. Richard son of William de Preston' claims a messuage and 1 virgate of land with appurtenances except 1 acre of land in Preston' from William son of Richard de Preston', in which William does not have entry except through Richard le Spenser, to whom William son of Thomas de Preston', father of Richard, whose heir he is, demised these tenements for a term which has passed.

William comes and denies his right. He freely acknowledges that he has entry through Richard le Spenser, but says that William son of Thomas, father of Richard, whose heir he is, did not demise (these tenements[i]) to Richard son of William for a term, but on the contrary in fee, and he puts himself on a jury concerning this. Richard son of William does likewise. So let there be a jury. (*Marginated:* let them come here on Saturday next after the quindene of Easter [4 May].)

[*Darker ink*] Afterwards they agreed by licence, and the agreement is as follows, that Richard son of William has acknowledged that these tenements with appurtenances are William's right, and in return for this William has acknowledged that the said messuage and ½ virgate, namely that half which everywhere faces south, are Richard's right, and he has given, remitted and quitclaimed them on behalf of himself and his heirs to Richard and his heirs for ever. In return for this, Richard has granted William the other half of the same virgate of land and a toft, namely that which lies between Robert le Clok's courtyard (and William's garden[i]), to be held by William and the heirs of his body from Richard and his heirs, paying Richard and his heirs 1d. for it annually on Christmas Day for all service and exaction. Richard and his heirs will warrant, (acquit and defend[i]) this half as well as the toft for William and his heirs against all people for ever. And if it should happen that William should die without an heir of his body, the said half as well as the toft shall revert in their entirety to Richard and his heirs,[1] to be held of the chief lords of the fee by the due and customary services, untroubled by William's other heirs for ever.

1. Words after this omitted in JUST 1/63.

174. Assize of mort d'ancestor to ascertain if Richard de Stok', father of Amice wife of Robert Pugeys, died seised in his demesne as of fee of 10 acres of land with appurtenances in Wexham, of which Alma who was the wife of Richard de la Lee of Upton', holds 7½ acres, Walter son of Richard de la Lee 1 acre of land, William de Rolee 1 acre of land[1] [and] William Galyan of Wexham ½ acre of land; and if Amice is his next heir. They come and by licence restore these tenements to Richard and Amice, and so let them have their seisin.

1. JUST 1/63 omits 'William de Rolee 1 acre of land' (*Willelmus de Rolee unam acram terre*).

[See also 176.]

175. Robert de Morton', cleric, was summoned to answer Robert Attestone of Buk' on a plea that he should keep to the agreement made between them concerning 1 acre of meadow with appurtenances in Bukyngham, whereof he says that although Robert the cleric had demised the acre of meadow to the said Robert de Aston' at Michaelmas in the 12th year of the present king [29 September 1284], to have and hold from that Michaelmas Day until the end of the nine years next following, and he had been in seisin of this acre of meadow according to the agreement for one year, Robert of Morton' had ejected him from this acre of meadow when the first year of the term had passed, against the said agreement and to his loss of 20s. He produces suit of this, and puts forward a written deed by Robert de Morton' which bears witness to the demise and agreement.

Robert de Morton' comes and denies force and injury. He freely acknowledges the written deed, and what is contained in it, but says he has in no way contravened the agreement and demise. He says that Robert Atteston' is now in seisin of the acre of meadow by this agreement, and asks for judgment.

Robert Atteston' says that he is not in seisin of the acre of meadow, but that he was ejected by Robert 11 years ago.[1] He puts himself on a jury concerning this, and Robert de Morton does likewise, so let there be a jury. (*Marginated:* on Saturday next after the quindene of Easter [4 May].)

1. Clearly an error. A gap of 2 inches has been left after this entry for further developments.

176. Assize of mort d'ancestor to ascertain if Richard de Stok', father of Amice wife of Robert Pugeys, died seised in his demesne as of fee of 9½ acres of land with appurtenances in Wexham, and if Amice is his next heir. The prior of the church of the Blessed Mary of Suthwerk' holds the land.

The prior comes, and on another occasion he has vouched John son of Geoffrey de Edesovere to warrant on this; who now comes by summons and warrants for him, and says that Amice can have no claim in these tenements because Geoffrey de Edesovere, John's father, whose heir he is, acknowledged that these tenements with appurtenances were the right of the prior and church of St Mary of Suthwerk', to be held by the prior and his successors from Geoffrey and his heirs for ever; and the same Geoffrey bound himself and his heirs to warrant by a fine made in the court of King Henry, father of the present king, at Neuportpaynel before Nicholas de Turry and his associates, justices on eyre in this county, and he puts forward his (?) part of the deed in these words:

This is the final concord made in the king's court at Neuportpaynel on the quindene of Easter in the 46th year of the reign of King Henry, son of King (John[i]) [23 April 1262], before Nicholas de Turry, Robert de Brywes, William de Englefeld and Adam de Greinvill', justices on eyre,

and other faithful subjects of the king there present, between Alan, prior of the Blessed Mary of Suthwerk', querent, through brother Hugh de Chacumbe, canon, appointed as his attorney to win or lose, and Geoffrey de Heddesor', deforciant, concerning a messuage and 1 carcuate of land with appurtenances in Wexham, and the advowson of the chapel of the same vill, on which a plea of covenant has been summoned between them in the same court, namely that Geoffrey has acknowledged that the messuage, land and advowson of the chapel with appurtenances, that is in demesnes, homages, rents, wards, reliefs, escheats, waters, pools, woods, meadows, pastures and all other things belonging to these tenements, namely whatever the prior and his church had from the gift of Henry Maunsel and Joan his wife in the same vill, without anything being withheld, are the right of the prior and his church of St Mary of Suthwerk', to be held by the prior and his successors and his church from Geoffrey and his heirs for ever, paying 40s. scutage for it to the king when it happens that 40s. [are due] and more, or less, in proportion, and paying 8s. a year for it for hidage at two terms, namely half at the feast of the Nativity of St John the Baptist [24 June] and the other half at the feast of St Martin [11 November]; and likewise paying for it for the guarding of Wyndesore Castle ½ mark every 24 weeks for all services, suit of court, custom and exaction. And Geoffrey and his heirs will warrant, acquit and defend this messuage and land with appurtenances and the advowson of the chapel for the prior and his successors and his church against all men for ever.

And in return for this acknowledgment, warranty, quittance, defence, fine and agreement, the prior has granted on his behalf and that of his successors that in future they will find for Geoffrey and his heirs every day one loaf of bread such as the canons eat, and 1¼ gallons of ale such as the canons drink, and likewise for one lad of Geoffrey and his heirs one loaf of bread and one gallon of ale every day such as the lads of the prior and his successors will have in this priory for ever. The prior has also granted on his behalf and that of his successors that whenever Geoffrey and his heirs should wish to have this said bread and ale, both that for their own use and that for their lad, once a week, that they will give that bread and ale to Geoffrey and his heirs and their lad every Sunday for the whole of the following week whenever they are asked to do so. And moreover the prior has received Geoffrey and his heirs into all the benefits and prayers which will take place in future in the said church for ever.

And because Robert and Amice have not put forward a claim concerning this fine within a year and a day of its date he asks for judgment.

Afterwards,[1] John goes back on this exception, and says that Richard, father of Amice, into whose death this inquiry is held, did not die seised of these tenements in his demesne as of fee, and he puts himself on the assize concerning this. So let the assize be taken. But it is postponed until the quindene of Trinity [23 June] at Westminster[2] for lack of jurors,

because none (came[i]). And so the sheriff is to have them at the same term etc.

1. The *postea* is written on an extra piece of parchment stitched to the bottom of the membrane.
2. Any marginations have been torn away.

[See also 174. The fine is CP 25/1 16/38/26 (6) = FF (25) no. 59, dated Newport Pagnell, *quindene of Easter* [23 April] 1262. *Judgment given at Westminster on the morrow of* St John the Baptist [25 June] 1286, when the jury agree that Richard of Stoke did not die seised. Robert and Amice in mercy for their false claim, CP 40/63 m. 17.]

Membrane 17 dorse

177. William Bardolf and Julian his wife, through Julian's attorney, claim the manor of Bledelawe with its appurtenances from the abbot de Becco Herlewyni [of Bec Hellouin], with the exception of 5 messuages, a mill, 2 carucates of land and the advowson of the church of the manor, as Julian's right and inheritance by a writ of *Precipe in capite.* They say[1] that one Hugh [de Gornay], Julian's ancestor, was rightfully seised in his demesne as of fee, in the time of peace, in the time of King Richard, kinsman of the present king, taking profits to the value etc. And the right descended from Hugh to Gerard, his son and heir, and from Gerard, because he died without an heir of his body, the right descended to Hugh, his brother and heir. From this Hugh the right descended to Julian, the present claimant, as his daughter and heir. They offer [to prove] that Julian's right is such.

The abbot comes by his attorney and denies Julian's right. He freely acknowledges the seisin of Hugh, her ancestor, concerning whose seisin [the inquiry is being held], as being in fee and of right, but says that Julian can claim no right in the manor, because her ancestor Hugh gave the manor of Bledelawe to God and St Mary and the monks of Bec by his charter, which he puts forward, which says:

"Hugh de Gornaco to all to whom the present writing may come, greeting. Know all of you that I have exchanged with God and St Mary and the monks of Bec all the tithes which they had in [traverso?][2] and in mills and [foreign services][3] of Gornay, and in all rents which came to my hand from the honour of Gornay when this charter was made; and all the tithes which they had in Kaverso[2] and in the [foreign service][3] of Goislemfontana, and in all rents which then came to my hand from the honour of Goislenfontana; and all the tithes which they had in Kaverso[2] de la Ferte and in the mills of Andela, and in all rents which then came to my hand from the honour of la Ferte; and all tithes which they had in my forests and groves, in money, in oats, in chickens and in all other tithes whatsoever they were in Braio [Bray], of which the rents at that time came into my hands, and whatever they had in Bramoster in the church, and all appurtenances, in house, in demesne, in meadow, in orchard and in all

things which they had in that vill; and the tithe which they had in Bella Villa [Beauville?]; and all their common tithe of Mirreval, with the portion which the chamberlain had there; and whatever they had in my vill of Wellebue, in the church, in tithes and rents; and one half which they had at Landencort with all appurtenances. All these I have exchanged with them as is more fully contained in the charter which I have concerning these transactions. And I, Hugh de Gornay, in return for the above tithes and rents resigned to me, have given in exchange to God and to St Mary and to the monks of Bec my manor in England which is called Bleddeleaus, free and quit of all custom and service, with all rights and demesne and power which I had in it and with all the appurtenances of the said manor, in men, in rents, in waters, in mills, in meadows, in pastures, in wood and plain, in grain, in lands and in all other things whatever and in rents, except the fee of Odo de Bramoster and the fee of the son of John de Turre, and a mill which I have given to Simon Hochede for his service. And I shall warrant the manor for the monks against all people. And that this may be ratified and firm I confirm the above-written manor to the monks by this present charter, and validate this by application of my seal. Done in the year of grace 1198 under the venerable Hugh, abbot of that house, William the prior, Guarum the sub-prior, with these witnesses: Roger the prior, Gerard the sub-prior, Gerard de Sotevilla monk of Belbec, Stephen de Longo Campo, Hugh de Avesnis, Thebald de Hosdent, Adam de Ferrariis for the monks; and Peter *Rex* [King], Hugh Small, Hugh de Parco, Anschitillus *Bassus* [Low?], Roger Bolehene, Walter de Busseio, Livar Ront, Robert le Vileyn of Mellento, Simon de Pistrino, Rodolfo de Bosco Girardi."

[The abbot] says that he and his church of St Mary of Bec are in seisin of the manor by this gift and exchange according to the tenor of this charter, and he is prepared to verify this gift and charter if William and Julian try to deny it. He asks for judgment if William and Julian can assert or claim any right against the deed of Julian's ancestor Hugh.

William and Julian say that they have no need to answer to the charter because there are words in it from which it can clearly be seen, both by the tenor of the charter and the witnesses named in it, that it was drawn up outside the kingdom of England, namely in parts beyond the seas. If they answered to it, denying it in the king of England's court, it could not be verified by the witnesses named, who are foreign-born, or by anyone else, according to the custom of the kingdom, and so they ask for judgment whether they should be compelled either to acknowledge or deny the charter. They say that if it should not seem clear enough to the justices by the writing of the charter that it [was][4] drawn up outside the realm of England, they are prepared to verify this as the court shall think fit. And if this is not enough, they will say something else.

The abbot says that, since he put forward the charter of Hugh, Julian's ancestor, about whose seisin [the inquiry is being made] in order c[ompletely][4] to exclude Julian from the action, and they will neither

acknowledge nor deny it, by keeping silent they do grant it well enough, because they do not expressly deny it. He asks for judgment if he should answer them further on this point. And if this should not be enough, he will say something else.

William and Julian ask that the abbot should say plainly whether he wants to make use of that exception on its own, or to say something further.

The abbot, asked by the justices if he wished to say anything further in addition to the charter, by which Julian should be excluded from the action in this respect, says not, unless the justices should so direct.

William and Julian, as before, say that since the abbot acknowledges the seisin of Hugh, Julian's ancestor, of the manor as of fee and right, and has shown nothing by way of obstacle against her except just the charter, which could in no way be verified by this court if it were denied, because it was drawn up outside the kingdom of England, a point which they offer to verify, as has been said above, and the abbot does not wish to say (anything[i]) else against their suit and claim, they ask for judgment[5] on him as making no defence.[6]

[*Darker ink and larger writing*] Afterwards, they agree. William gives 40s. for licence to agree (*marg:* 40s.[c]), by surety of the a[bbot].[4] The agreement is as follows, that William and Julian acknowledge (*marg:* acknowledgement) the manor with appurtenances, except the said exceptions, to be the right of the abbot and his church of St Mary, and they have remitted and quit-claimed it, on behalf of themselves and Julian's heirs, to the abbot and his successors and his church of St Mary for ever. And they have a chirograph as well. For this, the abbot acknowledges (*marginated in large writing and decorated with dots*: acknowledgement) that he owes William and Julian 200 marks sterling, of which he will pay them 50 marks at Michaelmas next (in the priory of St Mary at Southwark[i]), 50 marks in the same place at Easter next, 50 marks (in the same place[i]) the following Michaelmas, and 50 marks in the same place the following Easter. If he fails to do this, he agrees that the sheriff may raise the money from his lands and chattels.

1. 'they say' (*Dicunt*) altered from 'he says' (*dicit*).
2. Words carefully checked in both JUST 1/67 and JUST 1/63.
3. Are the Latin words used here (*furnis, furno*), connected with 'foreign' (*forinsec*)? "Ovens" seems a very unlikely translation, as do the other possibilities "furnaces" or "lime-kilns".
4. These words are torn away in JUST 1/67 and supplied from JUST 1/63.
5. 'he asks for' (*petit*) written for 'they ask for' (*petunt*).
6. JUST 1/63 adds 'And if this is not enough they will say something else': *Et si hoc non sufficiat dicent aliud.*

Membrane 18

178. Assize of mort d'ancestor to ascertain if Robert Hervy of Shaldeston', uncle of Amabilia, daughter of Geoffrey Hervy of Shaldeston' [and] of

Rose and Alice, her sisters, died seised in his demesne as of fee of a messuage and ½ virgate of land with appurtenances in Shaldeston', which the prior of Luffeud holds; and if they are his next heirs. The prior comes and says (that[i]) an assize should not be held on this because an assize of mort d'ancestor must be brought concerning the seisin of the last person seised. He says that after Robert's death one Edith entered the said tenements as his sister and heir, and so, as the writ should be brought concerning the death of the last person seised, he asks for judgment. Afterwards, the prior abandoned that exception[1] and vouches Robert de Audewyncle to warranty. He is to have him at Westminster (*marg:* Westminster) on the octave of Trinity [16 June] by aid of the court. He is to be summoned in the county of Northampton (*marg:* Northampton).

1. From 'exception' (*excepcionem*) to 'by aid of the court' (*per auxilium curie*) written on an obliteration.

179. Assize of mort d'ancestor to ascertain if Richard de Westmere, father of Isabel wife of Roger de Westmere, died seised in his demesne as of fee of a messuage [and] 10½ acres of land with appurtenances in Stok' by Wyndeshovere [Stoke Poges], of which William le Chapeleyn holds a messuage and 6 acres of land, John le Bataill' and Margery his wife hold 3 acres of land [and] Richard Lamberd and Wymarca his wife hold 1½ acres of land; and if Isabel is his next heir.

They come. Concerning the tenements claimed from him, William le Chapeleyn says nothing to stay the assize except only that the late Richard did not die seised of these tenements in his demesne as of fee, because he had enfeoffed William long before his death. He puts himself on the assize concerning this. Richard Lamberd and Wymarca say concerning the tenements claimed from them that the late Richard on whose death the assize is empanelled never had any right in them except through Wymarca, formerly the wife of Richard [de Westmere]. They put themselves on the assize concerning this. John and Margery on another occasion have vouched Osbert Scot of Stok' to warranty. He now comes by summons and warrants for them, and he further vouches Richard Lamberd and Wymarca his wife to warranty. They are to be summoned to be here on the Monday after the third week of Easter [6 May]. The sheriff is instructed to have jurors here on the same date.

Afterwards Roger and Isabel came and asked for licence to withdraw from their writ. They have it.

[*A gap of about 4½ inches was left after this entry for further developments.*]

180. Robert son of Roger, Ingeramus son of John, Thomas Brun, John de la Mare and Richard Barun were attached to answer the king and Christian de Marisco on a plea of why, although Christian holds from the king[1] the manor of Langeleye [Marish] with its park and the right to hunt in that park and all other things pertaining to that manor for the term of

her life, Robert, Ingeramus, Thomas, John and Richard, together with Simon le Warner of Eure, with Robert's dogs, chased Christian's beasts which were in that park out of the park without licence and against her will, and took them and carried them off. And when Christian tried by the agency of her own men and dogs to drive back into the park some of the beasts thus chased out of it, Robert and the others, together with Simon, resisted her men by force of arms and did not allow them to do this, and beat them up and ill-treated them, and took some goods and chattels from them, to the prejudice and in contempt of the king and to Christian's great cost and burden, and against the peace.

On this, Gilbert de Thorneton, who is prosecuting for the king, says that Robert and the others, together with Simon, on the Friday next after the feast of the Circumcision of the Lord this year [4 January], with Robert's dogs chased Christian's beasts which were in her park out of that park without her licence and against her will, and unleashed Robert's dogs and put them in the park, so that the dogs chased the beasts in the park out of the park; and they took two beasts and carried them off, and resisted and prevented Christian's men, who were trying with their dogs to drive back into the park the beasts which had been chased out, and beat them up, wounded them and ill-treated them, in contempt of the king (*marg:* trespass) and to Christian's damage of £100, against the peace. And he produces suit of this.

Robert and the others come and deny force and wrong and doing anything against the peace. They firmly deny that on that day and year they entered the park, or unleashed Robert's dogs in the park or put them in the park to chase the beasts there, but they say that the truth is that he [Robert] found some beasts in his wood at Langgeleye, and chased some of them there, outside the park, with his dogs and took them, as was certainly lawful for him. As to resisting Christian's men, they say that they made no resistance to them, nor caused any damage, nor beat up Christian's men as they are accused. On this, they put themselves on the jury.

Gilbert says, on behalf of the king and Christian, that he is prepared to prove all the articles of the writ, and also that Robert and the others unleashed their hounds at the park and set them to chasing the beasts out of the park, and at once caught and carried off the beasts they had so chased out of the park. He asks that there should be an inquiry. Robert and the others do likewise. So [*darker ink*] the sheriff is instructed to cause twelve [law-worthy men] to come to Westminster (*marg:* Westminster) on the quindene of St John the Baptist [8 July] by whom [the matter may be tried] and who are not [connected to either party] to reach a verdict in the aforesaid form because both [parties have put themselves on a jury].

1. 'although Christian holds from the king' (*cum eadem . . . domino Rege*) written on an alteration.

['Ingeramus son of John' was in fact the rector of Iver, Ingelram, son of John Balliol. See 741, and p. 150 n. 104.]

Membrane 18 dorse

181. William de Valence was summoned to answer the prior of Roff' [Rochester] on a plea that he should allow him to have commons of fishery in the water of Tame which belongs to his freehold in Hadenham, of which William unjustly disseised brother John de Renham, formerly prior of Rochester, predecessor of the said prior.

William comes, and they agree by licence. The agreement is as follows, that the prior has acknowledged that the fishery in that water is William's right, and for this William has granted, on behalf of himself and his heirs, that the prior and his successors in the future shall be able, without contradiction or hindrance by William and his heirs, to fish everywhere in the said water of Tame as often as the prior or his successors or any of his monks shall be at his manor of Hadenham, and also on one day each week, namely Wednesday, with all kinds of nets and devices, (just as they were accustomed to fish in times past[i]), although neither the prior nor his successors nor any of his monks were at their manor of Haddenham as of the right[1] of their church of St Andrew of Rochester, for ever, according to the tenor of a fine made long ago in the court of King Henry, father of the present king, at Neuport Paynell on the morrow of the feast of the Apostles Simon and Jude 32 Henry III [29 October 1247], before Roger de Thirkelby and his fellow justices in eyre, between Alexander, formerly prior of Rochester and predecessor of the present prior, plaintiff, and Hugh de Cressy, defendant, concerning these fishing rights.

1. 'as of the right' (*ut de jure*) written on an alteration.

[See also 151. The earlier fine is CP 25/1 15/29.7 = FF (4) p. 91, dated Newport Pagnell, 29 October 1247 (as above): the fishery is acknowledged as Hugh de Cressy's right, and Hugh grants that the prior and his successors may in future fish in the Thame whenever they or the monks are at Haddenham, every week for one day a week, namely Thursday, for ever.]

182. Assize of novel disseisin to ascertain if master Roger de Heselarton' and Roger de Tyringham unjustly disseised Roger de Furneys and Eleanor his wife of their freehold in Embyrton', whereof they complain that they disseised them of 30 acres of land, 2 acres of wood, 1 acre of meadow and 14s.-worth of rent with appurtenances etc. Roger de Tyringham comes. He says that he has done no injury or disseisin because he entered the tenements through master Roger de Heselarton' and not by disseisin. And he says on behalf of the master that he has done no injury or disseisin, because he says [*entry ends here*].

[See also 112, which concerns the same case, and 216. A space of 9 inches has been left on the membrane after this entry for further developments.]

183. Master John, parson of the church of Bledelawe, claims from the abbot of Bec Herlwyn two thirds of the crop of every tenth acre of land in the abbot's whole demesne in Bledelawe, of which master Gilbert de

Norton', former parson of the church of Bledelawe, John's predecessor, was seised as belonging to his church of Bledelawe on the day [he died], whereof he says that master Gilbert, former parson of Bledelawe church, and his predecessor, was seised [of this] as belonging to his church, in the time of peace, in the time of King Henry, [father of the present king][1], taking profits [to the value][2], etc.

The abbot comes and says that he does not have[3] to answer this writ because it is not an original writ as usual in Chancery, but, on the contrary, badly thought out and of improper and unheard-of form, and he asks for judgment if he should answer such a writ. Master John says that the writ is registered in the king's chancery and provided in this case by the king and his council, and he asks for judgment against the abbot as making no defence.

The abbot, asked by the justices if he wished to make any other answer, asks for judgment as before concerning the form of the writ (*marg:* to judgment). Afterwards, the abbot says (first[i]) that he does not have to answer[4] John on this writ because he says that William[5] Bardolf (and Julian his wife[i]) are suing the abbot before the justices here by a writ of right concerning his manor of Bledelawe, and claiming it from him with appurtenances. And he says that the demesne lands from which John is claiming two thirds of the crop of every tenth acre of land are part of the demesne lands of the manor. He asks for judgment (*marg:* judgment) if he has to answer this writ while the writ between William and Julian and the abbot is pending.

Master John says that his own writ should not be hindered by the writ of William and Julian, because by their writ they are claiming the manor with its appurtenances as in its lands and meadows, and he, John, by his writ is not claiming the soil, land or meadow, which are of the appurtenances of the manor, but on the contrary he is claiming the crop of a certain part of the land [*i.e., not the land itself*], and (so he asks for judgment[i]) (*marg:* judgment) if the abbot should answer this.

When the writs of William and Julian and of the abbot were inspected, it was found that the parson's writ is of earlier date, and so the abbot is told that he should say something further if it seemed expedient to him. And the abbot says that he cannot answer him on the writ, nor hand over the said two thirds as [John] asks, because when John the parson claims by his writ two thirds of the crop of every tenth acre in the whole demesne, the same John is in seisin of every tenth sheaf for the whole of his demesne, except 25 acres of land, and so he asks for judgment if he should have to answer the writ.

John the parson fully acknowledges that he is in seisin of the said tenth sheaf [*i.e. as tithe*], but [says] in this case someone cannot be called a tenant by reason of this tithe, and he asks for judgment if his writ should be quashed by reason of this kind of taking of tithe, because [he is claiming][6] two thirds of the crop of every tenth acre of the whole demesne by the gift and grant of Robert, count of Morteyn, once the lord of the said manor, not by reason of any tithe, which is purely a spiritual possession.

The abbot cannot deny this. And so he is told that he may say something else (if[i]) he wishes. The abbot says that, as far as 3 virgates of demesne land in his manor are concerned, from which John the parson is claiming two thirds of the crop of every tenth acre, and of which crop he says that Gilbert de Norton', once parson of the church, John's predecessor, was seised as belonging to the church, after the time when Gilbert was parson of the church John, formerly abbot of Bec, his predecessor, acquired those 3 virgates of land from Christian de la Sale, so that Gilbert did not die seised of two thirds of the crop of those 3 virgates of land. John acknowledges this, so that in this respect the abbot is to go without day. And likewise as far as 25 acres of his demesne are concerned, he says that those 25 acres are newly assarted, so that Gilbert, the former parson, did not die seised of two thirds of the crop of every tenth acre. And he puts himself on the jury concerning this. And John does likewise.

Afterwards they agree. John gives ½ mark for licence to agree (*marg:* ½ mark[c]). The agreement is as follows, that the abbot has acknowledged that two thirds of the crop of every tenth acre in his whole demesne in Bledelawe, except 3 virgates and 25 acres of land, are the right of John and of his church of Bledlow, to be held by John and his successors as parsons of that church as of the right of his church, quit of the abbot and his successors and his abbey of Bec Herlewin for ever. They have a chirograph as well.

1. JUST 1/67 has 'in the time of lord Henry, king now' (*tempore domini Henrici Regis nunc*); JUST 1/63 has 'in the time of King Henry, father of the present lord king' (*tempore Regis Henrici patris domini Regis nunc*).
2. 'to the value' (*ad valenciam*) omitted in JUST 1/67, and supplied from JUST 1/63.
3. 'they do not have to' (*debent*) written for 'he does not have to (*debet*).
4. 'he says . . . to answer' (*dicit . . . respondere*) written on an alteration.
5. JUST 1/63 has *Walterus*.
6. 'he is claiming' (*clamat*) inserted here from JUST 1/63.

[CP 25/1 17/47/20 = FF (25) no. 371, dated Wycombe, one month after Easter [12 May] 1286; master John is John de Audenard, and the abbot is Ymer de St Ymer. Master John pays 100s. for the abbot's grant of ⅔ of the crop of every tenth acre. Lipscomb, II, p. 117 notes that the rector John Oudenarde occurs in 1281 and 1298. See also 177, 184.]

Membrane 19

184. Hugh de la Sale claims a messuage and 3 virgates of land with appurtenances in Bledelawe from the abbot of Bec Herlewin, into which the abbot does not have entry except by a demise which Henry de la Sale, Hugh's brother, whose heir he is, made concerning it to Christian who was the wife of William de la Grenneville, for a term which has expired; after that term the tenements should revert to Hugh.

The abbot comes and denies Hugh's right.[1] Concerning the whole tenement, except 16 acres of land, he says that the said Hugh[2] can claim no right in this because Christian de Aula [de la Sale], Hugh's mother,

whose heir he is, gave it to God and the church of the Blessed Mary Becky [of Bec] in pure and perpetual alms by her charter which he puts forward, and which witnesses that Christian in her pure and free widowhood sold, gave and granted in pure and perpetual alms to God and the church of the Blessed Mary Beckcy and to the monks serving God there now and in the future all the land, both free and servile, which she had in the vill of Bledelawe, which land she held by hereditary right from the same monks, together with a messuage and all appurtenances for ever, and that Christian and her heirs would warrant, acquit and defend all this land with all its appurtenances for the monks. He says that if he were to be sued for these tenements by someone else, Hugh would be bound by the deed of his mother Christian to warrant them for him, and he asks for judgment if Hugh can have an action to claim the tenements in spite of *Christian's deed.*

Hugh readily acknowledges that the charter is Christian's deed, but says that he should not be excluded from his action by Christian's deed, because he says that he is not claiming the tenements as descending to him by hereditary right from his mother Christian, but from the seisin of Henry de la Sale, his brother, (whose right and acquisition these tenements were[i]). He says that Christian had no right in these tenements at the time when she made the charter, except by the wish of the said Henry, his brother, and he asks for judgment if he should be excluded from claiming the tenements through the seisin of his brother Henry because of the deed of Christian who dispossessed him and from whose seisin he claims nothing.

The abbot says that, as Hugh acknowledges the deed of Christian, whose heir he is, by which deed the tenements have come into his seisin and by which the same Hugh, as Christian's heir, would be bound to warrant the tenements for him if he were sued by someone else, he asks for judgment if he [Hugh] can have an action (*marg:* to judgment).

A day is appointed for them to hear their judgment at Westminster (*marg:* Westminster) on the quindene of Trinity [23 June].

1. 'And he denies (Hugh's) right' (*Et defendit jus suum quando*) written on an alteration.
2. 'that the said Hugh' (*quod predictus Hugo*) written on an alteration.

[*See also 177, 183. A gap of 3 inches has been left after this entry for further developments.*]

185. Assize of novel disseisin to ascertain if Richard Whychingdon' unjustly disseised Gilbert de Brykenhull' and Isabel his wife, Richard Attemersse and Christian his wife, and Henry Attefryck' and Alice his wife of their free tenement in West Wycomb'; whereof they complain that he disseised them of a messuage and 32 acres of land with appurtenances.

Richard comes. Afterwards, Gilbert and the others withdrew, so Richard is to go without day on this. Gilbert and the others and their sureties to proceed, namely Adam Attelanehend[l] of Merlawe and Walter son of William de Lillington, to be in mercy (*marg:* amercements[c]).

Afterwards an agreement is made between the said Richard and the said[2] Gilbert and the others, namely that Gilbert and Isabel, Richard and Christian and Henry and Alice have acknowledged that the tenements[3] with appurtenances are Richard's right, and have remitted and quitclaimed them to him and his heirs for ever, on behalf of themselves and the heirs of Isabel, Christian and Alice. Moreover, they have a chirograph.

1. JUST 1/63 has *Attelaneheved.*
2. This second plural 'said' (*predictos*) is redundant; it is also written in JUST 1/63.
3. *tenementas* written for the correct *tenementa.*

[CP 25/1 17/49/15 (40) = FF (25) no. 353, dated Wycombe, three weeks after Easter [5 May] 1286, where the surnames are given as Wydendon, Bykenhull, Attemersche and Attefreth. Richard pays 100s. consideration for their quitclaim to him of the tenements.]

186. William de Saundredon' was summoned to answer Mabel atte Ourt on a plea that he should acquit her for the service which William de Goys is exacting from her concerning the freehold which she holds of William de Saundresdon' in Isenamstede Cheyne; as William [de Saundredon'] is the mesne tenant between them, he should acquit her for this service. On this, she says that she holds a third part of a messuage and of 90 acres of land with appurtenances in this vill from William de Saundresdon' by homage and the service of 40d. for a scutage of 40s. when it should happen, and more for a greater scutage and less (for a smaller one[i]), and that because of those services William de Saundresdon' ought to acquit her against others, whoever they are; but William de Goys is distraining her for 10s. for a scutage of 40s. when it should happen, and more for a greater scutage and less for a smaller one, for lack of a quittance by William de Saundresdon'; and because of this she says that she has suffered damage to the value of 100s., and produces her suit of this.

William de Saundresdon' comes and denies force and wrong. He fully acknowledges that he is the mesne tenant between Mabel and William de Goys, and that he ought to acquit her against others, whoever they are, but he completely denies that Mabel is being distrained for lack of a quittance by himself, and puts himself on a jury concerning this. Mabel does likewise. So let there be a jury on it.

The jurors, chosen by agreement of the parties, say on their oath that William ought to acquit Mabel against others, whoever they are, and that she is being distrained for lack of a quittance by him. So it is adjudged that William in future should acquit Mabel, and that Mabel should recover her damages, which are assessed by the jury at 10s.[1] And William to be in mercy (*marg:* amercement[c]). The sheriff is instructed to distrain William to acquit her.

1. *Dampna x sol.* written at the end of the entry in JUST 1/63, but not in JUST 1/67.

187. Ralph Pippard, Robert de Maleborn and William Pullochuse present themselves on the fourth day against John Gyffard, junior, on a

plea that they took John's stock-animals and unjustly detained them. John does not come, and he was the plaintiff, so Ralph and the others are to go without day on this, and John and his sureties to proceed in mercy (*marg:* amercements[c]), namely Thomas de Achecote and Peter de Monte. Ralph is to have his animals returned.

Membrane 19 dorse

188. [*This entry is a repeat of 186, with very minor verbal discrepancies*]

189. Memorandum that on Tuesday next after the third week of Easter in the 14th year of the present king [17 May 1286] two charters were handed over to John Mannegode by the hand of Robert Bardolf. One, under the name of John fitz Nigel, witnesses that the same John gave, granted and by that charter confirmed to Hugh *Cocus* [Cook] 40 acres of his land in the fields of Caldecote, and the others, under the name of John fitz Geoffrey, witnesses that the same John confirmed to Hugh Cook that virgate of land with appurtenances in the vill of Aylesbyr' which Thomas of Lond[on] had by the gift of Geoffrey fitz Peter, his father.

190. John le Baker claims 9½ acres of land with appurtenances in Chesham from Richard de Blakemere, and 8½ acres of land with appurtenances in the same vill from Roger of Drayton', of which Emma de Blakemere, grandmother of John, whose heir he is, died seised[l] in her demesne as of fee.

Richard and Roger come, and Richard by licence returns to John the tenements claimed from him, (and so[i]) let him have his seisin. Concerning the tenements claimed from him, Roger on another occasion has vouched Hugh de Brok to warranty, so that the sheriff was instructed to summon him to be here on this day, namely Wednesday next after the third week after Easter [8 May] to warrant. The sheriff bears witness that he has been summoned. On this, John *de Insula* [de l'Isle] comes, and puts forward a letter of protection from the king (witnessing[l]) that the king has taken his beloved and faithful Hugh de Brok into his protection, with his men, lands, property, rents and all (his[i]) possessions, as Hugh is about to set out overseas with the king. And the king's will is that Hugh should be quit of all pleas and complaints except pleas of dower *unde nichil habet*, and *quare impedit*, and of assize of novel disseisin and last presentation. And so this plea is to be postponed.

1. The Latin has the masculine form *seysitus* written for the correct feminine *seysita*.

[See also 203.]

191. Assize of mort d'ancestor to ascertain if Richard de la Mare, uncle of Robert de la Mare, died seised in his demesne as of fee of a messuage, 6 acres of land and ½ acre of meadow with appurtenances in

Whytchurch, which Roger Baudewyn of Whytchurch and Beatrice his wife hold; and if Robert is his next heir. Roger and Beatrice come, and say nothing to stay the assize except only that the late Richard did not die seised of these tenements in his demesne as of fee, because long before he died he enfeoffed Beatrice with them. They put themselves on the assize concerning this.

The jurors say on their oath that the late Richard did not die seised of these tenements because long before his death he enfeoffed Beatrice, and so it is adjudged that Roger and Beatrice are to go without day on this, and Robert is to take nothing by this assize, but to be in mercy for his false claim (*marg:* amercement[c]).

192. Gilbert, son of Hugh le Forester, claims from Ralph Pypard a messuage and ½ a virgate of land with appurtenances in Charndon', except 2 acres and 3 roods of land and ¼ of a messuage, as his right by a writ of entry.[1] The same Gilbert claims from William son of Richard Gilbert of Charndon' 2 acres and 3 roods of land and ¼ of a messuage (with appurtenances[i]) in Charndon' as his right by another writ of entry.

Ralph and William come, and they agree. Gilbert gives ½ mark (*marg:* ½ mark[c]) for licence to agree. The agreement is as follows, that Gilbert has acknowledged that the tenements with appurtenances which he is claiming from Ralph are Ralph's right, and he has restored[2] and quitclaimed them to Ralph and his heirs, on behalf of himself and his heirs for ever. And likewise William has acknowledged that the tenements claimed from him with their appurtenances are Ralph's right, and he has returned, restored and quitclaimed them, on behalf of himself and his heirs, for ever. Likewise Gilbert has remitted for himself and his heirs and quitclaimed to Ralph and his heirs all the right and claim which he had in the tenements for ever. So let Ralph[3] have his seisin. For this Ralph has given Gilbert and William 5 silver marks.

1. Half a line partly obliterated after this: 'and from the same Ralph by another writ of entry' (*et versus eundem Radulphum per aliud breve de ingressu*).
2. The plural 'they have restored' (*remiserunt*) written at first, but then the ending was obliterated to make it read *remisit*, 'he has restored'.
3. *Radulphus* written in full. Usually in this document it is spelt *Radulfus*.

193. John Paynel, who brought a writ of right [*de recto*] against Roger de Somery concerning the manor of Neuport Paynell, has not pursued his claim, and so Roger is to go without day on this. John and his sureties to proceed are to be in mercy, namely Richard le Rede of Stok' and Sereman Attehyrne of the same (*marg:* amercements[c]). Pardon granted by the justices.

194. Assize of novel disseisin to ascertain if Laurence de Bluntysden' unjustly disseised Walter de Agmondesham of his freehold in Tappelawe

after the summoning of the eyre etc., whereof he complains that he disseised him of 28d.-worth of rent with appurtenances.

Laurence comes and says that he has committed no injury or disseisin, because he says that he holds his tenements in Taplow by the service of that 28d. a year, to be paid to Walter at two terms, that is, half at Michaelmas [29 September] and the other half at the feast of the Annunciation [25 March], by the assignation of Christian de Heghestemere, who assigned that rent to Walter, and from whom he holds the tenements. He says that he paid Walter in full for the Michaelmas term just past; concerning the term of the Annunciation, he says that Walter sent his bailiff to take the rent, and he, Laurence, offered the bailiff that rent, but he refused it and took two oxen by way of distraint, and tried to drive them away with him. He says that he hindered the bailiff, as was perfectly lawful for him as he had offered him the rent; he puts himself on the assize that he has done no other disseisin.

The jurors say on their oath that Laurence did not give Walter the rent for the Annunciation term, but instead kept it back from him. When Walter distrained him for this rent, Laurence freed the distraint through [the intervention of] the king's bailiff and disseised Walter of that rent. And so it is adjudged that Walter should recover his seisin of the rent from Laurence, and Laurence is to be in mercy (*marg:* amercement[c]). Because the sheriff bears witness, and likewise the jury say, that Laurence did not allow himself to be attached by the king's bailiff, he is to be committed to gaol (*marg:* gaol). Damages 6d.

[See also 279, 410.]

Membrane 20

195. Assize of mort d'ancestor to ascertain if William de Stockyng', father of Simon son of William de Stockyng', died seised in his demesne as of fee of a messuage and 1 rood of land with appurtenances in Gohurst which William, son of Peter de Nodariis, and Beatrice his wife hold; and if Simon is his next heir. Peter and Beatrice come and say nothing to stay the assize except that they say that the late William did not die seised of these tenements in his demesne as of fee, because he had no right in them except only for the term of his life by the demise of Peter de Nodariis, father of William, and they put themselves on the assize concerning this.

The jurors say on their oath that William de Stocking, father of Simon, did not die seised of these tenements in his demesne as of fee, and that William had no right in them except for the term of his life only, by a demise of Peter. So it is adjudged that William (and Beatrice[i]) should go without day on this, and that Simon is to take nothing by this assize, but to be in mercy for his false claim (*marg:* amercement[c]).

[See also 81.]

196. Assize of mort d'ancestor to ascertain if Ralph del Escheker, father of Katherine wife of William de Alta Rypa [Hawtrey], and grandfather of Ralph son of Ralph Cheinduyt, died seised in his demesne as of fee of ½ of 8 acres of land with appurtenances in Heselberwe; and if[1] Katherine is his next heir. (Note that [the other] ½ of these tenements is excluded because Ralph, son of Ralph Chenduit, who is a co-parcenor with Katherine, was summoned but is not suing for his share.[i]) Of these tenements, Elias de Brochole holds 1 acre of land, Geoffrey de Hampton' 5 acres of land, and John le Waleys and Maud his wife 2 acres of land.

They come. Concerning the tenements claimed from him, Elias says that he cannot answer to this writ because he says that he has no right in the tenements except only a tenancy at the will of Ralph de Cheynduyt, without whom he cannot bring these tenements before the court, and who is not named in the writ; and so he asks for judgment. Geoffrey says, concerning the tenements claimed from him, that he cannot answer to his writ because he says that he was enfeoffed of these tenements jointly with his wife Agnes, without whom he cannot bring these tenements before the court. He asks for judgment. William and Katherine cannot deny this, and ask for licence to withdraw from their writ in this respect; they have it.

John le Waleys and Maud his wife say, concerning the tenements claimed from them, that Katherine can claim no right in them, because they say that in the present king's court on the quindene of St Martin in the 3rd year of the same king [25 November 1275], before master Roger de Seyton' and his fellow justices at Westminster, a fine[2] was levied between themselves as plaintiffs and Thomas de Ebor' of Wydemore and Alice his wife, defendants, concerning a messuage, 32 acres of land, 1 acre and 1 rood of meadow with appurtenances in Heselbergh', on a writ of warranty of charter; namely that Thomas and Alice acknowledged that this tenement with appurtenances was the right of John and Maud as that tenement which John and Maud had of the gift of Thomas and Alice, to be held by John and Maud and the heirs which John should beget on Maud, from Thomas and Alice and Alice's heirs for ever. They put forward a chirograph of the fine which bears witness to this, and they say that the tenements concerning which this assize is brought against them are part of the tenements contained in that fine. And they say that, at the time that fine was levied, Katherine was of full age, not in prison, and within the four seas of England, and that she did not append her claim to the foot of that fine within a year and a day[3] from the time it was levied; and so they ask for judgment.

William and Katherine fully acknowledge that the fine was levied between John and Maud and Thomas and Alice, but they say that the 2 acres concerning which this assize has been brought are not part of the tenements contained in the fine. They ask that this should be inquired into by the assize. John and Maud do likewise.

The jurors say on their oath that the 2 acres of land are included in the fine, and so it is adjudged that (Elias and the others are to go without day

on this, and[i]) William and Katherine and Ralph are to take nothing by their writ, but are to be in mercy for their false claim (*marg:* amercements[c]). The amercement is pardoned at the instance of John of Mettingham.[4]

1. From 'eight' (*octo*) to 'and if' (*Et si*) written on an alteration.
2. The fine is CP 25/1 16/43/27 (14) = FF (25) no. 195, dated the quindene of Martinmas [25 November] 1275. The consideration was 20 marks.
3. The entry ends here in JUST 1/63.
4. Ralph Cheynduit should not have been in mercy, as it is specifically stated at the start of the case that he is not claiming his half. Perhaps this was why John of Mettingham (one of the eyre justices) intervened to pardon the amercement.

197. Richard de la Grene was summoned to answer Denise de Sancto Oportuno on a plea that he should keep to the agreement made between them concerning 120 acres of land with appurtenances in Wycombe, on which she says that, although they had made an agreement with each other on Christmas Day in the 9th year of the present king [25 December 1280] to the effect that Richard demised these tenements to her, to be held by her and her heirs and assigns for the term of the fifteen years next following and fully completed, and Denise had been in seisin of the said tenements in accordance with that agreement for three years, Richard, after those three years had elapsed as part of the term, had ejected Denise from the tenements in contravention of the agreement. She says she has suffered damage from this to the value of £40, and produces suit of this. And she puts forward a deed under Richard's name which bears witness to the agreement.

Richard comes and denies force and wrong. He firmly denies that he has contravened the agreement in any way, and puts himself on a jury concerning this. Denise does likewise, so let there be a jury (*marginated:* on the Saturday after one month after Easter [18 May].)

[*Slightly darker ink*] Afterwards they agree by licence, and the agreement is as follows. Denise has remitted and quitclaimed, on behalf of herself and her heirs, to Richard and his heirs, any kind of action which she had against him arising from the said agreement's not being observed, and likewise she has remitted her damages. For this, Richard has acknowledged (*marg:* acknowledgement) that he owes Denise 11 marks, of which he will pay her 1 mark at once, 1 mark at the next feast of the Nativity of St John the Baptist [24 June], 4½ marks next Christmas Day [25 December], and 4½ marks on the following Christmas Day. If he fails to pay, he agrees that the sheriff may raise the money from his lands and chattels and those of his heirs. Moreover, he has found sureties for her, namely William de Greydon, Maud de Horlingley, Auncel de Wycomb' and William de Chalveleye, who agree on behalf of themselves and their heirs that if Richard fails to pay the money at any of the said terms then the sheriff may raise it from their lands and chattels and those of their heirs.

[No final concord appears to be extant for the 1280 agreement.]

198. John Waryn of Houton' and Joan his wife presented themselves on the fourth day against John de Thedmers on a plea concerning a messuage and 12 acres of land with appurtenances in Kerselawe which they claim from him as Joan's right. He does not come, and he has defaulted on a previous occasion after being summoned, namely on the morrow of the Close of Easter [22 April], so that the sheriff was instructed to take the said tenements into the king's hand, and to report which day he did so, and to summon him to be present here on this day, namely the Friday after the quindene of Easter [3 May]. The sheriff now reports the day he took the tenements, and that he has summoned [John]. So it is adjudged that John [Waryn] and Joan should recover their seisin of these tenements as Joan's right from John de Thedmerse because of his default. John de Thedmers is to be in mercy (*marg:* amercement^{c}).

[See also 408.]

Membrane 20 dorse

199. Assize of mort d'ancestor to ascertain if John de Saunterdon', brother of William de Saunterdon', died seised in his demesne as of fee of 14 acres of land with appurtenances in Horsenden', which Alexander de Hamdon' holds; and if William is his next heir. Alexander comes and says that the assize ought not to be taken on this, because he says that the tenements were at one time the property of Gervase Le Drapper of Saunterdon', who enfeoffed the late John, and Joan his wife, with them, to be held by John and Joan and their heirs. And he says that John died, but is survived by is wife Joan, and that after John's death Joan enfeoffed him, Alexander, with these tenements. He puts forward a charter in Gervase's name, which bears witness that Gervase granted the tenements to John and Joan and their heirs. William says that John and Joan acquired the tenements, to be held by themselves and John's heirs, and he asks that this should be inquired into by the assize. Alexander does likewise.

The jurors say on their oath that the late John and Joan his wife acquired the tenements with appurtenances from Gervase Le Draper, to be held by John and Joan and John's heirs, and that John died seised of them in his demesne as of fee, and that William is the next heir. And so it is adjudged that William is to recover his seisin of the tenements with appurtenances from Alexander, and Alexander is to be in mercy (*marg:* amercement^{c}).

Afterwards[1] Alexander came and made a fine for 20s. (*marg:* 20s.^{c})[2] to have a jury of 24 [to examine the verdict]. And it is accepted. [*Larger writing*] Damages 20s., to the clerks.

1. JUST 1/63 has different ink here. In JUST 1/67 the lines seem differently aligned.
2. JUST 1/63 has this margination in different ink.

[Nothing further appears in the record concerning this case.]

200. A jury[1] comes to ascertain whether 1 acre of land with appurtenances in Wexham is free alms belonging to the church of Wexham, of which William de Wexham is the parson, or a lay fee belonging to Henry le Chapeleyn. William says that one Ralph Le Den, formerly parson of this church, his predecessor, was seised as of fee and by the right of his church in the time of peace, in the time of King Henry, father of the present king, taking the profits, etc. And at that same time he alienated that tenement.

Henry does not come. He has been summoned again. Judgment: the jury is to be taken against him by default. The jurors say on their oath that the acre of land with appurtenances is free alms belonging to this church, and that Ralph, once the parson of the church, alienated it at the time said. And so it is adjudged that William is to recover his seisin of this tenement with appurtenances as of the right of his church, and Henry is to be in mercy (marg: amercement[c]).

1. JUST 1/63 has 'assize' (*assisa*) for 'jury' (*jurata*).

[According to Lipscomb IV, p. 582, Ralph Le Den was Ralph, deacon of Burnham, presented to Wexham church in 1219; he does not know of a William de Wexham, giving a Walter de Sakele, presented as rector in 1271 and succeeded by a John atte Green in 1323.]

201. William (Waldeshef[i]) and Julian his wife give 20s. (*marg:* 20s.) for licence to agree with Ralph Pyppard on a plea of covenant, by surety of Ralph [de Cheynduit]. And they have a chirograph.[1]

1. JUST 1/63 has 'by surety of Ralph de Cheyndut etc.' (*per plegium Radulfi de Cheyndut etc.*), but does not mention a chirograph.

[CP 25/1 17/48/4 = FF (25) no. 349, dated Wycombe, three weeks after Easter [5 May] 1286. The agreement concerns a messuage and 2 virgates of land in Twyford, and the consideration is 20 marks. Roger de Newport acts for Pippard.]

202. Richard, parson of the church of Dreyton Beauchamp, was summoned to answer the abbot of Greystan on a plea that he should pay him the 6 marks which are in arrears to him of an annual rent of 13s. 4d. which he owes him. The abbot says that Richard, formerly abbot of Greystan, his predecessor, was seised of this annual rent by the hands of Miles, formerly parson of the church, and likewise that Robert, formerly abbot and predecessor of Richard, was seised by the hands of the predecessors of Richard, the parson of that church, as of fee and by right of their church of Greystan, until six years ago, when Richard the parson refused to pay the rent, and still refuses. He says that because of this he has suffered damage to the value of 40s. and produces his suit of this.

Richard the parson comes and asks that the abbot should show the evidence, if he has any, that he, Richard, is bound to the abbot for this rent. The abbot says that all his predecessors as abbots of Greystan from time immemorial have been in seisin of this annual rent, by an

arrangement made between [*left blank*], formerly patron of Dreyton' church, and a certain patron of the abbey, [paid] by the hands of the parson's predecessors as of the right of his church of Grestan', until six years ago, when the same parson kept back the rent from him. He is prepared to prove this.

Richard the parson says that, as the abbot is claiming the rent by reason of his church of Dreyton' and as the right of the abbot's church of Greystan' and does not show any special deed or agreement made between the patrons of these churches by which his church of Dreyton' should be bound (in this rent[i]) to the church of Grestain, he asks for judgment (*marg:* to judgment).

Afterwards they agree. The abbot gives ½ mark for licence to agree (*marg:* ½ mark[c]). The agreement is as follows, that the parson, with the consent of the patron of his church, who is present in court, has acknowledged to the abbot the annual rent of 13s. 4d. (as the right of his church of Greystan'[i]), to be taken by the abbot and his successors and [paid] by the hands of the parson and his successors as parson of Drayton' for ever, namely half at Michaelmas and the other half at Easter. For this, the abbot has remitted his arrears and likewise his damages, except for 20s., which he will pay at once. Moreover, they have a chirograph.

[The chirograph does not appear in FF (25). Lipscomb III, p. 334 shows a Miles presented as rector in 1221 by William de Beauchamp; Miles then presented a succession of vicars to the church. On 9 August 1278 Richard de Drayton was presented as rector by John 'Chysyl', guardian of Ralph de Beauchamp. The 1291 *Taxatio* p. 33 lists a pension of 13s. 4d. paid to the abbot of Grestein from the church of Drayton Beauchamp out of its total spiritualities of £9 6s. 8d. A gap of about 3¼ inches has been left after this entry.]

203. John le Baker claims from Richard de Blakemere 9½ acres of land with appurtenances in Chesham as his right by a writ of aiel. Richard comes, and by licence gives John back the tenements, and so let him have his seisin of them.

[See also 190.]

Membrane 21

204. Alice who was the wife of Ralph Danvers claims from Joan who was the wife of Robert de Walteham a third part of 20 acres of land and of ½ an acre of meadow with appurtenances in Lytelmarlawe; and from Thomas Tayllard a third part of 1 acre of wood with appurtenances in the same vill; and from Rose Attewell a third part of 1 acre in the same vill; and from William de Wythehyrst and Maud his wife a third part of 7 acres of land with appurtenances in the same vill, as her dower. Joan and the others come and by licence give her her dower, so let her have seisin.

[See also 3, 407.]

205. Ralph Goldfot was summoned to answer Gervase de Chalveleye on a plea that he should do him the customs and right services which he ought to do for the free tenement which he holds from him in Chalveleye, concerning which he says that as he holds and claims to hold from him a messuage and ½ a virgate of land with appurtenances in Chalveleye by homage and the service of 9s. a year, and doing suit at his, Gervase's, court every three weeks – of which homage and suit one Gervase of Chalveleye, his ancestor, was seised as of fee and right, and was seised of the said rent of 9s. in his demesne as of fee and right in the time of peace, in the time of King John, grandfather of the present king, taking the profits, etc.[1] – And from this Gervase the right descended to Hugh as his son and heir; and from Hugh to Hugh as his son and heir; and from this Hugh, because he died without an heir of his body, the right passed to John as his uncle and heir, being the brother of Hugh, father of Hugh; and from John the right descended to Henry as his son and heir; and from Henry to this Gervase who is now suing, as his son and heir. And that his right is so he offers [to prove].

Ralph comes and denies Gervase's right to the services, and denies the seisin of Gervase his ancestor, concerning whose seisin, etc. He says that he does not hold the tenements from Gervase, nor does he claim to do so. And so it is adjudged that Ralph should go without day, and Gervase is to take nothing by that writ, but is to be in mercy for his false claim (*marg:* amercement[c]).[2] And he may obtain a writ of right for himself to claim these tenements in demesne if he wishes.

1. There is no main clause to this sentence.
2. Was Ralph's mere denial enough for a judgment, or has something dropped out of the record here?

206. Roger le Clerk of Agmodesham and Christian his wife were summoned to answer Walter de Agmodesham on a plea that they should keep to the agreement made between them concerning 16 acres of land and 3 acres of wood with appurtenances in Agmodesham. Roger and Christian come, and they agree by licence. And they have a chirograph.

[CP 25/1 17/48/14 = FF (25) no. 350, dated Wycombe, three weeks after Easter [5 May] 1286. The tenement is recognized as Walter's right; Roger and Christian quitclaim to him for a sore sparrowhawk.]

207. John de la More of Mursele has acknowledged that he has granted, remitted and completely quitclaimed, on behalf of himself and his heirs, to Walter de Wombervile and his heirs or assigns all the right and claim which he had or in any way could have in all kinds of lands and tenements with appurtenances which once belonged to Miles le Prestre of Ovyng', John's uncle, in Ovyng' and Northemerston', so that neither John nor his heirs or assigns will be able in the future to have, exact or claim any right or claim in these lands or tenements with their appurtenances. And for

this, Walter has given John 10 marks cash down, as is more fully contained in the deed drawn up on this between them.

[See also CP 25/1 17/55/16 (3) = FF (25) no. 520, dated at York, the quindene of Hilary [27 January] 1300.]

208. Ralph fitz Bernard claims from Isabel de Evere a third part of 2 messuages and of 2 virgates of land with appurtenances in Adington' which Ralph fitz Bernard, grandfather of Ralph, whose heir he is, gave to Thomas fitz Bernard and to the heirs of (Thomas's[i])[1] body, and which after Thomas's death should revert to Ralph by the form of that gift because Thomas died without an heir of his body.

Isabel comes. On another occasion she said that she held these tenements in dower from the inheritance of Margaret, wife of William Page, and Maud, wife of John le Poer, and vouched them[2] to warranty. They now come by summons and say that they have lost two thirds of these tenements in the king's court here by the judgment of the court, and so they ask that, if because they warrant for Isabel it should happen that they lose the [other] third part by judgment of the court, they should not be bound to Isabel for its value by that warranty, especially since nothing from the two thirds of the tenements is kept back in their hands; and they warrant for Isabel in this form. They deny Ralph's right, and say[3] he can claim nothing in the tenements, because they say that Thomas fitz Bernard, brother of Ralph fitz Bernard the grandfather, etc., kinsman of this Ralph who now claims, gave and granted and by his charter confirmed these tenements with appurtenances to Laurence son of William Chaunuit of Todingedon', father of Margaret and Maud, whose heirs they are, by his charter, which they put forward,[3] and which bears witness that Thomas gave and granted and by his charter confirmed to Laurence 2 virgates of land with appurtenances, with the messuages and all other of their appurtenances in the vill of Adington', and that Thomas and his heirs will warrant. They ask[3] for judgment (*marg:* to judgment) if Ralph can have an action, as he would be bound to warrant for William and Margaret, and John and Maud, if they were to be sued by anyone else.

Ralph says that he ought not to be excluded from his action by Thomas's deed, because Thomas is not his ancestor, nor can any right of acquiring inheritance descend to him, Ralph, by means of Thomas, and that Thomas is outside the (direct[i]) line of descent, and his collateral ancestor. He asks judgment if he should be excluded from his action by Thomas's gift and warranty concerning the lands and tenements given in that form.

Because William and Margaret, and John and Maud, do not deny that these tenements were given to Thomas fitz Bernard in that form, and Thomas by that enfeoffment was in the position of one who had acquired the tenements other than by descent, and also because Thomas is Ralph's collateral ancestor from whom Ralph has not yet acquired anything by

hereditary right by descent, nor in the future can he so acquire anything, and the tenements are rightfully bound to revert to Ralph fitz Bernard, it is adjudged that Ralph should not be excluded from his action by the deed, but that he should recover his seisin from Isabel. Isabel is to have nothing from the land of William and Margaret, or John and Maud, to its value, because William and Margaret, and John and Maud, have lost two thirds of these tenements on another occasion here in court by a final judgment and not by default.

1. 'his' (*suo*) struck through, and 'of Thomas' (*ipsius Thome*) written above the line.
2. This and subsequent pronouns referring to the women are written in the masculine in the Latin, subsuming them into their husbands.
3. Singular verbs written for plural in the Latin.

[See also 76, 96, 163 and 267. This entry reports the proceedings of 29 April 1286.]

209. Assize of novel disseisin to ascertain if Joan who was the wife of John de Boun, Walter le Keu, Bartholomew de Bromfeld, Robert Blod, master Adam de Fyleby and master Robert de Fylleby unjustly disseised William de Kelleshale of his free tenement in Deneham, whereof he complains that they disseised him of a messuage, a mill and ½ a virgate of land with appurtenances. Joan and all the others come. William comes and withdraws, and so Joan and the others are to go without day on this. William and his sureties to proceed are to be in mercy, namely John del Brok' of Chesham and Roger Havekherd (*marg:* amercements[c]).

210. Herbert de Tedemersch and Alice his wife, by Alice's attorney, claim from Richard Justin and Alice his wife a third part of 120 acres of land and of 12 acres of meadow with appurtenances in Suthcaldecote and Bellebrykehull' as Alice's dower from her first husband, Robert de Caunceys.

Richard and Alice his wife come; on another occasion[1] they have vouched to warranty John son of Robert son of Robert[2] de Caunceys, who is under age, and whose person and lands are in the custody of Matilda, countess of Gloucester.[3] She now comes by summons and warrants for them, and by licence gives back the dower to Herbert and Alice, so let them have their seisin. And because Matilda has enough in her custody from John's inheritance and in freehold that belonged to Robert de Caunceys, let Richard and Alice hold in peace; Herbert and Alice are to have land to its value from the land of the heir who is in the countess's custody.

1. See CP 40/60 m. 72 for the previous hearing at Westminster, in the Michaelmas term 1285. The Tedemershes also claimed tenements from John de la Breche and Joan his wife, and Robert Giffard and Felicia his wife.
2. Something was inserted above the line here, but then obliterated.
3. *Gloucestr'* written on an alteration.

[See also 128, where Alice's first husband is called Robert de Keynes, and the name of the heir is different.]

211. The king has granted Henry de Lascy, earl of Lincoln, his writ in these words: Edward, by the grace of God, etc. to all his bailiffs and faithful [people] to whom the present letters may come, greeting. Know that we have taken into our protection our beloved and faithful Henry de Lascy, earl of Lincoln, who is about to set out with us overseas, his men, lands, property, rents and all [his][1] possessions. And so we instruct you to maintain, protect and defend the said earl, his men, lands, property, rents and all his possessions, not doing[2] them any injury, interference, l[oss][1] or harm, or permitting any to be done to them. And if there shall be any forfeiture, you are to cause this to be remedied to them without delay. In witness whereof we have caused our letters patent to be drawn up, to last for one year. We also wish that the said earl may in the meanwhile be [quit of][1] all pleas and plaints, except pleas of dower *unde nichil habet*, and *quare impedit*, and assizes of novel disseisin or of [last][1] presentation. These present letters shall have no force if it should happen that the earl does not set out on the said journey, or after [. . . . . .][1] his return from the said parts. Witnessed by myself at Westminster on 28 April in the 14th year of our reign [1286].

1. Words supplied from the sense where the membrane is torn away. This entry does not appear in JUST 1/63.
2. Latin *inferrentes* written (with abbreviations) for *inferentes*.

212. Roger de Bracy has acknowledged (*marg:* acknowledgement) that he owes (Adam[i]) de Kereseye, cleric, 5 silver marks, of which he will pay him 33s. 4d. at the feast of the Nativity of St John the Baptist (next coming[i]), and 33s. 4d. at the following Michaelmas. And if he fails to do so he grants that the sheriff may raise the money from his lands and chattels.

Membrane 21 dorse

213. William de Langetoft claims from Robert de Pounteyse a messuage, 4½ acres of land and two thirds of 1 acre of meadow with appurtenances in Burton' by Bukyngham; and from William Pykard and Agnes his wife ½ an acre of land with appurtenances in the same vill; and from Robert Duraund ½ an acre of land with appurtenances in the same vill; and from Walter de Bukenhull 1 acre of land with appurtenances in the same vill; and from William Skyret 1 rood of land with appurtenances in the same vill; and from Robert[1] of Eton and Joan his wife and Peter of Eton 2s.-worth of rent with appurtenances in Lethyngeburgh; which Ralph le Clerk of Strafford gave to Ralph de Langetoft and Isabel his wife and the heirs of the body of Ralph and Isabel, and which after the death of Ralph (de Langetoft[i]) and Isabel should descend to William, son and heir of Ralph de Langetoft and Isabel, by the form of the gift.

Robert and all the others come. William Pykard and Agnes his wife agree by licence concerning the tenements claimed from them. The agreement is as follows, that William de Langetoft has acknowledged that the ½

acre of land with apppurtenances is the right of William Pykard and Agnes, and has remitted and quitclaimed (it[i]), on behalf of himself and his heirs, for ever to William and Agnes and their heirs, as is more fully contained in a deed which William and Agnes put forward under the name of Isabel, mother of William de Langetoft.

Concerning the tenement claimed from him, Robert Durand says that (he does not have to answer to this writ[i]), nor can he, for he claims nothing in the tenements except for the term of 60 years, by a demise of Isabel and Robert Devenis, her husband. He says that Robert and Isabel demised the ½ acre of land to him, Robert Duraund, and Denise his wife, who is not named in the writ and without whom he cannot bring that tenement into court. He asks for judgment. William de Langetoft cannot deny this, and so it is adjudged that Robert is to go without day on this, and William is to take nothing by this writ, but is to be in mercy for his false claim (*marg:* amercement[c]).

Concerning the tenement claimed from him, Walter de Bukenhall says that he claims nothing in the tenement except for the term of 60 years, by a demise of Robert Devenis and Isabel by their deed, which he puts forward and which bears witness to this. He asks for judgment if, during that term, he [William de Langetoft] can have an action against the deed of his mother Isabel, whose heir he is. William asks for judgment because Walter is acknowledging that he has this tenement by a demise of Robert and Isabel. [He says that] Isabel's deed, made in the of her husband Robert, when she was in his power, ought to settle the matter for him. Walter cannot deny this, and gives back the tenement to him by licence. So let him have his seisin.

Concerning the rood of land claimed from him, William Skyret cannot deny the form of the gift, and by licence gives back the tenement to him. So let him have his seisin.

Concerning the tenements claimed from him, Robert de Pounteyse says that (William[i]) can claim no right in them because his mother Isabel gave, granted and by her charter confirmed the tenements with their appurtenances to Robert and his heirs by her deed, which he puts forward, in these words:

Know that I, Isabel, once the wife of Ralph de Langetoft, have given, granted and by this present charter confirmed to Robert de Pounteyse and his heirs and assigns all my messuage with garden and other appurtenances, together with 4½ acres and 1 rood of land and 1 acre of meadow in the vill and territory of Burton', to be held from me and my heirs or assigns by Robert and his heirs or assigns for ever, paying for it every year one rose at the Nativity of St John the Baptist for all services. And I, the said Isabel, and my heirs or assigns, will warrant all this tenement with appurtenances for Robert and his heirs or assigns, and by this service will defend him against all people for ever.

He asks for judgment if William can have an action against the deed of his mother Isabel, whose heir she is.

William says that the said deed should not hamper him, for he says that, although Robert has put forward this deed as if it were drawn up in Isabel's lawful widowhood when she was a free agent, yet at the time the deed was drawn up she had a husband, Robert by name, who is still alive, and so he says that Isabel was not a free agent at that time, but subject to a husband and in his power. He asks for judgment.

Robert says that at the time when the deed was drawn up Isabel was free and released from all bonds of marriage, and so she could then make a firm and binding deed. He puts himself on a jury concerning this. So let there be a jury on this. (*Marginated:* let it come on the Thursday next after the third week of Easter [9 May].) Afterwards, Robert de Pounteyse by licence gave back to William de Langetoft the tenements claimed from him, and so let him have his seisin.

Concerning the tenements claimed from them, Robert de Eton and Joan and Peter say that Peter holds nothing in them, but on the contrary Robert and Joan hold all that rent. They answer for it and say that William can claim no right in the rent because Isabel, William's mother, whose heir he is, in her widowhood and lawful power gave, granted and by her charter confirmed that rent to Walter Boiscard, Joan's father, whose heir she is. And she bound herself and her heirs to warrant. They put forward[2] her charter which bears witness to this, and asks for judgment if William can have an action against the deed of Isabel his mother, whose heir he is. William says that the deed ought not to hinder him because at the time the deed was drawn up Isabel had a husband, Robert by name, who is still alive, and so he says that Isabel was not then a free agent, rather she was subjected to her husband and in his power. He asks that this should be inquired into by a jury. Robert and Joan do likewise. Therefore let there be a jury on this. (*Marginated:* on the Thursday next after the third week of Easter [9 May].) Afterwards, Robert de Eton came and by licence gave back to William de Langetoft the tenements claimed from him, and so let him have his seisin.

1. *Robertum* written on an alteration in both JUST 1/67 and JUST 1/63.
2. Singular verb (*profert*) written for plural (*proferunt*).

[See also 214, 268.]

214. The same William presented himself on the fourth day against William Mory on a plea of 1 acre of meadow with appurtenances in Burton' which he claims from him as his right. William Mory does not come, and he has defaulted on another occasion after being summoned, namely on the quindene of Easter [28 April], so that then the sheriff was instructed to take the acre into the king's hand, to report which day he did so and to summon him to be here on this day, namely the Monday next after the third week of Easter [6 May]. The sheriff now bears witness to the day he took the acre, and that he has summoned him; and so it is adjudged that William de Langetoft should recover his seisin by default. William Mory is to be in mercy (*marg:* amercement[c]).

215. Joan, who was the wife of William Tolomer, was summoned to answer Walter de Wengham and Robert Attebrigge, executors of the will of Richard de Oxeye, on a plea that she should give back to them chattels to the value of £20 which she is unjustly detaining from them. Joan comes. Because she married Richard de Kam after the writ was obtained, and Richard is present in court with Joan, he is admitted to answer together with Joan his wife.

They agree. Richard and Joan give ½ mark for licence to agree (*marg:* ½ mark).[1] The agreement is as follows, namely that Richard and Joan acknowledge (*marg:* acknowledgement)[1] that they owe the executors 5 silver marks, of which they will pay half at next Lammas Day [1 August] and the second half at Michaelmas following [29 September]. If they fail to do this,[2] they agree[2] that the sheriff may raise it from their lands and chattels. For this, the executors have remitted the rest of the debt to Richard and Joan, and likewise their damages.

1. The margins here in JUST 1/67 are cut away on the left. These marginations have been supplied from JUST 1/63.

2. Singular verbs (*nisi fecerit, concedit*) written for plural (*nisi fecerint, concedunt*).

216. Nicholas de Aischewell' claims 2 mills with appurtenances in Embreton from Roger Giffard of Tiryngeham as his right by a writ of entry. Roger comes by his attorney, and vouches master Roger de Hesellarton to warranty. He is to have him at Westminster (*marg:* Westminster)[1] on the octave of Trinity [16 June] by aid of the court. He is to be summoned in the county of York (*marg:* York)[1].

1. Marginations supplied from JUST 1/63. Those on JUST 1/67 are invisible under a repair sticker.

Membrane 22

217. Assize of mort d'ancestor to ascertain if Adam de Disce, brother of William de Disce, died seised in his demesne as of fee of a messuage, 40 acres of land, 2 acres of meadow and 3s.-worth of rent with appurtenances in Hertewell' and Stanes; and if William is his next heir. Geoffrey Ravel of Hertewell' holds this messuage, land and meadow, and withholds the said rent from him. Geoffrey comes and says nothing to stay the assize except that he says that the late Adam did not die seised of the holdings in his demesne as of fee, because long before his death he enfeoffed him, Geoffrey, by his (charter[i]), which he puts forward[1] and which bears witness to this. He puts himself on the assize concerning this.

William readily acknowledges that a verbal arrangement was made between his brother Adam and Geoffrey, and Adam ought to have enfeoffed Geoffrey with the tenements, but he says that, whatever charter Geoffrey may put forward, Adam never demised these lands,[2] but died seised of them in his demesne as of fee. He asks that there should be an inquiry into this by the assize.

The jurors say on their oath that Adam acquired the tenements, to be held by himself and his heirs and assigns, and in accordance with this seisin he enfeoffed Geoffrey and [put][3] him in full seisin by that charter. They say that half a year afterwards Adam acquired some tenements, namely 1½ acres of land, in that vill, and rented for a term of years the tenements with which he had previously enfeoffed Geoffrey. So they say that on the day he died Adam had no right in these tenements except just the term, because he had previously enfeoffed Geoffrey by that charter. So it is adjudged that Geoffrey is to go without day on this, and that William is to take nothing by this assize, but to be in mercy for his false claim (*marg:* amercement[c]).

1. 'puts forward' (*profert*) written on an alteration.
2. Here the Latin has an unusual construction of *dimisit* with reflexive and *de*. See 159.
3. Neither JUST 1/67 nor JUST 1/63 completes this clause with a verb.

218. Miles de Hastinges, who brought an assize of novel disseisin against master Ralph de Totehale concerning tenements in Stoke Goldyngton', did not pursue his claim, and so he and his sureties to proceed are in mercy, namely Ralph Waryn of Stoke Goldyngton' and Simon the reeve of the same (*marg:* amercements[c]).

219. Assize of mort d'ancestor to ascertain if Thomas Maunsell', father of Mabel wife of Richard de la Vache junior, and of Alice wife of Robert de Verdon', died seised in his demesne as of fee of 16 acres and two thirds of ½ of a virgate of land and two thirds of 2 messuages with appurtenances in Oureshenle; and if Mabel and Alice are his next heirs. Of these [tenements], Thomas de la Poyle holds 11 acres and two thirds of a virgate of land and two thirds of 2 messuages; and William de Jarpenvill' holds 5 acres of land.

They come. Concerning the tenements claimed from him, William has vouched (the said Thomas[i]) to warranty. Thomas is present and warrants for him, and says that he does not hold the tenements claimed from him in their entirety, because his mother Maud holds ½ (of two thirds[i]) of a messuage and 1 acre of land thereof, and so he asks for judgment on the writ. And if the assize should decide that Thomas holds the tenements in their entirety, then he says nothing to stay the assize except that the late Thomas did not die seised of these tenements in his demesne as of fee. He puts himself on the assize concerning this.

The jurors say on their oath that Thomas holds these tenements in their entirety,[1] and did so on the day Richard and the others obtained their writ, namely 26 April this year, and that the late Thomas died seised of them in his demesne as of fee, and within the time-limit.[2] they say that Mabel and Alice are the next heirs. So it is adjudged that Richard and Mabel, and Robert and Alice, should recover their seisin against William and Thomas de la Poyle, and that William should have [land] in a suitable place from Thomas's land to the value of the 5 acres

with appurtenances which he warranted for them. Thomas is to be in mercy (*marg:* amercement[c]).

1. 'that Thomas holds these tenements in their entirety' (*tenet integre predicta tenementa*) written on an alteration.
2. That is, the date (1230) after which such claims are valid. See 17.

[See also 15 for another claim in Shenley by Thomas de la Poyle, and 32 for an agreement between the de la Vaches and the Verdons concerning Thomas Maunsell's land; also 381, 392.]

220. Thomas le Provost of Agmondesham was summoned to answer Roger de Drayton' on a plea that he should pay him the 80 marks which he owes him and unjustly detains from him, whereof he says that, although on St Gregory's day in the 10th year of the present king [12 March *or* 3 September 1282][1] he sold Thomas all the grain from La Grave and Cymebell' which he had in his barns in those vills on that day for 80 marks, to be paid at these terms, namely 40 marks at the Nativity of St John the Baptist that year [24 June 1282], 20 marks at the feast of St Laurence next following [10 August] and 20 marks on the quindene of Michaelmas next following [13 October], Thomas did not pay him the money at those terms, but refused to do so, and still refuses, and so he has suffered damage to the value of 40 marks. He produces his suit concerning this, and puts forward a deed in Thomas's name which bears witness to the debt.

Thomas comes. They agree, and Thomas gives ½ mark (*marg:* ½ mark[c]) for licence to agree, by the surety of Ralph de Agmondesham. The agreement is as follows, that Thomas has acknowledged (*marg:* acknowledgement) that he owes Roger de Drayton' 19 marks and 40d. of the debt, and will pay him 7 marks and 40d. at Michaelmas next [29 September], 6 marks at the next Easter[2] [6 April] and 6 marks at Michaelmas next following. If he fails to do so, he grants that the sheriff may raise the money from his lands and chattels. Moreover, he has found him these sureties, namely Ralph de Agmondesham cleric, John de Agmondesham, John de Bayworth', John de Stok', Nicholas Gerneys [*or* Gerveys], William le Despenser, Ralph Attegrave, Robert le Warner, William le Bedel, Geoffrey Faber, John Toly, Adam Brond, Robert de Cantolupo and Richard Moryng, who grant that if Thomas fails to pay the said sums at the said terms then the sheriff may raise the money from their lands and chattels.

1. The main feast of St Gregory was 12 March, but there was another feast, that of his ordination, on 3 September. The March date seems the more likely. A gap of 6½ inches follows this entry
2. This is one of the very few instances of the word for Easter written in full in this roll; its adjective 'following' (*sequens*) is also written in full, showing that *Pascha* is treated here as a neuter accusative singular.

[Robert le Warner, Geoffrey Faber, John Toly and Richard Moryng were all jurors of Amersham vill at this eyre. On 2 November 1281, Thomas le Provost of Amersham had

been acquitted of an amercement of 20s. imposed by Robert Fulcon and Robert Malet for a false claim as the king 'compassionating his poverty', had pardoned him (*CCR 1279–88*, p. 103.]

221. Robert le Brun of Ovyng claims from Roger de Tothale and Julian his wife 2 messuages and 2 virgates of land with appurtenances in Sollebyr' and Hollendene as his right by a writ of entry. Roger (and Julian[i]) come. On another occasion they have vouched William del Chastell' to warranty. He now comes by summons and warrants for them. They agree. William gives ½ mark for licence to agree (*marg:* ½ mark[c]), and they have a chirograph. Moreover, William has acknowledged (*marg*: acknowledgment) that he owes Robert 6 marks, of which he will pay him 2 marks at the feast of the Apostles Peter and Paul [29 June] and 4 marks at Michaelmas next following. If he fails to do so, he grants that the sheriff may raise the money from his lands and chattels.

[CP 25/1 17/49/19 (44) = FF (25) no. 354, dated Wycombe, three weeks after Easter [5 May] 1286. Robert le Brun quitclaimed the tenements to the Tathalls in return for a consideration of 6 marks – is this the money William de Chastell acknowledged that he owed Robert?]

222. Fulk Neyrnut, parson of the church of Pychelesthorn', who brought an assize of novel disseisin against Edmund earl of Cornwall and the prior of Ascherigge concerning tenements in Pychelesthorn', has not pursued his claim, and so he and his sureties to proceed are to be in mercy, namely Robert Davy of Waddon' and John Page of Pychelesford[1] (*marg:* amercements).

1. *Pychelesford* written for *Pychelesthorn* here in both JUST 1/67 and JUST 1/63.

[See also 171.]

Membrane 22 dorse

223. Assize of nuisance to ascertain if Robert Rychond of Hertrigh[1] unjustly raised a dyke in Herterigh' to the detriment of the free tenement of Robert Kynne of Maydenford and Joan his wife in Herterigh' after the eyre was summoned, whereof they complain that they have been accustomed to have their free right of way to drive all kinds of animals as far as a field in the said vill which contains 8 acres, to exercise their common rights of pasture there with all kinds of beasts each year in the open season and every third year for the whole year, but Robert Rychond has raised a dyke so that they cannot[2] have their right of way as they are accustomed.[2]

Robert [Rychond] does not come, but one Thomas de Cantelu comes and answers for him as his bailiff, and says that he has done no injury, because Laurence de Brok', formerly lord of the land in which they are claiming common rights, [held][3] that land enclosed all his time in his private holding, and so did Hugh, his son, without Robert and Joan having

any right of common in it. He says that in the same place that Robert and Joan complain that the dyke was unjustly raised there was a living hedge, which was there from Laurence's time, and Robert [Rychond] raised a small dyke in the place of that hedge, as was fully lawful for him. He puts himself on the assize that he has done no other injury.

The jurors say on their oath that Robert Rychond did not raise the dyke to the detriment of Robert and Joan's free tenement. They say that Robert and Joan never had any right of common[4] in the 8 acres of land, nor have they been accustomed to have any right of way as they complain, except by Robert Rychond's permission, and so it is adjudged that Robert Rychond is to go without day on this, and Robert Kynne and Joan are to take nothing by this assize, but to be in mercy for their false claim (*marg:* amercements[c]).

1. There is no place now in Buckinghamshire named 'Hertrigh' or 'Hartridge'. There is a Hawridge in Yardley hundred, and a Chartridge which is part of Chesham, where Laurence and Hugh de Brok had land; this seems the more likely place.
2. Singular verbs (*potest, consuevit*) written for plural (*possunt, consueverunt*).
3. There is no verb for this clause either in JUST 1/67 or JUST 1/63. JUST 1/63 writes *separabili* for *separali* ('private holding').
4. JUST 1/63 has 'seisin' (*seisinam*) for 'right of common' (*communiam*).

224. Richard de Estwyck and Cecily his wife claim from Roger de Drayton' and Robert de Hamelhamsted a third part of 16 acres of land with appurtenances in Cestresham as Cecily's dower. (*Marginated:* void.)

[See also 4, 371.]

225. William, son of Robert Derwyne, claims from Gerard de Breybrock' 24 acres of land [and] 2 acres of meadow with appurtenances in Great Rysebergh' [Princes Risborough] of which Guy Alger, great-grandfather of the said William, whose heir he is, was seised in his demesne as of fee. Gerard comes and vouches John de Braybrok, to warranty. He is to have him at Westminster (*marg:* Westminster) on the quindene of St John the Baptist [8 July] by aid of the court. He is to be summoned in the county of Huntyngdon' (*marg:* Huntingd').

226. The prior of Burncestr' [Bicester], who brought an assize of novel disseisin against Hugh de Cortenay concerning tenements in Westkote, has not pursued his claim, so Hugh is to go without day on this, and the prior and his sureties to proceed are to be in mercy, namely Richard le Yepe of Camersfeld [and] John son of Robert of the same (*marg:* amercements[c]). Afterwards, he made a fine for himself and his sureties for ½ mark (*marg:* ½ mark[c]), and it is received.

227. Alice who was the wife of William Skot of Hildesdon' presented herself on the fourth day against Eustace de Hacche and Avice his wife on

a plea of a third part of 1 messuage and of 6 acres of land and of 6 acres of meadow in Hyldesdon' which she claims from them as her dower. They do not come, and they have defaulted on another occasion after they were summoned, namely on the morrow of the Close of Easter [22 April], so that the sheriff was then instructed to take the third parts into the king's hand and to report which day he did so, and to summon them to be here on this day, namely the Thursday after the third week after Easter [9 May]. The sheriff now bears witness to the date of taking [into the king's hand] and that he has summoned them. So it is adjudged that Alice should recover her seisin of the said third parts with appurtenances as her dower, and Eustace and Avice are to be in mercy (*marg:* amercements[c]).

228. Robert Est of Dachete, who brought an assize of mort d'ancestor against Gonnilda daughter of Peter and others in a writ concerning tenements with appurtenances in Dachete,[1] has not pursued his claim, and so he and his sureties to proceed are to be in mercy, namely John *Piscator* [Fisher] of Dachet and Peter Est of the same (*marg:* amercements[c]).

1. *in Dachete* repeated.

229. Assize of novel disseisin to ascertain if Henry le Feure and Walter Le Vernun unjustly disseised Richard le Ropere and Inga his wife of their freehold in Great Bryghull', whereof they complain that they disseised them of a messuage with appurtenances. Henry and Walter do not come. Henry was (not[i]) attached because he was not found. Walter was attached through Geoffrey Fraunceys and Hugh Smalware, so they are to be in mercy [*not marginated*]. The assize is to be taken against them by default, but it is postponed for lack of jurors. Afterwards, Richard and Inga came and asked for licence to withdraw from their writ. They have it.

230. Assize of novel disseisin to ascertain if William de Bermyngham and Gillian [Egidia] who was the wife of Richard Le Shepeherd unjustly disseised Richard son of Walter Le Wodeward of his freehold in Dorton', whereof he complains that they disseised him of a messuage with appurtenances. William and 'Gillian' come. They say that the assize ought not to be taken because they say[1] that the said Gillian is called Julian, not Gillian. Richard acknowledges this and asks for licence to withdraw from his writ. He has it.

1. 'he says' (*dicit*) written for 'they say' (*dicunt*).

[The writ would presumably have been asked for in English; a mishearing by the clerk has caused the wrong Latin name to be written down. It is clear from this entry that the Latin name Juliana should not normally be transcribed as 'Gillian'.]

231. Assize of mort d'ancestor to ascertain if Geoffrey Le Clerck, father of Walter son of Geoffrey Le Clerck, died seised in his demesne as of fee of a messuage and 9 acres of land with appurtenances in Hucham, and if

Walter is his next heir. Thomas de Linleye and Alice his wife hold the messuage and land. They come, and say nothing to stay the assize except that they say the late Geoffrey did not die seised of these tenements, and never had any right in them, for they say that Geoffrey, father of the late Geoffrey, enfeoffed them, Thomas and Alice, and put them in seisin of the tenements, so that his son, the late Geoffrey, never had any right in them. They put[1] themselves on the assize concerning this.

The jurors say on their oath that the late Geoffrey did not die seised of the said tenements, and never had any right in them, and so it is adjudged that Thomas and Alice are to go without day on this, and Walter is to take nothing by this assize, but to be in mercy for his false claim (*marg:* amercement[c]).

1. 'he puts' (*ponit*) written for 'they put' (*ponunt*).

232. Robert son of Alan son of Robert of Stok' Hamonis claims a mill and a virgate of land with appurtenances in Thornebergh' from the master of the hospital of St John without Eastgate, Oxford, of which Basile who was the wife of Robert son of Alan, grandmother of Robert, whose heir he is, was seised in her demesne as of fee on the day she died. The master comes by his attorney and they agree. Robert gives 1 mark for licence to agree (*marg:* 1 mark[c]). They have a chirograph.

[CP 25/1 17/49/12 (37) = FF (25) no. 352, dated Wycombe, three weeks after Easter [5 May] 1286. In this, the plaintiff is called Robert son of Alan of Stoke Hammond, and acknowledges the hospital's right to hold in free alms in return for 'benefits and prayers'. Should this surname perhaps be fitz Alan, or do we have a three-generation pedigree here?]

233. Robert de Boyton', who brought a writ of warranty of charter against Roger de Raundes concerning tenements in Emberton', did not pursue his claim, and so Roger is to go without day on this. Robert and his sureties to proceed are to be in mercy, namely Robert de Goldington, and Robert *cum Barba* [with the Beard] (*marg:* amercements[c]).

234. Gilbert[1] de Bosco, who brought an assize of novel disseisin of commons of pasture against Ralph Pyppard, did not pursue his claim, so he and his sureties to proceed are to be in mercy, namely Thomas Barun and Richard son of William of the same[2] (*marg:* amercements).

1. JUST 1/63 has *Galfridus*, 'Geoffrey'.
2. No place previously mentioned. JUST 1/63 omits 'of the same' (*de eadem*).

235. Emma who was the wife of Richard Grusset was summoned to answer Alelmus de Whelton on a plea that she pay him back £104 13s. 4d. which[1] she owes him and unjustly detains.

1. 'which' written in the feminine form *quas*, instead of the correct masculine *quos*.

[See the following two entries 236–7, and also 268. 235 and 236 are given as one entry in JUST 1/63.]

236. The same Emma was summoned by another writ to answer Robert de Stok' on a plea that she pay him back £100 which she owes him and unjustly detains.

237. Richard, son of Richard Grusset, was summoned to answer the said Alelmus de Whelton' on a plea that he pay him back £104 13s. 4d. which[1] he owes him and unjustly detains.

Emma and Richard come, and they agree. Alelmus gives 2 marks (*marg:* 2 marks[c]) and Robert [de Stok'] gives 1 mark (*marg:* 1 mark[c]) for licence to agree. The agreement is as follows, that Alelmus de Whelton' has acknowledged (*marg:* acknowledgement) that he owes Robert de Stok' £50 sterling, of which he will pay him 10 marks [£6 13s. 4d.] at Michaelmas next, and so 10 marks a year at the same term, and £10 at the last term, until he has paid in full. If he fails to do so, he grants that the sheriff may raise the money from his lands and chattels and those of his heirs. Moreover, he has found him sureties, namely the said Richard, son of Richard Grusset, and William de Fonte of Totenho, who likewise grant on behalf of themselves and their heirs that if Alelmus defaults in the payment of this money at these terms the sheriff may raise it from their lands and chattels and those of their heirs.

For this, Robert, at Alelmus's request, has remitted and quitclaimed, on behalf of himself and his heirs, to Emma and her heirs for ever, all kinds of action which he had in the £100 claimed from her. Moreover, Alelmus has remitted and quitclaimed to the same Emma for ever all kinds of action which he had in the £(100[i]) which he claimed from her by the writ. And likewise Alelmus has remitted, on behalf of himself and his heirs, to Richard Groset and his heirs for ever, all kinds of action which he had in the £100 claimed above from him.

And in return for this, Richard has given and granted to Alelmus all the lands and tenements with appurtenances which he had in the vills of Ayton' and Terterowe[2] in the county of Bedfordshire, to be held by Alelmus and Joan his wife, and the heirs of the bodies of Alelmus and Joan, from Richard and his heirs, by homage and the doing of the service of a tenth part of a knight's fee for all services belonging to Richard and his heirs, and doing to the chief lords of that fee on behalf of Richard and his heirs all other services which belong to these tenements. Richard and his heirs will warrant. And if Alelmus and Joan die without an heir of their bodies, then after their deaths these tenements with their appurtenances should revert in their entirety to Richard and his heirs quit[3] of other heirs of Alelmus and Joan for ever.

1. 'which' written in the feminine form *quas*, instead of the correct masculine *quos*.
2. *-owe* supplied from JUST 1/63; the name is cut off on the right in JUST 1/67.
3. 'quit' (*quieta*) illegible in JUST 1/67 and supplied from JUST 1/63.

Membrane 23

238. Richard de Wydendon' claims from Henry de Norwyz senior a messuage, 10 acres of wood, 1 acre of meadow and 5s.-worth of rent with appurtenances in West Wycumbe, which William de Wydendon', grandfather of Richard, whose heir he is, gave to Richard de Smalynden' and the heirs of his body, and which by the form of the gift ought to revert to Richard de Wydendon' after the death of Richard de Smalynden', because Richard de Smalynden' died without an heir of his body.

Henry comes and denies his right. He readily acknowledges that William, the grandfather of Richard de Wydendon', gave Richard de Smalynden' these tenements with appurtenances, but not in the said form. He says that William gave these tenements to Richard to be held by him and his heirs simply and in fee [simple].

[*Slightly different ink*] Afterwards they agree by licence. The agreement is as follows, that Richard has acknowledged that these tenements with appurtenances, and likewise all the other tenements which once belonged to Richard le Cryur in the same vill and which Henry and his son Henry now hold, are the right of Henry de Norwyz and of his son Henry, and he has remitted and quitclaimed them, on behalf of himself and his heirs, to Henry de Norwyz and his son Henry and their heirs for ever. In return for this, Henry de Norwyco has acknowledged that he owes Richard 26 marks sterling (*marg*: acknowledgement), of which he will pay him 6 marks at once, and 10 marks at the next feast of St John the Baptist [24 June], and 10 marks at the next feast of St Peter *ad vincula* [1 August]. If he fails to do so, he grants that the sheriff may raise the money from his lands and chattels and those of his heirs. And on this he has found him sureties, namely John Druel, Henry de Colleshull' and Roger de Aqueny, and each of them acknowledges for himself that if Henry defaults in the payment at any term then the sheriff may raise the money from his lands and chattels. Moreover, they have a chirograph.

[CP 25/1 17/49/14 (39) = FF (25) no. 375, dated Wycombe, five weeks after Easter [19 May] 1286, in which the tenements listed also include 2 virgates of land.]

[*There is a gap of 5½ inches after this entry.*]

239. Assize of mort d'ancestor to ascertain if Henry de Foxton, brother of Roger de Foxton, died seised in his demesne as of fee of a messuage and 5 acres of land with appurtenances in Heselbergh', which Geoffrey de Chalset holds, and if[1] Roger is his next heir. Geoffrey (does not[i]) come, and he has defaulted on another occasion after he was summoned, namely on the Monday next before the Close of Easter [22 April]. It was adjudged then that he should be resummoned to be here on this day, namely the Tuesday next after the quindene of Easter [30 April]. The sheriff bears witness that he was resummoned by Simon Rippyng and Richard *Bercarius* [Shepherd]. Judgment: the assize is to be taken against him by default.

The jurors say on their oath that the late Henry died seised of these tenements in his demesne as of fee, and within the time-limit, and that Roger is his next heir. So it is adjudged that Roger should recover his seisin by view of the recognitors. Geoffrey is to be in mercy (*marg:* amercement[c]). Damages, 10s. to the c[lerks].

1. 'and if etc.' (*et si etc.*) repeated, both in JUST 1/67 and JUST 1/63.

240. Walter de Ran gives ½ mark (*marg:* ½ mark) for licence to agree with Walter de Botteleye and Cecily his wife concerning a messuage and 1 acre of land with appurtenances in Agmondesham, by surety of Walter. They have a chirograph.

[CP 25/1 17/48/15 = FF (25) no. 356, dated Wycombe, one month after Easter [12 May] 1286. The tenements are agreed as Walter de Ran's right, and he pays a consideration of 40s.]

241. William de Langetoft, who brought a writ of entry against Robert de Pounteyse and others in the writ concerning property in Burton' by Bukyngham, has not pursued his claim, so he and his sureties to proceed are to be in mercy, namely William le Noreys of Letheynbergh and Bate Aleyn of the same (*marg:* amercements[c]). Afterwards, William came and made a fine for ½ mark (*marg:* ½ mark[c]) on behalf of himself and his sureties.

[See also 213, 214, 268.]

242. Robert de Grey presented himself on the fourth day against Fulk de Rucote, Paulinus Baset, William le Megre, Henry (de[i]) Eunton and Robert his brother, William son of Walter Herbert, Robert son of Richard Elys, Ralph son of Gilbert le Bercher, and Roger his brother, Richard Cole and Henry his brother, Thomas le Messer of Thame, John le Keu, Jordan le Peschur, John Knytwyn, William Howe, Simon Osebern, Henry le Justiz, Walter Canun and Simon Wate on a plea as to why they fished in his free fishery at Shubynton by force of arms, and caught and took away fish to the value of 100s., and committed other outrages against him, to his grave loss and against the peace.

They did not come. The sheriff [was][1] instructed to attach them to be here on this day, namely the Monday after the quindene of Easter [29 April], and he bears witness that Fulk and the others have no lands or tenements in his bailiwick by which they can be attached. It is testified that they have enough lands and tenements in the county of Oxfordshire (*marg:* Oxfordshire), and so the sheriff[2] is instructed to attach them to be at Westminster (*marg:* Westminster) on the quindene of Trinity [23 June]. The sheriff witnesses this, and it is testified.

1. 'was' (*fuit*) omitted.
2. Presumably it was the sheriff of Oxfordshire who was instructed to attach them.

243. William le Paumer of Chesham presented himself on the fourth day against Peter son of John de Wedon' on a plea concerning 9 acres of land with appurtenances in Chesham, which he claims from him as his right by a writ of aiel. Peter does not come, and he has defaulted on another occasion after he was summoned, namely on the morrow of the Close of Easter [22 April], so that the sheriff was instructed to take the land into the king's hand and report which day he did so, and to summon him to be here on this day, namely the Saturday next after the quindene of Easter [4 May]. The sheriff now reports the date he took the land, and that he has summoned him, so it is adjudged that William should recover his seisin by default, and Peter is to be in mercy (*marg:* amercement[c]).

244. Assize of nuisance to ascertain if Emma la Jovene unjustly obstructed a road in Drayton' Beauchamp to the detriment of Thomas Deyvill's freehold in that vill. Emma comes and says that she has committed no injury or disseisin, because she says Robert of Drayton' raised a certain[1] dyke by which the road was obstructed, so she says that if any injury has been done it was done by Robert and not by her, and that Robert is not named in the writ. She asks for judgment. Thomas cannot deny this, and so it is adjudged that Emma is to go without day on this, and Thomas is to take nothing by this writ, but is to be in mercy for his false claim (*marg:* amercement[1]).

1. 'raised a certain' (*levavit quoddam*) written on an alteration.

245. Assize of mort d'ancestor to ascertain if Thomas de Doynton', father of Thomas son of Thomas de Doynton', died seised in his demesne as of fee of a messuage and a carucate of land with appurtenances in Worminghall, which Bogo de Clare and Robert de Boy[n]ton hold, and if Thomas is his next heir.

Robert does not come, and he has defaulted on another occasion, namely on the Monday after the third week of Easter [6 May] after he was summoned, so that the sheriff was then instructed to resummon him to be here on this day, namely the Friday next after the third week of Easter [10 May]. The sheriff now testifies that he (was[i]) resummoned by Henry Frankeleyn of Waldyng and Henry le Bonde of the same. Judgment that the assize is to be taken against him by default. Bogo comes by his attorney and says that he holds all the tenement and is prepared to answer for it. [He asks][1] that he should be admitted to reply.

Thomas son of Thomas says that Robert de Boynton held these tenements in their entirety on the day the writ was [obtained][1], namely 15 November in the 13th year of the present king [1285], and asks that this should be inquired into by the assize. [Bogo does likewise.][1] So let the assize be taken.

The jurors say on their oath that Robert held these tenements in their entirety on the day the writ was obtained, [so that][1] Bogo held nothing in

these tenements then. They say that the late Thomas died seised of these tenements in his demesne as of fee, and after the date con[tained][1] in the writ, [and that][1] Thomas son of Thomas is his next heir. So it is adjudged that Thomas [son of Thomas should recover][1] his seisin, and Robert is to be in mercy (*marg:* amercement[c]). Damages 80 marks, 11 marks to the c[lerks].

1. Words supplied from JUST 1/63 as JUST 1/67 is torn away here.

Membrane 23 dorse

246. Aline who was the wife of William Brun of Covesgrave [*or* Conesgrave][1], claims from Nicholas de Drunall and Hawise his wife a third part of 6 messuages, of a cottage, of 8 virgates of land and of 24s.8d.-worth of rent with appurtenances in Maseworth as her dower.

Nicholas and Hawise come by Hawise's attorney.[2] On another occasion they have vouched Robert Malet to warranty. He now comes by summons and warrants for them. He says that Aline ought not to have dower in this, because John le Brun assigned to her some tenements in 'Cloppely'[3] [Clapham?] in the county of Bedford for the whole of the dower due to her from all the lands and tenements which had belonged to William, once her husband, and Aline had then been content with these tenements, and she is still in seisin of them. He asks for judgment.

Aline readily acknowledges that she is in seisin of some lands and tenements in [Clapham], but this is not as dower. She says that she has 2 carucates of land in that vill, of which one was acquired by her husband William for hmself and her from William Maudut, to be held[4] by William and Aline and their heirs in common, and the other carucate she herself acquired from John Le Brun, to be held by her, Aline, for her whole life, so that she holds that carucate as her own acquisition at her own expense and not in the name of dower. She puts herself on a jury concerning this.

Robert says that she has the said carucate of land by the assignment of John as her dower, and for her whole dower, and not by feoffment and her own acquisition. He puts himself on a jury concerning this, and Aline does likewise. So the sheriff of Bedfordshire (*marg:* Bedfordshire) is instructed to cause twelve men etc. to come to Westminster (*marg:* Westminster) on the octave of St John the Baptist [1 July] by whom [the matter may be tried] and who are not [connected to either party] to reach a verdict [in the aforesaid form] because both [parties have put themselves on a jury].

1. There is a place called Covesgrave and another called Conesgrave in Bedfordshire.
2. Hawise appointed her husband Nicholas as her attorney (610). It is interesting that the clerk should record his participation as Hawise's attorney rather than as her husband. Did Aline's claim concern land brought to the marriage by Hawise?
3. The clerk started to write *Cloppeham*, but then changed it to *Cloppely*. The second time the name appears it is left as *Cloppeham*.
4. 'to be held' – the formula *habend' et tenend'* (unusually) has the endings written out in full as *habenda et tenenda*, but should here be *habendam et tenendam*.

247. Elise who was the wife of Geoffrey de Quernedon' claims from William le fiz Nel, parson of the church of Estclay, a third part of 147[1] acres of land and of 7s.-worth of rent with appurtenances in Boclelaydon' as her dower.[2] William comes and vouches master Henry Wade to warranty. He is to have him at Westminster (*marg:* Westminster) on the morrow of St John the Baptist [25 June] with the help of the court. He is to be summoned in the county of Berkshire (*marg:* Berkshire).

1. This figure is written as *septem viginti et septem*, with the first *septem* written for *septies*.
2. 'as her dower' (*ut dotem suam*) written on an alteration.

248. Robert le Botiller and Joan his wife claim 2 acres of land with appurtenances in Hameslape from Nicholas son of John [fitz John?] of Hameslape as their right by a writ of entry. Nicholas comes and says he ought not to answer them, because he was enfeoffed of this land with appurtenances jointly with his wife Joan, without whom he cannot bring that tenement into the court, and who is not named in the writ. He asks for judgment. Robert and Joan cannot deny this, and ask for licence to withdraw from their writ. They have it.

[See also 370.]

249. Assize of mort d'ancestor to ascertain if Walter de Merton, brother of Christian de Wortynge and of Edith, wife of Thomas Taylard of Merlawe, and uncle of Peter de la Cleve of Bassinge, of master William de Ewell, of Walter Oliver of Basingestok' and of Alan Scak of le Wartstok', was seised in his demesne as of fee of a sixth part of a messuage and a sixth part of 2 carucates of land, a sixth part of 20 acres of meadow and a sixth part of 16s.-worth of rent with appurtenances in Chetindon'; and if[1] [they are his next heirs]. Note that five parts of these tenements are excluded because Christian, Peter, master William, Walter and Alan, her co-parceners, were summoned to sue at the same time but are not suing for their shares. This sixth part is held by master Richard de Werplesdone, warden of the house of scholars of Merton at Oxford.

Master Richard comes by his attorney, and they agree. Master Richard gives ½ mark (*marg:* ½ mark^{c}) for licence to agree. They have a chirograph. Moreover, master Richard has acknowledged (*marg:* acknowledgement) that he owes Thomas and Edith 14 marks sterling, of which he will pay them 3 marks immediately, 5½ marks at the feast of St Peter *ad vincula* [1 August] and 5½ marks at Michaelmas next following. If he fails to do so he grants that the sheriff may raise the money from his lands and chattels.

1. 'And if' (*Et si etc.*) repeated, both in JUST 1/67 and JUST 1/63

[CP 25/1 17/48/24 = FF (25) no. 372, dated Wycombe, one month after Easter [12 May] 1286. Nicholas of Oving appeared for the master. The tenements were agreed as the master's right, in return for a consideration of 14 marks.]

250. Hugh de Brok' claims 15s.-worth of rent with appurtenances in Bledelawe from Robert de Gratele as his right by a writ of entry. Robert comes, and they agree. Robert gives ½ mark (*marg:* ½ mark[c]) for licence to agree. The agreement is as follows, that Hugh has recognized that the rent with appurtenances is Robert's right, and has remitted and quitclaimed it, on behalf of himself and his heirs, to Robert and his heirs for ever.

[See also 251–2 below.]

251. Hugh de Brok, claims from Alexander de Hameden' 6s.-worth of rent with appurtenances in Bledelawe as his right by a writ of entry. Alexander comes and they agree. The fine for licence to agree immediately below.[1] The agreement is as follows, that Hugh has acknowledged that the rent with appurtenances is Alexander's right, and has remitted and quitclaimed it, on behalf of himself and his heirs, to Alexander and his heirs for ever.

1. The version in JUST 1/63 has some extensive differences in wording. Instead of 'The fine for licence to agree immediately below' (*finis . . . post*), it has 'And Alexander gives 10s. for licence to agree' (*Et Alexander dat decem solidos pro licencia concordandi*). This entry in JUST 1/63 is then followed by another which is virtually identical with 252 below.

252. Hugh de Brok' claims 10s.-worth of rent with appurtenances in Bledelawe from Alexander de Hameden, as his right by a writ of entry. Alexander comes, and they agree. Alexander gives 10s. (*marg:* 10s.[c]) for licence to agree. The agreement is as follows, that Hugh has acknowledged (*marg:* acknowledgement) that the rent is Alexander's right and has remitted and quitclaimed it, on behalf of himself and his heirs, to Alexander and his heirs for ever. For this, and for the above acknowledgement, Alexander has acknowledged that he owes Hugh 10 marks, of which he will pay him 40s. this very day, Monday after a month after Easter [13 May], and 7 marks at Michaelmas [29 September] following. If he fails to do this he grants that the sheriff may raise the money from his lands and chattels.

253. William de Mayne, parson of the church of Lottegareshale, and Richard le Bercher of Lottegareshale were attached to answer the prior of Beremondesey on a plea as to why they took and carried off by force of arms the prior's goods and chattels at Luttegershale to the value of 100s. and committed other outrages against him to his grave loss and against the peace; whereof he complains that William and Richard, on the morrow of St Peter *ad vincula* in the 13th year of the present king [2 August 1285], and on each day for the week following that feast of St Peter, took and carried off the prior's grain, namely wheat, rye, barley and oats to the value of 100s., with bows, arrows, swords, hatchets and other weapons. From this he says he has suffered damage and loss to the value of 10 marks, and he produces suit of this.

William and Richard come and deny force and injury. They completely deny that on the said day and year they did anything to the prior against the peace, or committed any trespass against him. They say that the goods and chattels which the prior says were his were the tithe sheaves belonging to the church of Lottersgareshale, of which William is parson, and that William found his church seised of these tithes, so that they have committed no injury or trespass. They put themselves on a jury concerning this.

The prior says that the grain was in his seisin until William and Richard took and carried it off by force of arms, as was said before. He asks that this should be inquired into by a jury. William and Richard do likewise. So let there be a jury concerning this. (*Marginated:* on Tuesday next after a month after Easter [14 May].)

The jurors say on their oath that William and Richard did not come by force of arms to (the place of) Lottergershale, nor did they take and carry off the prior's grain and chattels or cause him any loss. On the contrary, they say that William caused the tithe sheaves of his church, of which he found it seised, to be collected peacefully. So it is adjudged that William and Richard should be without day on this, and the prior is to take nothing by his writ, but to be in mercy[1] for his false claim.

1. The left-hand margin is cut away, so no margination is now visible. The amercement was charged (899).

[Geoffrey de Traylly had settled a portion of the tithes of Ludgershall on the priory of Bermondsey in 1190. By 1272 the patrons of the parish were the Knights Hospitallers. Lipscomb (I, p. 318) says, quoting 'Placita 17 Edwardi I, ro. xix', that William de Mayne was found guilty on this charge (i.e. on a later occasion). Below this entry, there is a paragraph mark and the word *Cecil.*]

Membrane 24

254. William de Hamelden' has acknowledged (*marg:* acknowledgement) that he owes Roger de Drayton', clerk, 20 silver marks, which he will pay him at the quindene of Michaelmas next [13 October]. If he fails to do so, he agrees that the sheriff may raise the money from his lands and chattels and those of his heirs.

255. Assize of mort d'ancestor to ascertain if Ralph del Escheker, father of Katherine wife of William de Alta Rypa [Hawtrey], and grandfather[1] of Ralph son of Ralph de Chendut, died seised in his demesne as of fee of ½ a messuage and ½ of 4 carucates of land with appurtenances in Esselbergh', which Ralph de Chendut senior holds; and if Katherine and Ralph are his next heirs. Ralph senior comes. Note that the other half is excluded because Ralph son of Ralph, the co-parcener, is not suing for his share.[2] Ralph senior says that he holds these tenements for the term of his life by the curtesy of England from the inheritance of Ralph son of Ralph,

who is of full age and present in court, and joins with Ralph senior, his father, in answering. They fully acknowledge that the late Ralph del Escheker died seised of these tenements in his demesne as of fee, and within the time-limit, and that Katherine and Ralph son of Ralph are his next heirs, and they return [the tenements][3] to them[4] by licence, so let them have their seisin[5] of the half.

1. 'grandfather' written in the genitive (*avi*) instead of in the nominative (*avus*) in both JUST 1/67 and JUST 1/63.
2. 'for his share' (*pro proparte*) written simply as *proparte* in both JUST 1/67 and JUST 1/63.
3. No object written for 'return' (*reddunt*).
4. i.e. ½ the messuage and ½ the 4 carucates to Katherine and William Hawtrey.
5. 'seisin' written as *seysinam*, although the previous instances in this entry have been spelt *seisit-*.

[See also 129, 196, 256.]

256. The same assize [of mort d'ancestor] comes to ascertain if Ralph del Escheker, father of Katherine wife of William de Alta Rypa (Hawtrey), and grandfather[1] of Ralph son of Ralph (de Chendut[i]), died seised in his demesne as of fee of ½ a toft, ½ a messuage and ½ of 56 acres of land with appurtenances in Eseleberwe, and if[2] Katherine and Ralph are his next heirs. Note that the other half is excluded because Ralph son of Ralph, the co-parcener, is not suing for his share although he was summoned to sue (together[i]) with the said Katherine. Of these tenements, Roger Pycot and Helewise his wife hold 20 acres of land, Richard de Bogham 10 acres of land, Roger le Feure 5 acres of land, Denise de Chalkeset 2 acres of land, Reyner le Venur a toft and 3 acres of land, Geoffrey de Hampton' a messuage, John le Coppinger 10 acres of land and Christiana de Herttewelle 6 acres of land.

They come. They have said on another occasion that they hold the tenements claimed from them for the term of the life of Ralph de Chendut senior, by demise of the said Ralph, and they have vouched him to warranty. He now comes by summons and warrants for them for the term of his life, and says that he holds these tenements by the curtesy of England from the inheritance of Ralph son of Ralph de Chendut, who is present in court and of full age, and joins with Ralph, his father, in answering. They fully acknowledge that the late Ralph del Escheker died seised of the whole of these tenements in his demesne as of fee, and within the time-limit, and that Katherine and Ralph son of Ralph are his nearest heirs. They return the half to them by licence, so let them have their seisin. Roger (Pycot[i]) and Helewise, and Richard, and Roger le Feure, Denise, Reyner and Geoffrey, John and Christiana are to have land equivalent in value in the specified form[3] in a suitable place from the land of Ralph de Chendut senior.

1. 'grandfather' written in the genitive (*avi*) for the nominative (*avus*) in both JUST 1/67 and JUST 1/63 (as in 255.)

2. 'And if' (*Et si*) etc. repeated in both JUST 1/67 and JUST 1/63.
3. That is, to be held by them for the life of Ralph senior.

257. Richard deleFrene claims from William de Gayton a messuage and a virgate of land with appurtenances in Bebegrave, of which William del Frene, grandfather of Richard, whose heir he is, died seised in his demesne as of fee. William comes. He vouches to warranty Walter de Gayton and Amice his wife. He is to have them at Westminster (*marg:* Westminster) on the octave of Trinity [16 June] with the help of the court. They are to be summoned[1] in the county of Somerset (*marg:* Somerset).

1. 'summoned' – Latin *sumoniantur* written for *summoneantur*. The word is spelt thus here in JUST 1/63 also.

258. Robert Atte Plumptre of Henle and Joan his wife, who brought a writ of entry against John Atte Wode of Wycumbe concerning a messuage with appurtenances in Wycumbe, have not pursued[1] their claim, so they[1] and their sureties to proceed are in mercy, namely Nicholas de Mungewell and Geoffrey *prepositus* (the reeve) of Wycumbe (*marg:* amercements[c]).

1. The Latin has these expressions in the singular 'has not pursued' (*non est prosecutus*) and 'he' (*ipse*); JUST 1/63 has the correct plural forms *sunt prosecuti* and *ipsi*.

259. Robert, son of Walter de Heyford, who is of full age, who brought a writ of entry against John le Waleys and others in the writ concerning tenements in Eselburgh, has not pursued his claim, so he and his sureties to proceed are in mercy, namely William de Ponte of Leytton' and John Lorence of the same (*marg:* amercements[c]).

260. The abbot of Buttlesden was summoned to answer Alice Cotel on a plea that he should give her 3½ marks and 6,000[1] herrings which are in arrears from the annual rent of 10 marks and 3,000 herrings which he owes her, whereof she says that, although at Easter 1266 the abbot and convent of Butellesden agreed on behalf of themselves and their successors that they would pay Alice and Hugh de Dunester, once her husband, every year as long as they should live, 17 marks sterling and 3,000 of smoked herrings, to be paid at the terms contained in a written deed drawn up between them in this form, that, if Hugh should depart this life before Alice, then the abbot and convent would pay Alice every year as long as she lived 10 marks sterling and 3,000 herrings, namely forty (six[i]) shillings and eight pence at the feast of St Andrew the Apostle [30 November], the same amount [of money] and 3,000 herrings at the Purification of the Blessed Mary [2 February], and 40s. at the nativity of St John the Baptist [24 June]; and Hugh did die before Alice, and Alice was in seisin of this annual rent according to the form of the deed drawn up between them; but for the past two years the abbot has refused to give (her[i]) the thousands of herrings, and likewise refused to pay her the 3½ marks at the feast of the

Purification last past, and still refuses to pay. As a result of this she says that she has suffered damage[2] and loss to the value of 100s., and produces suit of this. And she puts forward a deed in the name of the abbot and convent which bears witness to the grant of the annual rent.

The abbot comes by his attorney. He fully acknowledges the deed and its contents. As far as the arrears of the annual rent of 3,000 herrings, he cannot deny that this rent is in arrears to Alice for two years, and so it is adjudged that Alice should recover her arrears and her damages which are assessed [*left blank*]. And the abbot is to be in mercy concerning this (*marg:* amercement[c]). As far as the 3½ marks are concerned, he says he is not in arrears. On the contrary, Alice has been paid in full each term. He puts himself on a jury concerning this, and Alice does likewise, so let there be a jury. (*Marginated:* [on Saturday][3] next after [the third][3] week of Easter [11 May].)

[*In different ink*] Afterwards they agree, and the abbot gives 1 mark (*marg:* 1 mark) for licence to agree. The agreement is as follows, that the abbot has acknowledged, on behalf of himself and his successors, that the annual rent should be paid to Alice at the terms named, as is more fully contained in the said deed drawn up between them. In return for this, Alice remits her arrears and damages to the abbot.

1. Latin *sex miliaria*: *miliarium* strictly speaking means "a set of a thousand", and is a word often used for quantities of fish. See *s.v.* (3) in fascicule M of the *Dictionary of Latin from Medieval Sources*, p. 1788.
2. 'has suffered damage' is written as *deterioratur*. Both JUST 1/67 and JUST 1/63 have this rather unusual expression (instead of *deteriorata est*).
3. 'on Saturday (*die sabbati*), and 'the third' (*terciam*), supplied from JUST 1/63. An opaque mending strip has been stuck over these words in JUST 1/67.

261. Walter de Neuton and Maud his wife claim from William de Alemere 4 acres of land with appurtenances in Kyngeshull and Huchenden, and from David de Alemere 2 acres of land with appurtenances in the same vills, as Maud's right, by a writ of entry. William and David come by their attorney, and vouch to warranty Maud, daughter of John Braund, who is under age. Because Walter and Maud his wife acknowledge that Maud, daughter of John, is under age, therefore the plea is to be postponed until she is of age.[1]

1. This membrane of JUST 1/67 has an opaque reinforcing strip stuck down the left-hand edge for about 7 inches here. JUST 1/63 has 'age' (*etas*) in the left-hand margin at this point.

262. Hugh de Reddinges and Maud his wife claim from John son of William of Hadenham 4 acres of land with appurtenances in Hadenham as Maud's right by a writ of entry. John son of William comes, and they agree. John gives ½ mark[1] for licence to agree. They have a chirograph.

1. The reinforcing strip covers the left-hand margin of this entry; the ends of marginations can be seen. JUST 1/63 has the margination 'half a mark' (*dimidiam marcam*).

[CP 25/1 17/49/8 (33) = FF (25) no. 368, dated Wycombe, one month after Easter. Hugh and Maud (whose surname is given as Dadinges) quitclaim to John for a consideration of 4 marks.]

263. William de Aete, Simon de sancto Licio, Miles de Hastinges and Ralph de Chendut senior in mercy[1] for contempt. Each of them is to be amerced at ½ mark.

1. Again, the reinforcing strip has hidden any margination in JUST 1/67. JUST 1/63 has the margination 'amercements' (*misericordie*).

264. The abbess of Godestowe gives 1 mark[1] for licence to agree with William de Alta Rypa (Hawtrey) and Katherine his wife and Ralph son of Ralph Chendut concerning a messuage and a carucate of land with appurtenances in Messenden. They have a chirograph.

1. Margination 'one mark' (*unam marcam*) in JUST 1/63 (and see 898). JUST 1/67 is still affected by the reinforcing strip here.

[CP 25/1 17/49/10 (35) = FF (25) no. 351, dated Wycombe, three weeks after Easter [5 May] 1286, arising out of an assize of mort d'ancestor. The land is quitclaimed to the abbess for a consideration of £10. See also 129. There is a gap of 2½ inches after this entry, then a capitulum mark and the name *Johannes le Ware* at the foot of the membrane.]

Membrane 24 dorse

265. John de Hawenpenne and Sarah his wife, John son of William [Davy] and Maud his wife, and Aline, daughter of Alice [of Bierton], claim from the dean and chapter of Lincoln 2 messuages and 2½ virgates of land with appurtenances, except[1] 4 acres of land, in Burton [Bierton] and Stokemaundevill' by Eylesbyry; and from Percival, parson of the church of Eylesbur', 12 acres of land with appurtenances in Eyllesbur'; of which John de Burton', grandfather of Sarah, Maud and Aline,[2] whose heirs they are, died seised in his demesne as of fee. They say that John was seised of these tenements in his demesne as of fee in time of peace, in the time of King Henry, father of the present king, taking profits to the value, etc., and that he died seised. From that John the fee descended to one John as his son and heir. And from that John, because he died without an heir of his body, the fee descended to one William as his brother and heir. From William, because he died without an heir of his body, the fee descended to Denise, Lucy and Alice as his sisters and heirs.

From Denise the right to her share descended to William, her son and heir. From this William, because he died without an heir of his body, the right returned to Lucy and Alice as his aunts and heirs, the sisters of William's mother Denise. From Lucy the right (to her share[1]) descended to Sarah and Maud, who are now claiming, as daughters and heirs. From Alice the right to her share descended to Nicholas, her son and heir, and from Nicholas, because he died without an heir of his body, the right

descended to Aline, who is now claiming with Sarah and Maud, as his sister and heir. They produce suit of this.

The dean and chapter and Percival come by Percival's attorney. They deny their right. Perceval says, concerning the tenements claimed from him, that he does not have to answer them on this writ, because the tenements are within the precinct of the manor of Eyllesbyry, which is part of the ancient demesne of the king, in which no (other[i]) writ, obtained in common form, runs, except the small writ [of right] close, according to the custom of the manor; and he asks for judgment. John and Sarah cannot deny this, and so Percival is to go without day on this, and John and Sarah, John son of William [Davy] and Maud, and Aline are to take nothing by this writ, but to be in mercy for their false claim (*marg:* amercements[c]).

The dean and chapter say that these tenements which John and Sarah and the others are claiming from them[3] and which they have put in their view are the freehold of Percival, parson of Ayllesbyry, and were so on the day the writ was obtained, and so he says[3] that he has nothing in freehold of these tenements at present, nor does he claim to have [right] in them as in the holding[4] of a free tenement at present. And that [*left blank*], appointed Percival's general attorney by the king's letter in all pleas moved or to be moved,[5] acknowledges that these tenements are the freehold of his said lord, and grants that he is prepared to answer on this if John and the others wish to obtain a writ against his lord, it is adjudged that the dean and chapter are to go without day on this. John and Sarah, John and Maud, (and Aline[i]) are to take nothing by that writ, but to be in mercy for their false claim (*marg:* amercements[c]).

1. 'except' (*excepti*) written on an alteration, so that the initial e- looks rather like u-. In JUST 1/63, *uxceptis* appears to be written.
2. This name varies in the entry. Here it is unquestionably Alina, as the -i- is clearly dotted, but later it appears as Alma, with no dot. The final use of the name in JUST 1/63 is written Ama.
3. 'him' (*ipsum*) written for 'them' (*ipsos*) in both JUST 1/67 and JUST 1/63. The singular number continues in 'he says that he has nothing' (*dicit quod ipse nichil habet*), and presumably also in 'he claims' (*clam[at]*).
4. 'as in the holding' (*ut in tenencia*) written on an alteration.
5. That is, current or future pleas.

[Percival de Lavannia, an Italian who was the brother of the papal legate Ottobuono (later Pope Adrian VI), was, by papal provision, archdeacon of Buckingham as well as parson of Aylesbury from 1268 to 1290, when he died. He rarely set foot in England. *VCH Bucks*, I, p. 290. See also 396.]

266. William de Houtot and Maud his wife presented themselves on the fourth day by Maud's attorney against Agnes, who was the wife of Peter le Gryck, on a plea concerning a messuage and a carucate of land with appurtenances in Adestok' by Bokyngham, which they claim as Maud's right from her and from Robert Bardulf and Lora his wife. She does not

come, and she has defaulted on another occasion, namely on the Monday next after the quindene of Easter [29 April] (after being summoned[i]), so that the sheriff was then instructed to take the tenement into the king's hand by Agnes's default, to report which day he so took it, and to summon her to be present here on this day, namely the Friday next after the third week of Easter [10 May]. The sheriff now reports the date of taking, and that he has summoned her.

On this, Robert Bardulf and Lora come and say that they hold all the tenement and are prepared to answer for it. They are admitted, and agree. Robert and Lora give[1] Nothing yet concerning the fine nor the final concord because Maud was seen in court and she is under age.

1. The sentence breaks off here. It does not appear in JUST 1/63.

[A gap of 3 inches is left after this entry; the clerk was presumably allowing space in which to write details of the agreement, which was aborted by Maud's minority. See also 375.]

267. Ralph fitz Bernard claims from John le Poer and Maud his wife a third part of 2 messuages and of 2 virgates of land with appurtenances, except 2 perches of land in length and 3½ perches of land in width in Adynton'; and from Henry le Conestable 10 perches of land in length and 3½ perches of land in width with appurtenances in the same vill; which Ralph fitz Bernard, grandfather of Ralph, whose heir he is, gave to Thomas fitz Bernard and the heirs of his body and which ought to revert to Ralph after Thomas's death by the form of the gift, because Thomas died without an heir of his body.

John and Maud and Henry come. John and Maud give him back by licence the tenements claimed from them, so let him have his seisin. Concerning the tenements claimed from him, Henry says that he ought not to answer him on this writ, because he says that he holds these tenements jointly with Alice, his wife, as her right and acquisition, and Alice is not named in the writ. Without her he cannot bring that tenement into court. He asks for judgment. Ralph cannot deny this and asks for licence to withdraw from his writ. He has it.

[See also 76, 96, 208.]

268. William de Langetoft claims from Emma who was the wife of Richard Gruscet 3 messuages, 20 acres of land, 1 acre of meadow and a third part of 1 acre of meadow with appurtenances in Burton' by Bukyngham which Ralph le Clerk of Strafford gave to Ralph de Langetoft and Isabel his wife, and the heirs of the bodies of Ralph and Isabel his wife, and which after the death of Ralph and Isabel ought to descend to William, the son and heir of Ralph de Langetoft and Isabel, by the form of the said gift.

Emma comes. On another occasion she has vouched to warranty Richard Gruscet and Hawise his wife, who now come by summons and warrant for her. And concerning[1] a messuage, 9½ acres of land and 1 acre

of meadow, they say that Ralph le Clerk never gave those tenements to Ralph and Isabel. On the contrary, Ralph de Langetoft himself acquired them from various other feoffors, by many written deeds, which [they] put forward.[2] And concerning all the rest, they ask that William should show if he has any evidence which bears witness to the form of the gift.

William[3] puts forward a charter in the name of Ralph le Clerk which bears witness that the same Ralph gave, granted and by his charter confirmed these tenements to Ralph de Langetoft and Isabel, and the heirs of the bodies of Ralph and Isabel, to be held by Ralph and Isabel and the heirs of the bodies of Ralph and Isabel, or by whoever (Ralph and Isabel[i]) should wish to give, sell or assign them to, and that Ralph le Clerk would warrant.

Richard and Hawise say that by the wording of the charter and by a clause contained in it, namely 'to be held, etc.', it is perfectly clear that these tenements were not given to Ralph de Langetoft and Isabel only for themselves and the heirs of their bodies. On the contrary, they were given[4] to be held (by them[i]) and by whoever Ralph and Isabel wishes to give, sell or assign them to. They ask for judgment.

William says that Richard and Hawise clearly acknowledge – because they do not expressly deny – that the tenements were given to Ralph and Isabel and the heirs of their bodies, and Richard and Hawise cannot show that Ralph de Langetoft and Isabel had given these tenements or made an assignment of them to anyone in their lifetimes. On the contrary, Ralph de Langetoft died seised of the tenements, and he is prepared to prove this if Richard and Hawise should wish to deny it. He asks for judgment (*marg:* to judgment).

Afterwards[5] they agreed by licence. Richard gives ½ mark (*marg:* ½ mark) for licence to agree, by surety of William.[6] And they have a chirograph. A day is given them to receive their chirograph at Cambridge on the octave of Trinity [16 June].[7]

[*At the foot of the membrane after a space of ¾ inch*] Concerning the messuage, 9½ acres of land and 1 acre of meadow which Richard and Hawise say Ralph de Langetoft acquired from other feoffors than Ralph le Clerk, he says that Ralph le Clerk gave those tenements as well as all the others to Ralph and Isabel in the form aforesaid. He puts himself on a jury concerning this. Richard and Hawise do likewise. So let there be a jury on it.

1. Much smaller writing now in both JUST 1/67 and JUST 1/63.
2. 'they put forward': Latin *profert* (singular) written for plural *proferunt*.
3. The larger writing resumes now in both JUST 1/67 and JUST 1/63.
4. 'they were given' (*data fuerunt*) written on an alteration, with a line drawn through the superfluous space on the right.
5. Different ink from this point in both JUST 1/67 and JUST 1/63.
6. This sentence is not in JUST 1/63.
7. This payment is not recorded in the Fines and Amercements (900).

[See also 213.]

Membrane 25

269. William de Turvill' and Nicholas de Charneles claim from the prior of Merton ¾ of the manor of Teppelawe with appurtenances as their right by a writ of right, because Edmund, the king's brother, the chief lord of that fee, has remitted his court (thereof) to the king. They say that Geoffrey, the ancestor of William and Nicholas, and of Ela and Isabel [de Herdeberwe] who are not suing for their share, was seised of this manor with appurtenances in his demesne as of fee and right in the time of peace, in the time of King Richard, kinsman of the present king, taking issues from it to the value, etc.

From Geoffrey the right descended to William as his son and heir, and from that William the right descended to [another] William as his son and heir; and from that William, because he died without an heir of his body, the right descended to Cecily, Petronilla and Isabel as his sisters and heirs. And from Isabel, because she died without an heir of her body, the right to her share descended to Cecily and Petronilla as her sisters and heirs.

From Isabella [*recte* Cecily][1] the right to her share descended to Roger as her son and heir. From this Roger, because he died without an heir of his body, the right descended to Isabel, Cecily and Beatrice as his sisters and heirs. And from Cecily, because she died without an heir of her body, the right to her share descended to Isabel and Beatrice as her sisters and heirs. And from Isabel the right to her share descended to Hugh as her son and heir, and from Hugh to Roger as his son and heir, and from Roger the right descended to Ela and Isabel as his daughters and heirs; they are not now suing for their share. From Beatrice the right to her share descended to Nicholas as her son and heir; he is now suing for his share with William.

From Petronilla the right to her share descended to Simon as her son and heir, and from Simon the right descended to this William who is now suing, as his son and heir. They offer [to prove] that their right is as set out. Note that ¼ of the manor is excluded because Ela and Isabel, co-parceners with William and Nicholas, are not suing for their share.

The prior comes and says that he does not have to answer William and Nicholas on this without Ela and Isabella, their co-parceners. So let the said co-parceners be summoned to be at Westminster (*marg:* Westminster) on the quindene of Trinity [23 June] to sue etc. The same date is given to the said prior in the Bench.

1. *Isab[ella]* written for *Cecilia.* JUST 1/63 has the correct *Cecilia.*

[See also 153, and CP 40/60 m. 96 for a previous hearing at Westminster in the Michaelmas term 1285. The surname of Ela and Isabel is supplied from *VCH* III, p. 237.]

270. Richard Hode claims from Alice Dybeles ½ of a messuage and of 21 acres of land and of 1 acre of meadow with appurtenances in Masseworth as his right and reasonable share which falls to him from the inheritance of Henry Folyot, Alice's brother and Richard's uncle, whose heirs they are, and who recently [died]. Alice comes and utterly denies his

right, saying that Henry Foliot, her brother and Richard's uncle, did not die seised of these tenements[1] because long before his death he had enfeoffed her with them and put her in full seisin. She puts herself on a jury concerning this, and Richard does likewise. So let there be a jury. (*Marginated:* on Monday after one month after Easter [13 May].)

The jurors, chosen by consent of the parties, say on their oath that Henry Foliot, Alice's brother, died seised of the said tenements, and so it is adjudged that Richard is to recover his seisin from Alice. Alice to be in mercy (*marg:* amercement[c]). Damages 1 mark. A mark to the clerks.

1. A small word (*eo*? – 'for this reason') is inserted above the line here.

271. The abbot of Oseney claims from Richard, son of Richard Grosset, and Hawise (his[i]) wife, 11 perches of land in length and 1½ perches of land in width with appurtenances in Morton' by Bokyngham as the right of his church of Osneye, and in which Richard and Hawise only have entry through Emma who was the wife of Richard Grosset to whom William, once abbot of Oseney and a predecessor of this abbot, demised [the land] without the agreement and against the will of his chapter.

Richard and Hawise come.[1] On another occasion they have vouched to warranty Emma, who was the wife of Richard Grusset, who comes by summons and warrants for them. She further vouches to warranty Richard, son of Richard Grusset, who is present and warrants for her. He utterly denies [the abbot's] right, on the grounds that William, the former abbot, did not demise these tenements to Emma, but on the contrary to Richard Grusset, her former husband, and he puts himself on a jury concerning this. The abbot does likewise, so let there be a jury on this. (*Marginated:* on Monday after one month after Easter [13 May].)

Afterwards they agree by licence. The agreement is as follows, that Richard has acknowledged that the said tenement with appurtenances is the right of the abbot and of his church of Oseney, and has given back, remitted and quitclaimed it, on behalf of himself and his heirs, to the abbot and his successors in that church for ever. And because in the king's statutes newly published at Westminster it is laid down that the handing over to the religious of lands and tenements of which the religious were not [already] seised is to be approved in the king's court, as those tenements will come into mortmain,[2] according to the form of the statute let there be an inquiry by a jury[3] if the abbot or his predecessors were seised before the publication of the statute by which the religious were excluded from the acquisition of lands, or if Richard gave the abbot these tenements to the deception[4] of the court and against the statute. The jurors say on their oath that the abbot was in seisin before the statute, so let him have his seisin.

1. *venit* (singular) altered to *veniunt* (plural).
2. Statute of Mortmain (1279). Overlords of lands held in mortmain lost all feudal incidents arising from them. See pp. 133–4. The verb used for 'will come' (*devenientur*) is an outlandish form, but is what the clerk wrote.

3. The Latin simply says *per patriam*. Does this mean 'a jury' or 'the jury'? i.e., if this agreement was reached on 13 May, was the inquiry made by the jury already present, or did another jury have to be found to decide on this new question? Contexts like this underline the ambiguities that can arise from Latin's lack of a definite article.
4. Lines very squashed from this point on.

272. Assize of mort d'ancestor to ascertain if Elena who was the wife of Stephen Bruncostyn, mother of William Bruncostyn, died seised in her demesne as of fee of 2 acres of land with appurtenances in Eure, which Hugh del Eshe and Isabel his wife hold; and if William is her next heir. They do not come, and they have been resummoned. Judgment that the assize should be taken against them by default. The jurors say on their oath that Elena, mother of William, died seised of the tenements in her demesne (as of fee[i]) and within the time-limit etc., and that William is her next heir. So it is adjudged that William should recover his seisin of the 2 acres of land with appurtenances by view of the jury. Hugh and Isabel are to be in mercy (*marg:* amercements[c]). Damages ½ mark to the clerks.

[See also 127.]

273. Walter de Neuton' and Maud his wife claim from Roger, abbot of Thame, 6 acres of meadow with appurtenances in Little Eye as Maud's right by a writ of entry. The abbot comes and they agree. The abbot gives 1 mark (*marg:* 1 mark[c]) for licence to agree. They have a chirograph.

[CP 25/1 27/49/5 (30) = FF (25) no. 365, dated Wycombe, one month after Easter [12 May] 1286. The abbot is named as brother Roger de Hoveton. The land had belonged to Robert Brond, and the abbot gave a consideration of 5 marks.]

274. Maud de la Grene gives ½ mark (*marg:* ½ mark) for licence to agree with Walter de Neuton' and Maud his wife on a plea of land. They have a chirograph.

[CP 25/1 17/49/9 (34) = FF (25) no. 369, dated Wycombe, one month after Easter [12 May] 1286. Walter and Maud quitclaim 6 acres in Kingshill and Hughenden to Maud de la Grene, which she holds of the inheritance of Maud de 'Newenton'. The consideration is a sore sparrowhawk.]

275. Walter de Neuton' and Maud his wife claim from the abbot of Messenden 200 acres of heathland and 5 marks-worth of rent with appurtenances in Kyngeshull', Huchenden' and Little Messenden'; and from master William de Luda and master Thomas de Luda a messuage, 12 acres of wood and 1 carucate of land with appurtenances in the same vills, except 8 acres of land, as Maud's right by a writ of entry. The abbot and the others come. Concerning the tenements claimed from them, master Thomas and master William say that they hold these tenements for the term of their lives only, by demise of the abbot, and they vouch the abbot to warranty. The abbot acknowledges this and warrants for them. He

vouches Bartholomew de Turs to warranty, both concerning the tenements claimed from him [the abbot] and those which he has warranted for the masters. He is to have him at Westminster (*marg:* Westminster) on the octave of St John the Baptist [1 July] by the aid of the court. He is to be summoned in the counties of London and Surrey (*marg:* London, Surrey). Afterwards, Walter and Maud came and asked for licence to withdraw from their writ. They have it.

276. Assize of mort d'ancestor to ascertain if Eldric de Forsthull', father of Maud wife of Hugh de Radyng, died seised in his demesne as of fee of 1 acre of land with appurtenances in Hadenham, which William de Englefeld holds; and if Maud is his next heir. William does not come, and he has been resummoned. Judgment that the assize is to be taken against him by default. The jurors say on their oath that the late Eldric died seised of the acre of land with appurtenances in his demesne as of fee, and within the time-limit, and that Maud is his next heir. So it is adjudged that Maud should recover her seisin from William de Englefeld, and William is to be in mercy (*marg:* amercment[c]). Damages 4s.[1]

1. Damages 4s. (*dampna iiij s.*) omitted in JUST 1/63.

277. Master Nicholas de Ouvyng' presented himself against John Bely of Northmersheton, on a plea concerning 2½ acres of land and 1 rood of meadow in Nethermerseton; and against John son of John le Jovene on a plea concerning 1 rood of land with appurtenances in the same vill; and against Maud daughter of Robert Bely on a plea concerning 1 acre of land with appurtenances in the same vill; and against John son of William Dardeyn on a plea concerning 1 acre of land with appurtenances in the same vill; which he claims from them as his right. They do not come. They have defaulted after being summoned on another occasion, namely on the quindene of Easter here [28 April], so that the sheriff was instructed to take the tenements into the king's hand and [to report which day he did so],[1] and to summon them to be here on this day, namely Monday next after one month after Easter [13 May]. The [sheriff n][1]ow bears witness to the date he so took the tenements, and that he summoned them. So it is adjudged that master Nicholas is to recover [his][1] seisin against them by default. John and the others are to be in mercy (*marg:* amercements[c]).

1. Words supplied from JUST 1/63; JUST 1/67 is torn away here.

Membrane 25 dorse

278. Master[1] Robert de Filugby was summoned to answer the prioress of Merlawe on a plea that he should pay her the 7 marks which are in arrears to her from an annual rent of 6s. 8d. which he owes her; concerning which she says that one Roger de Kovele gave, granted and by his charter confirmed to God and to the church of the Blessed Mary of the Fountains

of Little Merlawe and the nuns serving God there, for the welfare of his soul and those of his successors, an annual rent of ½ mark, to be taken from some land (which Clarice[i]) who was the wife of William de Estfeld once held from Roger in the vill of Denham, in pure and perpetual alms, [to be paid] at four terms, namely 20d. at Easter, 20d. at the feast of the Nativity of St John the Baptist [24 June], 20d. at Michaelmas [29 September] and 20d. at Christmas [25 December]; and he bound that land to the payment of that rent to the prioress and nuns at those terms into whosoever's hands the land should later come. By this grant, (Gunnora, formerly pr[i])[2] prioress and the nuns were in seisin of this rent in fee and by the right of the said church, until 14 years ago, when the land came into Robert's hands and he refused to pay the rent, as a result of which she has suffered damage to the value of 40s.; she produces suit of this. She puts forward a deed in the name of Roger de Kovile which bears witness to the gift made to the Prioress and nuns.

Master Robert comes and says that he holds the land, from which the prioress claims the said rent issues, from master Adam de Filugby for the term of his own life only, and by master Adam's demise. He vouches master Adam to warranty.

The prioress says that master Robert cannot and should not vouch master Adam or anyone else to warranty in this case, because she says that she is claiming the rent that issues from a particular piece of land, which land is bound to pay the rent to the prioress by the hands of any tenants of the land, and so she asks for judgment if master Robert can vouch or should have vouched anyone to warrant, as he acknowledges that he holds that land.

Master Robert says that master Adam, at the time when he demised the tenements from which the prioress is seeking the rent, demised the tenements to him, master Robert, without any burden[3] or any rent[4] to be paid to the prioress and nuns or anyone else. And he bound himself and his heirs to warrant, acquit and defend the tenements with appurtenances for master Robert against all people for the whole life of master Adam. He asks for judgment whether, since master Adam has bound himself to warrant, etc., he should be prevented from his warranty being vouched and made (*marg:* to judgment).

Afterwards, master Robert abandons his voucher to warranty, and denies force and wrong. He firmly denies that Gunnora, formerly prioress, predecessor etc., or any prioress of Merlawe was ever in seisin of the rent by the hands of anyone who held the tenements, and he puts himself on a jury concerning this. The prioress does likewise, so let there be a jury. (*Marginated:* on Thursday after a month after Easter [16 May].)

Afterwards they agree by licence. The agreement is as follows, that the prioress has remitted and quitclaimed, on behalf of herself and her successors and her church of Merlawe, to master Robert and all others who hold the tenements in future, the said annual rent for ever, and likewise her arrears. And for this master Robert has acknowledged (*marg:*

acknowledgement) that he owes the prioress 40 silver shillings and 3 quarters of wheat and 1 quarter of malt barley, which he will pay her at once.

1. There are some red marks in the left margin at the start of this entry.
2. *pr* is obliterated.
3. *honere* written for *onere* ('burden') in both JUST 1/67 and JUST 1/63.
4. 'any rent' (*aliquo redditu*) written on an alteration.

[See also 351 for another dispute settled by a payment of grain. 1285 had been a bad harvest year, and food in the larder could be more immediately important than disputed property to the poorer members of society. There is a gap of 2 inches after this entry.]

279. Walter son of Adam Edred of Agmondesham, Agnes de la Flore, John Gamel, John de Horsington' and Robert de Brayford were summoned to answer Laurence de Bluntysdon concerning the taking and unjust detaining of Laurence's animals. Walter and the others come and ask to hear the originating writ and the writ *pone*, because the originating writ was in the form *justicies*; and because in the originating writ only "Walter and others" are named, and in the writ *pone*[1] all the above-named are named, and likewise one "John de Hortyngdon and others", they ask for judgment concerning the variation between the originating writ and the writ *pone*. Laurence cannot deny this, and so it is adjudged that Walter and the others are to go without day on this, and Laurence is to take nothing by his writ, but to be in mercy for his false claim (marg: amercement[c]). And Walter is to have the return of the animals.

1. 'the writ *pone*' (*brevi pone*) written on an alteration. It looks as if 'originating' (*originali*) was written in error first, and then corrected. JUST 1/63 has 'the writ of pone' (*brevi del pone*).

280. Assize of mort d'ancestor to ascertain if Hugh Le Draper father of Alice wife of Richard de Shenholte of Wycombe died seised in his demesne as of fee of 13 acres and 1 rood of land with appurtenances in Bladelawe [and Little Rysebergh'],[1] of which Thomas de Saunford holds 7 acres of land, Isabel who was the wife of William Chalgrave 3½ acres, and Maud who was the wife of William de Medmenham 2½ acres and 1 rood of land; and if Alice is his next heir.

(Thomas and Maud[i]) come. Maud has on another occasion vouched William son of Gervase to warranty concerning the tenements claimed from her. He now comes by summons and warrants for her, and says that the assize ought not to be taken because the nature of an assize of mort d'ancestor is that it should always be taken concerning the seisin of the last person seised, and Alice was seised of these tenements after the death of the late Hugh. Therefore he asks for judgment. Alice cannot deny this, and asks for licence to withdraw from her writ concerning this, and has it.

Isabel does not come and is to be summoned again. On this, Thomas comes and says that Isabel holds the 3½ acres with appurtenances in dower from his inheritance, and he asks that he should not lose his tenement by Isabel's default or by collusion between Isabel and Alice, as he is

prepared to answer them on this. He asks that he should be admitted on this point, and is so admitted. He says, concerning both the tenements claimed from him and the tenements [claimed][2] from Isabel, that Alice can claim nothing in them because Alice herself, in her free and independent virginity, gave, granted, remitted and quitclaimed, on behalf of herself and her heirs for ever, to William de Chalgrave and Isolda his wife the whole of the said lands and tenements with appurtenances; and William and Isolda afterwards enfeoffed from their seisin one [Godfrey de Saunford],[3] uncle of Thomas, whose heir he is. He puts forward a written deed in Alice's name which bears witness to this, and so asks for judgment.

Richard and Alice say that the deed ought not to injure Alice or benefit Thomas, because they say it is not the work of Alice, and they put themselves on the assize instead of a jury being taken. Thomas does likewise. Note that all the witnesses have died. Afterwards they agree, and Richard and Alice give ½ mark (marg: ½ mark[c]) for licence to agree, by surety of Thomas. They have a chirograph.

1. JUST 1/63 adds 'and Little Risborough' (*et parva Rysebergh'*).
2. 'claimed' (*petitis*) omitted in both JUST 1/67 and JUST 1/63.
3. Name omitted in JUST 1/67 and supplied from JUST 1/63.

[CP 25/1 17/48/18 = FF (25) no. 358, dated Wycombe, one month after Easter [12 May] 1286. 10½ acres in Bledlow agreed to be Thomas's right and quitclaimed to him by Richard and Alice de Shenholte; consideration, a sore sparrow-hawk. There is a gap of 2½ inches after this entry.]

281. Ralph de Padbur' claims from Ralph[1] le Mouner a messuage and a virgate of land with appurtenances in Thornton' as his right by a writ of aicl. Ralph Le Mouner comes and they agree. Ralph de Padbur'[2] gives 1 mark for licence to agree (marg: 1 mark[c]), by surety of Ralph le Mouner. They have a chirograph.

1. JUST 1/63 has 'Thomas' (*Thomam*).
2. JUST 1/63 omits *de Padebur'*, presumably believing that the second party is called Thomas. However, both documents have 'of Ralph le Mouner' (*Radulfi le Mouner*) in the penultimate sentence.

[See also 306. The chirograph is not in FF (25). Ralph of Padbury actually paid ½ mark (901).]

282. Assize of novel disseisin to ascertain if William Le Weyte[1] unjustly disseised Robert de Cantulupo and Maud his wife of their free tenement in Wycombe, whereof they complain that they disseised them of 2 acres of land with appurtenances. William comes. Afterwards, Robert and Maud withdrew, and their sureties to proceed are to be in mercy, namely Thomas de Rysebergh' of Wycomb' and John de la Lude. Afterwards, an agreement was made between William and Robert and Maud, namely that Robert and Maud would ac[knowledge][2] that the tenements with appurtenances were William's right, and they remitted and quitclaimed

them, on behalf of themselves and Maud's heirs for ever, to William and his heirs. They have a chirograph.

1. *le Weyte* written on an alteration.
2. Word torn away in JUST 1/67 and supplied from JUST 1/63.

[CP 25/1 17/49/13 (38) = FF (25) no. 360, dated Wycombe, one month after Easter [12 May] 1286. Consideration, 2½ marks.]

Membrane 26

283. Martin de Carun claims from Richard de la Mare a messuage and 80 acres of land with appurtenances in Shyrinton' which William de Sancto Edmundo held from John de Carun, father of Martin, whose heir he is, and which ought to revert to Martin as his escheat because William was a bastard and died without an heir of his body. Martin says that William was a bastard and died without an heir of his body, and held the said tenements from John by homage and the service of 2s. or one sparrowhawk a year, and William died seised in John's homage. The right to this escheat descended from John to Ranulph as his son and heir, and from Ranulph, because he died without an heir of his body, to this Martin, who now claims it, as his brother and heir. He produces his suit of this.

Richard comes and denies Martin's right, and says that Martin can claim no right in demesne in these tenements, because he says that John de Carun, Martin's father, from whose seisin [he is claiming] granted, remitted and quitclaimed to him, Richard de la Mare, all that tenement which William de Sancto Edmundo had once held from John in Schyrynton, and confirmed it by his charter, on behalf of himself and his heirs, without any reservation (which tenement he, Richard, once held from William at a fixed rent) as well as all the right and claim which he had or could have in this tenement, to be held from John and his heirs by (Richard[1]) and his heirs, or by whoever to whom he should wish to give, sell or assign it, freely and in its entirety just as William and his ancestors had held it, doing the foreign service of the king that belonged to a virgate of land in that vill, and paying to John and his heirs the rents and services which William and his ancestors had been accustomed to paying for that tenement for all services. He puts forward a charter which bears witness to this, and says that the tenement is the same as that which is now claimed; and he asks for judgment.

Martin says that William de Sancto Edmundo died seised of these tenements, and that the deed ought not to hamper him in claiming the tenements, because he says that the deed was drawn up while William was alive. He asks that this should be inquired into by a jury.

Richard says that the deed was drawn up after William's death, and that William did not die seised of the tenements, and he puts himself on a jury concerning this. Martin does likewise, so let there be a jury.

The jurors, chosen by consent of the parties, say on their oath that

William de Sancto Edmundo held the tenements from John de Carun, father of Martin, and that William died seised of them, and that the deed was drawn up while William was alive. So it is adjudged that Martin should recover his seisin of the tenements from Richard, and Richard is to be in mercy (*marg:* amercement[c]).

[See Chibnall, *Sherington*, pp. 61–3. There is a gap of 4½ inches after this entry.]

284. Basilia who was (the wife[i]) of Walter le Draper claims from William le Bretun a third part of 12 acres of land with appurtenances in Chalefunte St Giles as her dower. William comes and by licence restores her dower to Basilia, so let her have her seisin.

[See also 344, 411.]

285. William Josep, Richard son of Julian, Isabel Bonde and Henry le Colyere and Agnes his wife claim from Walter West of Dagehall' and Cecily his wife a messuage, 24 acres of land and ½ an acre of meadow with appurtenances in Edelesburgh' as their right by a writ of entry. Walter[1] and Cecily come and say that Richard, one of the co-parceners with Isabel, Henry and Agnes, is still under age, and they ask for judgment if they should have to answer them on this writ before Richard comes of age. William, Isabel, Henry and Agnes cannot deny this, so this plea is to be postponed until he is of age (*marg:* age).

1. *Walterus* written on an alteration.

286. William Wylcus and Emma his wife claim from William de Eyte a mill, 8 acres of land and 2 acres of meadow with appurtenances in Westbur', which Emma who was the wife of William de Bayvell gave to Gregory de Dunstaple and Annora his wife and the heirs of the body of Gregory and Annora, and which ought to descend to Emma, daughter and heir of Gregory and Annora, by the form of the gift. William de Eyte comes and asks that William and Emma should show any evidence they have about the form of the gift. William Wylcus and Emma put forward a deed in the name of one Emma, once the wife of William Bayvell, which bears witness to the form of the gift, and William de Eyte gives back the tenements to William Wylcus and Emma by licence; so let them have their seisin.

[See also 97.]

287. Assize of novel disseisin to ascertain if William de Castro Rad[ulf]i and Joan his wife, Richard de Cappella, Ralph del Pund, Walkelin Sampsun and Edith Bolle unjustly disseised Joan who was the wife of Nicholas de Heywode of her free tenement in Eston' by Ivingho', whereof she complains that they disseised her of 10s.-worth of rent with appurtenances.

William comes and answers for hmself and all the others, and says that he has done no injury or disseisin because he says that Nicholas de Haywode, once the husband of the Joan who is now complaining, held that tenement from him and Joan his wife by knight service, so that, immediately after the death of Nicholas, William and Joan seized the rent in the name of their custody because Nicholas, son and heir of Nicholas, was under age and in their custody. He is not named in the writ; and William asks for judgment.

Joan says that William ought not to obscure or hamper (her[i]) claim because Nicholas, son and heir of Nicholas, is under age, because she says that Stephen, son of William Gregory, who used to take the said rent from Nicholas de Haywode[1] for a tenement which Nicholas[2] held from him, granted and quitclaimed to Nicholas and Joan (his wife[i]) and their heirs all that rent with appurtenances for ever. She puts forward a deed in Stephen's name which bears witness to this, and so asks for judgment if William and Joan his wife can hamper her claim during the lifetime of Joan, who was the wife of Nicholas, because Nicholas son of Nicholas is under (age[i]).

William says that the free tenement belongs to Nicholas, son and heir of Nicholas, in his wardship, and Nicholas is not named in the writ; he puts himself on the assize concerning this. So let the assize be taken. And Ralph de la Mare, Richard de Beauchamp, Ralph de Letteburn', Elias de Idebur', William de Aula of Dreyton', John de Bylyndon, William de Beauchamp, Walter West, Henry atte Hurne of Messeworth, John de Sweyn of the same, Roger Wygge of Weddesdon [and][3] John Duraunt, the jurors, are in mercy because they did not view [the tenement] (*marg:* amercements[c]). Afterwards, pardon is granted.

Afterwards, Joan who was the wife of Nicholas comes by her attorney and withdraws, so William and the others are to go without day on this, and Joan and her sureties to proceed are to be in mercy, namely James de Wedone and John son of Richard of Herdewyk (*marg:* amercements[c]).

1. After this name comes an erasure about 1 inch long, with a line drawn through. The same is found in JUST 1/63.
2. After *Nicholaus* in JUST 1/63 there is an erasure, with *de ipso tenuit* ('held from him') written over the first part and a line about 1½ inches long drawn through the rest. In JUST 1/67 there is an erasure with a line about ½ inch long drawn through, then *de ipso tenuit* written on the line.
3. *et* omitted in JUST 1/67, present in JUST 1/63.

Membrane 26 dorse

288. Richard de Northeden' claims from Alice of Fylenden' a messuage and a virgate[1] of land with appurtenances in West Wycumbe, in which Alice does not have[2] entry except by the demise which Matthew de Northeden', kinsman of Richard, whose heir he is, made to Julian de Northeden' for a term which is past, namely for Julian's life, and which after that term should revert to Richard.

Alice comes and says that Richard can claim no right in these tenements, because she says that a certain[3] William, (son of Robert[i]) de Northeden, father of Richard, whose heir he is, granted, remitted and quitclaimed, on behalf of himself and his heirs for ever, to Henry, son of Clement de Filenden, father of Alice, whose heir she [is][4], all the right and claim which he had or in any way could have in all the land with appurtenances which Henry holds in West Wycumbe, to be held by him and his heirs freely, quietly and in their entirety without any reclaiming either by himself or his heirs for ever. She puts forward a written deed in William's name which bears witness to this, and asks for judgment if he can have an action against the deed of William, his father, whose heir he is.

Richard, having seen the deed, says that it was never the deed of his father William, and puts himself on a jury that this is so, and upon the witnesses named in that deed. (All the witnesses have died.[i]) And Alice does likewise. So let there be a jury on the matter. (*Marginated:* on Thursday next after one month after Easter [16 May].) Afterwards, Richard did not pursue his claim, and so he and his sureties to proceed are to be in mercy (*marg:* amercements[c]). The names of the sureties are to be inquired into.

1. JUST 1/63 has 'carucate' (*carucatam*) for 'virgate' (*virgatam*).
2. The Latin plural *habent* written for *habet.*
3. Latin *quidem* ('indeed') written for *quidam* ('a certain').
4. *est* omitted here, supplied from JUST 1/63.

289. Bartholomew de Arden claims from Walter son of William le Waleys a messuage and 20 acres of land with appurtenances in Huchenden', of which Robert son of Simon de Arden cousin of Bartholomew, whose heir he is, was seised in his demesne as of fee on the day he died. Walter comes and says that these tenements belonged to his father William, and says that William died seised of them, so that he himself succeeded him in these tenements immediately after his death as his son and heir. He says that he is under age, and asks that this plea should be postponed until he comes of age.

Bartholomew says that this plea should not be delayed[1] because Walter is under age, because he says that a certain[2] Robert, his [Bartholomew's] kinsman [*or* brother],[3] held these tenements [tenements *repeated*] for a long time before and after William's death, so that his father William did not die seised of them. He says that Walter intruded himself into these tenements a long time after William's death, and still holds these tenements thus by intrusion and not by hereditary succession. He asks that this should be inquired into by a jury. So let there be an inquiry.[4] (*Marginated:* on Tuesday after a month after Easter [14 May].)

The jurors,[j] chosen by agreement of the parties, say on their oath that Robert, kinsman of Bartholomew, was seised of these tenements in his demesne as of fee on the day he died, and so it is adjudged that

Bartholomew should recover his seisin of these tenements with appurtenances, and Walter is to be in mercy (*marg:* amercement[c]). Pardon is granted because he is under age.

1. The active infinitive *retardare* ('to delay') written for the correct passive *retardari* ('to be delayed').
2. JUST 1/67 (as in 288) has *quidem* ('indeed') for *quidam* ('a certain).
3. JUST 1/63 has *frater* ('brother') for *consanguineus* ('kinsman'). In JUST 1/67 a gap was left big enough for *frater*, and *consanguineus* is written above that gap.
4. After 'inquiry' (*patriam*) there is an obliteration reaching to the end of the line. JUST 1/63 has *ideo inquiratur etc.* 'and so let there be an inquiry' here.
5. The first line of this paragraph is written on an obliteration.

[*At the end, a capitulum mark had been written to close the entry before the last sentence was added, so a second capitulum mark was added below the last line.*]

290. Assize of novel disseisin to ascertain if Alan son of Roger la Zuche and Thomas Terry, Roger de Luton' [Loughton?], Roger de Westbury, John le Kyng, John atte Asse, Thomas le Messer, Ralph le Chappeman, Henry de Pauden', William Maheu and William Grouz unjustly disseised Simon de Thorp' of his free tenement in Turveston', whereof he complains that they disseised him of a plot of land which contains about 3 acres of meadow with appurtenances. Alan and the others do not come, but William Mahun, bailiff of Alan and the others attached [to answer] at the assize, comes. Simon comes and withdraws, so Alan and the others are to go without day on this. Simon and his sureties to proceed are to be in mercy, namely Walter de Elleworth of Thureston and Gilbert le Porter of Stok' (*marg:* amercements[c]).

Afterwards, the same Simon made a fine for himself and his sureties for ½ mark (*marg:* ½ mark[c]). Afterwards, an agreement is made between Simon and Alan la Zuche, namely that Simon has acknowledged that the tenement with appurtenances is Alan's right, and has remitted and quitclaimed it, on behalf of himself and his heirs, to Alan and his heirs for ever.

291. Alice who was the wife of Thomas de Icford claims from Henry Folyot and Emma his wife a third part of 2½ acres of land with appurtenances in Icford as her dower. Henry and Emma come, and vouch John son of Thomas of Icford to warranty; he is present and warrants for them, and by licence gives Alice back her dower. So it is adjudged that Alice should recover her seisin from Henry and Emma, and Henry and Emma should have land to its value in a suitable place from John's land.

[See also 332, 341.]

292. William le Porter and Agnes his wife give 1 mark (*marg:* 1 mark[c]) for licence to agree with John de Grey concerning 30s. 8d.-worth of

rent with appurtenances in Shirinton' by surety of John. They have a chirograph.

[CP 25/1 17/49/11 (36) = FF (25) no. 370, dated Wycombe, one month after Easter [12 May] 1286. The sum is given there as 38s. of rent, acknowledged as John's right by gift of William and Agnes. He holds from William and Agnes and Agnes's heirs. Consideration, a sore sparrowhawk.]

293. Nicholas de Bramfeld and Amabilla[1] his wife claim from Reginald de Grey 5½ acres of land with appurtenances in Bramfeld by Lavenedene as [Maud's][1] right. Reginald comes by his attorney, and vouches John de Grey to warranty; who is present and warrants for him, and further vouches Fulk de Rucote to warranty. He is to have him at Westminster (*marg:* Westminster) on the octave of Trinity [16 June] with the aid of the court. He is to be summoned in the county of Oxford (*marg:* Oxford).

1. Both JUST 1/67 and JUST 1/63 have the discrepancy between the names Amabilla and Matill' (Maud).

294. John son of William de Bracy of Herttewell' claims from William son of Warin de Monte Canisio (Munchensi) 11½ acres of land, 1 acre of pasture and 3 roods of meadow with appurtenances in Herttewell' and Stanes as his right. William comes and they agree. John gives ½ mark for licence to agree (*marg:* ½ mark[c]). The agreement is as follows, that John has recognized that the tenements are William's right, and has remitted and quitclaimed them, on behalf of himself and his heirs, to William and his heirs for ever.

295. John le Clerk of Walton and Maud his wife who brought a writ of assize of novel disseisin against William fitz William of Ayllesbuyry [and] Richard and Thomas, his brothers, concerning property in Ayllesbury [have] come[1] and withdrawn[1], so they and their pledges to pursue their case are to be in mercy (*marg:* amercements[c]), namely Robert Ravenet of Walton and John son of Martin of Hartwell.

1. Singular verbs (*venit et retraxit se*) written for plural (*venerunt et retraxerunt se*).

296. John, son of Nigel Schaldehare, who brought a writ of assize of mort d'ancestor against Roger, son of Nigel Schaldehare, concerning two thirds of a messuage with appurtenances in Stoke Goldinton', has not pursued his claim, so he and his sureties to proceed are to be in mercy, namely Robert Lamberd of Stoke Goldington' and Simon Warin of the same (*marg:* amercements[c]).

Membrane 27

297. John de Tyngwyk' and Rose his wife and Richard Plauntfolie presented themselves on the fourth day against Ralph de Padebyr'

concerning a horse belonging to Ralph, taken and unjustly detained. Ralph did not come, and he was the plaintiff, so John and the others are to go without day on this, and Ralph and his sureties to proceed are to be in mercy, namely Geoffrey Helason of Padebyr' and Walter Cock of the same (*marg:* amercements[c]). John is to have the return of his animals.

298. Assize of mort d'ancestor to ascertain if Alice, who was the wife of Richard de Seyton' and mother of John, son of Richard de Seyton', who is under age, died seised in her demesne as of fee of 2 messuages, 1 rood of meadow, 1 acre and 1 rood of pasture, 18s. 10d.-worth of rent, 17 acres and 3 roods and 2¾ virgates of land with appurtenances in Eselbergh', which Anthony Bek holds; and if John is her next heir. Bek comes by his attorney, and readily acknowledges that Alice was seised of these tenements in her demesne as of fee, and that John is her next heir, and by licence he hands over these tenements[1] to John. So let him have his seisin.

1. 'By licence he hands over these tenements' (*per licenciam reddit predicto Johanni tenementa*) written on an alteration.

[See also 317.]

299. Robert de Eton and Joan his wife claim from Richard son of Richard Grusset 2 messuages and 1½ virgates of land with appurtenances in Burton by Bukyngham, into which Richard has no entry except through Richard Grusset, to whom Elias de Tyngewyk' demised them, and who unjustly disseised Robert and Joan of them.

Richard son of Richard comes. On another occasion he has vouched Elias son of Elias de Tyngewyk' to warranty, and Elias now comes by summons and warrants for him. He says that Robert and Joan can claim no right in these tenements, nor should they, because he says that the same Robert de Eton gave, granted and by his charter confirmed all these tenements with appurtenances to Elias de Tyngewyk', father of Elias, for 20 marks which Elias his father gave to Robert cash down, the tenements to be held by Elias his father and his heirs for ever, and he bound himself and his heirs to warranty. Elias asks for judgment if Robert can have an action against his own deed.

Robert and Joan readily acknowledge that Robert drew up the charter for Elias (the father[i]), but they say that they never delivered any seisin of these tenements to that Elias; on the contrary, Elias unjustly disseised them of the tenements by his own authority. They put themselves on a jury concerning this.

Elias son of Elias says that Elias his father obtained seisin of these tenements by Robert's delivery of it, and by the charter which Robert made for him (on this[i]), and not by disseisin, and he puts himself on the jury concerning this, and on the witnesses named in the charter, namely Simon de Sancto Licio, Miles de Langeport and Elias le Escuret. So the sheriff is

instructed to cause these witnesses to come on Thursday next after a month after Easter [16 May], and also twelve men [to form the jury].

The jurors, chosen by agreement of the parties, say on their oath that Robert de Eton freely and willingly sent Robert Bustard,[1] his attorney, to hand over and deliver seisin of these tenements to Elias of Tyngewyk', as well as [handing over] by the said charter. Therefore it is adjudged that Elias son of Elias is to go without day on this, and Robert and Joan are to take nothing by this writ, but to be in mercy for their false claim (*marg:* amercements[c]).

1. JUST 1/63 has *Robertum de Boyl.*

300. The prior of Burencestre has acknowledged that he owes Ralph de Agmondesham 40s., of which he will pay him half at the next feast of the Nativity of St John the Baptist [24 June] and the other half at Michaelmas next following [29 September]. If he fails to do so, he grants that the sheriff may raise the money from his lands and chattels (*marg:* acknowledgement).

301. John le Botiller and Reyna his wife claim from Roger le Boyn of Lyminton, clerk, a third part of a messuage and of 1 virgate of land with appurtenances [with appurtenances *repeated*] in Whaddon' as Reyna's dower from the dowering of Peter Basset, her first husband. Roger comes and says that he has and claims no right in that tenement except at the will of Richard, son of John, who is present and freely answers John and Reyna, and is admitted. He says (that[i]) Reyna holds some part of that tenement in dower by the assigning of John, son of John, his brother, and asks for judgment on his writ. John and Reyna say that [*sentence breaks off here*][1]. Afterwards, John and Reyna did not pursue their claim, so they and their sureties to proceed are to be in mercy (*marg:* amercements[c]). The names of the sureties are to be inquired into.

1. Both JUST 1/67 and JUST 1/63 break off this sentence thus. In JUST 1/67 the last two sentences are very slightly out of alignment with the start of the line. After this entry there is a gap of 4½ inches, left by the clerk for a record of further pleading by John and Reyna.

302. William, son of Alice de Havecumbe [*or* Hanecumbe], gives ½ mark (*marg:* ½ mark) for licence to agree with Simon Havek' of Chetingedon' about ¼ of 2 messuages and of 21 acres of land with appurtenances in Chetingedon' by surety of Simon. They have a chirograph.

[CP 25/1 17/48/25 = FF (25) no. 373, dated Wycombe, one month after Easter [12 May] 1286. Simon Havek agrees that a messuage, 5 acres and 3 roods of land and 1 acre of meadow in Cheddington are the right of William, son of Alice de 'Hanecumb', for a consideration of 30s. See also 150.]

303. John Neyrnuyt, who brought an assize of mort d'ancestor against Hugh, vicar of the church of Wendehoure, concerning 1 acre of land with

appurtenances in Esselberwe, has not pursued his claim, so he and his sureties to proceed are to be in mercy, namely William Lyngeure and Hugh de Stratle. Afterwards, John came and made a fine on his behalf and that of his sureties for ½ mark.

[Hugh, vicar of Wendover, was not known to Lipscomb, who lists just a Robert of Wendover, presented in 1227, and a William of Leicester who resigned in 1292 (II, p. 486).]

304. Hugh son of Henry de Dagenhale, who brought a writ of cosinage against William le Charpenter and others in the writ concerning property in Styvecle has not pursued his claim, so he and his sureties are to be in mercy (*marg:* amercements[c]), namely John le Rede and Ralph Neuman.

305. Emma, who was the wife of master John Tripacy, who brought a writ of dower against Gilbert son of Henry de Thornebergh' (and others in the writ[i]) concerning property in Thorneton', has not pursued her claim, so she and her sureties to proceed are to be in mercy (*marg:* amercements[c])[1], namely William le Feure of Padebury and Hugh Tripacy of Thornebergh'.

1. There is a repair strip over the left margin, down to the end of the membrane, but the ends of the marginations are visible.

306. Ralph de Padebur', who brought a writ of aiel against John le Bret and others in the writ concerning 2 messuages and 2 virgates of land with appurtenances in Thorneton', has not pursued his claim, so he and his sureties to proceed are to be in mercy (*marg:* amercements[c]), namely Geoffrey son of Thomas of Padebury and Simon de Padebury.

[See also 281.]

307. John del Molyn, who brought a writ of entry against William, parson of the church of Staneford concerning a messuage, 1 rood of meadow and ½ of 1 acre of wood and of 1 virgate of land with appurtenances except 1 acre of land in Hameldenn', has not pursued his claim, so he and his sureties to proceed are to be in mercy (*marg:* amercement[c]), namely[1] Nothing concerning sureties, because he took an oath.

1. 'namely' (*scilicet*) struck through in JUST 1/67, omitted in JUST 1/63.

308. The abbot of Messenden' has acknowledged that he owes Nicholas de Boys 20 marks of silver, which he will pay him next Christmas [25 December]. If he fails to do so, he grants that the sheriff may raise the money from his lands and chattels (*marg:* acknowledgement).

[See also 309.]

Membrane 27 dorse

309. Assize of novel disseisin to ascertain if the abbot of Messendene, master Nicholas de Hegham,[1] Geoffrey le Pestur, Hugh (Hudde[i]) and Roger le Charreter unjustly disseised Nicholas de Boys of his free tenement in Chalfunte St Peter, whereof he complains that they disseised him of 10 marks-worth of rent[2] with appurtenances [with appurtenances *repeated*]. The abbot and the others come. Nicholas de Boys comes and has withdrawn, and so the abbot and the others are to go without day on this, and Nicholas and his sureties to proceed are to be in mercy (*marg:* amercements[c]), namely John le Mey of Hedeshoure and William Pollard of the same. Afterwards the amercement is pardoned at the request of the earl of Cornwall.[3]

1. Master Nicholas de He(n)gham was the dean of Lincoln cathedral.
2. 'marks-worth of rent' (*marcatis redditus*) on an alteration.
3. Reading *comitis*, earl, rather than *comitisse*, countess.

[See also no. 308.]

310. Assize of mort d'ancestor to ascertain if Geoffrey Hervy, father of Amabilla, daughter of Geoffrey Hervy and of Rose and Alice, sisters of the same Amabilla, was seised in his demesne as of fee of 9½ acres of land with appurtenances in Schaldeston' on the day he died, of which Ralph son of Simon of Shalstone holds 8 acres and Hugh de Bosseby holds 1½ acres; and if[1] they are his next heirs. [Ralph and Hugh][2] come and acknowledge all the articles of the writ, so let them [the daughters] have their seisin.

1. 'and if' (*et si etc.*) repeated.
2. JUST 1/67 has 'who' (*qui*); JUST 1/63 has 'Ralph and Hugh' (*et Radulfus et Hugo*).

311. Emma who was the wife of Godfrey Wade of Estwode claims from Thomas de Britannia a third part of 22 (acres[i]) of land with appurtenances in Estwode as her dower.

Thomas comes. Concerning the third part of 10 acres of land, he says that William Bending[1] gave these 10 acres of land to Ralph de Cranfeld, clerk, to be held by him and his heirs or assigns from William and his heirs for ever, and he bound himself and his heirs and assigns to warranty. He says that this Ralph afterwards assigned him this land, to be held by him and his heirs in fee and by inheritance; therefore he, Thomas, as Ralph's assign, has vouched William, son of the said William Beding,[1] to warranty, and he has warranted for him. He says that Emma ought not to have dower in it, because he says that Godfrey, her former husband, was not seised of that land in fee on the day he married her, nor ever afterwards, so that he could dower her from it. He puts himself on a jury concerning this, and Emma does likewise, so let there be a jury on the matter. (*Marginated:* on Saturday next after a month after Easter [18 May].)

The jurors chosen by agreement of the parties say on their oath that Godfrey was not seised of these tenements on the day he married Emma so that he could dower her from them, and so it is adjudged that Thomas is to go without day on this, and that Emma is to take nothing by this jury but to be in mercy for her false claim (*marg:* amercement[c]).

Concerning the third part of 5½ acres of land (from the said land[i]) with appurtenances, he gives back her dower to her by licence, and so let her have her seisin.

Concerning the third part of the rest of the tenements, he says that William de Craven enfeoffed Ralph de Craven with them and bound himself and his heirs and assigns to warrant them with their appurtenances for Ralph and his heirs and assigns. This Ralph enfeoffed him, Thomas, and bound himself and his heirs and assigns to warrant, so that as the assign of this Ralph he vouches William de Craven to warrant. William is present. Afterwards, Thomas abandoned that warranty concerning the third part of the tenements for which he had vouched William to (warranty[i]), and by licence returned to Emma her dower in them, and so let her have her seisin of them.

1. Both JUST 1/67 and JUST 1/63 have this variation *Bend-*, *Bed-*.

[*There is a gap of 3 inches after this entry.*]

312. Aldith daughter of Walter de Mildenhale, John de la Heche and Alice his wife, Richard Cakebred and Lucy his wife [and] Adam Freysel and Julian his wife claim from John Gosselin and Maud his wife a messuage, 5 acres of land [and] 18d.-worth of rent with appurtenances in La Penne by Wycumbe, of which William, son of Laurence de Mildenhale, kinsman of Aldith, Alice, Lucy and Julian, whose heirs they are, was seised in his demesne as of fee on the day he died.

John and Maud come and say that William, kinsman of Aldith, Alice, Lucy and Julian, did not die seised of these tenements in his demesne as of fee, and put themselves[1] on a jury concerning this. Aldith and the others do likewise, so let there be a jury on the matter. (*Marginated*: on Saturday after a month after Easter [18 May].)

The jurors,[2] chose by agreement of the parties, say on their oath that William, kinsman of Aldith and the other women, was seised of these tenements in his demesne as of fee on the day he died, and so it is adjudged that the said Aldith and the others[3] should recover their seisin. [John][4] and Maud are to be in mercy (*marg:* amercements[c]). Damages ½ mark.[5]

1. 'he puts' (*ponit*) written for 'they put' (*ponunt*).
2. Slightly darker ink from this point.
3. JUST 1/63 originally had feminine forms for 'the said' (*predicte*) and 'the others' (*alie*), but changed the latter to the masculine *alii*; the clerk of JUST 1/67 observed that some of Aldith's co-claimants are men, and so wrote *predicti* and *alii*.
4. 'William' (*Willelmus*) written for 'John' (*Johannes*).
5. In larger writing. JUST 1/63 adds 'to the c[lerks]' (*C[lericis]*), erased.

313. Roger de Bracy gives ½ mark (*marg*: ½ mark) for licence to agree with the prioress of Merlawe on a plea of an annual rent of 10s. They have a chirograph.

[CP 25/1 17/48/21 = FF (25) no. 374, dated Wycombe, five weeks after Easter [19 May] 1286. The prioress is Maud Neyrnuit, and Roger de Bracy owes 100s. arrears from the rent for a messuage and a virgate of land which Robert Toni holds in villeinage from him in Bishopstone.]

314. Joan who was the wife of John de Bouhun gives 1 mark (*marg*: 1 mark[c]) for licence to agree with Walter Doget concerning a messuage and ¾ of 1 virgate of land with appurtenances in Denham; and with William le Neuman concerning a messuage and a virgate of land with appurtenances in the same vill; and with John de Bromfeld concerning 8 acres of land with appurtenances in the same vill; and with Robert de Fileby concerning 16s.-worth of rent with appurtenances in the same vill; and with John de la Lee, whom Joan claims as her villein. They have chirographs.[1]

1. *cyrographa* written in full, without a final suspension mark for -m. Is it considered as a neuter plural word here?

[CP 25/1 17/49/18 (43) = FF (25) no. 361: Joan remits and quitclaims to John de la Lee all her rights in himself and his family and all the land he held in La Lee; in CP 25/1 17/49/2 (27) = FF (25) no. 362 she remits and quitclaims these lands in Denham to the defendants Doget, Newman and Bromfeld for a sore sparrowhawk; in CP 25/1 17/49/3 (28) = no. 363, she remits and quitclaims 16s.-worth of rent in Denham to Robert de Fylcby for 40s. All these fines are dated Wycombe, one month after Easter [12 May] 1286.]

315. Cecily who was the wife of Gilbert de Morton' claims from Robert le Clerk' of Bukyngham 1 acre of land with appurtenances in 'Burton' as her right. Robert comes and says that there are several vills in this county which are called 'Burton', but none without an epithet, and he asks for judgment on her writ. Cecily cannot deny this, and so Robert is to go without day on this, and Cecily to be in mercy for her false claim (*marg:* amercement[c]).

[Cecily's claim is presumably for land in Bourton, often referred to as Burton juxta Buckingham, rather than Bierton, which is near Aylesbury.]

316. John Coc of Charnedon' was summoned to answer Henry le Waleys on a plea that he should give back to him two charters which he is unjustly detaining from him, on which Henry says that, although his father Hugh, in the 50th year of the reign of King Henry, father of the present king [1265–6], handed over to John two charters concerning a messuage and a virgate of land with appurtenances in Charnedon' which Henry holds, to be looked after for the use of himself, Henry, heir of Hugh, John is unjustly detaining the charters, and refuses to return them. He says that

because of this he has suffered damage to the value of 100s., and produces his suit on this.

John comes and says that Hugh never gave him any charters to look after as Henry is alleging, and puts himself on a jury concerning this. Henry does likewise, so let there be a jury concerning this. [*The marginated date is unreadable except for the word* post *'after'*.]

Membrane 28

317. Assize of mort d'ancestor to ascertain if Richard de Seyton', father of John son of Richard de Seyton', who is under age, died seised in his demesne as of fee of a toft, 5 acres and 3 roods of land, ½ a rood of meadow and 2s.-worth of rent with appurtenances in Eselbergh', which Anthony Bek, bishop of Durham, holds; and if Richard is his next heir.

Bek comes. As far as 1 acre of land is concerned, namely the acre of land next to the meadow of Radmedwe [*literally,* 'with the meadow of Radmedwe adjoining'], and the ½ rood of meadow and 2s.-worth of rent, he fully acknowledges all the articles of the writ, so let him [John] have his seisin. As far as 4 acres and 3 roods of land are concerned, he says that the late Richard held these tenements by knight service from John de Wolverington', who is under age, and whose wardship he himself has by the grant and gift of the king. He says that he holds these tenements in wardship because John de Wolverington' is under age, and likewise because John son of Richard is under age; therefore he says that he cannot answer on this without the king. John son of Richard acknowledges the same through his guardian and asks for licence to withdraw from his writ. He has it.

[See also 298.]

318. Hugh Oywold and Elena his wife claim from Thomas de Bretaun' a third part of 3 acres of land with appurtenances in Estwold [Astwood?] as Elena's dower from the dowering of John Arketel, her first husband. Thomas comes. On another occasion he has vouched to warranty John son of John Arketel, who now comes by summons and warrants for him. He gives back her dower to Elena by licence, so let her have her seisin. And because it is testified that John has enough land from the free tenement that belonged to John, her first husband,[1] it is adjudged that Thomas should hold in peace, and that Hugh and Elena should have land to the value in a suitable place from the land of John, son of John.

1. i.e., from which to give Elena her dower.

319. John son of John Peyvre claims from Ralph Le Someter a messuage with appurtenances in Morton'; and from Simon Skot and Mabel his wife 2 acres of land with appurtenances in the same vill; and from John Coket 1 acre of land with appurtenances in the same vill; into which Ralph, Simon, Mabel and John only have entry through Richard Grusset, to

whom John Peyvre, father of John Peyvre, whose heir he is, demised them for a term which is past, namely for the term of Richard's life.

The same John claims (from[i]) Robert Goldryng and Emma his wife 1 acre of land with appurtenances in Morton' into which Robert and Emma only have entry by a demise which John Peyvre, father of John, whose heir he is, made concerning it to Richard Grusset for a term which is past, namely for the term of Richard's life.

Ralph and all the others come. They vouch to warranty Richard son of Richard Grusset, who is present and warrants for them. He strongly denies their right, because John, father of John son of John, did not demise these tenements to Richard Grusset for any term, but on the contrary in fee, and by a charter which he puts forward, which witnesses that John Peyvre, son of Paulinus, gave, granted and by his charter confirmed to Richard Grusset a virgate of land with a messuage and a meadow and with all other appurtenances in the vill of Morton', to be held by Richard and his heirs for ever. So he asks for judgment.

John, son of John, says that this charter ought not to hamper him or to count for Richard, because he says that the charter is not a deed drawn up by John, son of Paulinus. He asks that this should be inquired into by a jury and by [the testimony of] the witnesses named in the charter, namely Robert le Bray of Bechampton' and Stephen del Hay. The other witnesses have died. So let there be a jury on the matter.

Afterwards,[1] they agree. Richard gives 1 mark for licence to agree (*marg:* 1 mark[c]), by surety of Thomas de Bray. They have a chirograph, but a day is given to them at Cambridge on the octave of Trinity [23 June] to receive the chirograph.

1. Written in slightly blacker ink from this point on.

[The chirograph is not in FF (25). There is a gap of 2 inches after this entry.]

320. William le Noreys of Atleburgh' and Alice his wife claim from Emma who was the wife of Richard Grusset a third part of a messuage and of 11 acres of land and of 12 acres of meadow with appurtenances in Burton' from the dowering of William Skuret, Alice's first husband. Emma comes and says that Alice ought not to have dower in this, because she says that William Skuret, Alice's first husband, from whose dowering she is claiming her dower, committed a felony for which he put himself into the church of Whytechurch in this county and there in the presence of the coroner[1] abjured the realm in the time of King Henry, father of the present king. She asks for judgment if Alice ought to have dower in any tenement which belonged to that William. William and Alice cannot deny this. Therefore it is adjudged that Emma is to go without day on this, and William and Alice are to take nothing by their writ, but to be in mercy for their false claim (*marg:* amercement[c]).

1. 'coroner' (*coronatore*) written in full in the singular, therefore only one coroner was present.

321. Assize of mort d'ancestor to ascertain if Geoffrey Neyrnuit, father of John Neyrnuyt, died seised in his demesne as of fee of 1 acre of land with appurtenances in Eselbere which Richard Le Bercher holds; and if Geoffrey is his next heir. Richard comes and vouches Walter de Meynevill' to warranty on this. He is to have him at Westminster on the octave of St John the Baptist [1 July] by the aid of the court. He is to be summoned in the county of Kent (*marg:* Westminster, Kent).

322. William Aras, who brought a writ of debt against Henry de Merk' of Upton' and Walter de Geyton', has not pursued his claim, so Walter and Henry are to go without day on this, and William and his sureties to proceed are to be in mercy (*marg:* amercements[c]), namely Robert de Suthmede of Stok' Goldington' and John son of Peter of the same.

323. The same William Araz, who brought a writ of debt against the same Henry Merk', has not pursued his claim, so Henry is to go without day on this, and William and his sureties to proceed are to be in mercy (*marg:* amercements[c]), namely[1] William de Badelkyng of Berkshire and Robert de Erdington' of Oxfordshire.

1. In JUST 1/63 the entry ends here.

324. Assize of novel disseisin to ascertain if Ralph de Padebury, Ralph de Langeport and Simon son of William of Thorneton unjustly disseised Ralph Marmyon and Alice his wife of their free tenement in Morton' by Bukyngham, whereof they complain that they disseised them of 2½ acres of meadow with appurtenances. Ralph (de Padbury[i]) comes and answers for himself and all the others as tenant. He says that the said tenement belonged to Maud, his grandmother, whose heir he is, and that she died seised of it. He says that he himself immediately and recently after Maud's death entered these tenements as her heir, and so he says that if any wrong or disseisin was done this was done by Maud and not by himself. He puts himself on the assize concerning this.

Ralph Marmyon and Alice say that they were in seisin of these tenements in freehold until Ralph of Paddebury, together with the others named in the writ, (by their own action[i]) unjustly disseised them of them. They ask that this should be inquired into by the assize. So let the assize be taken. And[1] John de Kynebell', Ralph le Mouner of Thornton' and Robert Mabli of Bechamton', jurors, do not[2] come, so they are to be in mercy (*marg:* amercements).

The jurors say on their oath that Ralph de Paddebury and the others unjustly disseised Ralph Marmyon and Alice of the tenement as they complain, and so it is adjudged that Ralph Marmyon and Alice should recover their seisin by view of the jurors; and Ralph de Paddebury, Ralph

de Langeport and Simon son of William are to be in mercy (*marg:* amercements[c]). Damages 30s. to the clerks.

1. The start of this sentence is not quite in alignment with the end of the previous one (on the same line).
2. The writing is very squashed for the rest of this sentence.

325. Assize of novel disseisin to ascertain if Henry de Shenholte, Hugh le Seriaunt of Horsendon', William de Kent, Walter le Seriaunt and Andrew Goffe of Ryssebergh' unjustly disseised John son of William le Chaumberleyn of Horsendon' of his free tenement in Horsendon', whereof he complains that they disseised him of 8 acres of land with appurtenances.

Henry comes and answers for himself and all the others as tenant. He says that they have done no injury or disseisin, because he says that he entered these tenements through William, father of the John who is now [complaining][1] and not by disseisin, and he puts himself on the assize concerning this. John says that Henry did not enter these tenements by William; on the contrary, he unjustly disseised [him][1] of them by his own action. He asks that this should be inquired into by the assize. So let an assize be taken. (*Marginated:* on Satur[day] after the [. . .] of Easter.)[2]

The jurors[3] say on their oath that William, father of John, enfeoffed the said Henry (de Shenholt[i])[4] with these tenements and put him in seisin on this condition, that if at two terms Henry repaid him the 8 marks which he had borrowed, that is, half at Michaelmas and the other half at the feast of St Martin [11 November] next following in the 13th year of the present king [1285], William or his heirs will have their land back.[5] And they say that after that feoffment William the father sowed 1 acre of the land, and afterwards died in the middle of Lent. Concerning the [other] 7 acres, they say that[6] Henry was in seisin by the said feoffment. They say precisely that, after the death of William, John was seised as in freehold only of the 1 acre which his father William had sown, and of which he died seised, until the said Henry unjustly disseised him.[7] So it is adjudged that John should recover his seisin of that acre by view of the jurors, and Henry is to be in mercy (*marg:* amercement). Likewise,[8] John is to be in mercy for his false claim as far as the rest of the tenements is concerned (*marg:* amercement), and as far as Hugh and the others are concerned. John's amercement is pardoned because he is under age. Likewise, Henry's amercement is pardoned by the justices.

1. The right-hand margin is faded and damaged; these words supplied from JUST 1/63.
2. The left-hand margin is torn and illegible here.
3. A different pen is used here in JUST 1/67, different ink in JUST 1/63.
4. 'de Shenholt' is in its correct position on the line in JUST 1/63.
5. The arrangements do not make sense as they stand. William has given Henry land and Henry must pay 8 marks. Why should William regain the land after Henry has paid? And why, having enfeoffed Henry, is William in seisin of the acre he managed to sow before his

death? Perhaps the clerk has made a mistake over the names, and it was William who had to pay Henry 8 marks, the land being security for the loan?
6. 'Concerning the other seven acres they say that' (*Et de septem acris dicunt quod idem*) faded and torn; words confirmed from JUST 1/63.
7. 'the said Henry unjustly disseised him' (*predictus Henricus ipsum injuste etc. disseisivit*) faded and torn; words confirmed from JUST 1/63.
8. The last few lines are very squashed, faded and difficult to read in JUST 1/67.

326. Alan le Botiller of Merlawe gives half a mark (*marg:* ½ mark)[1] for licence to agree with William de Hurtwell and [Eve][1] his wife concerning a messuage and 1 acre of land with appurtenances in Burnham. They have a chirograph.

1. Fine and name torn away; name supplied from 166 and the Feet of Fines.

[CP 25/1 17/48/19 = FF (25) no. 359, dated Wycombe, one month after Easter [12 May] 1286. Land agreed as Alan's right by gift of William and Eve, to be held by Alan from them and Eve's heirs, paying yearly a clove at Michaelmas. Consideration, a sore sparrowhawk. See also 166. A faint hatching of three vertical strokes crossed by one horizontal stroke is drawn at the bottom of the membrane.]

Membrane 28 dorse

327. John le Teler, who brought a writ of assize of novel disseisin against Richard de Milton' and Isabel his wife and Beatrice Colbern' of Neuport concerning a tenement in Caldecote by Neuport Paynell', namely ½ acre[1] of land, has come and withdrawn, so he and his sureties to proceed are to be in mercy (*marg:* amercement[c]). Nothing[2] concerning sureties, because [he sued by] his promise in the writ.

1. JUST 1/63 has 'concerning one acre' (*de una acra*).
2. JUST 1/63 has 'namely' (*scilicet*) before 'nothing' (*nichil*).

328. Roger de Furneus presented himself on the fourth day against Robert de Boyton on a plea as to why Robert by force of arms took and carried off Roger's goods and chattels found at Emberton' to the value of 100s., and committed other outrages against him, to his severe loss and against the peace. Robert did not come. The sheriff was instructed to distrain him by his lands and chattels and to report about the issues, and to have him (in person[i]) here on this day, namely the Friday next after one month after Easter [17 May]. The sheriff has done nothing about this, but testifies that Robert does not have lands or chattels [in his bailiwick][1] by which he can be distrained. Therefore the sheriff is instructed to take him (*marg:* Buk') keep him safely, and to have him in person at Westminster (*marg:* Westminster) on the quindene of Trinity [23 June]. The sheriff testifies to this.

1. 'in his bailiwick' (*in balliva sua*) supplied from JUST 1/63.

329. Walter Pylchun of Burton' claims from Richard Grusset of Burton' a messuage and ½ a virgate of land with appurtenances in Burton' which he claims to be his right and inheritance, and into which Richard has no entry except through Richard Grusset, his father, who unjustly disseised Alexander Pilchun, brother of Walter, whose heir he is.

Richard comes and denies his right. He fully acknowledges that he has entry into these tenements through his father Richard, and he firmly denies that Richard disseised Alexander, Walter's brother, because he says that his father Richard entered into these tenements by a feoffment of Elias de Tyngewyk', from whom Alexander held these tenements in villeinage. He puts himself on a jury concerning this.

Walter says that Elias never had any right in these (tenements[i]), except only a rent of 5s. coming from them. He says that Alexander held these tenements from Elias, and Elias enfeoffed Richard, the father of this Richard, with these tenements, by which enfeoffment Richard [the father] unjustly disseised Alexander. He asks that this should be inquired into by a jury. Richard does likewise, so let there be a jury on the matter. (*Marginated:* on Monday after five weeks after Easter[1] [20 May].)

Afterwards, they reach agreement by licence. The agreement is as follows, that Walter has remitted and quitclaimed to Richard and his heirs, on behalf of himself and his heirs for ever, all right and claim which he had in these tenements. And for this Richard has acknowledged that he owes Walter 20s., of which he will pay him 5s. at once, 8s. 6d. at the Gule of August [1 August] next, and 8s. 6d. at Michaelmas [29 September] next following.[2] If he fails to do this he grants that the sheriff may raise the money from his lands and chattels. And moreover, at Richard's request, Thomas de Bray has acknowledged, on behalf of himself and his heirs, that if Richard should fail in this payment the sheriff may raise the money from his lands and chattels (*marg:* acknowledgement).

1. 'Easter' added from JUST 1/63.
2. The sums are all clearly written, but add up to 22s., not 20s.

330. Assize of mort d'ancestor to ascertain if Walter de Brumham, uncle of Nicholas son of Nicholas Edeline, died seised in his demesne as of fee of a messuage, 15 acres of land and ½ an acre of meadow with appurtenances in Hardmade which Robert de Bereford and Maud his wife hold; and if Nicholas is his next heir.

Robert and Maud come. On another occasion they have vouched William le Botyller to warranty, and he now comes by summons and warrants for them. He says that Walter did not die seised of these tenements in his demesne as of fee, because he says that William le Botiller, his father, whose heir he is, gave these tenements to the late Walter for himself and the heirs of his body. He says that Walter died without an heir of his body, just as Nicholas asserts in (this[i]) writ, and so he says that Walter did not die seised of these tenements in his demesne as of fee pure and simple,

as a writ of this kind requires and demands, but on the contrary in fee restricted in the said form. He puts himself on the assize concerning this.

Nicholas says that William gave these tenements to his late uncle Walter, to be held by himself and his heirs in fee simple, and not in the said form, and asks that this be inquired into by the assize. William does likewise, so let the assize be taken.

The jurors say on their oath that William le Botiller freed the late Walter from his servitude because he was a villein, and gave these tenements to him and the heirs of his body. They say that Walter died without an heir of his body, and so it is adjudged that William is to go without day on this, and Nicholas son of Nicholas is to take nothing by this assize, but is to be in mercy for his false claim (*marg:* amercement[c]). Afterwards the amercement is pardoned by the justices because of his poverty.

331. Damian de Thorneye, who brought a writ of assize of mort d'ancestor against William de Thorneye and John Mellistella concerning a messuage, 2 acres of land and 2⅔ acres of meadow with appurtenances in Everdie, has not pursued his claim, so he and his sureties to proceed are (in mercy[i]), namely (Nicholas[i]) de Bokenfeld in Eure and William son of Hugh of the same (*marg:* amercements[c]).

332. Alice who was the wife of Thomas de Ickford claims from Maud de Draycote a third part of a messuage and of 16 acres of land and of 1 acre of meadow with appurtenances in Ickford as her dower.

Maud comes. On another occasion she has vouched John son of Thomas de Ickford to warranty, and he now comes by summons and asks to be shown the reason why he should warrant for her. Maud says that Thomas de Ickford, father of this John, whose heir he is, gave these tenements with appurtenances to her and her heirs for ever, and confirmed it by his charter, and bound himself and his heirs to warranty. She puts forward Thomas's charter which bears witness to this.

John fully acknowledges the charter and that he is bound to warrant for Maud as Thomas's heir by blood, but[1] says that he has nothing by descent from Thomas from which he could warrant for her; but he is prepared to make up[1] the value when he has anything by descent from Thomas. So he warrants for her and by licence gives Alice her dower.[2] Therefore let her have her seisin. And Maud is to have the value from John's land in a suitable place if he has anything; but if he does not, she is to have it when he does.

1. Torn away in JUST 1/67 and supplied from JUST 1/63.
2. Entry ends here in JUST 1/63.

[See also 290, 341.]

333. Peter le Botiller claims from William Wolwey of Aylesbyry 10s.-worth of rent in Asecote of which Joan Deun, grandmother of Peter,

whose heir he is, died seised in her demesne as of fee. William comes and says that he ought not to answer him on this writ, because he says that Ascott is neither a borough nor a vill, but on the contrary a hamlet in the parish of Burton'.[1] Peter cannot deny this, and asks for licence to withdraw from his writ. He has it.

1. Perhaps Bierton rather than Bourton, as William Wolwey is of Aylesbury. *The Place-Names of Bucks*, p. 152, points to a lost Ascote bordering on Hulcott, mentioned in the *Missenden Cartulary*, III no. 540.

334. Assize of novel disseisin to ascertain if Richard atte More and Agnes his wife, Adam de la More and Maud his wife, and Robert le Baillyf of Wycumbe unjustly disseised Gervase le Pestur of Wycumbe of his free tenement in Wycumbe, whereof he complains that they disseised him of two thirds of a messuage with appurtenances.

Richard and all the others come. Robert says that he has done no injury or disseisin and puts himself on the assize concerning this. Adam and Maud say that they have done no injury, becuse they say that they obtained this tenement by the gift and enfeoffment of Richard and Agnes, and not by disseisin. They vouch them to warranty by the aid of the court. They are present and freely warrant for them, and say that they themselves have done no injury or disseisin, for they say that Agnes brought a writ of right against Gervase in the court of the earl of Cornwall at Wallingeford, so that she recovered her seisin of the said two thirds of a messuage by the judgment of the court, and did not disseise Gervase unjustly and without judgment as he complains. They put themselves on the assize concerning this.

Gervase says that Agnes never claimed these tenements in that court, nor were they ever taken into the hand of that court's lord, nor was a view made of them, nor any other law-suit taken between them upon [which][1] any judgment could be made in that court and put into execution. He asks that this should be inquired into by the assize. Richard and Agnes do likewise, so let the assize be taken.

The jurors say on their oath that Agnes brought a writ of right concerning these two [thirds][1] against Gervase in the court of Wallingeford, so that afterwards Agnes recovered her seisin by award of that court, by default on Gervase's part. On this they say precisely that Richard and the others did not disseise Gervase of the tenement as he complains. It is adjudged that Richard and the others should go without day on this, and Gervase is to take nothing by this assize, but to be in mercy for his false claim (*marg:* amercement).[1]

1. Torn away in JUST 1/67 and supplied from JUST 1/63.

Membrane 29

335. Assize of mort d'ancestor to ascertain if Reginald de Wolveye, father of Denise, wife of Robert Bubbe of Radenache, and of Denise,

wife of Adam Upende, and of Alice, wife of Adam atte Rugge, died seised in his demesne as of fee of a third part of ½ a virgate of land, a third part of ½ an acre of meadow and a third part of ½ of 8 acres of wood with appurtenances in Hameldene, which Laurence, the parson of Hamelden', holds; and if they are his next heirs. Note that two thirds of ½ of the tenements are excluded because Robert and Denise, and Adam and Alice, (although summoned[i]), are not suing for their shares. Laurence comes and vouches to warranty Adam atte Rugge and Alice his wife. He is to have them here on Wednesday next after one month after Easter [15 May] by the aid of the court. They are to be summoned in this county. Afterwards[1] [Adam][2] and Denise asked for licence to withdraw from their writ, and they have it.

1. Slightly larger writing from this point.
2. *Robertus* written in MS for *Adam.*

[Laurence of Hambleden was presented to Hambleden church on 13 July 1269 by Gilbert de Clare, earl of Gloucester (Lipscomb III, p. 573). After this entry is a gap of 4½ inches to allow for further developments.]

336. Martin de Carun presented himself against Robert de Cave on a plea of 16 acres of land with appurtenances in Shyrington' which he claims from him as his right. Robert does not come, and he has defaulted after being summoned on another occasion, namely on the Saturday after the third[1] (week[i]) after Easter [11 May], so that the sheriff was then instructed to take the tenements into the king's hand, to report which day he did so, and to summon him to be here on this day, namely Monday after one month after Easter [13 May]. The sheriff now reports the day he took the tenements and that he has summoned him. So it is adjudged that Martin should recover his seisin against him by default, and Robert is to be in mercy (*marg:* amercement[c]).

1. 'on the Saturday after the third' (*die sabbati post terciam*) written on an alteration.

[See also 283, and Chibnall, *Sherington*, pp. 54 ff.]

337. Geoffrey de Bosco claims from the abbot of Wouburn' ½ a messuage and ½ a virgate of land with appurtenances in Wengrave of which Peter de Pinkeny, kinsman of Geoffrey and of Walter son of Geoffrey, who is not suing for his share, died seised in his demesne as of fee. Note that the other half is excluded because Walter, although summoned to sue, is not suing for his share. The abbot comes and vouches to warranty Walter de Ryseley. He is to have him at Westminster on the octave of St John the Baptist [1 July] with the aid of the court. He is to be summoned in the county of Bed' (*marg:* Westminster, Bed').

338. John de Patteshull claims from Philip atten Ende a messuage and 1 virgate of land with appurtenances in Hildesdon'; and from Roger Attelane and Agnes his wife a messuage and 1 virgate of land in the same

vill; and from Arnaburge Attwodeshend ½ a virgate of land with appurtenances in the same vill; and from Thomas Attewodeshende ½ a virgate of land with appurtenances in the same vill, as his right by a writ of entry.

Philip and the others come. Concerning the tenements claimed from them,[1] Roger (and Agnes[i]) say that they cannot answer him on this, because they say[2] that they hold these tenements in villeinage from Hugh de Brock'. John cannot deny this, and as far as this is concerned asks for licence to withdraw from his writ, and has it.

Concerning the tenements claimed from them, Philip and the others vouch Hugh de Brok' to warranty for them. On this, John de Insula [de L'Isle] comes and puts forward letters of protection from the king which witness that the king has taken Hugh into his protection and care, with all his men, lands, property, rents and possessions, because Hugh is about to set out overseas with the king, and that the king's will is that Hugh should be quit of all pleas and complaints except pleas of dower *unde nichil habet*, *quare impedit*, and assizes of novel disseisin and last presentation. So let these pleas be postponed.

1. 'him' (*eum*) written for 'them' (*eos*).
2. 'they say' written as singular 'he says' (*dicit*), then a heavy suspension line added over the second syllable. The clerk varies between singular and plural forms here.

339. John son of Nicholas de Esses [Nash?] claims from William de Hotoft and Maud his wife, John le Botiler and Reyna his wife [and] Thomas le Leche and Maud his wife a messuage, 7 acres of land and 2 acres of wood with appurtenances in Esses and Waddon', of which Maud, daughter of Ralph Acelut, grandmother of the said John son of Nicholas, whose heir he is, died seised in her demesne as of fee.

William and the others come. John and Reyna, [and] Thomas and Maud, say that they have no claim in these tenements except as dower of Reyna and Maud from the inheritance of Maud, wife of William de Hotoft. They vouch William and Maud to warranty. They are present and warrant for them, and further vouch Robert Basset to warranty, both concerning the tenements claimed from them and those claimed from John and Reyna, and Thomas and Maud. They are to have him at Westminster a fortnight after St John the Baptist's day [8 July] by the aid of the court. He is to be summoned in the county of Norhampton (*marg:* Westminster, Norhpt').

340. Assize of mort d'ancestor to ascertain if Robert le Whyte of Elesbur',[1] father of Mabel wife of Hugh Levesone, died seised in his demesne as of fee of a messuage, 1 acre of meadow and ½ a virgate of land with appurtenances in Ertwell', which John Waryn holds; and if Mabel is his next heir. John comes and says nothing to stay the assize, except only that he says that the late Robert did not die seised of these tenements in his demesne as of fee, and puts himself on the assize concerning this.

The jurors say on their oath that the late Robert did not die seised of these tenements in his demesne as of fee, and so it is adjudged that John should go without day on this, and that Hugh and Mabel should take nothing by this assize, but should be in mercy for their false claim (*marg:* amercements[c]).

1. It is unclear whether this is Ellesborough or Aylesbury.

341. Alice who was the wife of Thomas de Icford claims from Geoffrey de Turvill' and Isabel his wife a third part of 4 messuages and of 3½ acres of land and of 6 acres of meadow with appurtenances in Icford as her dower from the dowering of Thomas. Geoffrey and Isabel come, and on this vouch to warranty Richard son of Peter de Chalgrave, who is under age. They put forward a charter of Peter, father of this Richard, whose heir (he is[i]), which witnesses that Peter granted and gave all the land he had in the vill of Great Icford[1] to Isabel who was the wife of William de Chalgrave, and confirmed this by his charter, and that he and his heirs will warrant. His person and lands are in the wardship of Mary, who was the wife of Peter de Chalgrave, so Mary is to be summoned to be[2] at Westminster on the octave of St John the Baptist [1 July]; and she is to have the said heir there to warrant. She is to be summoned in Hampshire (*marg:* Westminster, Hampshire).

1. i.e. in the central part of the parish of Ickford (*The Place-Names of Bucks*, p. 125).
2. Altered to the singular (*sit*) from the plural (*sint*).

[See also 291, 332.]

Membrane 29 dorse

342. Assize of novel disseisin to ascertain if John le Waleys and Maud his wife, John de Middelton, Roger le Covert, John de sancto Audoeno, Alice Haket, Cecily de Gatesden' and John de Monte Alto unjustly disseised William Gyffard of his free tenement in Netherupton, whereof he complains that they disseised him of a garden containing 1 acre of land, 90 acres [and] 1½ virgates of land, 5 acres of meadow and 5s. 2d.-worth of rent with appurtenances. John le Waleys and Maud his wife come. John of Middleton and the others do not come, but one [*sentence ends here*]. Afterwards William Gyffard came and asked for licence to withdraw from his writ, and he has it.

343. John *de Molendino* [of the mill] (of Horton[i]) has acknowledged that he owes Richard de la Vache 6 marks, of which he will pay him half at the next feast of All Saints [1 November] and the other half at Christmas [25 December] next following. If he fails to do so, he agrees that the sheriff may raise the money from his lands and chattels (*marg:* acknowledgement).

344. Basilia who was the wife of Walter le Draper

[*The entry ends here, and the dorse is blank for the next 13½ inches; then a faint horizontal line is drawn across it, and* 345 *written below this, at the bottom of the membrane. See* 284, 411.]

345. Thomas de Ayvill' and Agnes his wife claim from John de Bosco and Isabel his wife a messuage and 30 acres of land with appurtenances in Aston' Clynton' as their right by a writ of entry. John and Isabel come, and they agree. Thomas and Agnes give 10s. for licence to agree. They have a chirograph. Moreover, Thomas and Agnes acknowledge that they owe John and Isabel 10 shillings (*marg:* 10s.^{c}), of which they will pay them 2 marks at Pentecost next [2 June], 4 marks at Michaelmas next following [29 September] and 4 marks at the feast of St Andrew next following [30 November] (*marg:* acknowledgement). If they fail to do so, they agree[1] that the sheriff may raise the money from their lands and chattels.

1. 'they agree' (*concedunt*) omitted in JUST 1/67, supplied from JUST 1/63.

[Not in FF (25), though a Thomas Deyvill and Agnes his wife are parties to no. 477, dated 1296, concerning land in Great Kimble.]

Membrane 30

346. Simon son of John, and Alice his wife, who brought a writ of entry against John Poure [Peyvre] concerning tenements in Weston' by Olneye [Weston Underwood], have not pursued their claim,[1] so John is to go without day on this, and Simon and Alice and their sureties to proceed are to be in mercy (*marg:* amercements^{c}), namely John Bonnet[2] of Rollesham and John Kyntewyne of the same.

1. Singular *est prosequtus* written for plural *sunt prosequti*; so also in JUST 1/63. The use of -q- for -c- is rather unusual.
2. *Bonnet* written with the sign & for the syllable *-et.*

[See also 9, 85.]

347. Walter de Harleford and Isabel his wife, who brought a writ[1] of assize of mort d'ancestor against William le Draper concerning tenements in Wycombe, have not pursued[2] their claim, so William is to go without day on this, and Walter and Isabel and their sureties to proceed are to be in mercy (*marg:* amercements^{c}), namely Nicholas de la Lude and Peter le Cetiler.

1. JUST 1/63 omits 'writ of' (*breve*).
2. Written in the singular in JUST 1/67. JUST 1/63 has the correct plural *sunt pros[ecuti].*

[See also 149.]

348. Assize of mort d'ancestor to ascertain if Robert de Osebern', father of Edmund de Oseburn', died seised in his demesne as of fee of ½ a

virgate of land and 1 acre and 3 roods of meadow with appurtenances in Latthebury which Robert de Harlegh', parson of Latthebur' church, holds; and if Edmund is his next heir. Robert comes. On another occasion he has said that he found his church seised of these tenements at the time of his institution to it, and that he could not answer on them without the abbot of Lavenden', the patron of the church, [and][1] the bishop of Lincoln, the diocesan of the place,[2] and so the sheriff was instructed to summon the abbot and the bishop to be here to answer with him. The abbot and the bishop, although summoned, do not come, so Robert the parson is to be admitted and answer on his own. He says nothing to stay the assize, so let it be taken.

The jurors say on their oath that Jordan, once lord of Stockyng, gave these tenements to Walter Baython', once parson of Lattebyr' church, to have a chantry[3] for three days a week in his chapel at Stockyng, and this Walter was seised of the land for all his time, singing the chantry for the rest of Jordan's life and likewise for the life of John de Passelewe, the next lord of the manor of Stockyng. they say that afterwards, in the time of Richard de Gatesden, parson of the church, Richard gave back these tenements to the late Robert de Oseburn', father of Edmund and lord of the manor of Stockyng, because the bishop of Lincoln did not allow the chantry to be continued. They say that by this giving back Robert, Edmund's father, was seised of the tenements, and died seised of them in his demesne as of fee. After Robert's death, because Edmund was under age, [*left blank*], Edmund's mother, bought the wardship of his person and lands from the chief lords of the fee from whom Robert held his tenements, and she demised the land concerning which this assize has been brought to [*left blank*], to be held and sown until Edmund came of age. They say that afterwards one Manolo, parson of this church and Robert de Harleye's predecessor, ejected [*left blank*] herself[4] from the land and seized it into his hand and held it all the time until he resigned the said church.

Because it was decided by this assize that Richard, Edmund's father, died seised of the tenements in his demesne as of fee and after the date, and because Edmund is his next heir, it is adjudged that Edmund should recover his seisin of the tenements with appurtenances by view of the jurors, and likewise his damages, which are assessed by the jurors at 40s. Robert, parson of Lattebyr', is to be in mercy (*marg:* amercement). Damages 40s. To the clerks. (*Marginated, but not struck through:* damages, if any, 40s.)

1. *et* rubbed away at the end of the line.

2. *loci* should perhaps be translated not as 'of the place' but as 'of the house', i.e. the bishop of Lincoln is the diocesan of Lavendon Abbey.

3. i.e., Jordan is allowed to have a chaplain to sing mass in his chapel three days a week.

4. The feminine *ipsam* 'herself' is written as an adjective with the missing noun, so Manolo ejected the widow, not her tenant.

[According to Lipscomb, IV, p. 203, Richard de Gatesden was presented as rector to Lathbury church in 1232 by 'Ermeiade' de Bydun, who had married into the Gatesden

family; the next rector he knows of is Robert de Harlee, resigned 1291. Lavendon Abbey was given the advowson of Lathbury church in 1271. See also 141 (marked *vacat*).]

349. Henry de Colshull' presented himself on the fourth day against Godfrey Sperling on a plea of 3 acres of land with appurtenances in Bledelawe which he claims from him as his right. Godfrey does not come, and has defaulted after he was summoned on another occasion, namely on the morrow of the Close of Easter [22 April], so that the sheriff was instructed to take the tenements into the king's hand, to report which day he did so, and to summon him to be here on this day, namely Wednesday next after the quindene of Easter [1 May]. The sheriff now bears witness to the day he took the tenements and that he has summoned him, so it is adjudged that Henry is to recover his seisin from him by default. And Godfrey is to be in mercy (*marg: amercement*[c]).

350. Alice who was the wife of Thomas de Icford claims from Walter Golye a third part of 3 messuages and of 30½ acres of land with appurtenances in Becklesfield [Beaconsfield?] as her dower. Walter comes and by licence gives Alice back her dower, so let her have seisin of it.

[See also 291, 332, 341.]

351. Isabel Hog claims from John son of John de London' a messuage with appurtenances in Neuton Bossevill'; and from Simon son of William Le Cyrograffer 1 rood of meadow with appurtenances in the same vill; of which Helewise Hog, Isabel's grandmother, whose heir she is, died seised in her demesne as of fee.

John comes. On another occasion he has vouched Simon de Blosevill' to warranty. Simon now comes by summons and warrants for him, and further vouches to warranty John Druell', who is present and warrants for him. Likewise, on another occasion Simon (son of William[i]) has vouched John son of master Robert de Abyngdon' to warrant for him concerning the tenements claimed from him. This John now comes by summons and warrants for him, and further vouches John Druell' to warranty, who is present and warrants for him. And they agree by licence concerning both the tenements which he warranted for Simon and those which he warranted for John son of the master. The agreement is as follows, that Isabel has remitted and quitclaimed, on behalf of herself and her heirs for ever, to John Druell' and his heirs, all the right and claim which she had in the tenements with appurtenances, and for this John Druell' has acknowledged that he owes Isabel 6 bushels of wheat, which he will pay her at once (*marg:* acknowledgement).

[See also 38, 62.]

352. Warin de Brakenham claims from Agnes who was the wife of Richard Le Poer a messuage, 5 acres of land and 1 acre of meadow in

Sullebyry in which Agnes has no entry except through Hugh de Syllebyry, to whom Robert de Brakenham and Sybil his wife, mother of Warin, whose heir he is, demised them for a term which has passed.

Agnes comes and says that she[1] acquired these tenements with appurtenances to be held by her and the heirs of her body. She says that she has issue, namely Robert, her son and heir, without whom she cannot bring these tenements into court. This Robert is present in court and freely answers with his mother Agnes. They fully acknowledge that Agnes has entry into these tenements through Hugh, but say that this Hugh, the grandfather of Warin, whose heir he is, gave the tenements to Agnes, to be held by her and the heirs of her body, as aforesaid, and he bound himself and his heirs to warranty. [They][2] put forward a charter in Hugh's name which bears witness to this, and so they ask[2] judgment if an action is possible for him.

Warin fully acknowledges Hugh's charter, and that he is Hugh's heir, but he says that he ought not to be excluded by Hugh's act from his action (to claim[1]) the tenements, since he is claiming them through the seisin of Sybil his mother, and not through Hugh's seisin; nothing has descended to him by hereditary right from Hugh, as he is prepared to prove. And as in the present king's statutes published at Gloucester[3] it is contained that an heir should not be excluded by his father's act from claiming tenements through his mother's seisin, except for the portion of tenements which have descended to him by hereditary right from his father, and no tenements have descended to him by hereditary right from his father, as was said before, he asks for judgment if he should be excluded by [his father's] act from his action concerning these tenements.

Agnes says that these tenements were given in the time of King Henry, father [of the present king], before the statute, and that the statute is only binding for the future. Before the statute, heirs to whom tenements descended from their father or another ancestor, and likewise those to whom no tenements descended, were excluded by their father's act from claiming tenements through their mother's seisin; and so, since Warin acknowledges his father's act, it seems to her that she has no need to show further whether any tenements descended to Warin from Hugh his father by hereditary right or not. She asks for judgment (*marg:* to judgment). A day is given to them to hear [judgment][4] on their case at Westminster on the quindene of Trinity [23 June][5] (*marg:* Westminster).

1. 'says that she' (*dicit quod ipsa*) written on an erasure; so also in JUST 1/63.

2. Singular verbs written for plural. A heavy suspension mark was then added over the second syllable of 'he asks' (*petit*).

3. *Statutes of the Realm* I, p. 47: Statute of Gloucester III: *etabli est ensement qe si home aliene tenement qil tient par la lei de Engleterre, sun fiz ne seit pas barre, par le fet sun pere, par qi nul heritage ne lui est descendu, a demaunder, et recovrer par bref de mort de auncestre la seisine de sa mere, tut face la chartre sun pere menciun qe lui e ses heirs seient tenuz a la garauntie*: "it is established also that if a man aliene a tenement that he holdeth by the law of England, his son shall not be barred by the deed of his father from whom no heritage to him descended, to demand and recover

by writ of mortdauncestor of the seisin of his mother, although the deed of his father doth mention that he and his heirs be bound to warranty".

4. 'judgment' (*judicio*) omitted from JUST 1/67 and supplied from JUST 1/63.

5. This sentence is written after a gap of 3½ inches in both JUST 1/67 and JUST 1/63.

[CP 40/63 m. 25, dated the morrow of St John the Baptist [25 June]. Warin did not pursue his claim against Agnes, so was to be in mercy. The names of his pledges were to be inquired into. See also 114, 405.]

Membrane 30 dorse

353. Assize of mort d'ancestor to ascertain if Stephen Roche, uncle of Robert de Brok' of Pevenseye[1] died seised in his demesne as of fee of 2 messuages and 32 acres of land with appurtenances in Stonystretteford and Wolverton', which Robert of Houghton holds'; and if Robert [de Brok] is his next heir. Robert comes and says that the late Stephen died seised of these lands in his demesne as of fee, and that Stephen had a brother named Hugh, from whom issued John, father of Robert, and that after Stephen's death he succeeded him in these lands as kinsman and heir. He says that he is under age, and claims [the benefit of] his minority. Because Robert is seen in court and is under age, this plea is to remain until he comes of age (*marg:* age).

1. *de Pevenseye* omitted from JUST 1/63.

354. Joan who was the wife of Nicholas de Heywode claims from William de Castro Bernardi [Barnard's Castle?] a third part of 15s.-worth of rent with appurtenances in Eston' by Ivingho as her dower. William comes and by licence gives Joan back her dower, so let her have her seisin of it.

355. Robert de la Mare was summoned to answer John de Crockeslee on a plea that he should keep the agreement made between them concerning a messuage, 1 carucate of land, 3 acres of wood and 14s.-worth of rent with appurtenances in Bokelund and Aston' Clynton'. Robert comes, and they agree by licence. The agreement is as follows, that John has recognized that these tenements with appurtenances are Robert's right, and for this Robert grants these tenements with appurtenances to John, to be held by John for his whole life from Robert and his heirs, paying 30s. a year for them at two terms, namely half at Michaelmas [29 September] and the other half at Easter, for all service, custom and exaction belonging to Robert and his heirs. Robert and his heirs will warrant, acquit and defend [the tenements] for the whole of John's life, and after John's decease the tenements with appurtenances will revert in their entirety to Robert and his heirs, quit of John's heirs for ever.

[See also 1, 5.]

356. John de Policote, who brought a writ of right against Raymond dela Zuche concerning[1] tenements in Wothon' by Brehull' [Wootton

Underwood] has not pursued his claim, so Raymond is to go without day on this, and John and his sureties to proceed are to be in mercy (*marg:* amercements[c]), namely[2] [*sentence breaks off here*]. He did not find pledges because [he proceeded by the writ] *Pone.*

1. After 'concerning' (*de*) in JUST 1/67 there is something that looks like *l3* (l followed by the abbreviation for *-et*) expuncted.
2. JUST 1/63 does not have 'namely' (*scilicet*).

357. John Cosyn and Maud his wife claim from Robert Marmyon, parson of the church of Bekenesfeld, a messuage with appurtenances in Bekenesfeld as their right by a writ of entry. Robert comes and says that at the time of his institution to this church he found this church seised of the messuage, and so he says that he cannot answer on this without Thomas de Hodenk, patron of the church, and the bishop of Lincoln, diocesan of the place. So let the patron and bishop be summoned to be at Westminster on the quindene of St John the Baptist [8 July] to answer together (*marg:* Westminster).

[Robert Marmion was presented as rector to Beaconsfield church on 15 March 1264 by William de Huntercombe. He died in 1293. (Lipscomb, III, p. 194).]

358. John de Morton' claims from Richard son of Richard Grusset 2 acres and 3 roods of land with apurtenances in Morton' as his right by a writ of entry. Richard comes and vouches Emma who was the wife of Richard Grusset to warranty on this. He is to have her at Westminster on the quindene of Trinity [23 June] by the aid of the court (*marg:* Westminster). She is to be summoned in this county.

359. Gilbert le Megre claims from Richard de Staunford two-thirds of 1 virgate of land with appurtenances except 8 acres of land in Great Rysebergh' as his right by a writ of entry. Richard comes (by his attorney[i]) and asks for a view of it: he is to have it. They are given a day at Westminster on the quindene of St John the Baptist [8 July], and meanwhile [let the land be viewed].

The same Gilbert presented himself on the fourth day against William Neyrnuyt on a plea of 8 acres of land with appurtenances in the same vill which he claims as his right from him. William does not come, and he was summoned. Judgment that these tenements should be taken into the king's hand and the day [that this was done should be reported]; and he is to be summoned to be at Westminster on the said date (*marg:* Westminster). Afterwards, William came and asked to have a view of it: he is to have it. They are given a day at Westminster on the said date. And meanwhile [let the land be viewed].

360. Richard de Staunford presented himself on the fourth day against Alice who was the wife of Hugh Buffyn on a plea that she give back to him

four charters and a written bond which she is unjustly detaining from him. She does not come, and she has defaulted several times, so the sheriff is instructed to distrain her by all her lands and account for their issues, and to have her in person at Westminster on the quindene of St John the Baptist [8 July].

361. Ralph Wauder [*or* Wander] and Walter Le Taynturer of Wycomb' presented themselves on the fourth day against the master of the hospital of St John of Wycombe on a plea that he give back to them £9 13s. which he owes them and is unjustly detaining from them. The master does not come, and has defaulted several times, so the sheriff is instructed to distrain him by all his lands and account for their issues, and to have him in person at Westminster on the quindene of St John the Baptist [8 July] (*marg:* Westminster).

362. Isabel who was the wife of John fitz John of Hamslape presented herself on the fourth day against Ralph Sparhauck' and *Extranea* ['Stranger'] his wife on a plea of 2 acres of land with appurtenances in Hamslape; and against Hugh de Bartholo on a plea of 1 acre of land with appurtenances in the same vill; and against Isabel who was the wife of Henry Le Lyttle on a plea of 1 acre of land with appurtenances in the same vill; which she claims from them as her right.

They do not come, and they have defaulted on another occasion after they were summoned, namely one month after Easter [12 May], so that the sheriff was then instructed to take the tenements into the king's hand and to report which day he did so, and to summon them to be here on this day, namely on the Monday next after the fifth week after Easter [20 May]. The sheriff now bears witness to the day he took the land, and that he has summoned them. Therefore it is adjudged that Isabel who was the wife of John should recover her seisin by default from Ralph and Extranea, Hugh and Isabel who was the wife of Henry, and Ralph and Extranea, Hugh and Isabel who was the wife of Henry are to be in mercy.[1]

1. Not marginated.

363. Elias son of Robert of Aylesbyr' and Clemency his wife presented themselves (on the fourth day[i]) against William Inge [*or* Juge] of Wendovere (on a plea[i]) of a third part of 6 acres of land with appurtenances in Wendovere; and against Henry de la Hull on a plea of a third part of 6 acres of land with appurtenances in the same vill; and against Roger de Grymedik' on a plea of a third part of 6 acres of land with appurtenances in the same vill; and against Henry le Chamberleyn on a plea of a third part of 6 acres of land with appurtenances in the same vill; and against Ralph Hamund on a plea of a third part of 6 acres of land with appurtenances in Mentlesham; which they claim from them as Clemency's dower. They do not come, and have been summoned.

Judgment that the third parts are to be taken into the king's hand, and the day of taking reported, and that they are to be summoned to be at Westminster on the quindene of Trinity [23 June] (*marg:* Westminster).

364. Richard le Heyr son of Roger le Heyr de la Penne has acknowledged (*marg:* acknowledgement) that he has made a written deed for Hugh Peche, and asks that it be enrolled. It is enrolled in these words:

Let all people present and future know that I, Richard le Heyr son of Roger le Heyr de la Penne, have given, granted and by this present charter of mine confirmed to Hugh Peche and Ida his wife and Hugh's heirs all my messuage and tenement which I had or in any way could have in the name of inheritance in the vill of la Penne or outside, in lands, tenements, woods, hedges, roads, paths, pastures, grazing, commons, liberties, rights of entry and exit, and with all other easements and liberties and all other appurtenances, together with homages, rents, services, wards, reliefs and escheats belonging to the tenement, in their entirety without any reservation, to be held from me and my heirs or assigns by Hugh and Ida his wife and Hugh's heirs, freely, quietly, well, in peace, in fee and inheritance, paying for it annually to me and my heirs one gillyflower clove at Christmas [25 December], and giving to the chief lord of the fee the service due and customary, namely one red sparrow-hawk or 2s. at Michaelmas [29 September] for all services, customs, aids, suits of court and all secular demands. And I, Richard, and my heirs will warrant, protect and acquit the messuage and tenement with all its appurtenances in all things for Hugh and Ida and Hugh's heirs against all people for ever by the said service as is aforesaid. In witness whereof, etc. With these witnesses, etc.

Membrane 31

365. Alexander de Hampden' presented himself on the fourth day against John de Chaunseus on a plea that he give him back £4 6s. 6d. which he owes him and unjustly detains from him. John does not come, and has made several defaults,[1] so the sheriff is instructed to distrain him by all his lands and to report on their issues, and to have him in person at Westminster on the octave of Trinity [16 June].

1. Latin *plures fecit defaltas.* JUST 1/63 has *pluries fecit defaltam*, he has defaulted several times. So also in 366 and 367 below.

366. Robert de Gervill' presented himself on the fourth day against Roger de Grey (of Bukingham[i]) on a plea that he give him back 20 marks which he owes him and unjustly detains from him. Roger does not come, and has made several defaults, so the sheriff is instructed to distrain him by all his lands and to report on their issues, and to have him in person at Westminster on the quindene of Trinity [23 June] (*marg:* Westminster).

367. William de Chilteham presented himself on the fourth day against Nicholas de Hemington on a plea that he give him back 20s. which he owes him and unjustly detains from him. Nicholas does not come, and has made several defaults, so the sheriff is instructed to distrain him by all his lands and to report on their issues, and to have him in person at Westminster on the quindene of Trinity [23 June] (*marg:* Westminster).

368. [There was] an assize of mort d'ancestor before the justices at Westminster to ascertain if John de Keynes, father of Nicholas de Keynes, died seised in his demesne as of fee of the manor of Middelton' Keynes with appurtenances except a mill, 15 virgates and 24 acres of land in the same manor, and if Nicholas was the next heir to the manor, except a mill, 15 virgates and 24 acres of land; which Maud who was the wife of John de Keynes holds.[1]

She comes[2] and vouches Robert de Keynes to warranty on this. He is present and willingly warrants for her. He says that he is the older brother of (this[i]) Nicholas, born of the same father and the same mother, and claims to have the right in this tenement by the same descent as that through which Nicholas is claiming; so he asks for judgment if an assize of mort d'ancestor can lie between them.

Nicholas says that Robert can claim nothing in this tenement by descent from John, because Robert never was John's son. On the contrary, he was the son of Roger of Hampslap', begotten and born before any contract of marriage was entered on between John and Maud, and he is prepared to prove this in any way the court shall decide.

Robert says that he was the son of John, legitimately begotten on Maud, and he was always brought up and looked after with John in his house as his eldest son, and John regarded him as his son all his life, and he is prepared to prove this when and where the court decides that he should prove it, and so he asks for judgment if this assize can lie between them.

Nicholas says, as before, that Robert was the son of Roger, born and brought up at Great Crowele and considered Roger's son for a long time before John married Nicholas's mother[3] or made any contract of marriage with her, and was recognized by the whole district as Roger's son. He puts himself on a jury concerning this. Robert does likewise, and so the sheriff is instructed to cause twelve men to come here[4] on the octave of Michaelmas [6 October 1285] by whom [the matter may be tried] and who are not [connected to either party], to reach a verdict in the aforesaid form, because both [parties have put themselves on a jury]. Robert appoints John de Keynes or William son of Thomas as his attorney.

Afterwards, on the morrow of St Martin in the 13th year of the reign of King Edward [12 November 1285] the jurors came and said on oath that Robert was not regarded as Roger's son, nor was he brought up at Great Crowele as Roger's son, but John regarded Robert as his son all his life after he married Maud. They say that Robert was born ten years

before the marriage between John and Maud was celebrated, and that Maud had sued John in the church court, claiming him as her husband for some years. Afterwards, John married her by the advice and aid of the abbot of St Edmund's. Nicholas appoints Robert Ovelabarbe as his attorney, and a day is given to them to hear their judgment three weeks from Easter [5 May 1286].

Meanwhile,[5] through the common summons of the county's eyre, the plea is brought here.[6] The parties now come here. Nicholas asks that the assize should be re-examined[7] according to the tenor of the writ of *certiorari* which the sheriff has concerning it, because the assize that was adjourned by the aforesaid William and Roger[8] before the justices here needs a fuller examination. He says that the jurors of that assize said before William and Roger that John regarded Robert as his son for his whole life after he married Maud, and they were not fully examined on this point, as they were not examined as to whose son he was regarded as before that marriage, when at the time of the marriage [Robert] was ten years old, and he asks that they should be re-examined on those articles, and that after that re-examination the case should proceed to judgment.

Robert says that the assize was examined sufficiently, and asks that the case should proceed to judgment in accordance with the form of the plea held before the justices at Westminster on this and according to the examination of that assize. A day is given to them to hear their judgment at Westminster on the octave of Trinity [16 June] (*marg:* Westminster). The same day is given to the jurors of the assize who came to the King's Bench, so that they may be (re-[i])examined on this article and on others if that assize needs a fuller examination.

1. That is, she holds the manor of Milton Keynes itself, not the excepted tenements.
2. The proceedings in the previous assize at Westminster are reported here in the present tense.
3. JUST 1/63 has *ipsius Roberti.*
4. i.e. to Westminster.
5. Smaller writing from now on.
6. i.e. to Wycombe.
7. JUST 1/63 makes slips in the spelling of these words: *reaxaminetur*, *reeximinentur*, etc.
8. Who are these? The original hearing of the case in Buckinghamshire was before Robert Fulk and Walter of Amersham; when it went to the Court of Common Pleas it was heard by the Chief Justice Thomas Weyland (CP 40/57 m. 15d.: see below).

[This case was reported in the Year Books. See Paul Brand, *The Earliest English Law Reports* Vol II (Selden Society), pp. 185–7. It does seem very strange that a son admitted to have been born well before his parents' marriage should be adjudged his father's heir. See pp. 96–9 , also pp. 98–9 for the criminal activities of the Keynes family.]

[*The rest of the recto of m. 31 is blank. At its foot is* in octab' sancte Trinitatis, *for the octave of Trinity, i.e. the date [16 June] appointed for hearing judgment on the Keynes case.*]

Membrane 31 dorse

369. Maud, daughter of Henry Gundwyne, who brought a writ of mort d'ancestor against the abbot of Lavendon' concerning a tenement in Wylies, has not pursued her claim, so the abbot is to go without day on this and Maud is to be in mercy (*marg:* amercement[c]). Nothing concerning sureties, because she pledged her faith.

370. Isabel who was the wife of John fitz John of Hamslape, whom Ralph fitz John of Hamslape vouched to warranty and who warranted for him, presented herself on the fourth day against John fitz John of Hamslape on a plea that he should be here on this day to warrant for her 15 acres of land and ½ an acre of meadow with appurtenances in Hamslape which Robert le Botiller and Joan his wife claim from her as Joan's right; and concerning which [she has vouched him to warranty]. He did not come, and he was summoned. Judgment that land to the value be taken from John's land into the king's hand, and the day this was done reported, and that John is to be summoned to be at Westminster on the quindene of St John the Baptist [8 July]. The same day was given to Robert and Joan in the King's Bench (*marg:* Westminster).

[See also 248.]

371. The abbot of Messingden', whom Hugh de Brok' had vouched to warranty and who warranted for him through his attorney, presented himself on the fourth day against Hugh Whelpele and Joan his wife on a plea that they should be here on this day to warrant for him the third part of 16½ acres of land with appurtenances in Cestresham which Richard de Estwyck and Cecily his wife are claiming from him as Cecily's dower, and concerning which [he has vouched them to warranty]. They[1] did not come, and they were summoned. Judgment that land to the value be taken into the king's hand from the land of Hugh of Whelpley and Joan, and the day [this was done reported]. And they are to be summoned to be at Westminster on the quindene of Trinity [23 June]. The same day is given to Richard and Cecily in the King's Bench (*marg:* Westminster).

1. 'they' (*ipsi*) altered untidily from 'he' (*ipse*).

[See also 4, 224.]

372. Alice who was the wife of Robert Beneyt claims from John de Bechampton' a third part of ½ of 2 virgates of land with appurtenances in Bechampton'; and from Margery who was the wife of William of Bechampton' a third part of a third of 2 virgates of land with appurtenances in the same vill; and from Adam Balle and Julian his wife a third part of a messuage with appurtenances in the same vill as her dower.

John and the others come. Margery, Adam and Julian vouch John to warranty concerning the third parts claimed from them. He is present and

warrants for them. And he says, concerning both the third part claimed from him and the tenements which he has warranted for Margery and the others, that he should not have to answer Alice on them, because he says that after the death of Robert, her former husband, from whose dowering [she claims], Alice remitted and quitclaimed to William de Bechampton', John's father, whose heir he is, all the right and claim which she had in the name of dower in all the tenements which had belonged to Robert, her former husband, by a written quitclaim which he puts forward under Alice's name [which he puts forward][1] and which bears witness to this. So he asks for judgment.

Alice fully acknowledges the written deed, but says that it ought not to harm her, because she says that it was made while Robert, her former husband, was alive. She asks that the truth of this should be inquired into by a jury. John does likewise. So the sheriff is instructed to cause twelve [jurymen] to come to Westminster on the quindene of Trinity [23 June] by whom [the matter may be tried] and who are not [connected to either party], to reach a verdict in the aforesaid form, because both [parties have put themselves on a jury] (*marg:* Westminster).

1. This redundant 'which he puts forward' (*quod profert*) is not written in JUST 1/63.

373. Mabel who was the wife of John Martyn (presented herself on the fourth day against William le Parker of Langeleye [Marish][i]) on a plea of 1½ acres of land and of ½ a messuage with appurtenances in Langeleye which she claims from him as her right. He does not come, and he has defaulted on another occasion after being summoned, namely three weeks after Easter [5 May], so that the sheriff was then instructed to take the tenements into the king's hand, and to report which day he did so, and to summon him to be here on this day, namely Monday next after five weeks after Easter [20 May]. The sheriff now testifies to the day he took the land, and that he has summoned him, so it is adjudged that Mabel is to recover her seisin from him by default, and William le Parker is to be in mercy (*marg:* amercement[c]).

374. William son of William fitz Hugh presented himself on the fourth day against Thomas de Tymmesworth and Lucy his wife on a plea that they, together with Walter de Gayton' and Amice his wife[1] and William, son of Walter de Gayton', should give back to him a messuage and 2½ virgates of land with appurtenances except 20 acres of land in Bebegrave which he claims from them as his right. They do not come, and have defaulted on another occasion after being summoned, namely three weeks after Easter [5 May], so that the sheriff was then instructed to take the tenements into the king's hand and report which day he did so, and to summon them to be here on this day, namely Monday next after five weeks after Easter [20 May]. The sheriff now bears witness to the day he took the land, and that he has summoned them.

On this William, son of Walter, comes, and likewise Walter de Gayton' and Amice. Walter and Amice say that they do not hold the tenements, or any part of them, for they say that William, son of Walter, (holds[i]) all that tenement and did so on the day that William, son of William, obtained his writ. William, son of Walter, acknowledges the same, and asks that he should not lose his tenement through the default of Thomas and Lucy, as he is present in court ready to answer William, son of William, on this. He asks that he should be admitted, and he is admitted. He vouches Walter de Gayton' and Amice his wife to warranty on this. He is to have them at Westminster on the quindene of St John the Baptist [8 July] by the aid of the court. They are to be summoned in the county of Somerset (*marg:* Westminster, Somerset).

1. 'they, together with Walter de Gayton' and Amice his wife' (*ipsi simul cum Waltero de Gayton' et Amicia uxore ejus*) written on an alteration.

[See also 42, 406.]

Membrane 32

375. William de Houtot and Maud his wife come into the king's court here and acknowledge that they have drawn up a written deed for Robert Bardolf and Lora his wife, and ask that it should be enrolled; and it is enrolled in these words:

To all faithful people of Christ [who will see or hear][1] the present written deed, William de Houtot and Maud his wife [give] greeting in the Lord. Know that we have granted, remitted and completely quitclaimed for ever, on our behalf and that of Maud's heirs, to Robert[2] Bardolf and Lora his wife and Robert's heirs and assigns, all the right and claim which we had or in any way could have had or which could come to us by hereditary right in the name of Maud or her heirs in a messuage and a carucate of land and of 10 marks-worth of annual rent, together with the homages, services, rents of free men and of villeins, the villeins with their villein services and families and their goods and chattels, and in all the other lands and tenements which once belonged to Peter Basset, Maud's father, in the vill of Adestok' in the county of Buk' with all their appurtenances, without any reservation, to be held by Robert and Lora and Robert's heirs or assigns from the chief lords of the fee [by][3] the due and customary services for ever, and without doing any service to us or to Maud's heirs; so that neither we, William and Maud, nor Maud's heirs, nor anyone in our name in future will be able to claim, exact or demand any right in these lands and tenements with all liberties and appurtenances, as is aforesaid, in the said vill, neither in demesne nor in service for ever. In witness whereof we have set our seals to this written deed. With these witnesses, etc.

1. 'who will see or hear' (*visuris vel audituris*) omitted in JUST 1/67, supplied from JUST 1/63.

2. 'Ralph' (*Radulfo*) written for 'Robert' (*Roberto*) in JUST 1/67.
3. 'by' (*per*) omitted in MS.

[See also 266.]

376. Roger, son of [Sir][1] Ralph [de][1] Bozun [comes into the king's court here and][1] acknowledges that he has drawn up a written deed for Robert Bardolf [and Lora his wife][1] and asks that it should be enrolled; and it is enrolled in these words:

To all [faithful people of Christ, etc., Roger, son of Sir Ralph Bozun gives greeting in the Lord.][1] Know that I have remitted and completely quitclaimed to Robert Bardolf and Lora his wife and Robert's heirs or assigns, on behalf of myself and my heirs and assigns, all the right and claim which I had or in any way could have had in all lands and tenements with all their appurtenances, together with homages, services of free men and of villeins, wards, reliefs, escheats, villeins with their villein services and their chattels, their goods and their families, with all other appurtenances and liberties which may come to me or in any can come to me by hereditary right, together with the dowers which are held from my inheritance and which ought to revert to me after the death of those holding the dowers, in the vill of Adestok' in the county of Buckinghamshire, without any reservation, to be held from the chief lords of the fee by the due and customary services, so that neither I, Roger, nor my heirs nor anyone in my name in the future shall be able to exact or demand any right or claim in these lands and tenements with all their appurtenances, together with the homages, services of free men and villeins, wards, reliefs, escheats, villeins with their villein services and their chattels, their goods and their families, with all other appurtenances and liberties together with the dowers for ever, as is aforesaid. In witness whereof etc. With these witnesses, etc.

1. Words in square brackets omitted in JUST 1/67 and supplied from JUST 1/63.

377. [*This entry is bracketed on the left, and* alibi, *"elsewhere", written in the margin. It appears later as* 400.]

Agnes who was the wife of John de la Croyz was summoned to answer John de Gernun on a plea that she give back to him John son of John de la Croiz, kinsman and heir of master Hugh de la Croiz, whose wardship belongs to the same John Gernun because Hugh held his land from him by knight service. He says that, although Hugh held from him a messuage and a carucate of land with appurtenances in Merston' and Ovyng' by homage and service of 6s. for the king's scutage of 40s. when that happens, and more if the scutage is more, and less if it is less, and Hugh died in his homage, and so the wardship of John son (of John') belongs to him, Agnes refuses to give him the wardship of John son of John, Hugh's kinsman and heir. He says that because of this he has suffered serious loss to the value of £10, and produces suit of this.

Agnes comes by her attorney and vouches John son of John de la Croyz to warranty by the aid of the court. And because John (Gernun[i]) says that Agnes cannot vouch John son of John to warranty on this, a day is given to them at Cauntebrigge,[1] the case remaining in its present state, on the quindene of Trinity [23 June], when John (Gernun[i]) is to set out his case as seems best to him (*marg:* Cauntebr').

1. The eyre justices were scheduled to visit Cambridge after finishing the Buckinghamshire eyre.

378. Richard, son of Richard Gruscet, and Hawise his wife presented themselves on the fourth day against Emma, who was the wife of Richard Gruscet, on a plea that she should warrant for them 3 messuages, a mill, 422 acres of land, 43 acres and 1 rood of meadow, and rent worth £11 8s. 4½d.[1] with appurtenances in Morton', Lillingeston' and Burton', which they hold and claim to hold from her, and concerning which they have her charter. She does not come, and she has made several defaults, and so the sheriff is instructed to distrain[2] her by (all[i])[3] lands and chattels, and to answer for the issues,[3] and to have her in person at Westminster on the quindene of Trinity [23 June] (*marg:* Westminster).

1. '*oblatam*' ('offered') written; JUST 1/63 has (more correctly) *unam obolatam.*
2. Latin '*quod distringat*'; *quod* and the ending of *distr'* omitted in MS.
3. JUST 1/63 omits 'all' (*omnes*), but has 'he is to answer' (*respond*[*eat*]) after 'issues' (*exitibus*).

379. Be it noted that, because several seals were made in the name of John Peyvre in this county, John son of John Peyvre has, on Wednesday next after the feast of St Dunstan[1] in the 14th year of the reign of King Edward [23 May 1286], brought a seal made of latten in the name of John, his father. On its circumference[2] the letters read 'The seal of John Peiurcus', and the impression in its middle is a small shield with a chevron flowered in three places.[3] He completely disavows that seal, and asks that if any written deed be found sealed with this seal it should be regarded as null and void, in whosoever's hands it may be, and should on the contrary be counted as a fraudulent forgery. So let there be allowed to him what is lawfully allowable.

1. 'on Wednesday next after the feast of St Dunstan' (*die mercurii proxima post festum sancti Dunstani*) written on an alteration in both JUST 1/67 and JUST 1/63.
2. Latin *circumferencia.* JUST 1/63 has *circumscriptio.*
3. The arms of the Peyvre (Pever) family were argent, a cheveron gules with three fleurs de lis or thereon (*VCH Bucks* IV, p. 23).

380. A day is given to Nicholas de[1] Bayvel, who is of full age, claiming by his attorney, and William de Aete, tenant, concerning the manor of Shalstone with appurtenances except a messuage and a carucate of land in that manor, on the quindene of St John the Baptist [8 July] at Westminster to hear their judgment, because the judgment has not yet

been made (*marg:* Westminster). And note that the same record which the justices of King's Bench sent here is being sent back to them.

1. *de* expuncted.

[See also 97.]

381. Richard de la Vache and Mabel his wife, Robert de Verdoun and Alice his wife, Walter[1] Scarlet and Robert de Wodewyk', who brought a jury of 24 [knights] etc. against the prior of Snelshall concerning commons of pasture in Nether Shenley, come and ask for licence to withdraw from their writ. They have it.

1. *Walterus* written on an alteration. JUST 1/63 has *Robertus*.

[*There is a gap of 3½ inches after this entry.*]

382. Agnes who was the wife of Walter Prentys, who brought a writ of assize of mort d'ancestor against John del Brock' of Northmerston concerning a messuage and 3 acres and ½ a virgate of land with appurtenances in Northemerston came and asked for licence to withdraw from her writ. She has it.

383. Roger son of John de Schyringeton' in mercy for contempt, and he is to be amerced ½ mark. [*No margination visible, but the amercement was listed* (908).]

Membrane 32 dorse

384. William de Agmodesham, clerk, claims from Maud who was the wife of Salomon le Mouner a messuage with appurtenances in Aghmodesham as his right by a writ of entry. Maud comes and says that she cannot answer him on this writ, for she (has no claim[i]) in these tenements except as guardian of the inheritance of Maud and Beatrix, her daughters, who are not named in the writ and without whom she cannot bring this tenement into court. She asks for judgment. William cannot deny this and asks for licence to withdraw from his writ. He has it.

385. Robert Pugeys, Imbert his son, Imbert Stokeney, William Welegh', Hugh le Lardiner and Robert (de Puttebrugh[i]) were attached to answer Robert, bishop of Bath and Wells, on a plea of why by force of arms, maliciously and knowingly they killed and took away a tame[1] stag belonging to the bishop which was in the custody of Thomas de Verdun at Stokes [Stoke Poges], to the bishop's great loss and against the peace, whereof he complains by his attorney that on the Friday after the last feast of St Martin in winter [16 November 1285] they had come to Stoke with bows, arrows, swords and other weapons, and maliciously killed the bishop's stag, which was in Thomas's custody, and committed other outrages

against him, causing him loss to the value of £40. He produces suit of this.

Robert Pugeys comes, and Imbert and the others come by their attorney. They deny force and injury, and firmly deny that they killed or took away the stag on the day in question, or committed any other trespass against the bishop. They put themselves on a jury concerning this, and so does the bishop's attorney. So let there be a jury. (*Marginated:* on Tuesday next after five weeks after Easter [21 May 1286].)

Afterwards, the bishop asked for licence to withdraw from his writ, and he has it, so the said[2] Robert (and the others[i]) are to go without day on this.

1. The Latin has *domesticum cervum*, 'a domestic stag'.
2. 'the said' (*predictus*) repeated.

[*There is a gap of 2¾ inches after this entry.*]

386. Assize of mort d'ancestor to ascertain if Agnes de Myrifeld, mother of Julian de Myrifeld, died seised in her demesne as of fee of 7½ acres of land with appurtenances in Kenebell' which Alan atten Oure, smith, and Emma his wife hold; and if Julian is her next heir. They come and say that Julian can claim no right in these tenements, because the same Julian granted, remitted and quitclaimed them to them, Alan and Emma, for ever by her written deed, which they put forward and which bears witness to this. They ask for judgment whether Julian can have an action against her own written deed. Because Julian readily acknowledges that the written deed is hers, and acknowledges its contents, it is adjudged that Alan and Emma are to go quit of this, and Julian is to take nothing by her writ but to be in mercy for her false claim (*marg:* amercement[c]). Nothing concerning the amercement because she is poor.

387. The jury on which William de Saundredon, plaintiff, and Robert de Burlee put themselves before the justices of the King's Bench on a plea that Robert should hand over Andrew, son and heir of Roger Crok', whose wardship belongs to him [William] because Andrew's father Roger, whose heir he is, held from him by knight service, comes here to ascertain if Roger Crok', Andrew's father [*entry ends here*].[1]

1. The entry also ends here in JUST 1/63. In both rolls a gap of 5½ inches is left before the next entry.

[*From this point, the right-hand edge of the membrane is very faded and difficult to read, even under ultra-violet light. Missing words in* 389 *have been supplied from JUST 1/63.*]

388. Assize of novel disseisin to ascertain if Robert son of John le Keu and John le Keu disseised Miles de Hastinges of his free tenement in Stok' Goldingeton, whereof he complains that they disseised him of [land] 70 perches in length and 4, 5 and 7 feet in width in various places.

Robert and John come and say they cannot answer him on this writ, because William *de Mortuo Mari* [Mortimer] holds a third part of the tenements of which Miles complains he has been disseised and has put in their view, and that he held it on the day the writ was obtained. They put themselves on the assize concerning this. And if it were to be decided by the assize that Robert and John hold all the land, they answer and say that Miles was never in seisin of it as his free tenement so that he could be disseised, and they put themselves on the assize concerning this. Miles does likewise, so let there be an assize.

The jurors say on their oath that William holds nothing of these tenements, and did not hold them on the day the writ was obtained, and that Robert and John did disseise Miles of them unjustly, as he complains. So it is adjudged that Miles is to recover his seisin by view of the jurors, and Robert and John are to be in mercy (*marg:* amercements[c]). Damages 2s. to the clerks.

389. Assize of mort d'ancestor to ascertain if John de Notingham, father of Richard son of John de Notingham, died seised in his demesne as of fee on a messuage with appurtenances in Neuportpaynell' which William le Fischer, clerk, and Julian his wife hold; and if Richard is his next heir. They come. And on another occasion they have vouched the prior of Tykesford to warranty. He does [not][1] come, and he has defaulted on another occasion after being summoned, namely on the Thursday after the third week after Easter [9 May], [so that][1] the sheriff was then instructed to re-summon him to be here on this day, namely Monday after one month after Easter [13 May]. The sheriff now bears witness that he has been re-summoned. Judgment that the assize should be taken against him by default.

The jurors say on their oath that the late John died seised of the messuage in his demesne as of fee and within the time-limit, and that Richard is his next heir. So it is adjudged that Richard is to recover his seisin from William and Julian, and William and Julian are to have land to the value from the prior's lands in a suitable place; and the prior is to be in mercy (*marg:* amercement).

Damages 5s., to the clerks.

1. Words omitted in JUST 1/67, supplied from JUST 1/63.

[See also 11]

Membrane 33

390. Nicholas de la Bataille of Embreton' presented himself on the fourth day against Richard son of Henry le Marchaund and John his son on a plea concerning 1 rood of land with appurtenances in Embreton; and against Agnes de la Bataylle and William her son on a plea of a piece of land (2[i])16 feet in length and 32 feet in width with appurtenances in the

same vill, which he claims from them as his right. They do not come, and they have defaulted after being summoned on another occasion, namely on Monday after one month after Easter [13 May], so that the sheriff was then instructed to take the land into the king's hand and to report which day he did so, and to summon them to be here on this day, namely Tuesday after five weeks after Easter [21 May]. The sheriff now bears witness to the day he took the land, and that they have been summoned, and so it is adjudged that Nicholas is to recover his seisin by default, and Richard, John, Agnes and William are to be in mercy (*marg:* amercements[c]).

391. Robert de Gybervill' claims 20 acres of land with appurtenances in Tyngewyk'[1] from Ralph de Frankeney as his right by a writ of entry. Ralph comes and asks for a view. He is to have it. A day is given at Westminster *on the quindene of Trinity [23 June]. Meanwhile [let there be a view].*

1. From the beginning as far as *Tyngewyk'* is written on an alteration. JUST 1/63 has 3 (acres) (*tres*) instead of 20 (*viginti*).

392. Richard de la Vache presented himself on the fourth day against Robert de Verdun and Alice his wife on a plea that they should keep to the agreement made between them concerning[1] 19s.-worth of rent with appurtenances in Nether Shenle and Oureshenle. They do not come, and they have defaulted several times, so the sheriff is instructed to distrain them by lands and chattels, and to report on the issues, and to have them in person at Westminster on the quindene of Trinity [23 June] (*marg:* Westminster).

1. A second 'concerning' (*de*) is struck through and expuncted.

[See also 32, 219, 381.]

[There is no further trace of either of these pleas, 391 and 392, in the CP 40 rolls.]

393. The prior of Kenilleworth' was summoned to answer William de Luyton' on a plea that he should pay him £10 arrears from an annual rent of 20s. which he owes him. The prior comes by his attorney, and they agree by licence. The agreement is as follows, that the prior has acknowledged that he owes William 5 marks, which he will pay him at the next feast of the Nativity of St John the Baptist [24 June]. If he fails to do so, he grants that the sheriff may raise the money from his lands and chattels. In return for this, William has remitted that annual rent to the prior and (his[i]) successors in his church, and also the rest of the arrears for ever (*marg:* acknowledgement).

394. Master Peter de Abindon' presented himself on the fourth day[1] against Walter de Wottesdon on a plea that he pay him 10 marks; and against Robert Fulton' on a plea that he pay him 10 marks; which they owe him and unjustly withhold. They do not come, and they have made several defaults, so the sheriff is instructed to distrain them by their lands

and chattels, and to report on the [issues],[2] and to have them in person at Westminster on the octave of Trinity [16 June] (*marg:* Westminster).

1. JUST 1/63 repeats 'presented himself' (*optulit se*) at this point.
2. Word supplied from JUST 1/63 as JUST 1/67 is torn away on the right here.

395. Nicholas de Hauseby of Eyllesbury was summoned to answer master Peter de Abindon' on a plea that he should pay him the 10 marks which he owes him and concerning which master Peter says that, whereas on the day of St Fabian and St Sebastian in the 13th year of the present king [20 January 1285] he sold his corn at Preston to Nicholas and to Walter de Wottesdon and Robert F[ulton][1] for 30 marks, of which each of the three was bound to pay him 10 marks [on][1] the feast of All Saints last past [1 November 1285], Walter and Robert paid him their shares at that term, but Nicholas refused to pay his share, namely 10 marks, and st[ill refuses].[1] He says that he has suffered loss and damage to the value of 40s. because of this, and he produces his suit on it.[2]

Nicholas comes and fully acknowledges that he owes master Peter the 10 marks, and he will pay him 5 marks at the (next[i]) feast of the Nativity of St John the Baptist [24 June] and 5 marks at the feast of St Laurence next following [10 August]. If he fails to do so, he grants that the sheriff may raise the money from his lands and chattels. Moreover, he has found him these sureties, namely John le Peu of Rysebergh' and Robert de Broghton', who acknowledge that if Nicholas fails to pay the money at those terms then the sheriff may raise the money from their lands and chattels.

1. Words supplied from JUST 1/63 as JUST 1/67 is torn away on the right here.
2. In view of the fact that the (open) taking of interest was not permitted, how has master Peter of Abingdon calculated that he has suffered loss of 40s. when Nicholas de Hauseby has not repaid 10 marks?

396. Assize of novel disseisin to ascertain if John de Haunepenne and Sarah his wife, Sarah's daughters Sibyl and Isabel, John Davy and Maud his wife, [Maud's][1] daughters Lucy and Tybbota, and Aline daughter of Alice unjustly disseised Percival [de Lavannia], the parson of Eyllesbury church, of his free tenement in Eyllesbury after the eyre was summoned, [whereof][2] he complains that they disseised him of a messuage with appurtenances. None of them comes, but Gilbert de Borhnton' comes and answers for them as their bailiff. [He says][2] that Percival was never in seisin of the tenement so that he could be disseised, and puts himself [on][2] the assize concerning this. So let the assize be taken. It is postponed until the eve of the Ascension [22 May] for lack of jurors, because none of them [came].[2] Afterwards on that day Percival came through his attorney and asked for licence to withdraw from his writ. [He has it.][2]

1. Both JUST 1/67 and JUST 1/63 have 'of Sarah' (*Sarre*), but it should probably be 'of Maud' (*Matild'*).
2. Words supplied from JUST 1/63 as JUST 1/67 is torn away on the right here.

[See also 265.]

397. Richard de Bello Fago[1] (Beaufo) gives ½ mark for licence to agree with Robert Malet concerning a mess[uage and][2] a carucate of land (and 20s.-worth of rent[i]) with appurtenances in West cote and Wottesdon' by surety of Robert. They have a chirograph.

1. *Bello* written for *Bella.* Some clerks obeyed the Classical Latin rule that names of trees in the second declension should be feminine, but many did not. It is interesting to speculate whether possessors of such surnames had any opinions on the matter.
2. Words supplied from JUST 1/63 as JUST 1/67 is torn away on the right here.

[CP 25/1 17/49/22 (47) = FF (25) no. 376, dated Wycombe, five weeks after Easter [19 May] 1286, is a fine between these parties concerning the stated property (no place mentioned) and also the moiety of a messuage in Bodannan, Cornwall. The rent is a rose; consideration 80 marks.]

398. Robert de Grey presented himself on the fourth day against Fulk de Rucote, Paulinus Basset, William le Megr[e, Henry de][1] Evinton and Robert his brother, Thomas le Messer of Thame, John le Keu, Jordan le Pesch[eur, John][1] Knytwyn, William Howe, Simon Osebern, Henry la Justize, Walter le Camm and Simon [Wate on][1] a plea as to why they broke Robert de Grey's weir at Shubinton by force of arms, and took and carried off the [timber][1] of that weir to the value of 10 marks, and committed other outrages against him, to Robert de Grey's [serious][1] loss and against the peace.

They do not come. The sheriff was instructed to [attach them][1] to be here on this day, namely one month after Easter [12 May]. The sheriff has done nothing on this, b[ut witnesses][1] that Fulk and the others have no lands or tenements in his bailiwick by which they can be attached. Evidence is given [that they have][1] a sufficiency of land in the county of Oxford, so the sheriff of Oxfordshire is instructed to attach them to be at West[minster on the][1] quindene of Trinity [23 June]. (The sheriff bears witness to this[i]), and evidence is given on this etc. (*marg:* Oxfordshire, Westminster).

1. Words supplied from JUST 1/63 as JUST 1/67 is torn away on the right here.

399. Thomas de Cumbe claims from Stephen de Graveshende, parson of the church of Stokehamund, 6 [acres of land][1] with appurtenances in Stoke Hamund as his right by a writ of entry. Stephen comes and asks for a view (of it[i]); he is to have it. A day is given to them at Westminster on [the quindene of][1] Trinity [23 June] (*marg:* Westminster). And meanwhile [let a view be made].

1. Words supplied from JUST 1/63 as JUST 1/67 is torn away on the right here.

[Stephen of Gravesend was instituted to the church of Stoke Hammond on 10 July 1277 by the bishop of Lincoln. In 1300 he became a canon of St Paul's, London, and afterwards bishop of London (Lipscomb IV, p. 361).]

Membrane 33 dorse

[*A gap of 6½ inches has been left from the top of the membrane until the first entry.*]

400. Agnes who was the wife of John de la Croyz was summoned to answer John de Gernun on a plea that she should hand over (to him[i]) John son of John de la Croyz, kinsman and heir of master Hugh de la Croyz, whose custody belongs to John de Gernun because Hugh held his land from him by knight service; whereof he says that, although Hugh held from him a messuage and a carucate of land with appurtenances in Merston' and Oving' by homage and service of 6s. for a scutage of 40s. when that happens, and more if the scutage is more, and less if it is less, and Hugh died in his homage, and so the custody of John son of John belongs to him, Agnes withholds from him the custody of John son of John and refuses to give it to him. He says that because of this he has suffered serious loss to the value of £10, and produces suit of this.

Agnes comes and denies force and injury, and says that John de la Croyz, father of John son of John de la Croyz, held a virgate of land with appurtenances in Northmerston' from Hugh de la Croyz by knight service, and died in Hugh's homage; by reason of which, Hugh seized custody of the land and heir into his hand as guardian, and held it for some time; and afterwards he demised[l] to Agnes both the marriage of John son of John and[l] also custody of his land, and bound himself and his heirs to warrant. She says that, (because[i]) Hugh died without an heir of his body, the same John son of John ought to succeed Hugh as his nephew and heir, as son of John, his father, Hugh's brother. And so she vouches John son of John, Hugh's nephew and heir, to warrant by Hugh's deed, which she puts forward and which bears witness to that demise and warranty.

John Gernun says that Agnes cannot vouch John son of John to warranty on this by Hugh's deed, because at the time of the drawing-up of this written deed Hugh only had custody of John son of John because John his father held his land of him by knight service, and he [John Gernun] is making no claim at present concerning this [right to] custody; on the contrary, he is claiming the custody of John son of John (on the grounds that[i]) John is Hugh's kinsman (and heir[i]), and not on the grounds that John is the heir of his father John. And since (Hugh could not have custody of his heir during his life, and[i]) Agnes has vouched [him] to warranty in another and completely different aspect from what is being claimed, as appears by her writ and by Hugh's written deed which she is putting forward, he asks for judgment if this voucher to warranty should have place or be admitted (*marg:* to judgment).

[*There follows a gap of 1½ inches.*]

A date is given to them to hear judgment at Cantebriga on the octave of Trinity [16 June]. Afterwards a date is given to them to hear judgment at

Westminster on the quindene of Michaelmas [13 October] [*no marginations visible*].

1. Small obliteration after 'demised' (*dimisit*), with a line drawn through it; also after 'and' (*quam*).

[See also 377.]

[*The rest of m. 33 dorse is blank.*]

Membrane 34

PLEAS CONCERNING JURIES AND ASSIZES OF THE LIBERTY OF BERKHAMSTED, WHICH ARE PLEADED ON THEIR OWN AND NOT AMONG THE COMMON PLEAS BUT IN ANOTHER PLACE.

401. William Pruce, who brought a writ of trespass against Walter son of Ulian de Chendich and John de Mersh has not pursued his case, and so he and his sureties to proceed are in mercy, namely Peter de Flute and John Ferbrat of Brichull' (*marg:* amercements[c]).

Membrane 34 dorse

[*This is completely blank.*]

Membrane 35

[*This membrane is not headed, but space has been left; the first case on it begins 2 inches down.*]

402. Assize of mort d'ancestor to ascertain if Simon de Twyford, father of John son of Simon de Twyford, died seised in his demesne as of fee of a messuage and 20 acres of land with appurtenances in Twyford and Charneford, which messuage and land John Giffard holds; and if John is his next heir.

John Giffard comes and says that he fully acknowledges all the articles of the writ, but says that the assize should not be taken on it, because Simon, father of John, held these tenements by knight service from him, John Gyffard, by homage and the service of 6d. for a scutage of 40s. when it should happen, and more for a greater scutage and less for a lesser scutage. He says that after Simon's death Ralph Pippard entered these tenements and others whose custody belonged to him, John Gyffard, because John son of Simon was under age; as a result, he got the king's writ before the justices here against Ralph, and pursued it, and established his claim to the custody of those tenements. He also says that he was in seisin of Simon's homage and service by the enfeoffment and assigning of Ralph, son of Nicholas, who enfeoffed him of these services, by whose

assigning Simon acknowledged that he owed homage and service to John. He says that Ralph took scutage twice from Simon's hands,[1] and that there has been no scutage after the assigning of these services. And so he says that he has no claim in these tenements except by reason of custody, because John is under age.[2]

John son of Simon says that John Giffard has no claim in these tenements by reason of custody, because he, John son of Simon, is under age; he says that his late father Simon acquired these tenements from various people to hold by various services, namely: ten acres of land from William son of Hugh le Porter, paying 18d. a year to the chief lord of the fee for all lay exactions and demands; a messuage and 4½ acres of land from William Bigot, paying 4d. a year for all services; 5½ acres of land from William Leon, paying 3d. a year to the church of the Blessed Mary at Twyford; 8 strips of land from Isouda daughter of William Le Leon, paying her ½d. a year; and a messuage and ½ a virgate of land from Alice daughter of William Leon, paying Alice and her heirs 11d. a year for all services. And so he says that on the day he died his father Simon did not hold these tenements from John Gyffard. He asks that there should be an inquiry by a jury that this is so.

John Gyffard says that Simon held these tenements from him by knight service, namely by homage and the service of 6d. for scutage of 40s. when it should happen, and more for a greater and less for a lesser, and that he, John Giffard, was seised of Simon's homage, and that Simon had to do suit to his court at Twyford every three weeks, and that Simon had (died[b]) in his homage for these tenements. He puts himself on the assize, to be taken in place of a jury, concerning this.

The jurors say on their oath that Simon acquired these tenements from various people to be held by various services, as is said above. They say that Ralph son of Nicholas was afterwards seised of Simon's homage, and likewise of scutage of 6d. for a scutage of 40s. by Simon's hand for these tenements. They also say that Ralph son of Nicholas assigned Simon's homage and service to John Gyffard, by which assigning Simon acknowledged that he owed homage to John Giffard, and he died in his homage. And so it is adjudged that John Gyffard is to go without day on this, and John son of Simon should take nothing by this assize, but is to be in mercy for his false claim (*marg:* amercement[c]). He is pardoned because he is under age.

1. Scutage was exacted in 1277 on the submission of Llewellyn, and in 1285 for the armies which had been in Wales in 1282.

2. A faint margination at this point somewhat resembles the abbreviation *trans'* for *transgressio* (trespass).

[*There is a gap of 5 inches after this entry, after which a faint horizontal line is drawn right across the membrane.*]

403. John son of John Peyvre claims 3 messuages and 5 virgates of land with appurtenances in Morton' from Richard, son of Richard Grusset,

(and Hawise his wife[i]); and 2 acres of land with appurtenances in the same vill from Arnold son of Arnold of Bukyngham and Emma his wife, into which Richard and Hawise and Arnold and Emma do not have entry except through Emma who was the wife of Richard Grusset, who intruded into them after the death of Richard Grusset, to whom John Peyvre, father of the said John Peyvre, whose heir he is, demised them for the life of Richard [senior].

Richard and the others come. Concerning the tenements claimed from them, Arnold and Emma have said on another occasion that they hold these tenements for life only, by demise of Emma who was the wife of Richard Grusset. Likewise, concerning the tenements claimed from them, Richard and Hawise have on another occasion vouched to warranty Emma who was the wife of Richard Grusset. She now comes by summons and warrants for them. As far as 1 messuage and 1 virgate of land from these tenements are concerned, she says that John, father of John Peyvre, did (not[i]) demise that messuage and that virgate of land for any specific term, but in fee, and in exchange for some lands and tenements in Hatfield in the county of Hertford, of which John son of John is now in seisin. As far as the rest of these tenements are concerned,[1] she completely denies that she entered them by any intrusion, but on the contrary jointly with her husband Richard. She puts herself on a jury concerning this. John does likewise, so let there be a jury on this.

Afterwards, they agree,[2] and they have a chirograph.[3] The fine for the licence to agree is elsewhere. A day[4] is given to them to receive their chirograph at Cantebrigg' on the octave of Trinity [16 June] (*marg:* Cant').

1. The beginning of this sentence is written on an alteration.
2. After 'they agree' (*concordati sunt*), JUST 1/63 has *Et Ricardus dat unam marcam pro licencia concordandi per plegium Thome de Bray* (and Richard gives 1 mark for licence to agree, by surety of Thomas de Bray), and is marginated '1 mark'.
3. Entry ends here in JUST 1/63.
4. This last sentence is squeezed in above a capitulum mark, although the rest of the dorse (4½ inches) is blank.

[See also 319. It was reported to the eyre justices at Cambridge that the sheriff of Buckinghamshire had done nothing in the matter, but had taken 5 marks from the issues of John's lands, for which he would answer. He was instructed to distrain him, and bring him in person to the justices on the octave of Michaelmas [6 October] at Huntingdon (JUST 1/86 m. 33). At Huntingdon there was a further adjournment to the next eyre county of Bedfordshire (de Windt and de Windt, *Royal Justice*, I, no. 222; the deWindts found no further trace of the case).]

Membrane 35 dorse

[*Again, the first case begins 2 inches down, after a faint horizontal rule.*]

404. John le Sautreur and Agnes his wife claim a messuage in Wycombe with appurtenances from Roger le Cordewayner of Wycomb' and Cecily

his wife as the right of Agnes by gift of Adam Le Potter, who enfeoffed her with it, and into which (Roger and[i]) Cecily have no right of entry except after the disseisin which Alice, widow of Adam le Potter, (and Robert her son[i]) unjustly committed against Agnes.

Roger and Cecily come and say that Robert Osbern' of Wycomb' gave this messuage to them (Roger and Cecily[i]) to be held as a gift in free marriage to Cecily, and that they have issue, a son named John, who is Cecily's heir. They say that the fee and right in the messuage belongs to John by reason of the marriage-gift, and that because of the Statute of Westminster[1] it is not lawful for them to give, alienate or surrender the messuage to the court, and so they say that they cannot bring this messuage into court without John, who is under age. They ask that the plea should be postponed until John comes of age.

John and Agnes say that on another occasion before the justices here they brought a writ against Roger concerning this messuage, and that in order to quash their writ Roger had answered on the writ that the messuage was Cecily's marriage-gift, and he could not answer without her, and she was not named in the writ. Because of this, it had been adjudged that Roger should go without day on it, and that John and Agnes should take nothing by their writ but should be in mercy for their false claim. And so, as on another occasion in the king's court Roger and Cecily had described themselves as holding the messuage, they ask for judgment on them as offering no defence, unless they should wish[2] to say anything else.

Afterwards, Roger and Cecily abandoned that exception,[3] and defended their right. They firmly denied that Alice, who was the wife of Adam Le Potter, and Robert her son, had not disseised Agnes, and put themselves on a jury concerning this. John and Agnes do likewise, so let there be a jury on the matter.

The jurors, chosen by consent of the parties, say on their oath that Alice and Robert her son did not disseise Agnes of this messuage, because Agnes was never in seisin of it so that she could be disseised. So it is adjudged that Roger and Cecily are to go without day on this, and John and Agnes are to take nothing by this jury but to be in mercy for their false claim (*marg:* amercement[c]). Pardon is granted by the justices.

1. *Statutes of the Realm* I, p. 71. Statute of Westminster II, c. 1 (*De Donis Conditionalibus*): *non habeant illi quibus tenementum sic fuit datum sub condicione potestatem alienandi tenementum sic datum quominus ad exitum illorum quibus tenementum sic fuerit datum remaneat post eorum obitum.* "Those to whom a tenement is thus conditionally given are not to have the power of alienating the tenement thus given [which would prevent it] from remaining after their deaths to the issue of those to whom it was thus given."
2. There is an erasure with a line drawn through after *velint.*
3. The beginning of this sentence ('Afterwards . . . exception') written over an erasure.

405. Warin de Brakenham claims a messuage, 30 acres of land and 3 acres of meadow with appurtenances in Sullebyr' from Hugh le Dun as his right by a writ of entry. Hugh comes. On another occasion he has said

that he was enfeoffed of these tenements with Joan, formerly his wife, to be held by himself and Joan and the heirs begotten of their bodies, and that he has begotten a child on Joan, namely Hugh, who is under age, and without whom he could not bring these tenements into court. And so the sheriff was instructed to summon Hugh to be here to answer at the same time. And because Hugh has been seen in the court and he is under age, therefore this plea is to be postponed until he comes of age (*marg:* age).

[See also 114, 352.]

[*There is a gap of 2½ inches after this entry, down to a faint horizontal line ruled across the membrane.*]

406. Nigel son of Roger de Bebbegrave presented himself on the fourth day against Walter de Geyton' and Amice his wife on a plea that they, together with their son William, should return to him 4 messuages, 1½ virgates and 21 acres of land and 2 acres of meadow with appurtenances in Weston' and Bebbegrave which he claims from them as his right.

They do not come, and have defaulted on another occasion, namely three weeks after Easter, after being summoned [5 May], so that the sheriff was then instructed to take these tenements into the king's hand and to report which day he did so, and to summon them to be here on this day, namely Friday after one month after Easter [17 May]. The sheriff now bears witness to the date he took the land, and that he has summoned them.

Upon this, William comes and says that he holds these tenements which Nigel is claiming from Walter and Amice. He asks that he should not lose his tenement by default of Walter and Amice, since he is prepared to answer Nigel on the matter. He asks that he should be admitted to this.

Nigel says that William should not be admitted on his own to defend these tenements, because he says that Walter and Amice held them in common with William on the day that he obtained his writ against them, namely 26 February in the 14th year of the present king [1286], and says precisely that he takes as his argument the default of Walter and Amice.

William says that he holds these tenements on his own, and did so on the said day and year, and puts himself on a jury concerning this. Nigel does likewise, and so the sheriff is instructed to cause twelve men by whom [the matter may be tried] and who are not [connected to either party] to reach a verdict in the aforesaid form because both [parties have put themselves on a jury]. (*Marginated:* to five weeks after Easter [19 May] Westminster.)

[See also 42, 374, and CP 40/64 m. 63 (Michm. 1286) when the jurors said that William held the tenements alone on the day in question, so he was to be without day and Nigel in mercy for his false claim.]

407. Alice who was the wife of Ralph Danvers claims a third part of 7 acres of meadow and of 7 acres[1] of pasture with appurtenances in

Dorney from Richard son of Walter de Dorneye as her dower from the dowering of Ralph, her former husband. Richard comes. As far as the third part of 7 acres of meadow is concerned, on another occasion he has vouched William de Cave to warranty. William is under age, and his person and lands are in the wardship of Henry de Sodebrock', who came and warranted, and further vouched to warranty William son of William Danvers. William son of William Danvers is under age, and his person is in the custody of Alice who was the wife of William[2] Danvers, and his lands in the custody of Edmund, earl of Cornwall. Likewise concerning the third part of 6 acres[1] of pasture, Richard vouched to warranty the same William son of William, whose person is in the custody of Alice and whose lands are in the custody of the earl. He now comes by summons, and by licence gives[3] Alice her said dower. So it is adjudged that Richard should hold in peace, and that Alice should recover her seisin from the land of the heir who is in the earl's custody.

1. Discrepancy in MS.
2. After 'the wife of William' (*uxor Willelmi*) is written 'the son of William' (*filii Willelmi*), imperfectly obliterated and struck through.
3. 'gives' (*reddit*) altered from 'is to give' (*reddat*)?

[See 3. Ralph Danvers died in 1275 (*VCH Bucks* III, p. 81). This seems rather late for his widow to be claiming dower. Ralph's heir was William Danvers, who also married a woman named Alice; he died in 1286, leaving an under-age heir William. Dorney manor had come to William de Cave by 1300 (*VCH* III, p. 221).]

408. Emma who was the wife of Geoffrey fitz John presented herself on the fourth day against John de Thedmers on a plea that he should be here on this day to warrant 12 acres of land with appurtenances in Kerselawe for her, which John Waryn of Houton' and Joan his wife claim from her as Joan's right, and whereof, etc. He did not come, and he has defaulted on another occasion after being summoned, namely three weeks after Easter [5 May], so that the sheriff was then instructed to take into the king's hand land to its value from John's land, and to report which day he took the land, and to summon him to be here on this day, namely Friday next after one month after Easter [17 May]. The sheriff now bears witness to the date he took the land, and that he has summoned him. Therefore it is adjudged that John Waryn and Joan should recover their seisin from Emma, and that Emma is to have land to the value of these tenements from John de Thedmers's land in a suitable place. John de Thedmers to be in mercy (*marg:* amercement[c]).

[See also 198.]

Membrane 36

409. Walter de Neweton' and Maud his wife claim from the abbot of Messenden' a third part of 300 acres of heath and of 10 marks'-worth

of rent with appurtenances in Kyngeshull' and Huchenden; and from master William de Luda and master Thomas de Luda a third part of a messuage, of 1 carucate of land and of 16 acres of wood with appurtenances in the same vills, as Maud's dower from the dowering of John Braund, her first husband.

The abbot and the others come by their attorney, and say that they should not have to answer them on this writ, because they say that the same Walter and Maud brought a writ of a higher nature[1] against the abbot and the others in the king's court before the justices here concerning these tenements of which they are now claiming a third part as Maud's dower, and that [on that occasion] they claimed them as Maud's right and marriage gift, and so, since in their first claim they asserted that the tenements were Maud's right, and in this claim they assert that they are the *right of John, her first husband, they seek judgment. Afterwards, the abbot* and the others abandoned that exception.

Concerning the third part claimed from them, master William and master Thomas vouch the abbot to warrant for them, and he does so. And concerning both the third part claimed from him and the third part which he is warranting for master William and master Thomas, he vouches Bartholomew du Chastel to warranty. He is to have him at Westminster on the quindene of St John the Baptist [8 July] with the aid of the court, and he is to be summoned in the counties of London and Surrey (*marg:* Westminster, London, Surrey).[2]

1. It was a writ of entry: see 275.
2. JUST 1/67 is torn away on the left here; marginations supplied from JUST 1/63.

410. Walter son of Geoffrey le Clerck' claims from Laurence de Bluntysden' 5 acres of land and 1 acre of wood with appurtenances in Tappelawe of which Geoffrey de Henksteme, grandfather of Walter, whose heir he is, died seised in his demesne as of fee.

Laurence comes and denies his right, and says that the late Geoffrey and Christian his wife acquired these tenements to be held by them and their heirs. He says that Christian survived Geoffrey, and afterwards enfeoffed him, Laurence, with the tenements, and bound herself and her heirs to warranty. He puts forward a charter in Christian's name which bears witness to this. He also says that Walter is Christian's heir, so that if he [Laurence] were to be sued by someone else Walter would be bound by the deed made by Christian, whose heir he is, to warrant (these tenements[i]) for him. He asks for judgment if Walter can have an action contrary to that deed.

Walter says that his grandfather Geoffrey acquired the tenements to be held by himself and his heirs, and that Christian, Geoffrey's widow, had nothing in them except in the name of dower after Geoffrey's death, so that, since he could have an action against Christian if she were surviving (and in possession[i]), he asks for judgment whether he can be denied an action by Christian's deed, as he is claiming nothing now from her seisin.

Laurence says that after the death of Walter's grandfather Geoffrey, whose seisin is in question, Agnes de Gloyre ejected Christian from these tenements, wishing to assign her a third part of them as dower, so that Christian, asserting that she had fee and freehold in these tenements, brought an assize of novel disseisin against Agnes, and by the verdict of that assize recovered her seisin; and afterwards she enfeoffed him, Laurence, with these tenements, and so he asks for judgment (*marg*: to judgment).[1] [*Entry ends here.*]

1. Margination supplied from JUST 1/63; JUST 1/67 is torn away on the left here.

[See also 194, 279.]

[*There is a gap of 3½ inches after this entry, down to a faint horizontal line ruled across the membrane.*]

411. [Basil]e[1] who was the wife of Walter le Draper claimed from Walter le Carpenter in the king's court here a third part of ½ a messuage with appurtenances in Agmondesham; and from William de Tykenhull' a third part of a messuage with appurtenances in the same vill; and from Gilbert le Vynche a third part of a messuage and of ½ acre of land with appurtenances in the same vill as [her][1] dower. So the sheriff was instructed to summon them to be here three weeks after Easter [5 May] to answer Basile on this plea. On which day Walter and the others defaulted, on account of which [the sheriff][1] was instructed to take the said tenements into the king's hand, and report which day he did so, and to summon them to be here on this [day],[1] namely Wednesday next after a month after Easter [15 May] to answer Basile both on the main plea and their default.

And now Walter and the others come, and likewise Basile comes. And Basile [takes][1] as her precise complaint the default which Walter and the others made on the said third week after Easter. Walter and the others say that they could have made no default on that third week after Easter, [because they say][1] that they were never summoned to be here on the day to answer Basile on the said plea, (and they are prepared to defend [themselves] against her and her suit as the court shall adjudge[i]). And so they will wage their law to her twelve-handed, and they will come with their witnesses [to West][1]minster on the octave of St John the Baptist [1 July]. [*In different ink*] William, Walter and Gilbert each stand surety for another of them that he will wage his law [*lit.* sureties that each of the said William, Walter and Gilbert will wage his law by surety of another].

1. The left-hand edge of this membrane is obliterated by a repair strip over a tear.

412. [Roger d][1]e Bella Fago[2] [Beaufo] presented himself on the fourth day against William le Hert of Cheymore on a plea as to why he had taken and carried off his grain and other goods [and chattels][1] found at Quainton to the value of £40, and inflicted other out[rages on him][1] to his serious loss and against the peace. William did not come. The sheriff

was instructed [to distrain][1] him by all his lands and to report on the issues, and to have him here in person on this day. [The sheriff has done nothing][1] about this, but bears witness that William has not been found, nor does he have anything in [the sheriff's][3] bailiwick by which [he can be distrained].[1] Therefore the sheriff is instructed to take him if [he is found], to [keep him] safely, and to have him in person at Westminster on the octave of Trinity [16 June][4]. And of this the sheriff has borne witness.

1. JUST 1/67 is torn away on the left; words in brackets supplied from JUST 1/63.
2. *Fago* given its correct feminine gender here.
3. 'the sheriff's' (*sua*) omitted in JUST 1/67, supplied from JUST 1/63.
4. 'on the octave of Trinity' (*in octabis sancte Trinitatis*) written on an alteration.

413. [Geoffrey de][1] Bosco claims from Henry de Norwyco 3s.-worth of rent with appurtenances in Lameden' as his right. [Henry][1] comes. On another occasion he has vouched Robert de Abyngdon' to warranty, who has warranted for him and further vouched John Knewe [to warrant][1] on this. John now comes by summons and by licence returns these tenements to Geoffrey, so it is adjudged [that][1] Geoffrey is to recover his seisin from Henry, and that Henry is to have [tenements][1] to the same value of the said tenements with appurtenances in a suitable place from Walter's land, and that Walter is to have [the same] from John's land. John is to be in mercy [*marg:* amercement][1].[2] He is pardoned because he is poor.

1. JUST 1/67 is torn away on the left; words in brackets supplied from JUST 1/63, and no marginations visible.
2. It is not apparent from this account why John should be in mercy. Was he holding the tenements unlawfully?

Membrane 36 dorse

414. Simon de Monte Acuto [Montagu] presented himself on the fourth day against Ela, countess of Warr', on a plea as to why, since it has been established by the common council of the kingdom that it is not lawful for anyone to commit waste or destruction in lands leased to him for the term of his [life],[1] she has committed waste and destruction to the [disinheri][1]ting of Simon, contrary to the form of the statute,[2] in 3 carucates of land with appurtenances in Aston' Clynton', which William de Monte Acuto, father of [the said][1] Simon, whose heir he is, leased to her for the term of her life.

She[3] did not come, and has defaulted several times,[4] so that the sheriff was [instructed][1] to distrain her by all her lands, and to report on the issues, and to have her here in person on [this day][1], namely Monday next after one month after Easter [13 May]. The sheriff now bears witness that he has taken [four][1] and a half marks from the issues of Ela's lands, and the same sheriff will answer for them (*marg:* 4½ marks[c]); and that John the reeve of Eston' Clynton', Richard Tur[geys][1], Richard le Whyte and John

Wykeng have stood surety for Ela, so they are in mercy (*marg:* amercements[c]). The sheriff is instructed to go in person to the place where the [waste][1] was committed, [taking][1] with him twelve free and law-worthy men from that neighbourhood, and to inquire what sort of waste Ela committed, and to have [the report of] his inquiry here on Monday next after [five][1] weeks after Easter [20 May] under his seal and their seals. And by two, etc.

On which day the sheriff produces [the report of] his inquiry, sealed by the twelve, who say on their oath that the countess committed waste in a [garden][1] to the amount of 10s., and waste in a wood to the amount of [6][1]2s. 6d., and waste in another wood to the amount of [10][1]s. Therefore it is adjudged that Simon should recover the tenement which has suffered waste by the view of the jury on this inquiry, and his d[amages],[1] which are assessed threefold at 18 marks, 7s. 6d. in accordance with the Statute of Westminster.[1] The countess is to be in mercy (*marg:* amercement[c], countess).

[*Larger writing*] Damages assessed threefold, 18 marks 7s. 6d.

1. Membrane torn away on the right. Words in brackets supplied from JUST 1/63.
2. *Statutes of the Realm* I. Statute of Westminster I, c. 21. For the text, see 50. There is a gap of 6 inches after this entry.
3. 'he' (*ipse*) written for 'she' (*ipsa*).
4. 'defaults' (*defaltas*) written for 'default' (*defaltam*). JUST 1/63 has the correct wording.

415. Walter de Mungevill' presented himself on the fourth day against Adam Patewyn on a plea of a messuage with appurtenances in [Wycomb'].[1] Adam did not come, and he was summoned. Judgment that the land is to be taken into the king's hand and the day on which this was done reported, and that he is to be summoned [to be at][1] Westminster on the quindene of Trinity [23 June] (*marg:* Westminster).

1. Membrane torn away on the right. Words in brackets supplied from JUST 1/63.

416. William Gegge and Denise his wife and Ralph de Agmondesham were summoned to ans[wer John de Foles][1]ham and Maud his wife on a plea that they give back to them the custody of the land and heirs of John Aldyth, which belongs [to John][1] and Maud because John Aldyth held his land from them by [knight][1] service, whereof they say that John Aldyth held a messuage, 31 acres of land and 3 acres of wood with appurtenances in La Penne from Walter de Tokevill', Maud's first [husband],[1] by knight [service],[1] namely by homage and the service of 13½d. for scutage of [40s. when][1] it happens, and more for a greater scutage and less for a lesser; and Walter was seised of these services [as of fee and right][1] by the hands of John Aldyth, and died seised of John's homage and service. After Walter's death, [one][1] Nicholas, Walter's son, assigned these services to Maud in dower, by which [assigning][1] John Aldyth acknowledged that he was Maud's tenant in regard of these services, and died in this homage

(and service[i]). [For this reason],[1] the custody of (the persons of[i]) Denise and Alice, John Aldyth's daughters and heirs, [belongs to Maud. And so][1] he [John de Folesham] says that by this William and Denise and Ralph are depriving them of this custody, and so they [have suffered damage][1] to the value of £20. They produce suit of this.

William and the others come. William and Denise say that they (only[i]) hold the custody of the lands [of the heirs][1] by Ralph's demise, and vouch him to warranty. He is present and [warrants for them].[1] Ralph acknowledges that he holds the custody of the persons of the heirs, and denies force and wrong, both concerning the custody (of their persons[i]), which custody [he himself holds, and][1] the custody of their lands, which he has warranted for William and Denise. [He says that one][1] William de la Penne, once the husband of Alice, his [Ralph's] wife, held (a part[i]) of the manor of [la Penn from][1] William de Saundresdon by knight service. He says that, after the death of William [la Penne, William][1] de Saundresdon seized these tenements into his hand in the name of custody because of the mi[nority of John],[1] son and heir of William de la Penne, from whom John Aldyth h[eld these tenements by knight service; and that],[1] after the death of William de la Penne, William de Saundresdon assigned [to Alice the custody of the heir][1] of William de la Penne, to be held until he came of age. He therefore says that at the time when he married Alice he found her seised of the custody of the lands and heirs of John Aldyth, as custody of the custody.[2] And so he says that he cannot answer without Alice his wife. Therefore let Alice be summoned to be at Westminster on the quindene of St John the Baptist [8 July] (*marg:* Westminster). [*Written 1½ inches below*] to the octave of Trinity[3] [16 June].

1. Membrane torn away on the right; words in brackets supplied from JUST 1/63.
2. The Latin has *[ut custo]diam de custodia* (and certainly not *[ut custo]dem de custodia*, which would mean "as custodian of the custody"). Perhaps a different word should be supplied inside the bracket, but what?
3. *sancte Trinitatis* perhaps altered from *sancti J.*

Membrane 37

[*The first line is written above the faint horizontal line ruled for the heading.*]

417. The king has granted to God and to the Blessed Mary and the rector of the Bonhommes, brothers of the church founded at Esrugge in honour of the precious blood of Jesus Christ,[1] and the Bonhommes of this house, his charter, which is enrolled in these words:

Edward, by the grace of God, etc., to archbishops, bishops, abbots, priors, earls, barons, justices, sheriffs, reeves, officials and all bailiffs and faithful subjects, greeting. We have inspected the charter which our beloved and faithful kinsman, Edmund, earl of Cornwall, has made for God and the Blessed Mary and the rector of the Bonhommes, brothers of the church founded at Esrugge in honour of the precious blood of Jesus

Christ,[1] and the Bonhommes of this house, brothers serving God, in these words:

Let all present and future persons know that we, Edmund, son of Richard, king of Almain, of famous memory, and earl of Cornwall, have given, granted and by this present charter of ours confirmed, on our behalf and that of our heirs, to God and the Blessed Mary and the rector of the Bonhommes, brothers of the church at Esrugge founded in honour of the precious blood of Jesus Christ, and the Bonhommes of this house serving God there, and those who will serve there, for ever, to the support of twenty clerical brothers, of whom thirteen at least are to be priests, our manor of Esrugge with Pychelesthorn' and all its other appurtenances which we had from the previous gift and grant of Ulian Chendut, with the park close of the same manor of Esrugg', both within the parish of the church of St Peter of Berhamstede and within the parish of the church of Pychelesthorn'.

We have also given and granted, on our behalf and that of our heirs, to the rector and brothers serving God in the said church, and those who will serve there, for ever, our manor of Little Gatesden' with each and every one of its appurtenances belonging both to the lands and tenements which once Sir Geoffrey de Lucy held from us in the same manor and to the lands and tenements which he had from the previous gift and grant of Thomas de Vieleston in the same manor.

Moreover, we have given and granted, on our behalf and that of our heirs, to the rector and brothers serving God in the said church, and those who will serve there, for ever, our manor of Hamelhamstede with each and every one of its appurtenances, except the advowson of the church of the same manor and our warren in it. All the said manor(s),[2] namely Esrugg', Pycheleshorn, Hamelhamsted' and Gatesden', both of that part which once Sir Geoffrey de Lucy held from us and of that part which we had from the previous gift and grant of Thomas de Vieleston there, with the return of the king's writs, pleas of *vee de nam*,[3] crown pleas, the chattels of felons and fugitives, with view of frankpledge and all things which belong to the view, with fines for the assize of bread and ale broken, the hue raised, and the plea of blood shed.

And also including the homage and service of the heirs which formerly belonged to Sir Geoffrey de Lucy for the whole tenement which they hold or ought to hold from us in the vill of Little Gatesden'; and the homage and service of the heirs which formerly belonged to Thomas de Flanden' for the whole tenement which they hold or ought to hold from us in the vill of Hamelhamsted; and the homage and service of the heirs which formerly belonged to Luke Lovel for the whole tenement which they hold or ought to hold from us in the same vill; and the homage and service of William Gurgys and his heirs for the whole tenement which they hold or ought to hold from us in the same vill; and with all rights, liberties and free customs which we or our ancestors enjoyed or were accustomed to enjoy in the manors of Esrugg', Pychelesthorn' and Hamelhamsted, and also in

the manor of Little Gatesden', both of that part which once Sir Geoffrey de Lucy held from us and of that part which we held by the previous gift and grant of Thomas de Vieleston there by reason of the liberty of the Honour of Berhamsted.

And also including all rights of whatever sort belonging to these manors, in houses, buildings, homage, fealty, wards, reliefs, heriots, scutage and all other foreign services, escheats, rents and services both of free men and of villeins, in villeins with their villeinage, their chattels and their families, and their suits of court, in cottages, courtyards, gardens, woods, plains, meadows, pastures and pasture-rights, roads, paths, ditches and hedges, waters, vineyards, fishponds, pools, mills (namely Pycotesmilne, Burimelne, Twowatermilne, fullingmilne and Whelpesburn' milne) with the meadow lying by that mill, in all places and in all things both unnamed and named which belong or ought to belong or are accustomed to belong to these manors, inside and outside the vill, as well and freely as we and our ancestors best and most freely held the same manors with their appurtenances. [All these] are to be held by the rector and brothers of the said church and their successors from us and our heirs in free, pure and perpetual alms without any reservation, but saving to ourselves and our heirs the advowson of the church of the manor of Hamelsted and our warren in the same.

So that if it should happen that the brothers or their successors should catch hares or rabbits in that warren then in no way are they to be charged, attached or amerced. But if their servants or tenants should be attached by our bailiffs or those of our heirs by reason of forfeiture in the warren and should be in mercy, we wish and grant on our behalf and on that of our heirs that the rector and brothers and their successors should take all amends and amercements coming from this forfeiture and should have these without challenge from us or any of our heirs.

Moreover, we wish and grant on our behalf and on that of our heirs that the rector and brothers of the said church and their successors should have and hold for ever common of pasture in the wood of Berchamsted which is called le Fryth for all their animals, and that they should have all their pigs in this our wood quit of pannage at the time of pannage without challenge or hindrance from us or our heirs or our officials. And that they should have housbote and heybote in this our wood and for the fencing of their park of Esrugg' without hindrance or challenge from us or our heirs and without the inspection or hindrance of our officials or those of our heirs.

Moreover, we wish and grant on our behalf and on that of our heirs that the rector and brothers of the said church and their successors and their men and tenants of Esrugg', Pychelethorn', Hamelhamstede and Gatesden' should be quit by us and our heirs of all suits whatsoever of the Hundred Court and of view of frankpledge and of all other exactions and demands which can fall to us and our heirs on any occasion in the future, so that the men and tenants of Esserugg', Pychelesthorn', Hamelhamsted

and Gatesden', both of that part which Sir Geoffrey de Lucy held from us and of that part which Thomas de Vieleston once held in the same, should fully do to the rector and brothers of the said church and their successors for ever all suits which they have been accustomed to do to us, both for view of frankpledge and in other things.

Moreover, we wish and grant on our behalf and on that of our heirs that the rector and brothers of the said church and their successors should be able to buy and sell freely in our borough of Berhamsted and elsewhere within our honour of Walingford and in Berchamsted for ever without paying toll, and also that the rector and brothers and their successors, and also their men and tenants of Esserugg', Pychelesthorn', Hamelhamstede and Gatesden' everywhere, should be free from all exaction and payment of toll, and from payment for bridge repair, setting up a market stall, ferry-toll, fornication-tax and from all exactions and customs as our men and tenants in Berchamsted and Walinford are thus free everywhere. We also wish and grant, on our behalf and on that of our heirs, that the rector and brothers of the said church and their successors should be for ever free of scutage whenever it happens.

Moreover, we wish and grant on our behalf and on that of our heirs that, when a rector of the said church should resign or die, then we or our heirs or our officials or those of our heirs should by no means have entry into the lands, tenements or rents of the brothers, nor in any way will we meddle with these, nor with other things which belong to the brothers or should belong to them, at the time of the vacancy when a rector shall be lacking. But we wish that the lands and tenements and rents of the brothers and the things which belong to them may remain always in their hands, both at the time of a vacancy and at other times, and that they shall not change their state in any way. And when the brothers in proper canonical form choose someone as their rector it shall be permitted to the bishop of that house to confirm him even if he has not previously been presented to the patron.

And we, Edmund, and our heirs, will warrant and acquit all things set out in the above form to the rector and the brothers and their successors against all people, Christian and Jewish, as our free, pure and perpetual alms, and defend them for ever. And that this our gift, grant and confirmation of the present charter may acquire the strength of everlasting validity, we have thought the present document should be strengthened by the impression of our seal. With these witnesses: the venerable fathers lord Oliver, bishop of Lyncoln', and lord Peter, bishop of Exeter, Sir Ralph Pypard, etc.

We [King Edward], considering these gifts and grants desirable and welcome, have granted and confirmed them on our behalf and that of our heirs, as far as is in our power, to the rector and brothers and their successors, as this charter witnesses in due form. And, wishing to be informed concerning the liberties contained in this charter, we have instructed that an inquiry should be held into them, by which we have heard that the earl has

the return of all our writs on all pleas and summonses touching the manors of Esserugg', Pychelesthorn', Hamelhamsted and Gatesden' and the men of these manors, and also that he has in these manors pleas of *vee de nam* and crown pleas, that is, as far as the sheriff can bring pleas in the county, except appeals and outlawries, and [he has][4] the cha[ttels[5] of fel]ons and of fugitives by the estreats delivered to the same earl on the eyre of the justices on eyre at Berchampsted, and view of frankpledge, [amen]ds[4] for the assize of bread and ale broken, the hue and cry raised, and pleas of bloodshed.

And [we have heard][4] also that Isabella, formerly queen of England, [wife][4] of King Henry our father in all her time, and likewise the lord Richard, formerly king of Almain, our uncle, from the time when these manors came into his hand, and likewise the earl, son and heir of Richard, fully enjoyed all these liberties in these manors without hindrance by the sheriff or by any other officials of our father or [of anyone else?][4] as has been said above.

And so we wish and firmly instruct on our behalf and on behalf of our heirs that the rector and brothers and their successors should have and hold the return of all our writs on all pleas and summonses touching the manors of Esserugg', Pycheleshamsted[6] and Gatesden' and the men of these manors, and also that they should have in these [manors][4] the pleas of *vee de nam* and of the crown, namely as far as the sheriff can bring pleas in the county, except appeals and outlawries, and [that they should have][4] the chattels of felons and fugitives by the estreats to be delivered to the same rector and brothers on the eyre of the justices of eyre at Berkhamsted, and [view][4] of frank-pledge and amends for the assize of bread and ale broken, the hue raised and pleas of bloodshed and [*word(s) torn away*] for ever, without charge or hindrance by us or by our heirs, or by justices, sheriffs, bailiffs or officials of any sort in the form aforesaid.

With these witnesses: the venerable father Robert, bishop of Bath and Wells, our chancellor; Humphrey [de Bohun],[4] earl of Hereford and Essex; William Beauchamp, earl of Warwick; Robert fitz Walter, etc. Given by [our][4] hand at Langel' on the 17th day of April in the 14th year of our reign [1286].

1. *Christi* written in Greek letters: *xpi.*
2. Singular *manerium* ('manor') written for plural *maneria* ('manors').
3. *vee de nam* is the action brought against someone who does not immediately give back what he has distrained although offered surety.
4. The membrane is torn away on the left. This entry does not appear in JUST 1/63, so the words in square brackets are conjectural.
5. It seems more likely that this word 'chattels' should be completed as *catalla* (i.e. part of the list of the rights held by the earl) rather than as *catallis* (i.e. another item exempted from the grant).
6. *Pycheleshamsted* written for *Pychelesthorn', Hamelhamsted.*

418. [The abbot][1] of Bec Herlewyn presented himself by his attorney on the fourth day against Thomas de Saumford on a plea that he should be

here on [this][1] day to warrant (for him) 14 acres of land with appurtenances in Bledelawe which Hugh de la Sale claims [from][1] him as his right, and whereof, etc. He does not come, and he was summoned. Judgment that land to the value should be taken from Thomas's land, and the day [on which it was taken to be reported]. [He][1] is to be summoned to be at Westminster on the quindene of Trinity [23 June] to warrant. The same day is given to Hugh in the King's Bench. [*No marginations visible.*]

1. Membrane torn away on the left. Missing words supplied from JUST 1/63.

419. [Geoffrey][1] de Sancto Martino claims from Richard de Bedeford 2 messuages and 2 virgates of land with appurtenances in Syn[cleberge][1] and from William son of Ralph a messuage and 1 virgate of land with appurtenances in the same vill; and from Richard son [of Robert][1] a messuage and 1 virgate of land with appurtenances in the same vill; and from John Garner a messuage and 3 roods of land [with appurtenances][1] in the same vill, as his right. [*Entry ends here.*]

1. Membrane torn away on the left. Missing words supplied from 420; and from JUST 1/63, where this entry is written ungrammatically, as if copied directly from notes: *Galfridus de sancto Martino optulit se . . . versus Ricardum de Bedeford duo mesuagia et duas virgatas terre:* "Geoffrey de St Martin presented himself . . . against Richard de Bedford two messuages and two virgates of land". This part in JUST 1/63 has *vacat* written beside it in the left margin.

Membrane 37 dorse

420. Geoffrey de Sancto Martino presented himself on the fourth day against Richard de Bedeford on a plea of 2 messuages and 2 virgates of land with appurtenances in Syncleberge; and against William son of Ralph on a plea of a messuage and 1 virgate of land with appurtenances in the same vill; and against Richard son of Robert on a plea of a messuage and 1 virgate of land with appurtenances in the same vill; and against John Garner on a plea of a messuage and 3 roods of land with appurtenances in the same vill, which he claims from them as his right. They do not come, and they were summoned. Judgment that the land is to be taken in to the king's hand, and the day [on which it was taken to be reported]. And that they are to be summoned to be at Westminster on the quindene of Trinity [23 June] (*marg:* Westminster).

Membrane 38

ESSOINS FOR DIFFICULTY IN TRAVELLING TAKEN THERE ON THE OCTAVE OF HILARY [20 January] [John des] Vaux

421. (*Marginated:* Norhpt') Robert de la Warde against Thomas son of Roger on a plea of land; essoined by Robert del Pek.

422. (*Marginated:* Norhpt') Robert de la Warde against John, son of John Bytor, on a plea of land; essoined by Hugh de Kilbeworth.

423. (*Marginated and struck through:* Norhpt') Walter de Hybern' against William[1] son of Ralph (of Undle[i]), to hear his judgment concerning a plea of land; essoined by Roger son of William. (*Marginated*: an old case from the eyre.) It does not lie because he was seen in court.

1. From Walter (*Walterus*) to William (*Willelmum*) struck through.

[The eyre justices had sat at Northampton from 30 September to 5 December 1285 (and from 7 to 14 January 1286 at Oakham).]

ESSOINS FOR DIFFICULTY IN TRAVELLING TAKEN THERE ON THE QUINDENE OF HILARY [27 January]

424. (*Marginated:* Norhpt', an old case from the eyre.) Thomas of Oxon', attorney of Alan son of Roald, against Amaury de Nodariis and Miles, son of Philip de Hastinges, to hear their judgment on a plea of land; essoined by William son of Adam. [*A line drawn to the next words*] To Westminster, one month after Easter. He has pledged his faith.

William son of William, attorney of Maud, wife of the same Alan, in the same plea; essoined by John son of Adam. [*Line drawn up to the date clause.*]

Thomas son of Peter, Maud's other attorney in the same plea; essoined by William son of Roger. [*Line drawn up to the date clause.*]

['He has pledged his faith' *presumably refers to all three essoiners.*]

425. (*Marginated*: Norhpt', an old case from the eyre.) John de la Porte[1] of Norhampton' against John son of John Eustach', (to hear his judgment[i]) on a plea of land; essoined by Adam Cort. He has pledged his faith. [*Line drawn to the next word*] To Westminster, one month after Easter.

1. *Porta* written and struck through, then *la Porte* written above.

[*Added below in smaller writing*] And on this come(s) [*entry ends here*].

426. (*Marginated*: Northampton, an old case from the eyre.) William de Byfeud attorney of William de Bray against Roger Shepesheved and Joan his wife, to hear their judgment on a plea of land; essoined by (William Knot of Thorneton)[1] Gilbert Blaner of Routhebiry. Robert son of Reginald, the other attorney of the same; essoined by (John Dyscheved of Fincham)[2] Gilbert Scot. To Westminster, one month after Easter. [*A line drawn across to the next word.*] He has pledged his faith.

1. Name struck through and *Gilbertum Blaner de Routhebiry* written after it in a different hand.
2. Name struck through, and a box of dots drawn round *Dyscheved*; *per Gilbertum Scot* added in different ink, and also partly struck through.

427. (*Marginated:* Northampton) Thomas de Horpol (because he is in the king's service[i]), against Eustachia who was the wife of Thomas Kynne, on a plea of dower; essoined by John Long.

428. (*Marginated:* Northampton; Bucks; an old case from the eyre.) Reginald de Grey, whom Robert la Warde has vouched to warranty against Thomas son of Roger (of Norhpt'[i]) on a plea of land; essoined by Robert le Lou. To Westminster, one month after Easter [*line drawn across to next word*] by pledge. He has pledged his faith. The same day was given to Robert la Warde through his attorney in the Bench.

ESSOINS FOR DIFFICULTY IN TRAVELLING TAKEN THERE ON THE MORROW OF THE PURIFICATION OF THE BLESSED MARY [3 February]

429.[1] (*Marginated:* Northpt', old case from the eyre.) (John de Den, (plaintiff[i]), and Maud his wife)[2] against Robert de Benhall' to hear their judgment on a plea of assize of novel disseisin; essoined by John de Bompton. [*Line drawn across to the next word*] To Westminster, three weeks after Easter.

Maud, wife of the same John, on the same plea; essoined by John Cort [*a line drawn up to the date above*].

(The same Robert on the same)[3] plea; essoined by Adam Cut. It does not lie for the disseisor in an assize of novel disseisin.

1. The whole entry is marginated *vacat*, void.
2. From John (*Johanne*) to his wife (*uxor ejus*) struck through.
3. These words are struck through.

430. (*Marginated:* Norhp', an old case from the eyre.) Robert de Benhale, (plaintiff[i]), against John de Den and Maud his wife to hear their judgment on a plea of assize of novel disseisin; essoined by John Cut.[1] [*A line drawn across to the next word.*]
To Westminster, three weeks from Easter. He has pledged his faith.

1. John Cut, and Adam Cort (425), John Cort and Adam Cut (429), may well be fictitious names. See Meekings, *Various Common Law Records*, p. 77 and his appendix I. Adam Cut sounds like the precursor of Adam Cat, a fictitious character whom Meekings found listed in 1325, and whose activities increased with the years, until in Easter 1418 he was an essoiner in 20 out of 127 cases.

PLEAS OF VARIOUS COUNTIES AT WYCOMBE ON THE MORROW OF THE CLOSE OF EASTER IN THE AFORESAID YEAR [22 April 1286]

431. (*Marginated:* Norht') The sheriff of Norhampton' was instructed to raise 100s. from the lands and chattels of Geoffrey de Suthorp' in his bailiwick and to have them here on this day to give to William de Sancto Bartolomeo, merchant of London, in part payment of the £10 which

Geoffrey acknowledged in the king's court before the last justices on eyre at Norht' that he owed William. He should have repaid him 100s. last Easter, and has not yet done so. The sheriff has done nothing about this, but has send word that he instructed the bailiffs of the liberty of the abbot of Peterborough [*de Burgo sancti Petri*], who have done nothing about it. Therefore the sheriff [of Northamptonshire] is instructed[1] that he should not fail because of the liberty, etc.,[2] to raise the 100s. from Geoffrey's lands and chattels and to have them before the justices on eyre at Cantebriga [*Cambridge*] on the octave of St John the Baptist [30 June] to repay him. And on this the sheriff has reported [that he has the matter in hand]. (*Marginated:* Cantebr'.)

1. 'instructed' (*precepit*) written on an alteration.

1. That is, the sheriff was given a writ of *non omittas*, which allowed him to go over the head of a bailiff of a liberty to raise the money.

[See JUST 1/623 m. 28d for the first hearing of this case. After Cambridge, it was sent on to Huntingdon (DeWindt and DeWindt, *Royal Justice*, I, no. 222).]

Membrane 38 dorse

[*This dorse is completely blank.*]

Membrane 39

ROLL OF ATTORNEYS AND REPLEVINS VALL[IBUS] (des Vaux)

432. The prior of Burencastr' appoints brother William[1] de Thorneberg' or Ithelinus de Kaurwent [Caerwent?] as his attorney in all pleas and plaints brought or to be brought for the prior or against him. [171, 226, 300.]

1. From *Burencastr'* (Bicester) to William (*Willelmum*), the words appear to be individually struck through by a faint horizontal rule.

433. The prior of Roff' appoints Henry Porter as his attorney against everyone on whatever pleas are brought or to be brought for or against him. [151, 181.]

434. Oliver, bishop de Lync', appoints Robert de Swyllington or William de Assefordeby as his attorney against everyone on whatever pleas. [171, 348, 357, 417.]

435. Robert Fineel appoints Robert de Mersch or Roger le Someter as his attorney against everyone on whatever pleas.

436. Isabel de Fortibus, Countess of Albemarl', appoints John de Petressel or John de Rogecote as her attorney against everyone on whatever pleas are brought or to be brought.

437. Millicent de Monte Alto appoints William de Wakyrl' or Elias de Ketene as her attorney against everyone on whatever pleas are brought or to be brought.

438. James Cok of Paddebiry appoints Ralph de Bray as his attorney against everyone on whatever pleas.

439. William de Bluntesdon appoints Laurence de Bluntesdon as his attorney against everyone on whatever pleas.

440. Master Richard de Werplesdene, warden of the house of scholars of Merton [*custos domus scolarum de Merton'*], appoints master Nicholas [*left blank*] or John del Brok' as his attorney against everyone on all pleas brought. [249]

441. The abbot of Tame appoints brother Michael de Tame or William Gode as his attorney against everyone on all pleas. [273]

442. John le Waleys of Little Kenebelle and Maud his wife appoint William le Graunt de Huccote or William de Chalfhunte as their attorney against everyone on whatever pleas. [88, 91, 92, 132, 196, 259, 342.]

443. Elias son of Robert de Aylesbiry appoints Roger de Neuport or Bernard de Alesbur' as his attorney against everyone on all pleas brought or to be brought.

444. Maud, Countess of Gloucester [*Glovernie*], appoints John de Petereshel' or John de Rugcote as her attorney against everyone on all pleas brought or to be brought for her or against her. [128, 155, 210.]

445. Robert de Bray appoints Ralph son of Simon as his attorney against everyone on all pleas. [18, 22, 319.]

446. The bishop of Winchester[1] appoints Richard de Widyngton or Henry de Morton' as his attorney against everyone on all pleas.

1. Altered from Worcester (i.e. *Wygorn'* changed in different ink to *Wynton'*.)

447. The prioress of St Giles appoints William Pen or John Fremund' as her attorney against everyone on all pleas.

448. Brother William de Sancto Paterno, general attorney of the abbot of Bec Hellouin [*de Becco herlewyn'*], having by letters patent of the king the power of substitution, etc., appoints Adam de Aldington' or Roger de Bachesworth as his attorney to claim, pursue and defend his liberties, and against everyone on whatever pleas. [177, 183, 184, 418.]

449. [*Different ink from now on*] The prior of Dunstaple appoints John de Islep or Richard de Hamme as his attorney against everyone on whatever pleas.

450. Philippa who was the wife of William de Notingham appoints Simon de Notingham as her attorney against William de Shakelton and Joan his wife on a plea of dower, and against everyone on whatever pleas.

451. The prior of Kenilworth appoints Paul de Stanle or John de Bannebiry as his attorney against everyone on all pleas. [393]

452. Master Simon de Gaunt, archdeacon of Oxford [*Oxon'*], appoints Roger de Bachesworth or Adam de Shortecumb' as his attorney against everyone on all pleas brought or to be brought, and to claim, pursue and defend his liberties.

453. Joan, abbess of Burnham, appoints Alan le Boteler or Robert Linge as her attorney to pursue and defend her liberties, and against everyone on all pleas.

454. Walter de Gayton and Amice his wife appoint William de Gayton or Robert de Navesby as their attorney against Richard de Paskeden of Burton on a plea of land [42], and against everyone on whatever pleas. [106, 257, 322, 374, 406.]

455. The abbot of Oseney appoints Thomas de Cleford or John de Thorp' as his attorney against everyone on whatever pleas. [271]

456. The prior of St Mary de Suthwerk' appoints Henry de Stapelho as his attorney against everyone on whatever pleas. [176]

457. Master Robert de Norhampton' appoints Alexander de Dunton' as his attorney against Henry de Norwic and Isabel who was the wife of Walter Humfrey on a plea of land.

458. John fitz Nigel appoints William de Hadenham or Ralph de Santredon as his attorney against everyone on whatever [pleas]. [157, 189.]

459. Edmund de Eyncurt appoints Robert del Peek or William Payn as his attorney in all pleas brought or to be brought.

460. Philip de Horton' and Basilia his wife appoint Walter de Horton' as their attorney against Thomas le Blund on a plea of land and against everyone on all pleas.

461. The master of the hospital de Brakele appoints Stephen de Caysho or John de Hauvill' as his attorney against everyone on whatever pleas.

462. Roger de Drayton' appoints John Waleraund or Peter de Stebbenhuth as his attorney against everyone on whatever pleas. [4, 190, 220, 224, 254.]

463. Robert de Hemel hamsted appoints the same John and Peter as his attorneys against everyone on whatever pleas. [4, 190, 220, 224, 254.]

464. John de Pateshull appoints Michael Hodele as his attorney against everyone on whatever pleas are brought or to be brought. [338]

465. Ralph de Arderne and Isabel his wife appoint John Russel or John son of Avice as their attorney against everyone on whatever pleas are brought or to be brought. [54, 169.]

466. Hugh de Brok' appoints Ralph de Astwyk as his attorney against everyone on all pleas brought or to be brought. [19, 66, 68, 75, 190, 223, 250–2, 338.]

467. [*This entry perhaps in a different hand?*] John de Croxlee appoints William Cundy or William son of Ralph as his attorney against everyone on whatever pleas are brought or to be brought for him or against him. [1, 355.]

468. Peter de Cropperye appoints Ralph de Burton, clerk, as his attorney against Margery who was the wife of Ralph Aylwyn on a plea of dower.

469. The prior of Merton' appoints John de Waledun or Adam de Stortecumb' as his attorney to claim and defend his liberties, and against William de Turvill' on a plea of land. [137, 269.]

470. William de Hameldon', clerk, appoints Geoffrey Joppe or Richard de Crafteshull' as his attorney against everyone on whatever pleas are brought or to be brought and during the eyre [*durante itinere*].

471. The abbot of St Albans appoints Roger son of Thomas of Bacheworth or John de Tytehurst as his attorney in all pleas brought or to be brought.

472. Ralph de Cromwell and Margaret his wife appoint Robert de Olneye, their son, or William le Gardiner, as their attorney against everyone on whatever pleas are brought or to be brought.

473. Hugh de Stapelford appoints William Bygok' or William Tredegold as his attorney against everyone on whatever pleas.

474. Master Robert de Fyleby appoints Adam de Shortecumb' or Roger de Bacheworth or John de B[anebery][1] as his attorney against everyone on all pleas brought. [209, 278, 314.]

1. Name torn away, supplied from JUST 1/63.

475. John de Hassewell appoints Thomas de Hayton as his attorney against Adam de la Penne on a plea of land and against everyone on whatever pleas are brought or to be brought, and against the king on a plea of *quo waranto*.

476. The prior of Luffeld appoints Richard de Silveston[1] or John de Islepe as his attorney against everyone on all pleas. [178]

1. Name written on an alteration.

477. The abbot of Wouburn appoints brother Stephen de Hanyton' or Henry Whitheved as his attorney against everyone on whatever pleas. [77, 113, 337.]

478. The master of the hospital of St John outside the east gate of Oxford [Oxon'] appoints brother Hervey[1] de Sclap or William de Hedenham as his attorney against everyone on whatever pleas are brought or to be brought. [232]

1. *Hern* written, struck through, and *Herveum* written above.

479. Ralph Pypard appoints Roger de Neuport as his attorney against everyone on whatever pleas are brought or to be brought. [93, 98, 117, 131, 187, 192, 201, 234, 402, (417).]

480. Maud de Draycote appoints Roger de Neuport as her attorney against Alice who was the wife of Thomas de Ikeford on a plea of dower. [332]

481. Ralph fitz Bernard appoints Adam de Shortecumb' or Roger de Bachesworth as his attorney to claim, pursue and defend his liberties. [76, 96, 163, 208, 267.]

482. The prior of Mertone appoints John de Waledun or Adam de Shortecumb' as his attorney against William de Turville on a plea of land, and to claim, pursue and defend his liberties. [269]

[This is a repetition of 469, but with *Shortecumb'* written for *Stortecumb'*.]

Membrane 39 dorse

483. Margery de Aspervile appoints William de Bragenham as her attorney against everyone on whatever pleas are brought or to be brought.

484. Cecily who was the wife of Gilbert de Merton appoints John de Daghenhal or John de Morton as her attorney against Robert le Clerk' on a plea of land. [25, 315.]

485. Alice, wife of Simon fitz John, appoints the said Simon, her husband, as her attorney against John Peyvre on a plea of land. [85, 346.]

486. The king has sent his writ to the justices here in these words: Edward by the grace, etc. Know that our beloved in Christ, Reginald, abbot de Greysteno, has appointed brother Nicholas de Magna Villa, his fellow-monk, and John de Grenstede, clerk, as his attorneys before us, to win or lose in all pleas and plaints brought or to be brought for the abbot or against him in all courts within our kingdom. And at the request of the same abbot we have granted that the said Nicholas or John or either of them who happens to be present in the abbot's place can appoint whoever they wish as attorney or attorneys in our court before us, to pursue and defend all the said pleas and plaints and to win or lose in them as is aforesaid. We have also granted to the same abbot that he may be quit of the common summons of the eyres of our justices, both in forest eyres and pleas before [them],[1] so that he may not be amerced through his absence on the occasion of the said summons. In witness whereof, etc. [202]

1. 'them' (*eis*) omitted by the clerk.

487. Sarah, wife of Robert Paulyn, appoints her husband Robert as her attorney against Hugh Hardy of Crauleye on a plea of land. [24, 122.]

488. Brother Matthew, prior of Caldwell', appoints John de Bergeveny or brother John de Kemston as his attorney against everyone on whatever pleas are brought or to be brought.

489. Master Simon de Wymecote appoints Philip de Alinecestr' as his attorney against John le Bret and Sarah his wife on a plea of land. [162]

490. Elias de Tyngewik appoints Roger Malecak' as his attorney against everyone on whatever pleas. [18, 22, 299, 328.]

491. The abbot of Biddlesden appoints brother Nicholas de Newport or brother John de Thornborough as his attorney against everyone on whatever pleas are brought or to be brought. [260]

492. Ralph Payn of Wyneslawe, Ralph Wedcok, John Syred, Richard le Tynkere, Nicholas de la Shoppe, Alan de Brantefeud, John son of Martin and Elena his wife and Hugh Cheval appoint Ralph Adam or John Martin as their attorney against Geoffrey de Wych on a plea of trespass.

493. John de Tyngeswych' and Rose his wife and Richard Plauntesfolie appoint William de Arderne [or] William[1] Smart as their attorney against everyone on all pleas brought or to be brought. [105, 297.]

1. The W altered from R.

494. Brother William, prior of La Grave, appoints Richard de Norton or Robert le Werreur as his attorney against everyone on whatever pleas. [158]

495. Nicholas de Eure appoints Geoffrey de le Estable or John de Chennore as his attorney against everyone on whatever pleas. [40, 103–4.]

496. Emma Grosset appoints her son Richard Grosset or Ralph de Pulham as her attorney against everyone on whatever pleas. [235–7, 268, 271, 320, 358, 378, 403.]

497. John de Tyngewik and Rose his wife appoint William de Arderne or William Smart as their attorney against everyone on all pleas. [*See* 493.]

498. Gilbert Aboveton, Robert Ranild and Hawise his wife, Rose Aboveton, Nicholas parson of Islep [and] William de Trapston appoint Roger Aboveton as their attorney against Henry son of Stephen of Islepe on a plea of mort d'ancestor.

499. John de Hastinges appoints Robert de Grenefeld as his attorney before the Treasurer and Barons of the Exchequer [*coram Thesauriario et Baronibus de Scaccario*] against everyone on whatever pleas are brought or to be brought for him or against him.

500. Alice who was the wife of Ralph de Anvers appoints John de Toucestr' or William de Mustre as her attorney against Gilbert, son of John de Kave, on a plea of assize of mort d'ancestor. [3, 204, 407.]

501. John de Bokingham and Isabel his wife and Maud who was the wife of Thomas clerk [*clerici*] of Neuport appoint Simon de Blosmevill' as their attorney against Isabel Hog on a plea of land. [38]

502. The prior of Tykeford by Neuportpaynel appoints Richard de Weyngrave, clerk, or Roger de Rolleston' as his attorney against John Ache on a plea of land [23] and against everyone on whatever pleas are brought or to be brought. [64, 156, 389.]

503. Hugh, vicar of the church of Wendovere, appoints Roger de Bacheworth as his attorney against John de Neyrnuyt on a plea of assize of mort d'ancestor. [303]

504. Richard fitz John appoints Thomas de Ayngmans or Ralph de Burton or John de Bannebury as his attorney against everyone on whatever pleas. [70, 100.]

505. Roger de Lymington' appoints John de Bannebury as his attorney against John le Boteler and Reyna his wife on a plea of dower. [301]

506. Thomas de Boketot appoints William de Essendon as his attorney against William le Vavasur on a plea of mort d'ancestor.

507. Isabel who was the wife of Ralph de Preston' appoints William de Wendlesdon' or Nicholas Baret as her attorney against John le Loup of Neuportpaynel on a plea of land.

508. William de Brewese junior appoints Hugh de Dol as his attorney against everyone on whatever pleas are brought or to be brought.

509. Robert de Boyton appoints Philip de Monte Gomery as his attorney against Roger de Forneus and Rose his wife on a plea of warranty of charter. [328?]

510. Isabel who was the wife of Thomas de Sancto Andrea appoints William de Essenden or Roger de Neuport as her attorney against Roger, bishop of Coventr' and Lichefelden', and Robert Tulouse on a plea of dower.

511. Christian Hardy appoints her husband Hugh Hardy as her attorney against Robert Pawlyn and Agnes,[1] who was the wife of Robert Clerk, on a plea of land. [24, 122.]

1. Agnes, widow of Robert Clerk, was a plaintiff, not a defendant, in this case. The Latin here simply has *Agn'*, which does not show a case ending.

512. Walter de Newenton and Maud his wife appoint William le Chapman or Walter le Fraunceys as their attorney against Maud de la Grene and others in the writ [274], and against Robert [*sic, for* "abbot"] of Messende' on a plea of land [275, 409], and against the abbot of Tame on a plea of dower. [273]

513. The same Walter and Maud appoint the same William and Walter against Master de Luda on a plea of land. [275, 409.]

514. Margery Daneseye appoints Walter Hosel or Thomas de Redding as her attorney against everyone on whatever pleas are brought.

515. Robert de la Rokele appoints Robert de Crofton or William de Wygeput as his attorney against everyone on all pleas brought or to be brought. [79, 80.]

516. Avice, wife of Robert de la More, appoints the said Robert, her husband, as her attorney against Robert le Forester on a plea of land. [37]

517. Margery, wife of John le Sweyn, appoints the said John, her husband, as her attorney against John Bryan and Annia his wife on a plea of dower. [46]

518. John le Buteler and Reyna his wife appoint Henry de Stapelho or William Cotel as their attorney against Roger le Boyn of Lemington, clerk, on a plea of dower. [301]

519. Maud, wife of Walter de Neutone, appoints the said Walter, her husband, or William le Chapman as her attorney against the abbot of Tame on a plea of dower, and against the abbot of Messenden', master William de Luda and Maud de la Grene on a plea of land. [*See* 512–3.]

520. Annia, wife of John Bryan, appoints the said John, her husband, or William de Bragenham as her attorney against everyone on all pleas brought or to be brought. [46]

521. Henry le Clerk, Agnes his wife, Robert Paulyn, Robert le Chapman, John de Brok' and Emma his wife, Hugh Owyn, Walter[1] Goldinge and Maud his wife, Adam le Corveyser, Emma his wife, William le Mouner, Amice his wife, and Petronilla, wife of William le Lepere, appoint William le Lepere or Robert le Fevere as their attorney against Nicholas del Hurst on a plea of mort d'ancestor. [41]

1. *Walterum* written for *Walterus* in both JUST 1/67 and JUST 1/63.

522. Roger de Shepesheved and Joan his wife appoint William de Icheshale as their attorney against William de Bray on a plea of land.[1] [*See* 426.]

1. In JUST 1/63 this entry is marginated *Norht*, Northampton, but the left-hand margin is torn away in JUST 1/67. JUST 1/63 omits "Joan his wife".

523. Robert de Stotevill of Normandy [*de Normann'*], whom Philip de Paundon has vouched to warranty against the king on a plea of *quo waranto* [*entry ends here*][1]

1. This entry is struck through in both JUST 1/67 and JUST 1/63. The latter has *Ebor* [York] in the margin against the entry.

524. Maud, wife of Robert Ove la Barbe, whom [*quam*] Robert, vicar of Wylyes, has vouched to warranty, appoints the same Robert, her husband, as her attorney against Felicia who was the wife of Ralph de Clopton, on a plea of dower. [124]

525. Thomas de Hauvill' appoints Roger de Neuport or Walter de Haccumby as his attorney against everyone on whatever pleas.

526. John son of Adam de Monte Alto appoints John de Stock', his clerk, and Richard le Rus as his attorneys on whatever pleas.

527. Matthew, abbot of Messinden', appoints brother Reginald de Chyvele, his fellow canon [*concanonicum*], or Roger de Bachesworth as his attorney against Walter de Neuton and Maud his wife on a plea of land. [409]

528. John le Chamberleyn appoints Henry le Chaumberleyn as his attorney against the king on a plea of *quo waranto*.

529. Nicholas de Assewell appoints Roger de Kyleshull or Gilbert de Freskeney as his attorney against master Roger de Hasilarton, Roger Gyffard, Philip de Monte Gomery, Simon de Cotes, Roger de Forneus and Elena his wife, on a plea of land. [83, 112, 182, 216.]

Membrane 40

530. Julian, wife of Adam Balle of Bechampton', appoints the said Adam, her husband, as her attorney against Adam le Orfevere and Joan his wife on a plea of land. [144]

531. Henry, abbot of Nutle, appoints John del Brok' (or John son of William[i]) as his attorney against everyone on whatever pleas are brought or to be brought.

532. Joan, wife of William de Trayly, appoints the said William, her husband, as her attorney against Nicholas de Watervill' on a plea of land.

533. Maud, wife of John de Tholtorp', appoints John, her husband, as her attorney against everyone on whatever pleas are brought or to be brought. [169]

534. John *de Molendinis* [of the Mills] of Horton appoints William Juvene of Eton or Hugh de Gobythewey of Grafton as his attorney against Alice Wolwyne de la Longeford on a plea of land. [88]

535. Richard Borard appoints John de Issele or Henry de Sprygonel as his attorney against everyone on whatever pleas are brought.

536. Hugh de la Penne appoints Nicholas Wychard as his attorney against John de Stonham on a plea of account and debt [*de placito compoti et debiti*]. [34]

537. Herbert de Tedemersh and Alice his wife appoint Roger de Neup' or William Precracher as their attorney against John de la Brock' and Joan his wife, Richard Justyn and Alice his wife, Robert Gyffard and Felicia his wife, and Hugh Roger of Little Brehull on a plea of dower. [128, 210.]

538. William de la Batayle appoints John de Islep as his attorney against Eustachia de la Batayle on a plea of land.

539. Richard de la Vach' senior appoints Walter de Berners as his attorney against[1] Richard Bacun de Fontaignes and Margery his wife on a plea of covenant. [84]

1. Both JUST 1/67 and JUST 1/63 have *vel* (or) written for *versus* here.

540. Peter de Agmodesham appoints Richard de Chudingfaud as his attorney against Walter Elyas on a plea of land.

541. Ralph de Burton appoints John de Bannebury or Roger de Bachesworth as his attorney against Margery who was the wife of Ralph Eylwy on a plea of dower.

542. Beatrix de Mortewell appoints her husband William, son of Peter de Nodariis, as her attorney against everyone on whatever pleas are brought. [81, 195.]

543. Emma, wife of William Wylcus, appoints Peter de Sedyham of St Legre as her attorney against William de Eyte on a plea of assize of mort d'ancestor. [97, 286.]

544. William de Tchorop of Hadinton appoints John de Dagenhale or Thomas de Deneford as his attorney against everyone.

545. Walter Fouke of Burton', Elias Palmere, Richard Barri, John son of Richard, Elias son of Agnora, William Jungeis, Hugh Mabely, Elias Ride, William Barri, Hugh Alburt, Richard Humfray, Richard Biccos, Geoffrey de Godingdone, Richard Maitent, William Carettarius, Elias Cartare, Robert de Berton, John le Cartare, William le Wyte, Reginald Edward, Gerard de Burtone, Simon Barri, Richard Schrispe, Hugh son (of John[i])[1] [and] Robert Wlleved appoint Hugh Mabily[2] of Burton, Robert de Etone, Miles de Langetoyt and John de Kynebell as their attorneys on a plea of the taking of stock-animals.

1. *Hugonis*, of Hugh, written and struck through, with *Johannis*, of John, written above.
2. JUST 1/63 has *Hugonem filium Mabyl*, Hugh son of Mabel.

546. Ralph Pypar' appoints Roger de Neuport as his attorney against everyone on whatever pleas are brought or to be brought. [*See* 479.]

547. (*Marginated:* under age.) It is granted by the justices that Robert de la Barb' may act on behalf of Maud, daughter of Roger Robert, against John Robert on a plea of land. [101]

548. Hugh son of Henry de Dagenhale appoints Alexander Dagenhale as his attorney against John de Dagenhale and Walter Carpenter on a plea of land [304] and against Walter de Kondam on a plea of debt.

549. Maud de la Grene appoints Roger de Cregen as her attorney against Walter de Neuton and Maud his wife on a plea of land. [274]

550. The abbot of Lavenden' appoints brother Robert de Holney or brother Hugh de Flore as his attorney against everyone. [(348), 369.]

551. Philip Lovel appoints Reginald Bacon or Hugh de Paweton as his attorney against Gilbert de Clare, earl of Gloucester, and others in the writ on a plea of assize of novel disseisin.

552. Margery who was the wife of William de Bechampton appoints Stephen de Caysho or John de Hauvill' as her attorney against Adam le Orfevere and Joan his wife on a plea of land [144], and against Alice who was the wife of Robert Beneyt on a plea of dower. [372]

553. The same Margery came on Monday next after the feast of the Purification of the Blessed Mary [4 February 1286] and asked for the replevin of her land, which had been taken into the king's hand because of the default she had made against the said Adam, Joan and Alice. She has it.

554. Martin le Clerk appoints John de Chennor' as his attorney against John del Mareys, clerk, on a plea of land by two writs.

555. Simon Havek came on the Monday next after the feast of the Purification [4 February 1286] and asked for the replevin of his land, which had been taken into the king's hand because of the default he had made against William de Hevecumbe. He has it. [302]

556. Simon fitz John and Alice his wife appoint Thomas de Raveneston' or Hugh de Egcleston as their attorney against John Peyvre on a plea of land. The said Alice removes [*ammovet*] her husband Simon, whom previously [she had appointed.] [346]

557. Robert le Forester appoints Roger de Berchemor and Hugh le Megre as his attorneys on a plea of mort d'ancestor. [37]

[This entry is followed on the next line by the word *Robertus*, without a capitulum mark.]

558. Joan, wife of William de Satherston, appoints William de Satherston as her attorney against Philippa who was [the wife] of William de Notingham on a plea of dower.

559. Robert Bardolf and Lora his wife appoint Henry de Wych or John de Broch' as their attorney against everyone on whatever pleas. [91, 189, 266, 375, 376.]

560. Alma who was the wife of William le Brun appoints John Cyppyng or Stephen de Stant' as her attorney against Nicholas Drunall and Hawise his wife on a plea of dower. [246]

561. Agnes le Clerk' and Christian, wife of Hugh Hardy, appoint Hugh Hardy as their attorney against Robert Pauelyn on a plea of land. [24, 122.]

562. It is granted that Hugh Hardy may act for Ralph, son of Maud [Attewyndmilne], who is under [age],[1] against Robert Pauelyn on a plea of land.

1. *etatem*, "age", omitted.

563. Alice, wife of Richard Justine, appoints her husband Richard as her attorney against Herbert de Tedemers and Alice his wife on a plea of dower. [210]

564. Sarah de Templo appoints John Russel or Robert de Heyntys as her attorney against Richard de Dine and others contained in the originating writ [*in brevi originali*] concerning customs and services.

565. Alan de Castinton', chaplain, appoints Peter le Boteler of Clifton or Walter Benyayt of Olneye as his attorney against Henry, chaplain of the chapel of the Blessed Mary at Olnya, on a plea of land.

566. Hugh le Savage and Alice his wife appoint Stephen de Gaysho or Robert de Latebur' as their attorney against Peter de Condy and Henry de Podeworthe on a plea of assize of novel disseisin.

567. The same Hugh appoints the same Stephen or Robert as his attorney against the prior of Tykford on a plea of the taking of stock-animals. [156]

568. Richard le Messer de Bollebrigehull and Maud his wife [and] Peter Welke and Millicent his wife appoint Freymund' de Houthon' as their attorney against Nicholas faber of Lywigston Daryel on a plea of land.

569. Joan, wife of Alan le Goldsmyth, appoints her husband Alan as her attorney against John of Bechehampton and others in the writ on a plea of land. [120]

570. Thomas son of Amice, Michael Marchaunt, Miles le Mareschall and Agnes his wife appoint John de Chy[nnore][1] as their attorney against John de Mareys on a plea of assize of mort d'ancestor and on a plea of land.

1. Name supplied from JUST 1/63 as JUST 1/67 is torn away here.

571. Humphrey le Paumer and Alice his wife appoint William clerk of Neuport as their attorney against Joan who was the wife of Henry le [Mouner][1] on a plea of dower.

1. Name supplied from JUST 1/63 as JUST 1/67 is torn away here.

572. The same Alice appoints the same Humphrey, her husband, as her attorney against the same Joan on a plea of land.

573. Ralph de Goldingham appoints William Bretevil' as his attorney to answer for him concerning the time when he was sheriff [*ad respondendum pro eo de tempore quo fuit vicecomes*].

574. Elias, parson of the church of St Mildred of Lond', and Denise who was the wife of William Bukerel, executors of the will of Isabel Buk[erel] Bukerel[1] appoint William Vyel or William de Chingeford as their attorney against John de Hasting' on a plea of debt and against John de Lasceles on a plea of debt.

1. The membrane is torn away here, but the name has been written twice.

575. Margaret, wife of William Page, appoints the said William, her husband, as her attorney against Robert [fitz] Bernard on a plea of land. [76, 96, 163, 208, 266; her opponent is Ralph, not Robert, fitz Bernard.]

576. Maud, wife of John Power, appoints the said John, her husband, as her attorney against Robert [fitz] Bernard on a plea of land. [As 575.]

577. Roger, abbot of St Albans, appoints brother Roger de Hanred, his fellow-monk, or William de Belum as his attorney, to claim or defend [*ad petend' defend'*] etc.

578. Leticia who was the wife of William de la Rokele appoints Roger de Neuportpaynel or Robert de Plumsted [against William Vy]delou[1] as her attorney on a plea of land. [79]

1. Membrane torn here. Details supplied from 79.

579. Richard de la Vache appoints Walter le Clerke or Walter Guyon as his attorney against Isabel de Clyfford and Idonea [de Leyburn] her sister [on a plea of assize][1] of mort d'ancestor. [110]

1. Membrane torn here.

580. Julian who was the wife of Ralph Goion appoints Walter Goyon, her son, as her attorney against Thomas Goyon on a plea of land. [159]

Membrane 40 dorse

581. Brother William de Lafforde, general attorney of brother Robert de Turvill', master of the Military Temple in England, having by letters patent of the king the power of substitution, appoints brother William de Wald or Nicholas de la Brok' as his attorney against everyone on whatever pleas are brought or to be brought.

582. Margery, abbess of St Mary of the Meadows [*de Pratis*] outside Norht', appoints Alexander de Rypar' or Robert de Fodryngeye as her attorney against everyone on whatever pleas are brought or to be brought.

583. John de Bello Campo appoints Thomas de Cherchehull or Roger Bacun as his attorney against everyone on all pleas.

584. Agnes, wife of David Fareman, Robert de Postelcumbe and Margery his wife appoint Davyd Fareman of Aylesbiry as their attorney against Matthew de Roch' on a plea that he should give back charters to them.

585. Robert le Power appoints John de Dagenale or Robert Patrich' as his attorney against Ralph de Elmedon' on a plea of customs and services.

586. Adam son of Peter de Crandon appoints John de Lacheford as his attorney against everyone on whatever pleas are brought or to be brought. [28–9.]

587. Julian, daughter of Ralph de Lake, appoints John Walrand or Peter de Stubenhuth as her attorney against everyone.

588. Brother Odo, prior of St Andrew of Norhampt', attorney of the prior of Longevill Giffard, having power by letters patent of the king to substitute other attorneys to appear for the prior of Longevill [*loco ipsius prioris*], appoints brother Henry, monk of Norh[am]pt', or Alexander de Horewod or John Gerard against everyone.

589. [*Change of hand*] Master Thomas de Abbedbyr' appoints his brother Walter or John de Dadington as his attorney against everyone on whatever pleas are brought or to be brought.

590. Isabel, wife of Richard fitz Hugh, appoints the same Richard, her husband, or Henry Kade as her attorney against Robert (de^i^) Maydeford and Joan his wife on a plea of *nuper obiit.*

591. Edith, wife of Henry Baudewyn of Ulveswyh' [Owlswick] appoints the said Henry as her attorney against John le Carpenter and Emma his wife on a plea of customs and services. [67]

592. Isabel, wife of Roger de Westmere, appoints the said Roger, her husband, as her attorney against William le Chapeleyn on a plea of mort d'ancestor. [179]

593. Henry de Hyda appoints John de Dagenhal' as his attorney on all pleas.

594. Joan, wife of John Waryn of Houton, appoints John Waryn of Houton, her husband, or Robert Pertrix as her attorney against John de Thedemers on a plea of land. [198, 408.]

595. Emma Wade appoints Matthew le Chapman as her attorney against Thomas de Bretayne on a plea of dower. [311]

596. Rose, daughter of Ralph son of William le Clerke of Husseburn Crawele, and Maud her sister appoint Geoffrey de Platen or John clerk of Husseburne Crawele as their attorney against William son of Elias de la Waude of Edelesbergh', and against Nicholas son of Elias de la Waude of Edelesbergh', and against John de Bergeveny of Edelesbergh' and Leticia his wife, on a plea of land. And there are letters patent [*et sunt patentes*][1]. [158]

1. This word, at the end of a line, appears originally to have been written *pate(n)tes*, with a suspension mark over the first -e- for the -n-; this has then been altered to *patens* in different ink.

597. Alexander, son of Robert Mile, appoints Silvester Deynel and John le Venur' as his attorneys against the abbot of Wouborne and Maud le Paumere on a plea of assize of mort d'ancestor, to win or lose. [77, 113.]

598. John fitz Nigel senior appoints William de Hadenham or Ralph de Santresdon as his attorney in all pleas brought or to be brought against everyone.

599. John fitz Nigel junior appoints the same as his attorneys in all pleas brought or to be brought, against everyone.

600. Alice, widow of Thomas de Incford, appoints William de Incford or John de Appelton as her attorney against Walter Golie (and others in the writ) [350], Geoffrey[1] Crokelwill and Isabel his wife, Richard de Sadington', Robert Russel and Petronilla his wife, William Dobyn and Agnes his wife, Henry Foliot [291], William son of Gervase de Wicumbe, draper, and others in the writ on a plea of dower.[2]

1. *quem* written and scratched out after the name Geoffrey.
2. Only Golie and Foliot figure in cases heard at the eyre. A line and a half at the end of the entry have been scratched out.

601. Warin de Bragenham appoints William de Bregenham as his attorney against everyone on whatever pleas are brought or to be brought. [114, 352, 405.]

602. Thomas de Achecote and Ysolda his wife appoint Roger de Neuport or Robert Pertrac as their attorney against Alice who was the wife of Thomas Atte Watere of Wickeford [Ickford] on a plea of dower.

603. [*Original hand resumes*] Alice, wife of William de Batesford, appoints the said William, her husband, as her attorney against Robert, son of Roger Nounhoun, on a plea of land.

604. Beatrix, wife of John Walran, appoints the said John, her husband, as her attorney against John de Marisco on a plea of land.

605. Edmund de Esseburn' appoints Roger de Neuport as his attorney against Robert de Harkeley, parson of the church of Latteburys, on a plea of assize of mort d'ancestor. [348]

606. William de Bermingham appoints Roger de Neuport as his attorney against everyone on whatever pleas are brought or to be brought for him or against him. [230]

607. Benedicta who was the wife of Geoffrey Sweteson appoints Thomas Sweteson as her attorney against Robert de Berforde on a plea of land. [145]

608. Robert de Grey appoints Hugh Sampson or Roger de Neuport as his attorney to claim his liberties and also against everyone in other pleas brought or to be brought. [242, 398.]

609. Hawise, wife of Nicholas Drunal, appoints the said Nicholas, her husband, as her attorney against Alyne who was the wife of William le Brun of Clopham[1] on a plea of dower. [246]

1. Altered from *Clopton.*

610. Alice, wife of Robert le Verdun, appoints Robert, her husband, or Geoffrey de Lytgate as her attorney against everyone on all pleas brought or to be brought. [32, 219, 381, 392.]

611. Agnes, daughter of Gilbert de Morton', appoints Robert de Morton', her husband, as her attorney against John, son of Gilbert de Morton', on a plea of land.

612. Richard, son of John de Notingham, appoints Roger de Neuport as his attorney against William le Fyssere, clerk of Neuportpayne, and Julian his wife on a plea of assize of mort d'ancestor. [11, 389.]

613. William de Chilteham appoints John de Radecote as his attorney in all pleas brought or to be brought against him, because he is about to set out on another journey [*quia profecturus est in alio itinere*].

614. Father[1] John de Sutton, attorney of the abbot of Westminster against everyone on whatever pleas, appoints Adam de Sortecumbe or Adam de Merston as the abbot's attorney against everyone on all pleas brought or to be brought.

1. The abbreviation seems to be *Pr* for *pater* rather than *Fr* for *frater.*

615. Roger Boyn of Lyminton, clerk, appoints Ralph de Burton as his attorney against John le Boteillier and Reyna his wife on a plea of dower, and he has removed [*amovit*] John de Bannebur' whom formerly [he appointed]. [301]

616. Adam Swet appoints John de Padebur' as his attorney against the abbot of Butelesden on a plea of land.

617. Isabel who was the wife of Robert Baudwyne appoints John del Brok or Hugh del Brok as her attorney against Roger de Melus on a plea of dower, and against Thomas de Aston, sergeant [*servientem*] of Witchurche, on a plea of debt.

618. Agnes who was the wife of Walter de Horton appoints William de Brehulle, clerk, as her attorney against John son of Robert le Trenur of Brehulle and Ysolda his wife on a plea of dower.

619. Alice who was the wife of William le Bedel appoints John del Brok' or Hugh del Brok' as her attorney against Richard le Bray and Richard de la Ho on a plea of dower.

620. Agnes who was the wife of John de Cruce appoints John del Brok' or Hugh del Brok' as her attorney against[1] John Gernun on a plea of one wardship [*de placito unius custodie*]. [377, 400.]

1. *vel* (or) written for *versus* (against).

621. Emma, wife of John del Brok', appoints John de Brok' or Hugh del Brok' as her attorney against Warin de Bragenham on a plea of land.

622. Joan de Cruce and Christian, her sister, appoint John del Brok' or Hugh del Brok' against John Gernun on a plea of trespass, and against Robert Sadde, William his son and Helewise daughter of the said Robert on a plea of disseisin. [See 621.]

623. William de la Sale, general attorney of Peter de Coudrey, having power by the king's writ to substitute other attorneys, by the form of the king's writ appoints Henry de Morton' as Peter's attorney against everyone on whatever pleas are brought or to be brought.

624. It is granted by the justices that John le Pen of Rysebergh may act for Lucy and Alina, daughters of Richard Wyd of Rysbur', who are under age, against Elias de Seyntsonyshouse on a plea of land.

625. [. . . s][1] son [*fil'*] of Nicholas de Wotton', appoints Elias, his son, as his attorney against Sarah who was the wife of Roger de Clindon on a plea of dower.

1. Name torn away on the left, but appears to end in -s, therefore treated here as male.

626. Cecily, wife of the said Richard,[1] appoints the same Elias as her attorney against the same Sarah on a plea of dower.

1. This entry shows that the name missing in 626 could well be *Ricardus*, Richard.

627. [Letici]a,[1] wife of John de Bergeveney, appoints the same John, her husband, as her attorney against Rose, daughter of Ralph son [of William le Clerk][1] of [Husborne] Craule and Maud her sister on a plea of land. [158]

1. Membrane torn away on the left; names supplied from 158.

628. Nicholas, son of Elias de Walda, appoints his brother William as his attorney against the same on the same. [158]

629. William, parson of the church of Wexham, appoints Adam de Meyncvile as his attorney against William Galian and Henry [the] chaplain on a plea of *utrum* by two writs. [200]

630. Gilbert le Megre appoints Adam de Shortecumb' or John de la Lude as his attorney against Richard de Staunford and William [Ne]yrnuit on a plea of land. [359]

631. William [Neyrnuit and] Gilbert le Megre appoint as their attorney Adam de Stortecumb' or John de la Sal or John de [*entry unfinished*].

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[*The first entry on the membrane has been completely obliterated.*]

632. Simon de Monte Acuto appoints Peter de Drayton as his attorney against Alice who was the wife of James de Aldithel, to win or lose on a plea of land. [170]

633. Felicia who was the wife of Walter de Saldene appoints Thomas de Walden' or William de Ponte as her attorney against William Louis, to win or lose on a plea of land.

634. Amice, wife of Robert Pugeys, appoints Philip Clop or John de Chigewell as her attorney against the prior of the Blessed Mary de Suwerk' by London Bridge on a plea of assize of mort d'ancestor. [174, 176.]

635. The same Amice appoints the said Philip or John as her attorney against Aline who was the wife of Richard de la Lee of Upton, Walter son of Richard de la Lee of Upton, William de Ounlegh' and William Galiene of Wexham on a plea of assize of mort d'ancestor. [174]

636. Julian who was the wife of Richard Bataylle appoints Hugh Bataylle or Oseberd Runiers as her attorney against Walter de la Lee and Aline de la Lee on a plea of assize of mort d'ancestor, and against the prior of the Blessed Mary of Sutherk' on a plea of land, and against Robert le Pek on a plea of annual rent.

637. Isabel de Clyfford appoints John de Wyresdall or Robert, assistant [*garcionem*] of the same John, as her attorney against Richard de la Vache on a plea of assize of mort d'ancestor, on which she complains, etc. [110]

638. Richard de la Lee appoints Adam de Schortecumbe or Robert de Havokesherd as his attorney against Alice who was the wife of William le Bedel on a plea of dower.

639. Alice, wife of Reginald de Bosco, appoints the same Reginald, her husband, as her attorney against William Goley on a plea of dower.

640. Roger de Seyton appoints John de Islep as his attorney against Geoffrey de Chalsede on a plea of assize of mort d'ancestor. [239]

641. [*Change of hand*] Nicholas de Aschewelle appoints Roger de Keleshille as his attorney to win or lose against Roger Gyffard of Tyringham and others in the writ on a plea of land. [216]

642. The abbess of Godestowe appoints John of Godestowe, chaplain, or Adam de Hensynton' as her attorney against William de Alta Ripa [Hawtrey] and Katherine his wife and Ralph son of Ralph de Cheynduyt on a plea of assize of mort d'ancestor, and against the king on a plea of *quo waranto*. [129, 264.]

643. Katherine, wife of William de Alta Ripa [Hawtrey] appoints the said William, her husband, or William, *nepotem* [nephew *or* grandson] of the said William, as her attorney against Ralph de Cheyndut and others in the writ on a plea of mort d'ancestor. [129, 255, 256, 264.]

644. The same Katherine appoints the same William and William as her attorneys against Roger Pacet [Pycot] [256] and Helewise his wife and others in the writ on the same plea.

645. Margery de la Gryche appoints William de la Mershe as her attorney against Walter de Templo on a plea of assize of mort d'ancestor.

646. Maud, wife of Richard de Spynevile, appoints Adam de Schortecumb' or Philip de Wyke as her attorney against John le Knyhe and Julian his wife on a plea of rendering account.

647. Christian who (was[i]) the wife of John le Bat appoints William de la Mershe as her attorney against Gilbert de Templo on a plea of wardship.

648. Maud, wife of Robert de Berefor, appoints the said Robert, her husband [*maritum*], as her attorney before the king's justices against Nicholas Edeline [330] and Benedicta Sweteston [145] on a plea of land.

649. It is granted by the justices that Adam Durdant or John de Islep may sue for John de Seytone against Anthony (de[i]) Bek, bishop of Durham [*Duram'*], on a plea of assize of mort d'ancestor by two writs, because the same John is under age. [298, 317.]

650. Richard Grusset junior appoints Robert de Morton, clerk, as his attorney against Robert de Eton' and Joan his wife on a plea of land. [299]

651. William son of Deodatus of Tyringham appoints Laurence Brodheye as his attorney against Hugh le Maltmakere of Neuport on a plea of land. [52]

652. John le Botyler and Reyna his wife appoint Henry de Stapelho as their attorney against Robert Bardolf and Lora his wife on a plea of dower. [301?]

653. The same John and Reyna appoint the same Henry as their attorney against John son of Nicholas de Esses on a plea of land. [339]

654. William de Hotot and Maud his wife appoint William de Foxcote as their attorney against Robert Bardolf and Lora his wife on a plea of land. [266, 375.]

655. The same William and Maud his wife appoint the same William as their attorney against John son of Nicholas de Esses on a plea of land. [339]

656. Agnes, wife of Thomas de Eyvile, appoints the same Thomas, her husband, or Hugh de Eyvile or William Edelok as her attorney against John de Boys and Isabel his wife on a plea of land.

657. The same Agnes appoints the same Thomas or Hugh or William as her attorney against the same John and Isabel on a plea of debt.

658. Agnes, wife of Thomas de Eyvile, appoints the same Thomas, her husband, or Hugh de Eyvil' or William Edeloc against Maud who was the wife of Jordan Palecok on a plea of land. [161]

659. The same Agnes appoints the same Thomas or Hugh or William as her attorney against Robert, son of Jordan Palecok, on a plea of land. [161]

660. Robert Konne and Joan his wife appoint Philip Matheu as their attorney against Richard son of Hugh de Stratford, Isabel his wife, William Beyneun, Cecily his wife, and Amabilla de Herderigg' on a plea of land.

661. Mabel [*Mabilia*] atte Curt appoints John de Chesham as her attorney against William de Saunterdon on a plea that he acquit [her]. [186, 188.]

662. Maud [Matill' *written on an erasure*] atte Curt appoints John de Chesham as her attorney against William de Saunderdon on a plea that he acquit [her]. [186, 188.]

663. Master Ralph de Ivingeho appoints Richard de Astone as his attorney to win or lose against Thomas Fydekin on a plea of trespass. [109]

664. William de Hotot and Maud his wife appoint William de Foxcote as their attorney against Roger le Boyn, clerk, on a plea of land. [301]

665. The same William and Maud his wife appoint the same William de Foxcote as their attorney against master Thomas le Leche and Maud his wife on a plea of land. [339]

666. Hugh Siward appoints John de la Lude or William Siward as his attorney against Thomas son of Walter Faber, Maud Serle of Eylesbyr', Walter Binet of Queyntone, William atte Welle [and] Henry son of Walter le Ysmongere on a plea of debt.

667. Henry de Shenholt' appoints John de la Lude or William Siward as his attorney in all pleas brought or to be brought for him or against him because he is the clerk of Robert Fuk'. [74, 325?]

668. Henry son of Henry de Norwico appoints Michael[1] Huddel against Richard de Wydendon as his attorney on a plea of land. [238]

1. *Michaelem* written in full, with the diphthong.

669. [*Marginated:* by W. de [S]aham.] Robert de Pynkeny appoints Richard de sancto Johanne, William le Criur and Geoffrey de Dusteberewe as his attorneys on all pleas brought or to be brought. [*A few words obliterated, perhaps repeating the margination?*]

670. Robert de Pevenesheye and Alice his wife appoint Robert de Wendovere as their attorney against John Bryan on a plea of dower.

671. William son of Walter de Geytone appoints Robert de Navesby or William de Geytone as his attorney against Richard de Freyne on a plea of land. [257]

672. The same William appoints Robert de Navesby or William[1] de Geyton as his attorney against William de Loseleye on a plea of land.

1. *Willelmus* altered untidily.

673. The same William appoints Robert de Navesby or William de Geyton as his attorney against Nigel son of Roger de Bebbegrave on a plea of land. [406]

674. Nicholas de Sudbery appoints John Warin (de[i]) Houthune (?) or Robert Parterix as his attorney against John de Helmedene and Leticia his wife on a plea of land.

675. John son of William son of Ralph, Maud his wife and Alina daughter of Alice [of Bierton] appoint Gilbert atteford or Ralph de Burton as

their attorney against the Dean and Chapter of Lincoln and Percival [de Lavannia], parson of the church of Eylesbur', on a plea of land. [265, 396: *in 396, John is called John Davy.*]

676. Isabel, Christian and Alice, daughters and heirs of John de Hykenhull', appoint Gilbert de Hykenhulle, Henry atte Freth and Richard atte mers, their husbands [*maritos*], as their attorneys against Richard son of Henry de Wydenton on a plea of land, to win or lose. [185, where the name is *Brykenhull.*]

677. Isabel, wife of Gilbert de Hykenhull, appoints the said Gilbert, her husband, as her attorney against Richard de Wythendon' on a plea of land. [185]

678. Christian, wife of Richard attemers, appoints the said Richard as her attorney against Richard de Wythendon' on the same plea. [185]

679. Alice, wife of Henry attefruz, appoints the said Henry as her attorney against the said Richard on the same plea. [185]

680. Walter de Neuton and Maud his wife appoint Roger de Neuport as their attorney against everyone on whatever pleas are brought or to be brought. [261, 273, 274, 275, 409.]

681. The same Maud appoints the same Walter, her husband, against everyone on whatever pleas, etc. [261, 273, 274, 275, 409.]

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682. (*Marginated:* by R. de Loveday) The master of the hospital of St Peter of Suntynge-feud appoints John de la Rokele or Robert de Eylestede as his attorney against everyone on whatever pleas and plaints are brought or to be brought, etc. [*A few words obliterated, perhaps repeating the margination?*]

683. The prior of Chykeford [Tickford?] appoints Roger de Neuport as his attorney against Nicholas de Evere on a plea of trespass.

684. The same prior appoints the said Roger as his attorney against the said Nicholas on a plea of the taking of stock-animals [*the last two words,* capcionis averiorum, *written on an alteration.*]

685. (*Marginated:* by R. de Loveday) William de Herdeberuwe, parson of the church of Weston Turvyle, appoints John de Byssopesdon', chaplain, or Robert de Elstede as his attorney against everyone on all pleas brought or to be brought for him or against him because he is being sued in the eyre to Norfolk. [*A few words obliterated, perhaps repeating the margination?*]

686. Elena, wife of Hugh Gyweld, appoints the same Hugh, her husband, as her attorney against Thomas de Bretaun' on a plea of dower. [318, where the name is spelt Oywold.]

687. Thomas de sancto Andrea and Thomas de Achecote, executors of the testament of Thomas de sancto Andrea, deceased, appoint John de Goldore as their attorney against Ralph le Poer on a plea of debt.

688. Isabel who was the wife of Richard de Cantulupo appoints John de Islep as her attorney against John del Molin on a plea of land, and against Roger le Coupere on a plea of land, and against Walter de Harleford and Isabel his wife on a plea of (assize of) mort d'ancestor. [149]

689. Alice, daughter of Richard de Cantulupo, appoints the same John as her attorney against the same on the same plea. [149]

690. Isabel who was the wife of Richard de Cantulupo appoints the same John as her attorney against Bartholomew le Sawage on a plea of land.

691. Hugh son of Henry de Dagehale appoints Alexander de Dagehale as his attorney against John de Dagehale and William le Wrigthe and Peter le Reve on a plea of land, and against Walter de Rudham on a plea of debt.

692. (*Marginated: per fidem* [a third word illegible], by faith [alone?]) Robert son of Roger appoints Thomas Brun or William Gobyon as his attorney in all pleas and plaints brought or to be brought for him or against him. [180?]

693. Ralph fitz Bernard appoints Robert de Havekesherd or Adam de Schortecumbe as his attorney against the king on a plea of *quo warranto* and to pursue and defend his liberties, and against Robert le Mareschal and Nichola his wife on a plea of land, and against John Poyer and Maud his wife on a plea of land, and against Henry the constable [*constabularium*] on a plea of land, and against Isabel de Evere on a plea of land. [76, 96, 163, 267.]

694. Reginald de Grey appoints Nicholas Engayne or Robert *cum barba* [with the beard] as his attorney in all pleas brought or to be brought for or against him in the eyre in Buck'. [293, 428.]

695. Julian, wife of Gilbert de Templo, appoints Gilbert, her husband, as her attorney against Richard de Orpede of Ilmere on a plea of land. [87]

696. Maud le Grik appoints master Thomas, her husband, as her attorney against John son of Nicholas des Elies and William de Hotot on a plea of land.

697. Edmund de Overl', parson of the church of Subyr', appoints John de Sulbiry or Richard de Syrinton' as his attorney in all pleas brought (or[i]) to be brought because he has lands in the county of Norfolk. [*See* Lipscomb III, p. 459.]

698. Maud, wife of John Cosyn of Bekenesfeld, appoints the same John, her husband, as her attorney against Robert Marmiun, parson of the church of Bekenesfeld, on a plea of land. [357]

699. Emma who was the wife of Geoffrey de Thedmers appoints Roger de Neuport as her attorney against John de Thedmers on a plea of land. [408]

700. Joan who was the wife of Richard de Hogeputte appoints John de Goldor' as her attorney against Alexander atte Wyche on a plea of land, and against Geoffrey son of Simon (?) [*S* + 9 *minims*] on a plea of land, and against John de la Bruere on a plea of land, and against Geoffrey son of Simon on a plea of land.

701. Thomas son of Thomas de Boyton appoints John Popelin as his attorney against Bogo de Clare and Robert de Boyton on a plea of land by a writ of mort d'ancestor. [245]

702. Hugh de la Sale appoints Alexander de la Sale as his attorney against the abbot of Bec Herlewyn on a plea of land, etc. [184]

703. John Batayle and Margery his wife appoint John de Waleden as their attorney against Roger de Westmere and Isabel his wife on a plea of assize of mort d'ancestor. [179]

704. Julian, wife of William Fisher [*Piscatoris*] of Neuport Paynel, appoints William, her husband, as her attorney against Richard de Noti[n]gham on a plea of mort d'ancestor. [11, 389.]

705. Alice, wife of John de Craule, appoints the same John, her husband, as her attorney against Joan who was the wife of Henry Miller [*Molendinarii*] on a plea of land.

706. Joan who was the wife of Robert de Waltham appoints John de la Hilude as her attorney against Alice Danvers on a plea of dower. [204]

707. Simon son of William le Cyrograffer appoints Roger Hedeline as his attorney against Isabel Hog on a plea of land. [38, 351.]

708. William Turvil' appoints William Warin of Weston or Richard de la Mersche as his attorney against the abbot of Mussindene and the prior of Merton on a plea of land. [153, 269.]

709. Emma Grusset appoints Richard Grusset as her attorney against William de Langetot on a plea of land [268], and against Alice, wife of William Scuret, on a plea of dower [320].

710. Nicholas fitz John of Hamslap appoints Thurstan de Hamslop as his attorney against Robert le Botiler and Joan his wife on a plea of land. [248]

711. William Josep appoints Henry de Flingdene as his attorney against Walter West and Cecily his wife on a plea of land. [285]

712. Agnes, wife of Henry de Flingdene, appoints Henry, her husband, as her attorney against Walter West and Cecily his wife on a plea of land. [285]

713. It is granted by the justices that Henry de Flingdene may sue for Richard son of Julian, who is under age, against the said Walter and Cecily on a plea of land. [285]

714. Isabel, once [*quondam*] the wife of John fitz John of Hamslop appoints Thurstan de Hamslop as her attorney against Ralph le Sperver, Hugh Bertelot and Isabel once [*quondam*] the wife of Henry Perun (?), carpenter of Hamslop on a plea of land. [362]

715. Geoffrey Ravel appoints John de Bery as his attorney on all pleas brought or to be brought against anyone at the eyre at Wycumbe. [217]

716. Peter Dom and Isabel his wife appoint Geoffrey de Stabulo as their attorney against Humphrey Tyle on a plea of land, and against Hugh le Keu on a plea of customs and services.

717. Henry de Ewyas and Julian his wife appoint Robert Pertrik' as their attorney against Ralph [de *obliterated*] Dote on a plea of land.

718. Wymarka, wife of Richard Lamberd, appoints Richard, her husband, as her attorney against Roger de Westmere and Isabel his wife on a plea of assize of mort d'ancestor. [179]

719. Maud de la Grene appoints William de Lotkumb' as her attorney against Walter de Neuton and Maud his wife on a plea of land. [274]

720. Nicholas de Hegham, dean of the church of the Blessed Mary of Lincoln, appoints Nicholas de Cantuar' or John de Storenrich as his attorney against Robert de Borle and Sarah his wife on a plea of dower.

721. Denise, wife of Adam attenopende, appoints Adam, her husband, as her attorney against Laurence atte Burgh, parson of the church of Hameldene, on a plea of land. [335]

722. Geoffrey de Essex, clerk, general attorney of the prior of Bermundsey, by the king's writ appoints John Gerard of Herewode as his attorney for all pleas brought or to be brought, to win or lose. [253]

723. Thomas Attewodeshende appoints Philip Attehende as his attorney against John de Pateshull' on a plea of land. Arneburga who was the wife of Walter Owayn appoints the same Philip as her attorney against the said John de Pateshull (on[i]) a plea of land. [338]

724. Laurence, parson of the church of Hameleden, appoints John de Goldore as his attorney against Robert Bubbe and Denise his wife, Adam de Uppende and Denise his [wife] and Adam Atterugge and Alice his wife on a plea of assize of mort d'ancestor. [335]

725. Sarah, wife of Robert de Borleye, appoints the said Robert, her husband, as her attorney against Nicholas de Heyham, dean of Lincoln, on a plea of dower.

726. (*Marginated:* by J. de Notingh') Alice who was the wife of James de Audele appoints Roger Scot or Paulinus de Denham as her attorney against Simon de Monte Acuto on a plea of land. [170]

727. Emma, wife of Ernald le Ferur, appoints her husband Ernald as her attorney against John Peyvre on a plea of land.

728. John de Merstone appoints Hugh de Brok' as his attorney against Warin de Bragenham on a plea of land. [114]

729. The same John appoints master Nicholas de Owinges and Hugh de Brok' as his attorney against Agnes, daughter of Robert de Stratforde, on a plea of land.

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730. John de Neyrnuit appoints Hugh de Stretle as his attorney against Richard le Bercher on a plea of land [321] and against Richard de Beaufou and Roger his brother on a plea of debt.

731. The abbot of Evesham appoints William de Hadenham or Ralph de Saunterdon as his attorney on your eyre [*in itinere vestro*] in the county of Bukynghamye in all pleas brought or to be brought against anyone.

732. Joyce [*Jocosa*], wife of John de Saler, appoints William le Keu or Walter le Saler as her attorney to win or lose against John Lovel senior on a plea of land.

733. William de Agmodesham, clerk, appoints John Cole as his attorney against Maud who was the wife of Salomon' Molend' on a plea of land. [384]

734. Nicholas de Charneles appoints William Wareyn or William de Scherynton' as his attorney against the prior of Mertone [269] on a plea of land, and against the abbot of Messendene [153] on a plea of land.

735. Richard de bella fago appoints William de Hodenham as his attorney against Robert Malet, John Neyrnuit, Elias de Wytefeld and Richard de Archers on a plea of debt. [397]

736. Geoffrey le Seriant' appoints his son John as his attorney against John, son of William Caperoun, on a plea of land.

737. Walter Swyft of Chaltone appoints John son of Robert de Lynleye or Robert de Elstende as his attorney against William, abbot of Butlesdene, brother Thomas de Morton, monk of the same house, Stephen de la Fraunkeleyn of Littlecote, William de Fonte of the same, Thomas son of Peter of the same, Robert son of Peter and Hugh son of Peter le Prowost of the same on a plea of trespass.

738. Peter le Buteler appoints Nicholas Clerk of Croyden' as his attorney against William Walewey on a plea of rent. [333]

739. Nicholas de Kenet appoints Nicholas Kempe as his attorney against Richard de Shirefeld on a plea of land.

740. Robert son of Roger appoints Thomas Brun or Adam de Menevill' as his attorney on a plea of trespass against the king and Christian de Marisco. [180]

741. Eng[eramus] son of John, parson of Evere, appoints the same on the same plea against the same. [180]

[According to Lipscomb, IV, p. 520, Ingelram de Balliol died as rector of Iver in 1294.]

742. Thomas Brun, John de la Mare and Richard Barun appoint the same as their attorneys on the same plea against the same. [180]

743. William de Saunford appoints Hugh de Siwell' against the abbot of Messenden on a plea of mesne [*medii*],[1] and against Walter le Graunt on a plea of land, and against Peter de Cropery and others in the writ on a plea of land.

1. *medii* is followed by an obliteration.

744. Thomas le Leche and Maud his wife appoint John de Islep as their attorney against John[1] des Es on a plea of land and against William de Hortot on a plea of land. [339]

1. *versus Johannem* written twice, and the first struck through.

745. Robert son of Walter de Daventre appoints William de Fonte of Thotno or Robert de Elestede as his attorney against Robert de Pinkenny on a plea of mesne and on a plea of debt. It is by two writs.

746. Robert le Vel appoints John de Dagenhal' as his attorney against Ralph fitz Bernard and others on all pleas brought or to be brought. [169]

747. Brother William de sancto Paterno, attorney of the abbot of Bec Herlewyn, appoints Adam de Alington or Roger de Bachesworth as his attorney in all pleas brought or to be brought.

[Written in the left margin between 743 and 744: *per W. de Saham*, through W[illiam] de Saham.]

748. Robert Kyne of Maydeford and Joan his wife appoint William de Wendlesdon' as their attorney against Robert Richote of Hertriche on a plea of land. [223]

749. Alice of Filenden' appoints Gervase de Chalvele or Nicholas Croc as her attorney against Richard de la Northdene on a plea of land. [288]

750. Robert de la Mare of Saleford appoints Richard de la Mare of Saleford and Nicholas (de[i]) Kempe[1] of Louthon' as his attorneys against Roger Baldewyn of Witcherche and Beatrice his wife on a plea of land. [191]

1. *Kempe* written twice, the first time very badly and struck through, and the second above.

751. Thomas le Quice appoints Nicholas de Croydun', clerk, as his attorney against Simon de Cuhus on a plea of debt, and against William le Forester on the same.

752. Agnes who was the wife of Gilbert son of Matthew appoints William atte Welle of Thotno as her attorney against[1] Richard Hichebun, Nicholas son of Hugh, Alice daughter of Rose, William de Ponte, Alice daughter of John Red, Robert le Goldsmyth, Richard son of Matthew, Nicholas son of Ralph le Portreve and Hugh son of Matthew le Pestour on a plea of land by two writs.

1. *vel* (or) written for *versus* (against).

753. John de Caprosia appoints Robert de Morton' as his attorney against the king on a writ which is called *quo waranto*.

754. Symon Scot appoints Robert de Morton' as his attorney against John Peivre on a plea of land.

755. John Voket appoints Robert de Morton' as his attorney against John Peyvre on a plea of land.

756. Ralph de Poleham[1] appoints Robert de Morton' as his attorney against John Peyvre on a plea of land.

1. Before *Poleham*, *Popelh* is written, then underlined and struck through.

757. Richard de la Vache appoints Walter Scarlet, his clerk, as his attorney against Margery, wife of Oliver de Aspervile, on a plea of detinue of stock-animals.[1] [381?]

1. *averiorum* written at the end of the line, split into two: *averior-* , then *-um* beneath.

758. Christian who was the wife of Peter de Hertwell' appoints William de Hadenham or Peter de Hertwell' as her attorney against William de Alta Ripa [Hawtrey] and Katherine his wife on a plea of assize of mort d'ancestor. [256]

759. The abbess of Godestowe appoints John the chaplain (or Thomas Crane[i]) as her attorney against William de Alta Ripa [Hawtrey] and Katherine his wife on a plea of assize of mort d'ancestor. [256]

760. Robert de Shortcford, parson of the church of Tingewik, appoints Walter Dyer [*Tinctorem*] of Wycumbe as his attorney against the abbot of Mont St Katherine by Rouen [*Rothomagum*] on a plea of land.

761. Margery, wife of Ralph de Bray, appoints her husband Ralph as her attorney against the king on a plea of *quo waranto*.

762. Roger de Moles appoints Henry de Pynkeny and Hamon son of Otho as his attorneys against Isabel who was the wife of Robert Baudewin on a plea of dower, and against Roger Hendelith and others in the writ on a plea of customs and services.

763. The prioress of Merlawe appoints William le Pestur as her attorney against master Robert de Fileby on a plea of annual rent. [278]

764. John de Patishulle appoints Michael Hodil of Great Craule as his attorney against Philip atte Gudene and others in the writ on a plea of land.

765. Henry de Norwico senior appoints Henry de Norwico junior or Matthew Hodil as his attorney against Richard de Widendon and Geoffrey de Bosco on a plea of land. [238, 413.]

766. (*Marginated:* by W. de Saham) William de Luyton appoints Richard le Wodeward to win or lose in all pleas brought[1] or to be brought. [152, 393.]

1. *motis* ['brought'] repeated.

767. John Paynel appoints Walter de Stanyngburgh or Ralph de Seleby as his attorney against Roger de Somery on a plea of land. [193]

768. Bartholomew de Arderne appoints William Pynchun or Richard de Chendut as his attorney against Walter son of William le Waleys on a plea of land. [289]

769. Roger de Tyringham appoints Thurstan de Amslap' as his attorney against Nicholas de Hassewell on a plea of land. [216]

770. The abbot of Messenden' appoints brother Reginald de Chivel or brother Nicholas de Treinge as his attorney against everyone on all pleas.

771. Robert Malet appoints Hugh de Stratle as his attorney against Alma who was the wife of William Brun on a plea of dower [246], and against Hugh de Curteny on a plea of land, and against Roger de Bella Fago and Richard his brother on a plea of debt [397].

772. Hawise, wife of Richard son of Richard Grusset, appoints Robert de Eyton or William le Keu of Burton as her attorney against John Peyvre on a plea of land [403], and against the abbot of Oseney on a plea of land [271], and against John de Morton' on a plea of land [358], and against Emma who was the wife of Richard Spisset[1] on a plea of warranty of charter [268, 378].

1. This name is very clearly written, but is an obvious error for *Grusset.*

773. Gilbert le Porter appoints John de Islep as his attorney against Ralph Pypard on a plea of land.

774. Alice who was the wife of Nicholas Hunfrey appoints Geoffrey de Stabulo of Newport as her attorney against Richard Hereng on a plea of land.

775. John Warin of Houthune appoints Roger de Neuport as his attorney against John de Thedmers on a plea of land.

776. Hugh Levesone and Mabel his wife appoint Andrew Godsalm as their attorney against John Warin on a plea of land. [340]

777. Julian who was the wife of Hugh atte Biregg' appoints John Marye as her attorney against Richard Kyne on a plea of land.

778. Julian, wife of Henry de Hadenham, appoints her husband Henry as her attorney against Richard Kyne on a plea of land.

779. Roger [*recte* Robert] Pogeys, Imbert his son, Imbert de Scoteni, William Wylce, Hugh le Lardiner and Robert de Piteburgg' appoint John Lughwelle or Philip Olof as their attorney against Robert, bishop of Bath and Wells, Thomas de Verdun and Henry de Preeris on a plea of trespass. [385]

780. Anastasia,[1] wife of William de Saunford, appoints Hugh de Siwell' as her attorney against the abbot of Messendene on a plea that he should acquit [her against][2] Walter le Graunt on a plea of assize of mort d'ancestor, and against Peter Cropery and others in the writ on a plea of assize of novel disseisin.

1. *Anastasia* written on an alteration.
2. There is a tear after *quod aquietet* ['that he should acquit']; before it, the start of another letter can just be seen.

781. John de Grenestede, general attorney of the abbot of Grestene, appoints Ralph de Chelegrave and Hugh Gobythewey of Astone as his attorney on all pleas brought or to be brought. [202]

782. Thomas de Cumbes appoints Walter Scarlet or Philip de Coveham as his attorney against Stephen de Gravesende on a plea of land. [399]

783. Robert de Gervile appoints Roger de Neuport as his attorney against Roger Grey on a plea of debt [366], and against Ralph Nin (?)[1] of Pinkeneye on a plea of land.

1. This name consists of five minims, without a capital letter.

784. Wimarca, wife of Richard Lamberd, whom Osbert Scot has vouched to warranty, appoints her husband Richard as her attorney against Roger de Westmere and Isabel[1] his wife on a plea of assize of mort d'ancestor. [179]

1. There is an erasure before the name Isabel. In 179, the first surname is given as Lamberd.

785. Hugh de Curteney appoints Simon Huskarle as his attorney on all pleas brought or to be brought against anyone. [226]

Membrane 42 dorse

786. It is granted by the justices that Roger de Neuport should sue for Baldwin Kyng, who is under age, against William son of Roger de Haversham on a plea of assize of mort d'ancestor.

787. Emma who was the wife of Payn [*Pagani*] de Staunton' appoints the same Roger as her attorney against the same William[1] on the same plea.

1. *fil* written and obliterated before the name William.

788. Richard Hereng appoints the same Roger as his attorney against Alice who was the wife of Nicholas Humfrei on a plea of land.

789. Henry de Hida appoints John de Dagenal' as his attorney against Walter [Swyft?] of Chalton and Henry de Merlawe on a plea of land, and against Thomas de Bragenham on a plea of land.

790. John de Haunepenne and Sarah his wife appoint Gilbert de la Forde as their attorney against the dean and chapter of Lincoln and Percival [de Lavannia], parson of the church of Eylesbury, on a plea of land. [265, 396.]

791. Stephen Lacy appoints Robert de Morton as his attorney against Richard Kene on a plea of land.

792. Roger de Molar' junior appoints Robert de Morton as his attorney against the same Richard on a plea of land.

793. Roger de Tiringham appoints Thurstan de Hamslap as his attorney against Edmund de Overle, parson of Solesbur', and Henry, servant of the same Edmund, on a plea of land, and against the king on a plea of *quo waranto.*

794. John de Folsham (and Maud his wife[i]) appoint Thomas Aldith as their attorney against William Gegge and Denise his wife and Ralph de Agmundesham on a plea of wardship. [416]

795. Simon de Thorp' appoints John de Islepe as his attorney against Thomas Terry and others in the writ on a plea of assize of novel disseisin. [290]

796. Cecily, wife of Walter West, appoints her husband Walter as her attorney against Henry le Coliere and Agnes his wife on a plea of land. [285]

797. John Passelawe appoints John le Waleys as his attorney against the king on a plea of *quo waranto.*

798. William Bruncostyn appoints Gilbert de Botyl as his attorney against Hugh de Eshe and Isabel his wife on a plea of assize of mort d'ancestor. [127, 272.]

799. Katherine, wife of Philip de la Welde, appoints her husband Philip or her son Philip as her attorney against Henry de la Welde on a plea of land.

800. Mabel, wife of Richard son of Richard de la Vache, appoints her husband Richard or Roger le Clerk or Philip de Bekham as her attorney against Thomas Poyle and William Jartunvill' on a plea of assize of mort d'ancestor [291], and against the prior of Snellishal' and others in the writ on a plea of a jury of 24 [381], and against William de Jarpunvill' on a plea of customs and services, and against Walter Godwyne on a plea of land. [15]

801. Hugh le Braser of Neuport[1] appoints Geoffrey de Stabulo as his attorney against William de Tyringham on a plea of land. [52]

1. Neuport is written *Neuporp*, with a tiny superscript t above the r; in 52 Hugh's surname is given as Maltmaker.

802. Agnes, wife of Alexander son of Alexander de Hamden', appoints her husband Alexander as her attorney against Maud daughter of Alice of Great Broughton on a plea of land.

803. Joan Daryel, Ralph le Brun, Thomas de Achecote and Isolda his wife appoint John de Goldore as their attorney against William Walkelyn and Joan his wife on a plea of the advowson of a church.

804. Emma, daughter of Henry le Jovene of Drayton Beauchamp', appoints Adam son of Walter de Plesset as her attorney against Thomas de Eyville' on a plea of land. [244]

805. William de Be(n)dinges, whom Thomas de Bretayne has vouched to warranty, appoints Geoffrey de Stabulo as his attorney against Emma who was the wife of Godfrey Wade on a plea of dower. [311]

806. Gerard de Braybrok appoints John[1] as his attorney against Robert Derewyn on a plea of land and against everyone on whatever pleas. [225]

1. No surname given.

807. Simon de Blosmevill' appoints Henry de Stapelho or Nicholas de Morle as his attorney against John of Lond[on] on a plea of land. [351]

808. Brother John, master of the hospital for the sick [*infirmorum*] of St Mary Magdalene of Croumers, appoints John de la Lude as his attorney against Robert son of Robert de Owyng and others in the writ on a plea[1] that he should keep to the fine made in the king's court.

1. on a plea [*de placito*] repeated.

809. Isabel, wife of Roger de Westmere, appoints her husband Roger as her attorney against William le Chapeleyn and others in the writ on a plea of assize of mort d'ancestor. [179]

810. John Gernun appoints William de Hadenham as his attorney against Agnes who was the wife of John de la Croyz on a plea of wardship. [377, 400.]

811. Alice, wife of Ralph Marmyon, appoints her husband Ralph as her attorney against Ralph Cok and others in the writ on a plea of assize of novel disseisin. [324]

1. In 324 Ralph Cok is named as Ralph de Padbury.

812. John Brodeie appoints Nicholas Kempe as his attorney against Richard de Shireford on a plea of land.

813. William Waukelyn and Joan his wife appoint William de Wedon' and Henry Halegood as their attorneys against William de Bello Campo, Robert de Cruker and Maud his wife, John[1] Dayerel, Ralph Brun, Thomas of Echecote and Isolda his wife on a plea of the advowson of a church.

1. Compare 803, which has Joan Dayerel.

814. Agnes, relict [*relicta*] of Walter le Prenteys, appoints John de Dagenhale as her attorney against John de Brok of Dermeston' [North Merston] on a plea of [assize of][1] mort d'ancestor. [382]

1. *terre* [of land] written for *assise* [of assize].

815. Christian who was the wife of Peter de Frareys appoints her son Peter de Hertwell or William de Hadeham as her attorney against Robert son of Walter de Heyford and others in the writ on a plea of land. [256]

816. Simon de Ellesworth, parson of the church of Trapston' [Turweston], appoints Walter de Ellesworth or John of Islip as his attorney before the prior of Armeston who has the power [delegated by?] the justices [*per justiciarios*], etc., against Henry de la Hiche on a plea of debt.

817. William de Bello Campo, Robert de Crevquer and Maud his wife appoint John de Goldore as their attorney against William Walkelyn and Joan his wife on a plea of the advowson of a church.

818. Master Peter de Abindon' appoints master Nicholas de Owinge and Hugh de Brok' as his attorneys against Walter de Wottesd' and Robert Souche and Nicholas de Hauseby on a plea of debt. [394, 395.]

819. Maud, wife of William de Hotot, appoints her husband William as her attorney against John le Botyler and Reyna his wife, and Thomas Leche and Maud his wife on a plea of warranty. [339]

820. Edmund de Eyncurt appoints John de la Lude or Thomas de Wycombe, clerk, as his attorney on all pleas brought or to be brought.

821. Henry Filiot and Emma his wife appoint John Sparue as their attorney against Alice who was the wife of Thomas de Aqua of Ilford[1] on a plea of dower. [291]

1. This name is given as Thomas de Ikford in 291.

822. John Peyvere appoints John Linleye or Fremund' de Houtton' or Robert de Elestede as his attorney against Richard Grosset and Hawise his wife, Ernald son of Ernald [of Buckingham] and Emma his wife, Robert Goldring and Emma his wife, Ralph le Someter, Simon Scot and Mabel his wife and John Koket on a plea of land, and against William de Jarkevil' on a plea of assize of mort d'ancestor. [319, 403.]

823. Robert le Forester of Bayworth appoints Roger de Brichemor as his attorney against John fitz John of Hamslap to receive a final concord [*de fine percipienda*]. [37]

824. Richard, parson of Drayton Beuchamp, appoints John de Islep as his attorney against the abbot of Gresten on a plea of annual rent. [202]

825. Ralph de Frankeny appoints Adam de Sortecumbe as his attorney against Robert de Gibervil' on a plea of land. [391]

826. Basilia who was the wife of Walter le Draper appoints Adam de Sortecumb' or Philip de Wyke as her attorney against John le Plumer and others in the writ on a plea of dower. [284, 344, 411.]

827. William le Noreys appoints Fremund de Hectun as his attorney against Emma who was the wife of Richard Grusset on a plea of dower. [320]

828. Robert Kinne of Maydeford appoints Ralph de Astwik' as his attorney. [223]

829. William de Cauntelo appoints William de la Mershe and John le Bel as his attorneys on all pleas brought or to be brought because he is the king's *kamilard*. [129]

1. The meaning of *kamilard* is unclear; it is not to be found in any dictionary.

830. Margery, daughter of Ivo de la Torre, appoints her husband John le Sweyn as her attorney against John Brian and Amice [his wife][1] and John their son on a plea of dower. [46?]

1. Membrane very faded at this point.

831. Ralph Godefrey appoints John de la Lude as his attorney against the abbot of Messenden on a plea of land, and against the same on a plea of trespass.

832. Stephen de Gravesende, parson of the church of Stokehamund, appoints John de Islep as his attorney against Thomas de Cumbe on a plea of land.

833. Richard de la Dene and Isabel his wife appoint Walter son of Geoffrey le Clerk as their attorney against Walter de Agmundesham to receive a chirograph.

834. Giliana Barrat, Thomas le Traper and Christian his wife appoint Geoffrey de Stabulo as their attorney against Humphrey Tyle on a plea of mort d'ancestor.

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835. Aungerus de Chaucumbe and Joan his wife appoint John de Ponte of Horton, clerk, and John Fraunceys of the same as their attorneys against Richard de Cantulupo and Robert his brother on a plea of land.

836. Roger Normere and Christa his wife appoint Robert de Kechesanto as their attorney against Henry [*Hanr'*] Cleusern (?) of Lenley on a plea of land.

837. Emma, wife of Robert Goldring, appoints her husband Robert Goldring as her attorney against John Peyvre on a plea of land. [319]

838. Henry de Sortesbrok', guardian of the land and heir[1] of John de Cave, whom Richard son of Walter [of Dorney] has vouched to warranty, appoints William de Fonte as his attorney against Alice who was the wife of Ralph Danvers on a plea of dower. [407]

1. *heredes* written for *heredis*.

839. Michael de Rouze appoints William de Bragenham as his attorney against Davit Farman and Agnes his wife and Robert de Postelkumbe and Margery his wife on a plea of detinue of charters.

840. Maud who was the wife of William de Madmenham appoints her son Thomas as her attorney against William de la Welle of Riseburg' on a plea of assize of mort d'ancestor. [280]

841. Alexander de Hamden appoints John de Riseburghe as his attorney against John de Chanceus on a plea of debt. [365; see 846.]

842. William le Porter and Agnes his wife appoint Walter de Hylmere to receive their part of the chirograph [*partem suam cyrograffi*] [made] between them and William de Luton' concerning tenements(s) in Hertwelle. [152]

843. William Giffard appoints Roger Gubyon as his attorney against John le Waleys and others in the writ on a plea of assize of novel disseisin. [91, 342.]

844. Nicholas de Hegham, dean of Lincoln, appoints Hugh de Nettleton as his attorney on a plea of dower against Robert de Burle and Sarah his wife.

845. Maud de Brouton' appoints Thomas de Strele as her attorney against Alexander son of Alexander de Hamden' on a plea of land.

846. Alexander de Hamden appoints John de Riseburu as his attorney against John Chanceus on a plea of debt. [365; see 841.]

847. William le Porter and Julian his wife appoint Henry de Norwico as their attorney to receive their part [of a chirograph].

848. Roger le Cordewaner and Cecily his wife appoint Thomas of Oxon' as their attorney against John le Sautreur and Angnes his wife on a plea of land. [404]

849. Ela, countess of Warwick, appoints William Everard or Nicholas de Eumpton as her attorney against Simon de Monte acuto on a plea of waste, and against Roger de Westbyr' on a plea of debt. [414]

850. Richard Norman appoints Adam de Schortecumbe or William de Lalham or Philip de Wyke as his attorney against William son of William Estmer on a plea of land.

851. Robert de Drayton' appoints William Cotel as his attorney against Thomas Deyvill' on a plea of trespass. [244]

852. Alexander son of Simon appoints Nicholas le Clerk as his attorney against Hugh de Brok' on a plea of land. [251–2?]

853. Julian, wife of Adam Balle, appoints her husband Adam as her attorney against Alice who was the wife of Robert Beneit on a plea of dower. [372]

854. Richard de Bedeford, William son of Ralph, Richard son of Robert [and] John Garner appoint John Gerard as their attorney against Geoffrey de Sancto Martino on a plea of land [419–20.]

855. John de Bechamtone appoints Andrew Bonvyn as his attorney against Alice who was the wife of Robert Beneyt on a plea of dower.

856. Maud who was the wife of Richard le Noreys appoints her son Laurence as her attorney against Stephen le Blund and Edith his wife on a plea of detinue of charters.

857. John Giffard appoints William de Wyndelisdon' and Nicholas de Chettewod as his attorneys against John son of Simon de Thwyford and John de Chyvele on a plea of (assize[i]) of mort d'ancestor. [402]

858. Warin de Grendon, general attorney of Theobald de Verdun,[1] by the king's letters patent having the power to substitute another attorney in Theobald's place, appoints John of Coventry (or Richard Turvill[i]) as [Theobald's] attorney, to claim, pursue and defend his liberties.

1. Obliteration struck through after *Verdun.*

[*Membrane 43 dorse is completely blank.*]

Plaints brought at the 1286 Eyre to Buckinghamshire

JUST 1/66 The roll of the Chief Justice, John de Vaux

Membrane 17

ROLL OF TRESPASSES AND PLAINTS

[*The heading has been supplied from the Rex Roll, JUST 1/63, as there is no heading to m. 17 in JUST 1/66.*]

859. William in the Lane of Whychurch complains of John Colderel that on the Saturday next after the feast of the Annunciation of the Blessed Mary in the 3rd year of the present king [30 March 1275] he (came to the vill of Whichchurk' and[i]) attacked him with a hatchet and wounded him on the left arm, and maimed and mistreated him and inflicted other outrages on him against the peace; whereof he says that he has suffered loss and damage to the value of £100. He produces his suit of this.

John comes and denies force and wrong, and says firmly that he did not come[1] on that day and year, nor did he attack or wound or maim him, or commit any other trespass against him. He puts himself on the country concerning this, and William does likewise, so let there be a jury on this.

The jurors of Coteslawe Hundred say on their oath that John did wound and maim William, and so it is adjudged that John should be taken into custody for this trespass until he has made restitution (*marg:* custody[c]).

1. 'come' (*veni*) written on an alteration.

[See 10 for the background to this assault.]

860. Andrew de Coppykote complains of Henry son of John de Barton, that when he [Andrew] had in his custody six cows belonging to the abbot of Oseneye, on the Monday next before the feast of All Saints in the 13th year of the present king [29 October 1285] in the vill of Barton, Henry with one Walter Bleche (unjustly[i]) took the six cows on the king's highway in that vill and drove them to his house in it, and detained them there (from[i]) that Monday until the Wednesday next after St Leonard's day [7 November], and would not release them until he had taken [money] by extortion from him to recover the beasts. He says that from this he has

suffered loss and damage to the value of 40s., and he produces his suit of this.

Henry comes and denies force and wrong. He claims that on the said day and year, in a place which is called le Stokkyng,[1] in a tenement which is part of the fee of John Dyve [*or* Dyne], (he took the cows as a distraint for scutage[i]), owed to John, of half a knight's fee. He says that the abbot[2] holds that tenement of le Stokyngh' and other tenements in Barton from himself by the service of half a knight's fee.

Andrew comes and says that the tenements which (his master the abbot[i]) holds in the vill of Barton are held from John of Barton, Henry's father, who is still alive, and he asks judgment if Henry can claim any distraint made in a tenement which (the abbot[i]) holds directly from his father, unless he himself had acquired and been seised of the scutage or any other service (at the abbot's hands[i]), and that Henry cannot show that the abbot had ever acknowledged himself as Henry's direct tenant. And because Henry claimed that the distraint was made for scutage without the king's bailiff [present], and especially because he cannot show that the abbot had ever acknowledged he was his tenant in any service by which he was in arrears to him, it is adjudged that Andrew is to recover his damages, and Henry is to be in mercy for his unjust seizure (*marg:* amercement[c]). D[amages][3] 1 mark, all to the clerks.[4]

1. *Stok* is written at the end of a line; later, the name appears to be spelt *Stokingh[am]*. JUST 1/63 has *Stokkyng'*.
2. Words inserted after 'the abbot' (*abbas*) and then obliterated.
3. Most of this word is torn away.
4. Entry followed by a capitulum mark and a line erased.

861. Henry de Broylly acknowledges that he owes John *de Beverlaco* [of Beverley], parson of Omston, 20s., which he will pay him three weeks after Easter. If he does not, he agrees that the sheriff may raise the money from his lands and chattels (*marg:* acknowledgement).

[Omston not identified, but does not appear to be in Buckinghamshire. A line appears to have been erased after this entry.]

862. Simon de la Hulle, Richard de Northdene, Hugh le Styvor and Richard son of Simon de la Hulle acknowledge that they owe John de la Dene 25 silver marks, of which they will repay him 10 marks at Michaelmas next [29 September], 5 marks at the feast of the Nativity of St John the Baptist [24 June] next following,[1] (5 marks[i]) at the feast of All Saints [1 November] next following, and 5 marks at the feast of St John the Baptist next following [24 June 1287]. If they do not, they agree that the sheriff may raise the money from their lands and chattels (*marg:* acknowledgement).[2]

1. 'following' written ungrammatically (*sequens* for *sequenti*) in both JUST 1/66 and JUST 1/63.
2. JUST 1/63 adds *x m[arce]*, 10 marks.

863. (*Marginated:* Norhpt') Robert Page of Wotton' has acknowledged that he owes Elias de Preston' 30s., which he will pay him at the feast of St Peter *ad vincula* this year [1 August]. If he does not, he agrees that the sheriff may raise the money from his lands.

864. William de Bello Campo [Beauchamp], earl of Warwick, and Maud his wife complain by their attorney of Reginald de Bello Campo, that he unjustly detains from them six marks, 10s. and 8d., which he ought to have paid them[1] at the feast of the Purification of the Blessed Mary [2 February] last past this year, and has not yet given them. [They] say [they] have suffered loss and damage through this to the value of 20s., and they produce suit of this. They put forward[2] a bond in writing in Reginald's name which bears witness to this.

Reginald comes and denies force and wrong. He fully acknowledges the bond and what is contained in it, and cannot deny this, and so it is adjudged that William and Maud should recover (the said[i]) debt from Reginald, and damages, and that Reginald is to be in mercy for his unjust detinue (*marg:* amercement[c]). Afterwards[3] Reginald paid the debt, so he is quit of it. Damages 20s., to the clerks.

1. The clerk is again using singular verbs (and a singular pronoun, *ei*) for a married couple.
2. *profferunt* written for *proferunt*; but the clerk has returned to the plural number.
3. This *postea* is not in JUST 1/63.

865. (*Marginated:* Essex, Suff') William de Capeles acknowledges that he owes John de Scoteny £20, of which he will pay him 20 marks at the feast of St Peter ad vincula [1 August] and 10 marks at Michaelmas [29 September] next following. If he does not, he agrees that the sheriff may raise the money from his lands and chattels.

866. (Richard fitz John and[i]) William de Heyghton', bailiff of (the said[i]) Richard fitz John, were attached to answer William de Jarkenville on a plea of why they took William's beasts and unjustly detained[1] them, whereof he complains that (Richard and[i]) William de Heyghton, together with others unknown, on the Monday next before le hokeday in the 14th year of the present king [22 April 1286], (after the eyre had been summoned,[i]) unjustly took and caused [others] to take six oxen and two beasts in the vill of Totenho in a place which is called Brokfurlong', and drove them to Richard's manor in Whaddon' and unjustly detained them there from that Monday until the Wednesday following, when they were released by the king's sworn bailiff [*or* king's bailiff, sworn].[2] He says that through this he suffered loss and damage [to the value][3] of 40s., and produces his suit of this.

Richard fitz John (by his attorney) and William de Heyghton, his bailiff, come and deny force and wrong. They fully acknowledge that they caused the beasts to be taken on that day and year and in that place, and that they had them driven to Whaddon', but [they say that they did

this] justly, because William de Jarkenville holds a messuage and a carucate of land with appurtenances in Totenho from him [Richard] by homage and the service of 40s. a year, and that John fitz John, brother of Richard, whose heir he is, died seised of this homage and services in his demesne as of fee, and that (£20 of[i]) this service of 40s. are in arrears over ten years, (and so is the homage of the said William[i]). They distrained William by these beasts in his fee because they did not find other beasts, as was perfectly lawful for them according to the custom of the kingdom.

William de Jarkenville comes and cannot deny that he holds this messuage and carucate of land with appurtenances in Totenho from Richard by homage and the service of 40s. a year, and that £20 were in arrears over ten years. It is adjudged that Richard should have the return of the beasts, and William is to be in mercy for his false claim (*marg:* amercment[c]).

1. The singular *detinuit* written for *detinuerunt*, 'detained'. Perhaps the clerk had not yet realized that he had left out one of the accused.
2. Why is the king's bailiff here described as "sworn"? Or is this a note added to the contemporary account of court proceedings, which has found its way into the final record?
3. 'to the value' (*ad valenciam*) omitted in JUST 1/66 and supplied from JUST 1/63.

867. Henry de la Hide acknowledges that he owes Simon de Ellesworth, parson of Trapeston' [*Turweston*], £10 17s. 6d., which he will pay him at the feast of St John the Baptist [24 June] in the 14th year of the present king. If he does not do so he agrees that the sheriff may raise the money from his goods and chattels (*marg:* acknowledgement).

[For Simon de Ellesworth see 47.]

868. Peter Passelewe, rector of the church of Badelesdon', William Passelewe and Hamon de Wawendon acknowledge that they owe Walter de Ellesworth £10 12s. 8d., of which they will pay him half at Easter this year and the other half at the feast of the Nativity of the Blessed Mary [8 August] (next following[i]). If they do not, they agree that the sheriff may raise the money from their lands and chattels (*marg:* acknowledgement).

[Lipscomb, III, p. 545 does not know of Peter Passelewe at Biddlesden, but records him as presented to the church of Maids Moreton by John Peyvre in 1294 (III, p. 43).]

869. The prior of Byrencestre [*Bicester*] was attached to answer[l] Walter Herman on a plea of debt, whereof Walter now complains that the prior is unjustly detaining 2 marks which he ought to have paid at Easter three years ago and has not yet paid him. He puts forward a tally which bears witness to this debt, whereof he says that by the fact he has not paid him this money he has suffered loss and damage to the value of 1 mark, and produces his suit of this. The prior comes by his attorney and fully acknowledges the debt, and cannot deny this. So it is adjudged that Walter

is to recover this debt from him, and the prior is to be in mercy for his unjust detinue (*marg:* amercement[c]). Damages 1 mark, all to the clerks.

1. A diagonal tear on the parchment, now held together by a mending strip on the verso, runs down through this entry. The clerk allowed for the tear when he wrote the entry.

870. (*Marginated:* [William de] Saham) William de Goyz was summoned to answer Richard de la Dedelond on a plea that he should give him back 5 marks which he owes him and unjustly detains, whereof he now complains that he ought to have given him back the 5 marks on the day of St Thomas the Apostle in the 8th year of the present king [21 December 1279] and has not yet given them back to him; whereof he says that he has suffered loss and damage to the value, etc., and produces his suit of this. William comes and denies force and wrong. He fully acknowledges that he is bound to Richard in the 5 marks, and so it is adjudged that Richard is to recover this debt, and William is to be in mercy [for his unjust detinue][1] (*marg:* amercement[c]). Damages 20s.

1. These words (*pro injusta detencione etc.*) supplied from JUST 1/63.

871. Richard son of Henry de Kingesseie appoints John de Upton' as his attorney against Walter de Hillemere on a plea of trespass. [73]

Membrane 17 dorse

872. Roger de Moles, Henry le Clerk', William son of Roger and John Plot were attached to answer John de Capella, William de Windesores, John Crude, Henry North of Herdwick', Robert Adeline, Richard Hokerich and Roger Hendelich on a plea of why they took the beasts of John, William and the others and have detained them unjustly against their pledge.

John de Capella complains that on Thursday next before the feast of St John before the Latin Gate in the 14th year of the (present[i]) king [2 May 1286] Roger and Henry took and caused to be taken by the said William and John two cows and a bullock belonging to him which were in his care in his croft in the vill of Bridestorn,[1] and drove them to the court of the said Roger de Moles in Hardwick, and there unjustly detained them from that Thursday until the Friday next following, when[2] they were released by Gilbert Munekan, the king's bailiff.

William de Windesores complains that on the said day and year in the said vill Roger and Henry took and caused to be taken by William and John a cow on the king's highway in a place which is called Colemanscroft, and drove it to Roger's court, and there detained it until the Friday, when it was released by the said royal bailiff.

(John[i]) Crude complains that on the said day and year in the said vill Roger and Henry took and caused to be taken by William and John a cow at Benoldesdich and drove it (to[i]) Roger's court and there detained it until the Friday, when it was released by the said bailiff.

Henry North complains that on the said day and year in the said vill Roger and Henry took and caused to be taken by William and John a cow

belonging to him in a ploughland called la hyde, and drove it to Roger's court and detained it there until the Friday, when it was released by the same bailiff.

Robert Atheline complains that on the said day and year in the said vill Roger and Henry took a cow in a place called la hyde.

Richard Hokerich complains that on the said day and year in the said vill Roger and Henry by the agency of William and John took a mare from him in a place which is called le Westcroft.

Roger Hendelich complains that Roger and Henry on the said day and year and in the said vill by the agency of William and John took two foals from him in a place which is called Benelond and drove them to Roger's court and detained them there from the Thursday until the Friday, when they were released by the said bailiff.

They say that because of this they have suffered loss and damage to the value of 100s., and produce their suit of this.

Roger de Moles and all the others come and deny force and wrong. Roger, on behalf of himself and all the others, fully acknowledges the taking, [but says it was done] justly, because he says that John de Capella, William de Wyndesor', John Crude, Henry North, Robert Athelyne, Richard Hokerich and Roger Hendelith hold these tenements from (his fee[i]) in the vill of Bridethorp,[1] and each tenant of these tenements owes Roger three ploughing-works, three harvest-works, one hoeing of grain and one afternoon to lift hay every year. Because these services were in arrears he distrained John, William and the others for the arrears of these services by the said beasts, found in his fee, as was fully lawful for him according to the custom of the kingdom, and of which services (he was in seisin[i]).

John, William and the others say that they hold their tenements in chief from the prior of Merton, and not from Roger, by the service of paying 10 marks a year to the prior for all services, and without any other services to be done to the prior or to anyone else, and that they have never done services to Roger of the sort for which he has distrained them. They put themselves on a jury for this, and Roger does likewise.

The jurors, chosen by consent of the parties, say on their oath that by the hands of John, William and the others Roger was in seisin of the three ploughing-works a year, three harvest-works, one hoeing and one lifting of hay, and that these services were in arrears to Roger. So it is adjudged that Roger and the others are to go without day on this and they are to have the return of the beasts, and John and the others are to take nothing by their plaint, but to be in mercy for their false claim (*marg:* amercements).

1. Neither form is to be found in Mawer and Stenton. Is this perhaps Burston?
2. *quod* 'because' written for *quo* 'on which, when'. The clerk has done this consistently throughout the entry.

873. Adam Burgeys, servant of master Henry de Bray, complains of Peter de Ry, that on Friday next after the feast of St Gregory in the 13th year of the present king [12 March 1285] Peter de Ry came to Little Messingdenn'

to the house of master de Bray, which was in Adam's custody, and broke the lock on the door (of the grange[i]) there belonging to master Henry, and entered the grange, and threshed and carried off the grain that was in the grange, namely 20 quarters of wheat, 40 quarters of oats and other grain to the value of 40 marks, from which Adam had arranged to pay his master [*lit.* entered into payment towards his master for] 12 quarters of wheat and 10 quarters of oats and 100s. in money, whereof he says he has suffered loss and damage to the value of £40, and produces his suit of this.

Peter comes and denies force and wrong, and says that there was an agreement between himself (and his wife Isolde[1] on the one hand[i]) and master Henry (on the other hand[i]) that master Henry granted and leased to him and his wife Isolde all his manor of Messingdenn' with its appurtenances and with all the chattels and grain which were in that manor in exchange for the land and manor of Deen in the county of North' for the term of the lives of Peter and Isolde, and he says that through this lease he entered the said grange and the other buildings and the manor, and disposed of the said grain and other goods found in it as his own, as was fully lawful by the terms of the lease and agreement made between them, as is more fully contained in a deed drawn up between them. This deed was taken away[2] from him by William Crok', (master Henry's clerk[i]), together with his seal and other valuable objects, and he is prepared to prove this in any way the court shall decide.

Adam says that master Henry leased the said manor and its appurtenances to him [Peter] and Isolde his wife with the proviso that all the grain in the barns should remain the property of master Henry. On this he puts forward a written deed concerning the exchanges and agreements between them which bears witness to this, and [he says] that Peter has carried off the grain contrary to the form of the agreement made between them, and that master Henry never made him any other written deed except the one in which it is contained that the grain should remain his property. He puts himself on a jury concerning this, and Peter does the same, so let there be a jury on this.

The jurors, chosen by consent of the parties, say on their oath that Peter came to Adam on the said day and year and took from his hands the key of the grange, and entered it, and threshed and completed [the processing] of the grain found in that building, against the form of the agreement made between himself and master Henry, and against [master Henry's] will, (causing Adam the loss of 24 marks[i]). And so it was adjudged that Adam is to recover his damages, and Peter to be in mercy (*marg:* amercement[c]); and because Peter is not present, and committed the aforesaid trespass against the peace, the sheriff is instructed to take him and keep him safely until he has made restitution (*marg:* he is to be taken).

Damages 24 marks.

1. JUST 1/63 sometimes calls her Isabel.
2. *de se abstulit* could mean 'stole from him' rather than just 'took away from him'.

874. It was found by the jury on which master Arnald de Stokes Pugeys, plaintiff, and Nicholas, vicar of the same, (and Richard son of Adam of the same[i]) had put themselves that Nicholas had not kept (from him[i]) a book worth 20s. called *Let us cast away the works of darkness* [*Abiciamus opera tenebrarum*], and Richard had not kept from him a chest, nor a brass pot worth 4s. 6d., nor another brass pot worth 2s. 2d., nor a pocinet worth 2s., nor a ewer with a dish worth 4s., nor six silver spoons worth 6s., nor three cloths nor three towels worth 20s., nor have they committed any trespass against him as [he] complained[1] of them. And so it is adjudged that [Arnald][2] is to take nothing by this jury-trial, but is to be in mercy for his false claim (*marg:* amercement[c])[3]. It is pardoned by the justices.[4]

1. The plural *questi fuerunt* 'they complained' written for the singular *questus fuit.*
2. *Nicholaus* written for *Arnaldus.*
3. The margination is not visible under a repair patch, but the end of the line cancelling it can just be seen.
4. 'It is pardoned by the justices' (*perdonatur per justiciarios*) written on an untidy alteration.

[Nicholas of London was presented to Stoke Poges church on 3 February 1274; he resigned it for Wendover in 1294. Lipscomb, IV, p. 562.]

875. Robert de Seincler and Hugh de Culverdon' acknowledge (*marg:* acknowledgement) that they owe Christian de Garinges 40s., of which they will pay her half at the feast of St Peter ad vincula this year [1 August] and the other half at Michaelmas [29 September] next following. If they do not, they agree that the sheriff may raise the money from their lands and chattels.

876. Master Henry de Bray acknowledges that he owes Walter son of Robert 8 marks, which he will pay him on the quindene of Michaelmas in the 14th year of the present king [13 October 1286]. And if he fails, he agrees that the sheriff may raise the money from his lands and chattels.[1] (*marg:* acknowledgement)

1. The repair strip, noted in above, runs from the end of this entry down through the next.

877. John de Aswell' acknowledges (*marg:* acknowledgement) that he owes John Bel 14 marks, of which he will pay him 1 mark at Michaelmas in the 14th year of the present king [29 September 1286] and 1 mark at the feast of the Blessed Mary in March next following [25 March], and so 2 marks from year to year at the same dates until it is paid in full. And if he fails to do so, he agrees that the sheriff may raise the money from his lands and chattels.

Civil Fines and Amercements from the 1286 Eyre to Buckinghamshire

JUST 1/63 The Rex Roll

Membrane 34

[*This membrane has been ruled, faintly but carefully, into three columns, with the small central one generally used for the sums fined or amerced. In a few instances, the entry ignores the ruling and runs across. Numbers in square brackets refer to entries in text.*]

FINES AND AMERCEMENTS OF PLEAS FROM THE EYRE OF JOHN DES VAUX AND HIS FELLOW JUSTICES ON EYRE AT WYCOMBE IN THE COUNTY OF BUCKINGHAMSHIRE IN THE 14th YEAR OF THE REIGN OF KING EDWARD

878. [*relating to cases on m. 1 of JUST 1/67*]

From Robert de la Mare as a fine for licence to agree, 1 mark. [1]

From Richard son of Richard le Someter for the same, ½ mark by surety of Richard le Someter senior. [2]

From William son of John le Kave because he did not pursue his case, ½ mark. [3]

From Ralph Geffray of Dorney and Geoffrey de Fonte of the same by surety of the same, ½ mark. [3]

From Roger de Draytone as a fine for licence to agree, 1 mark by surety of Richard de Astewyk'. [4]

From Robert son of Richard fitz William de Hamslape for a false claim, 40d. [7]

(+) (*process mark*) From Roger de Westbury, chief bailiff of Stane [Hundred] for contempt [12]

879. [*relating to cases on m. 2 of JUST 1/67*]

From the Hundreds of Brunham, Stok', Dustebergh [*the Chiltern Hundreds*], Aylesbyry, Stone, Rysebergh [*the Aylesbury Hundreds*], Ikeshull, Esshenden and Wottesdon [*the Ashendon Hundreds*], as a fine for pleading at Wycumbe, 9 marks, of which each Hundred [pays] 1 mark. [13]

From William Curteys of Hamslape and Emma his wife because they did not pursue their case, 40d. [14]

From Roger Curteys of Hameslape and Stephen Breton, sureties of the same, 40d. [14]

From Thomas de Puylle because he did not pursue his case [and] John de la More of Mursele and Richard de Hoggeston, sureties of the same, ½ mark. [15]

(+) (*process mark*) From William de Boyvill, sheriff [*left blank*] [16]

From Deodatus le Feure of Neuport as a fine for licence to agree, ½ mark by surety of Luke Botild. [17]

(+) (*process mark*) From William de Hotoft, bailiff of Rollow [Hundred] for contempt [*left blank*] [20]

From William son of Deodatus le Feure of Tiryngham because he did not pursue his case [and] Laurence Bradeye of Neuport and Robert of Stok' Hamound, sureties of the same, 5s. [21]

880. [*relating to cases on m. 3 of JUST 1/67*]

From Hugh Hardy and Christian his wife and Agnes [le Clerk], sister of the same Christian, for a false claim, 40d. [24]

From Hugh Le Brode of Bukingham for the same, 40d. [25]

From William de Toluse as a fine for licence to agree, ½ mark by surety of Geoffrey de Wytherfeld. [26]

From Adam son of Peter de Grendon and Denise his wife for the same, 1 mark by surety of Nicholas de Lucy. [28; *the* G- *is clear in this entry.*]

From the same Adam for the same, 1 mark by surety of the same Nicholas. [29]

From Thomas Hend and Isabel his wife for the same, ½ mark by surety of John de Wykene. [33]

From Henry de Helyden' because he did not pursue his case, 40d. [36]

From William of Bureton and Henry de la Graunge of Thornebergh', sureties of the same, 40d. [36]

881. [*relating to cases on m. 4 of JUST 1/67*]

From John fitz John of Hamslape as a fine for licence to agree, ½ mark by surety of Robert le Forester of Bayseworth. [37]

From Alice who was the wife of William Kok, for a false claim, 20d. [40, *which has* Henry Kok'.]

From Nicholas son of Hugh de Hurst for a false claim, 20d. [41]

882. [*relating to cases on m. 5 of JUST 1/67*]

From Ivo le Botiller as a fine for licence to agree, ½ mark by surety of Peter le Botiller. [43]

883. [*relating to cases on m. 6 of JUST 1/67*]

From William Dyve [*or* Dyne] for a false claim, ½ mark. [54]

From John Le Loup because he withdrew, William son of William de Olneye and Walter son of Robert de Neuport Paynel, sureties of the same, ½ mark. [55]

From John de Salop' and Alice his wife because they did not pursue their case, John Crisp of Neuport and Ralph le Swayn of the same, their sureties, ½ mark. [56]

From the same John and Alice for the same, Robert God of Neuport and Walter Lauman, their sureties, 40d. [57]

From Robert son of Robert Polet because he did not pursue his case, 40d. [60]

From Richard Kyte of Grendon and William Sampson of the same, sureties of the same, 40d. [60]

884. [*relating to cases on m. 7 of JUST 1/67*]

From Silvester Doynell and Margaret his wife as a fine for licence to agree, 1 mark. [61]

From Isabel Hogge for a false claim, 20d. [62]

885. [*relating to cases on m. 8 of JUST 1/67*]

From John Le Carpenter of Westwycumb'and Emma his wife as a fine for licence to agree, 1 mark by surety of Henry Baudewyn. [67]

From Thomas fitz Eustace for a disseisin, ½ mark. [69]

From Roger Atte Cruch, Robert de Arderne of Broughton, William Le Keu of Upper Shendeley and William le Geyn for the same, by surety of William Bycok', ½ mark. [69]

From William de Jarpenvill' for a false claim, ½ mark. [69]

From John Le Manne of Shenle and Henry Popyn because they did not have Roger Attecruch, for whom they had stood surety, [in court], 40d. [69]

From Nicholas son of Henry de Kingeseye for a false claim, 40d. [73]

From Henry Le Conestable of Bukingham for an unjust detinue, 40d. [76]

886. [*relating to cases on m. 9 of JUST 1/67*]

From Simon son of William de Stockyng' for a false claim, 40d. [81]

From Robert Ove la Barbe and Maud his wife as a fine for licence to agree, ½ mark by surety of Walter Le Man. [82]

From Nicholas de Aysewell because he did not pursue his case [and] John Maunsell of Chechele and John Chynnor, sureties of the same, ½ mark by surety of William the sheriff. [83]

887. [*relating to cases on m. 10 of JUST 1/67*]

From Ralph de Bromlond for a false claim, 40d. [86]

From Gilbert de Templo and Julian his wife for an unjust detinue, 1 mark. [87]

From John Attemilne as a fine for licence to agree, 10s. [88]

From Walter de Agmondesham as a fine for licence to agree, ½ mark. [89]

From Ralph son of Ralph de Bromlond because he did not pursue his case, 40d. [90]

From Stephen de Elmeden of Tappelawe and Ralph Dorwyn of Burneham, sureties of the same, 40d. [90]

From John Le Waleys and Maud his wife as a fine for themselves and their sureties because they did not pursue their case, ½ mark. [91]

888. [*relating to cases on m. 11 of JUST 1/67*]

From Amice Peverel as a fine for licence to agree, 1 mark by surety of Hugh Peverell. [94]

(*three dots, perhaps a process mark?*) From Ralph Pipard for a trespass, 10 marks. [98]

From Andrew Coleman as a fine for licence to agree, ½ mark. [102]

From Ralph de Paddebury for a false claim, 40d. [105]

From William de Boyvill', sheriff, from the issues of the lands of Walter de Gayton, 2s. [106]

From John Le Casier as a fine for licence to agree, 1 mark by surety of Richard le Firmager. [108]

889. [*relating to cases on m. 12 of JUST 1/67*]

From Lucy Atten Oke of Eure for a false claim, 20d. [116]

890. [*relating to cases on m. 13 of JUST 1/67*]

From Richard Mowerten as a fine for licence to agree, ½ mark. [119]

From Richard Drabell and Alice his wife for a trespass, 20d. [125]

From William Le Palmer (for a trespass *struck through*) for a false claim, 20d. [126]

From William Bruncostyn for a false claim, 20d. [127]

From John de la Breche and Joan his wife for an unjust detinue, ½ mark. [128]

891. [*relating to cases on m. 14 of JUST 1/67*]

From Richard son of William Le Mouner because he did not pursue his case, 40d. [133]

From Reginald *de Molend'* [of the mill] of Wendoure and Hugh de Kynebell, sureties of the same, 40d. [133]

From Thomas Vigris of Dodreshull because he did not pursue his case, 40d. [134]

From John de Caunford of Dodreshull and Thomas Scripsore of Quenton', sureties of the same, 40d. [134]

From John de Burgate for a false claim, ½ mark by surety of William the sheriff. [137]

From master Nicholas de Ovyng' as a fine for licence to agree, ½ mark by surety of Walter de Wombervill'. [138]

From John son of Silvester of Fenny Stratford because he did not pursue his case, 40d. [143]

From William Beaufrere of Bragenham and Thomas de la Folye of Shenle, sureties of the same, 40d. [143]

From Richard Attegrene of Wycumb' for a trespass, 40d. [147]

From Richard de Arches and Denise his wife as a fine for licence to agree, 1 mark by surety of Alexander de Arches. [148]

From Walter de Harleford and Isabel his wife for the same, ½ mark. [149]

892. [*relating to cases on m. 15 of JUST 1/67*]

From William son of Alice de Havecumb' for a false claim, 40d. [150]

From William de Luton' as a fine for licence to agree, 1 mark. [152]

From John Attethorn' of Chesham because he did not pursue his case, 40d. [154]

From John *Pistore* [Baker] of Chesham and Simon de Hida of the same, sureties of the same, 40d. [154]

893. [*relating to cases on m. 16 of JUST 1/67*]

From William son of Elias de la Waude for an unjust detinue, ½ mark. [158]

From Nicholas son of Elias de la Waude for the same, 40d. [158]

From Rose daughter of Ralph son of William le Clerk of Husseburn' Crauele and Maud her sister for a false claim, 40d. [158]

From Walter Goioun as a fine for licence to agree, 1 mark by surety of Thomas Goion. [159]

From Robert Le Mareschall and Nichola his wife for an unjust detinue, 40d. [163]

From Stephen of London and Cecily his wife as a fine for licence to agree, ½ mark. [164]

From Roger de Fynnemere and Alice his wife for the same, ½ mark. [165]

[*There are no fines or amercements relating to cases on m. 17 of JUST 1/67.*]

894. [*relating to cases on m. 18 of JUST 1/67*]

From master John [Audenarde], parson of the church of Bledelawe, as a fine for licence to agree, ½ mark. [183]

895. [*relating to cases on m. 19 of JUST 1/67*]

From William de Sauntredon for a trespass, [1 mark *struck through*] 20s. [186]

From Gilbert de Bukenhull because he withdrew, 40d. [185] [Bukenhull *written clearly.*]

From Adam Attelanende of Merlawe and Walter son of William of Lillington', sureties of the same, 40d. [185]

From Richard Attemersh' and Christian his wife for themselves and their sureties because they did not pursue their case, 40d. [185]

From Henry Attefryth' and Alice his wife for the same, 40d. [185]

Membrane 34 dorse

895 ctd. [*relating to further cases on m. 19 of JUST 1/67*]

From Robert de la Mare for a false claim, ½ mark. [191]

From Gilbert son of Hugh le Forester as a fine for licence to agree, ½ mark. [192]

From Laurence de Bluntysdon for a disseisin, ½ mark. [194]

896. [*relating to cases on m. 20 of JUST 1/67*]

From Simon son of William de Stockyng' for a false claim, 40d. [195]

From John de Thedemersh for an unjust detinue, ½ mark. [198]

From Alexander de Hampden' as a fine for having a jury of 24, 20s. [199]

From Henry le Chapeleyn for an unjust detinue, 40d. [200]

From William Waldeshef' and Julian his wife as a fine for licence to agree, 20s. by surety of Ralph Pipard. [201]

From the Abbot of Greystan' for the same, ½ mark. [202]

897. [*relating to cases on m. 21 of JUST 1/67*]

From Gervase de Chalvelay for a false claim, 40d. [205]

From William Page and Maud [*struck through, and* Margar' *written above*] his wife [and] John Poer and Maud his wife for an unjust detinue, 5s., whereof William and Margaret 40d. [208]

From William de Keleshal' because he withdrew [and] John del Brok' of Chesham and Roger de Haukesherd, sureties of the same, by surety of William the sheriff, ½ mark. [209]

From William Mory of Bukingham for an unjust detinue, 20d. [214]

From Richard de Kam and Joan his wife as a fine for licence to agree, ½ mark. [215]

898. [*relating to cases on m. 22 of JUST 1/67*]

From William de Disce for a false claim, ½ mark by surety of Elias de Wynchedon'. [217]

From Miles de Hastynges for himself and his sureties because he did not pursue his case, 1 mark. [218]

From Thomas Le Provost of Agmondesham as a fine for licence to agree, ½ mark by surety of Ralph of Agmondesham. [220]

From William de Chastell as a fine for licence to agree, ½ mark. [221]

From Fulk Neyrnuyt, parson of the church of Pitteleston, because he did not pursue his case, [and] Robert Davy of Waddon and John Page, sureties of the same, 40d. [222]

From Robert Kynne of Maydenford and Joan his wife for a false claim, 40d. [223]

From the Prior of Burnecestre [Bicester] as a fine for himself and his sureties because he did not pursue his case, ½ mark. [226]

From Robert Est of Datchette because he did not pursue his case, 40d. [228]

From John *Piscator* [Fisher] of Datchet and Peter Est of the same, sureties of the same, 40d. [228]

From Walter son of Geoffrey Le Clerk' for a false claim, 20d. [231]

From Robert fitz Alan son of Robert de Stok' Hamound as a fine for licence to agree, 1 mark. [232]

(*marg:* Suffolk) From Robert de Boyton' for himself and his sureties because he did not pursue his case, ½ mark. [233]

From Gilbert de Bosco because he did not pursue his case, [and] Thomas Barun and Richard son of William, sureties of the same, 40d. [234]

From Alelmus de Whelton' as a fine for licence to agree, 2 marks. [235]

From Robert de Stok' for the same, 1 mark. [236]

899. [*relating to cases on m. 23 of JUST 1/67*]

From Geoffrey de Chalset for an unjust detinue, 40d. [239]

From Walter de Ran as a fine for licence to agree, ½ mark by surety of Walter de Boceleye [*of Bottle Claydon?*]. [240]

From William de Langetoft [for the same (*pro eodem*) *struck through and subsequent words written over a line drawn along to the amounts column*] as a fine for himself and his sureties because he did not pursue his case, ½ mark. [241]

From Peter son of John de Wedon' for an unjust detinue, 40d. [243]

From master Richard de Werpelesdon', warden of the house of scholars of Merton, Oxon', as a fine for licence to agree, ½ mark. [249]

From Robert de Gratele as a fine for the same, ½ mark. [250]

From Alexander de Hampden as a fine for the same, 10s. [251–2]

(*marg:* Surrey) From the Prior of Bermondeseye for a false claim, 20s. [253]

900. [*relating to cases on m. 24 of JUST 1/67*]

From Robert Atteplumptre and Joan his wife because they did not pursue their case, 40d. [258]

From Nicholas de Mungewell and Geoffrey *Prepositus* [the reeve] of Wycumb', sureties of the same, 40d. [258]

From Robert son of Walter (de Heyford[1]) because he did not pursue his case, [and] William de Ponte of Leytton' and John Lorence of the same, sureties of the same, 40d. [259]

From the Abbot of Byttlesden for an unjust detinue, ½ mark. [260]

From the same abbot as a fine for licence to agree, 1 mark. [260]

From John son of William de Hadenham as a fine for licence to agree, ½ mark. [262]

From William de Aete for contempt, ½ mark. [263]

From Simon de sancto Licio for the same, ½ mark. [263]

From Miles de Hastyng' for the same, ½ mark. [263]

From Ralph de Cheynduyt senior for the same, ½ mark. [263]

From the Abbess of Godestowe as a fine for licence to agree, 1 mark. [264]

From John de Haunepenne and Sarah his wife, John [Davy] son of William and Maud his wife, and Aline daughter of Alice for a false claim, ½ mark. [265]

901. [*relating to cases on m. 25 of JUST 1/67*]

From Alice Dybbeles for an unjust detinue, 40d. [270]

From Hugh Le Leche [del Eshe] and Isabel his wife for an unjust detinue, 40d. [272]

From Roger, abbot of Tham', as a fine for licence to agree, 1 mark. [273]

From Maud de la Grene for the same, ½ mark. [274]

From William Englefeld for an unjust detinue, 40d. by surety of Roger de Westbury. [276] (*marg:* pauper [*poor*], *and entry crossed through*) From John de Bely of Northmerston for the same, [*blank*]. [277]

From John son of John Le Joevene for the same, 40d. [277]

From Maud daughter of Alan Bely for the same, 40d. by surety of Robert de Arches. [277]

From John son of William Dardeyn for the same, 40d. by surety of Robert de Arches [*bracket drawn to the above entry, and the words* "by surety of Robert de Arches" written once only]. [277]

From Richard de Shenholt of Wycumb' and Alice his wife as a fine for licence to agree, ½ mark by surety of Thomas de Saunford. [280]

From Ralph de Paddebury as a fine for the same, ½ mark by surety of Ralph Le Mouner. [281]

902. [*relating to cases on m. 26 of JUST 1/67*]

From Richard de Northeden' for himself and his sureties because he did not pursue his case [½ mark *struck through*] 40d. [288]

From Simon de Thorp' as a fine for the same, ½ mark. [290]

From William Le Porter and Agnes his wife as a fine for licence to agree, 1 mark by surety of John de Grey. [292]

From John son of William Bracy of Hertewell' as a fine for licence to agree, ½ mark. [294]

From John Le Clerk of Walton and Maud his wife for themselves and their sureties because they did not pursue their case, ½ mark. [295]

From John son of Nigel Scaldehare because he did not pursue his case, 40d. [296]

From Robert Lambert of Stok' Goldyngton' and Simon Waryn of the same, sureties of the same, 40d. [296]

903. [*relating to cases on m. 27 of JUST 1/67*]

From Robert de Eton' and Joan his wife for a false claim, 20s. [299]

From William son of Alice de Havecumb' as a fine for licence to agree, ½ mark. [302]

From John Neyrnuyt as a fine for himself and his sureties because he did not pursue his case, ½ mark. [303]

From Hugh son of Henry de Dagenhal' because he did not pursue his case, 40d. [304]

From John Le Rede and Ralph Neuman, sureties of the same, 40d. [304]

From John del Molyn because he did not pursue his case, 40d. [307]

From John Goscelyn and Maud his wife for an unjust detinue, 20d. [312]

From Roger de Brascy as a fine for licence to agree, ½ mark. [313]

From Joan who was the wife of John de Bohun as a fine for the same, 1 mark. [314]

From Cecily who was the wife of Gilbert de Morton' for a false claim, 20d. [315]

From William le Noreys of Attleburgh and Alice his wife for a false claim, 40d. [320]

904. [*relating to cases on m. 28 of JUST 1/67*]

(*marg:* London) From William Aras for himself and his sureties because he did not pursue his case, ½ mark. [322, 323.]

From Simon son of William de Thorneton for a disseisin, 40d. [324]

From Robert [*recte* Ralph] de Langeport for the same, 20d. [324]

From Ralph Le Mouner of Thorneton and Robert Mably of Bechampton, jurors, because they did not come, 40d. [324]

From Alan Le Botiller of Merlawe as a fine for licence to agree, ½ mark. [326]

From John Le Teler because he did not pursue his case, 20d. Nothing concerning sureties, because he pledged his faith. [327]

From Damian de Dorney [or Thorney?] because he did not pursue his case, [20d. *struck through*] 40d. [331]

From Nicholas de Bokenfeld in Eure and William son of Hugh of the same, sureties of the same, 40d. [331]

From Gervase Le Pestur of Wycumb' for a false claim, 40d. [334]

905. [*relating to cases on m. 29 of JUST 1/67*]

From Robert de Kave for an unjust detinue, ½ mark. [336]

From Thomas de Eyvill' and Agnes his wife as a fine for licence to agree, 10s. [345]

906. [*relating to cases on m. 30 of JUST 1/67*]

From Simon fitz John of Weston and Alice his wife (for themselves and their sureties[1]) because they did not pursue their case, 40d. [346]

From Walter de Harleford and Isabel his wife because they did not pursue their case, 20d. [347]

From Nicholas de la Lude and Peter Le Cetiler, sureties of the same, 20d. [347]

From Godfrey Sperlyng for an unjust detinue, 20d. [349]

From John de Polycote for himself and his sureties because he did not pursue his case, 40d. [356]

907. [*relating to cases on m. 31 of JUST 1/67*]

From Maud daughter of Henry Gundwyne because she did not pursue her case, 40d. Nothing concerning sureties, because she pledged her faith. [369]

908. [*relating to cases on m. 32 of JUST 1/67*]

From John son of John de Shiryngton for contempt, ½ mark. [383]

From Robert son of John Le Lou [Keu] for a disseisin, 1 mark. [388]

From the Prior of Tykeford for an unjust detinue, ½ mark. [389]

It is possible that amercements for cases on the remaining membranes were written on a membrane which was lost before the membranes were stitched together. No space is left on m. 34 dorse, and m. 35 is the kalendar, or list of jurors.

APPENDICES

Appendix I
Conspectus of Pleas

Note: there are often different pleadings and different outcomes for constituent parts of the same case, especially when the claim is for land of which different people hold portions. References are to entry numbers. Numbers joined by + refer to the same plea. D stands for defendant, P for plaintiff (whatever the technical term used in individual types of writ). When a plea is not pursued, the plaintiff is in mercy and the defendant goes *sine die* (without day): this has not been shown as a Court Order.

I Actions of Right

I a RIGHT OF CUSTOMS AND SERVICES 67, 205

I b RIGHT OF LAND

Pleas: 42, 88, 153, 177, 193, 269, 356; pleas not pursued: 193, 356

Claims for land: 42, 88, 153; whole or part of manor: 177, 193, 269; messuage: 42, 88, 153; wood: 153; unspecified tenements: 356.

Procedure:

action proceeds: 42, 88, 153, 177, 269
chief lord of fee has remitted his court to royal court: 153
co-parcenors not suing for their share: 153, 169
deed proffered: 177
knights chosen for grand assize: 88
plaintiff comes by attorney: 177
sureties not found by P because proceeded by writ *pone*: 356
writ *precipe in capite*: 177

Pleading by defendant:

charter proffered: 177
grand assize claimed: 88
holds jointly with others not named in writ: 42
need not answer without co-parcenors: 153, 269
P's ancestor gave tenements to church: 177

Counter-pleading by plaintiff:

charter drawn up outside England so invalid: 177

Court orders:

amercement of plaintiff pardoned: 193
co-parcenors to be summoned: 42, 153, 269

Concluded by:

adjournment for production of co-parcenors: 42, 153, 269
agreement by chirograph: 177
agreement involving money paid by D to P: 88, 177
enrolled agreement: 88, 177
judgment for D: 193, 356

I c RIGHT OF WARD 98, 377 (void), 387 (unfinished), 400, 416.

II Dower

Pleas: 46, 58, 124, 128, 157, 204, 210, 224 (void), 227, 246, 247, 284, 291, 301, 305, 311, 318, 320, 332, 341, 344+411, 350, 354, 363, 372, 407, 409; *unde nichil habet*: 95

Pleas not pursued: 157, 305

Claims for: cottage: 246; heath: 409; land: 46, 58, 95, 128, 204, 210, 224, 227, 246, 247, 284, 291, 301, 305, 311, 318, 320, 332, 341, 344+411, 350, 363, 372, 409; meadow: 58, 128, 204, 210, 227, 320, 341; messuage: 46, 95, 124, 128, 227, 246, 301, 305, 332, 341, 344, 350, 372, 409; pasture: 407; rent: 58, 128, 246, 247, 354, 409; wood: 95, 204, 409; unspecified tenements: 157, 305, 407

Procedure:

action proceeds: 46, 58, 95, 124, 128, 204, 210, 227, 246, 247, 284, 291, 301, 311, 318, 320, 332, 341, 344, 350, 354, 372, 407, 409
cape and summons: 227, 344, 363
charter proffered: 332, 341, 372
D comes by attorney: 246
default of D: 227, 344, 363
P proceeds without sureties: 157
resumption of previous action: 128
vouchee asks why he should warrant: 332

Pleading by defendant:

does not hold tenement claimed: 58, 301
did not receive summons: 344+411

dower already assigned elsewhere: 246
holds as guardian of minor: 98
mother still has dower in tenement claimed: 95
P has quitclaimed land: 372
P's husband abjured realm as felon: 320
P's husband did not hold in fee: 311
P's husband was not in seisin: 46, 95
P previously brought writ of a higher nature on the matter, with different definitions: 409
voucher to warranty: 95, 124, 128, 210, 246, 247, 291, 311, 318, 332, 341, 372, 407, 409
writ worded wrongly: 58

Counter pleading by plaintiff:

D has previously vouched someone else to warranty: 128
P's quitclaim invalid because made when husband was alive: 372
tenement not allocated as dower but was her own acquisition: 246

Court orders:

D to wage law 12-handed: 344+411
D to have land in exchange from vouchee: 124, 210, 291, 318, 407
jury to come: 46, 58, 246, 311, 372
P to have land from vouchee: 124, 210, 291, 318, 407
P to have land from vouchee when he has any: 332
summons of vouchee: 95, 247, 341, 409

Concluded by:

adjournment for jury to come: 46, 58, 246, 372; for production of defaulters: 363; for production of vouchee: 95, 247, 341, 409; for wager of law: 344+411
failure to proceed by P after action had started: 301
judgment for D: 320
judgment for P: 128, 227, 332
jury verdict and judgment for D: 311
licence to withdraw from part or all of claim: 58, 95
satisfaction made by defendant by licence: 58, 124, 204, 210, 291, 311, 350, 354

III Writs of Entry

ad terminum qui preteriit: 85, 114+352, 144, 169, 173, 184, 288, 319
cui in vita: 40, 93, 142
dum infra etatem: 43

ad communem legem: 101
per intrusionem: 403
sine assensu capituli: 271
sur disseisin: 87, 102, 131, 137, 299, 329, 404
unspecified: 9, 36, 48, 49, 56, 57, 63, 64, 117, 118, 123, 145, 161, 162, 183, 192, 216, 221, 241, 248, 250, 251, 252, 258, 259, 261, 262, 273, 275, 285, 307, 338, 345, 346, 357, 358, 359, 384, 391, 399, 405

All writs of entry:

claim for crops: 183; heath: 275; land: 9, 40, 43, 48, 49, 56, 57, 85, 87, 93, 102, 114+352, 118, 123, 131, 137, 142, 161, 169, 173, 184, 192, 221, 248, 261, 262, 271, 275, 285, 288, 299, 307, 319, 329, 338, 345, 385, 359, 391, 399, 403, 405; meadow: 40, 43, 85, 87, 114+352+405, 273, 285, 307; messuage: 9, 43, 48, 49, 85, 87, 101, 114+352+307, 118, 142, 144, 161, 173, 184, 192, 221, 258, 275, 285, 288, 299, 307, 319, 329, 338, 345, 357, 384, 403, 404, 415; mill: 87, 216; rent: 85, 118, 250, 251, 252, 275; wood: 275, 307; unspecified: 36, 63, 64, 145, 259, 346

Pleas not pursued: 36, 56, 57, 63, 64, 145, 258, 259, 307, 346

Procedure:

action proceeds: 9, 40, 43, 48, 49, 85, 87, 93, 101, 102, 114, 117, 118, 123, 131, 137, 142, 144, 161, 162, 169, 173, 183, 184, 192, 216, 221, 248, 250, 251, 252, 261, 262, 271, 273, 275, 285, 288, 299, 319, 329, 338, 345, 352, 357, 358, 359, 384, 391, 399, 403, 404, 405, 415
amercement of P pardoned at request of magnate: 144
charter proffered: 43, 87, 184, 288, 319
D asks for view: 359, 391, 399
D comes by attorney: 216
default of D: 359, 415
form of writ questioned: 183
mortmain inquiry held: 271
P cannot deny facts presented by D: 40, 131, 137, 144, 169, 248, 285
P comes by attorney: 117
P noted as of full age: 43
P seen in court and is under age: 48, 49, 101
P to be committed to gaol on losing case: 87
P's withdrawal from case noted as in contempt of court: 117
vouchee has king's letters of protection: 338
writs inspected to see which had earlier date: 183

Pleading by defendant:

ancestor did not disseise P's brother: 329
another writ concerning same manor should be heard first: 183

cannot answer without patron of church and the bishop: 357
co-parcenor is under age: 285
does not hold all the tenement: 169
did not enter tenement through P's husband: 40
did not hold all the tenement the day the writ was obtained: 40
form of writ is improper: 183
holds as guardian of daughters not named in writ: 384
holds as *maritagium* (marriage gift): 352, 404
holds by curtesy of England from inheritance of under-age heirs: 169
holds for life only: 118, 403
holds in villeinage: 338
if anyone other than P sued D, P would have to warrant for D: 87, 114, 184, 352
P's ancestor demised tenement in fee, not for a term: 173, 319
P's ancestor quitclaimed tenement to the church in free alms: 184
P's ancestor quitclaimed tenement to D: 87
P's ancestor quitclaimed tenement to D's ancestor: 85, 144, 288
P granted tenement to vouchee's father: 299
P is already in seisin: 183
P is in seisin of D's homage for tenement: 43
P is under age: 48, 49, 101
P not heir of party to previous fine: 85
P's predecessor did not die seised: 183
P previously warranted the tenement for D: 131
P quitclaimed to D: 144
Statute of Westminster not retrospective: 93
tenement not demised to vouchor but to her husband: 271
voucher to warranty: 93, 118, 142, 144, 162, 169, 216, 221, 261, 271, 275, 299, 319, 338, 358, 403
wife not named in writ: 248
writ is defective: 137

Counter-pleading by plaintiff:

ancestor had no right in tenement when made charter: 184
made charter when under age: 43
charter not deed of ancestor: 87, 288, 319
claims as temporal not spiritual possession: 183
claims crops not land: 183
D's ancestor had no seisin in tenement: 85
even though made charter, never delivered seisin: 299
Statute of Gloucester lays down that no-one should be excluded by act of father from claiming via mother's seisin: 114+352
Statute of Westminster says that warranty on this should not be delayed till vouchee of age: 93

Court orders:

amercement of P pardoned: 144
cape and summons: 359, 415
jury to come: 43, 87, 173, 271, 288, 299, 319, 329, 338, 384, 403, 404
mortmain inquiry to be held: 271
patron of church and bishop to be summoned: 357
sheriff of Yorkshire to send a jury: 170
summons of vouchee: 118, 162, 216, 275, 358
witnesses to charter to be summoned: 43, 87 (*not specified, but were present at later trial*), 299

Concluded by:

adjournment because vouchee has king's letters of protection: 338; for production of defaulter: 415; for production of patron of church and bishop: 357; for production of vouchee: 118, 162, 216, 358; to hear judgment: 85, 93, 114, 184, 352; until age of co-parcenor: 285; age of heir to *maritagium* (marriage gift): 405; age of heir of vouchee: 169; age of plaintiff: 48, 49, 101; age of vouchee: 261; for view of tenement: 359, 391, 399
agreement by chirograph: 102, 183, 221, 262, 273, 319, 403
agreement involving payment of money by D to P: 102, 123, 192, 251+252, 329, 345
agreement involving payment of money by vouchee to P: 221
enrolled agreement: 43, 102, 123, 173, 183, 192, 250, 251+252, 271, 329, 345
judgment for D: 40, 117, 131, 137, 144
jury verdict and judgment for D: 299, 404
jury verdict and judgment for P: 87
licence to withdraw from all or part of claim: 9, 248, 275, 384
satisfaction to P by licence: 142, 161
withdrawal by P after plea begun: 288
withdrawal by P in contempt of court: 117

IV Novel Disseisin

IV a FOR COMMON OF PASTURE, ETC.

Pleas: 27, 234

IV b FOR LAND, MESSUAGE, RENT, ETC.

Pleas: 14, 21, 31, 47, 52, 54, 55, 69, 70+295, 86, 91, 112, 115, 116, 132 (unfinished), 134, 152, 154, 182 (unfinished), 185, 194, 209, 218, 222, 226, 229, 230, 282, 287, 290, 309, 324, 325, 327, 334, 342, 388, 396

Claims for disseisin of cottages: 55; of ditch: 154; of land: 31, 55, 69, 86, 91, 112, 115, 132, 152, 182, 185, 209, 282, 325, 327, 342, 388; of meadow: 112, 182, 290, 324, 342; of messuage: 31, 52, 55, 70, 132, 152, 185, 209, 229, 230, 334, 396; of whole or part of manor: 47; of mill: 70, 209; of rent: 54, 70, 112, 182, 194, 287, 309, 342; of wood: 112, 182; unspecified: 14, 21, 134, 218, 222, 226, 295

Pleas not pursued: 14, 134, 154, 218, 222, 226, 287

Procedure:

action proceeds: 21, 31, 47, 52, 54, 55, 69, 70, 86, 91, 112, 115, 116, 132, 152, 185, 194, 209, 229, 230, 282, 290, 295, 309, 324, 325, 327, 334, 342, 388, 396
amercement of P pardoned at request of magnate: 309
assize postponed through lack of jurors: 229, 396
attorney of lord of manor comes to ask that writ does not proceed: 70
deed proffered: 287
D committed to gaol because he did not permit king's bailiff to attach him: 194
D not attached because not found: 69, 116, 132, 229
default of D: 69, 116, 132, 229
jurors in mercy for default: 324
jurors in mercy for not viewing tenement: 287
justices question wife, who refuses to agree to covenant: 91
P did not come: 21
P may proceed by another writ: 70
P proceeded by faith alone: 327
P puts self on assize: 31, 47, 52, 54, 86, 116, 152, 194, 278, 324, 325, 334, 396
plea *infra summonicionem itineris* (within the summoning of the eyre): 194
most Ds answer through attorney: 37, 290, 396
one D answers for self and the others: 31, 86, 91, 112, 116, 287, 324, 325, 342
verdicts detailed: 47, 52, 86, 132, 325

Pleading by defendant:

ancient demesne: 70
did not hold on day writ obtained: 388
doweress alienated tenement so D immediately ejected her feoffee: 47
entered tenement as heir of grandmother: 324
entered tenement through father of P: 325
entered tenement through third party not named in writ: 55
entered tenement through third party so any disseisin was done by that third party: 47, 86, 152, 324
has no claim to tenement: 47, 52

has done no injury or disseisin: 31, 47, 52, 86, 334
holds by rent, which D tried to pay but P's bailiff refused it: 194
incorrect description of tenement: 116
P already in seisin: 116
P never in seisin: 52, 54, 55, 116, 396
previous assize brought concerning same tenement: 70, 112
seized rent in name of custody of heir by knight-service: 287
tenement taken for debt to a Jew, who then had to assign them to another (i.e. the P) until debt paid, when D lawfully took it back: 152
voucher to warranty: 334, 389
wife in seisin when he married her: 54
wife previously recovered seisin by writ of right: 334
wife wrongly named in writ: 230

Counter-pleading by plaintiff:

D enfeoffed only for P's use: 55
heir in D's custody is under age: 287
no previous lawsuit taken on tenement: 334

Court orders:

amercement of jurors for not attending court: 324
amercement of jurors for not viewing tenement pardoned: 287
amercement of losing party pardoned as under age: 325; at request of magnate: 309; by justices: 325; for poverty: 31
assize to be taken by default: 69, 229, 389
chirograph to be suspended: 91
damages paid to the clerks: 324
D committed to gaol: 194
names of sureties to be inquired into: 115, 152
P may proceed by another writ: 70
rolls to be sought: 70, 112

Concluded by:

adjournment for lack of jurors: 229, 396; to hear judgment: 52; to search rolls: 70, 112
agreement by chirograph: 152, 282
enrolled agreement: 91, 115, 185, 282, 290
judgment for D: 21, 70
jury verdict and judgment for D: 31, 47, 54, 86, 116, 325, 334
jury verdict and judgment for P: 69, 194, 324, 325, 388
jury verdict (unfinished): 132
P did not attend: 21

P withdrew: 91, 115, 152, 185, 209, 282, 287, 295, 309, 327
P withdrew after action had started: 55
licence to withdraw: 229, 230, 342, 396

IV c NUISANCE

Pleas: 223, 244

IV d QUARE DEFORCIAT

Plea: 92

V Actions on Limited Descents

V a AIEL AND COSINAGE

Pleas: 15, 24, 38, 62, 120, 122, 158, 159, 190, 203, 225, 232, 243, 257, 265, 281, 289, 304, 306, 312, 333, 337, 339, 351, 410 (unfinished)

Pleas not pursued: 15, 304, 306

Pleas on death of grandfather: 15*, 159, 203*, 243*, 257, 265, 281*, 306*, 410; on death of grandmother: 24+122, 38+62+351, 120, 190, 232, 333, 339; on death of great-grandfather: 225; on death of "cousin": 158, 289, 304, 312, 337 [* pleas by *breve de avo*, sex of grandparent not specified.]

Claims for: land: 15, 24, 38, 62, 120, 122, 158, 159, 190, 203, 225, 232, 243, 257, 265, 281, 289, 306, 312, 337, 339, 410; meadow: 38, 158, 159, 225, 351; messuage: 15, 159, 257, 265, 281, 289, 306, 312, 337, 339, 351; mill: 232; rent: 312, 333; wood: 159, 339, 410; unspecified tenements: 304

Procedure:

action proceeds: 24, 38, 62, 120, 122, 158, 159, 190, 203, 225, 232, 243, 257, 265, 281, 289, 312, 333, 337, 339, 351, 410
D comes by attorney: 232, 265
deed proffered by D: 120
default of D: 243
part of land excluded as co-parcenor not suing: 337
P cannot deny facts presented by D: 24, 38, 120, 158, 333

Pleading by defendant:

ancestor did not die seised in demense as of fee: 38, 62, 158, 312
ancestor quitclaimed to vouchee's father: 120
ancient demesne: 265
another heir not named in writ: 24, 122
case concerning same tenements brought previously: 158, 410
D has king's letters of protection: 190

D holds in dower: 159, 339
D holds in dower from another's inheritance: 120
D under age: 289
does not hold as of fee: 265
does not hold all tenements listed: 158
holds by grant of surviving wife of grantor (jointly enfeoffed with husband): 410
holds from inheritance of minor: 38
if anyone other than P sued D, P would have to warrant D: 410
voucher to warranty: 62, 120, 158, 190, 225, 257, 337, 339, 351
wording of writ incorrect: 333

Counter pleading by plaintiff:

D's father did not die seised: 289
feoffor only held in dower: 410

Court orders:

amercement of D pardoned as under age: 289
hearing to proceed by default of D: 243
jury to come: 38, 62, 158, 289, 312
summons of vouchee: 190, 225, 257, 337, 339
vouchee to make exchange: 158

Concluded by:

adjournment because D has king's letters of protection: 190; for production of vouchee: 225, 257, 337, 339
agreement by chirograph: 159, 232, 281
agreement involving payment of money by D to P: 122
agreement by licence: 122, 159, 281, 351
judgment for D: 24, 265
judgment for P: 243
jury verdict and judgment for D: 38, 62, 158
jury verdict and judgment for P: 158, 289, 312
licence to withdraw from all or part of claim: 38, 120, 333
satisfaction made by D by licence: 190, 203

V b MORT D'ANCESTOR

Pleas: 1, 3, 7, 11, 17, 19, 23, 25, 35 (unfinished), 37, 39, 41, 44, 60, 71, 77, 79, 81, 83, 90, 97, 110, 111, 113, 121, 126, 127, 129, 133, 135, 136, 138, 140, 141 (unfinished), 143, 146, 149, 168, 172, 174, 176, 178, 179, 191, 195, 196, 199, 217, 219, 228, 231, 239, 245, 249, 255, 256, 272, 276, 280, 296, 298, 303, 310, 317, 321, 330, 331, 335, 340, 347, 348, 353, 368, 369, 382, 386, 389, 402

Pleas not pursued: 3, 19, 60, 71, 83, 90, 133, 135, 136, 143, 228, 296, 303, 331, 347, 369

Pleas on death of aunt: 39, 121, 138+168, 146*; on death of brother: 111, 172, 199, 217, 239, 249; on death of father: 7, 11+389, 17, 23, 41, 77+113, 81+195, 110, 126, 127, 129+196+255+256, 141+348, 174+176, 179, 219, 231, 245, 276, 280, 310, 317, 321, 335, 340, 368, 402; on death of mother: 1, 25, 37, 79, 97, 149+347, 272, 298, 386; on death of sister: 146*; on death of uncle: 44, 140, 178, 191, 330, 353. [* a sister and a nephew are joint heirs of deceased woman]

Claims for: land: 1, 7, 17, 19, 23, 25, 37, 39, 41, 44, 77, 79, 81, 97, 110, 111, 113, 121, 126, 127, 129, 138, 140, 141, 149, 168, 172, 174, 176, 178, 179, 191, 195, 196, 199, 217, 219, 231, 239, 245, 249, 255, 256, 272, 276, 280, 298, 303, 310, 317, 321, 330, 331, 335, 340, 348, 353, 382, 386, 402; manor: 129, 368; meadow: 19, 37, 41, 97, 141, 149, 191, 217, 249, 298, 317, 330, 331, 335, 340, 348; messuage: 1, 11, 17, 19, 23, 37, 39, 41, 44, 81, 110, 111, 113, 126, 140, 146, 149, 178, 179, 191, 195, 217, 219, 231, 239, 245, 249, 255, 256, 296, 298, 330, 331, 340, 353, 382, 389, 402; mill: 97, 133; pasture: 298; rent: 79, 217, 249, 298, 317; toft: 256, 317; wood: 39, 129, 335; unspecified tenements: 3, 60, 71, 83, 90, 135, 136, 143, 228, 347, 369

Procedure:

action proceeds: 1, 7, 11, 17, 23, 25, 37, 39, 41, 44, 77, 79, 81, 97, 110, 111, 113, 121, 126, 127, 129, 138, 140, 146, 149, 168, 172, 174, 176, 178, 179, 191, 195, 196, 199, 217, 219, 231, 239, 245, 249, 255, 256, 272, 276, 280, 298, 310, 317, 321, 330, 335, 340, 347, 348, 353, 368, 382, 389, 402

attorney appointed: 39

attorney appointed to receive chirograph: 140

charter proffered by D: 23, 37, 127, 199, 217, 280, 386

default of D: 17, 44, 111, 127, 239, 245, 272, 276; vouchee to warranty: 389

D comes by attorney: 23, 249

fine to have jury of attaint: 199

P cannot deny facts presented by defendant: 11, 41, 81, 129, 146, 280, 386

part of land excluded as co-parcenor not suing: 129, 196, 249, 255, 256, 335

parties put self on assize: 7, 17, 25, 37, 97, 126, 168, 176, 191, 195, 196, 199, 217, 219, 231, 280, 330, 340, 402

verdicts of jury detailed: 97, 126, 127, 168, 195, 330, 348, 402

wife of defaulting D asks to be admitted: 127

Pleading by defendant:

ancestor did not die seised in demesne as of fee: 7, 17, 25, 44, 176, 179, 191, 195, 217, 219, 231, 330, 340

ancestor held only through wife: 7, 17, 179
another heir not named in writ: 196
assize concerning same tenure brought previously: 41, 110, 196, 402
assize not on death of last person seised: 37, 126, 178, 280, 353
birth of child converts fee tail to fee simple: 1
cannot plead because under age: 353
collusion by opponents: 280
does not hold all the tenements listed: 219
does not hold the tenements in demesne as of fee: 1
did not hold all the tenement at date of writ: 17, 25
holds as guardian of minor only: 146, 317, 402
holds as incumbent of church: 348
holds as life tenant only by demise from religious house: 121
holds at will of another not named in the writ: 196
holds by grant of plaintiff's widowed sister-in-law who was jointly enfeoffed with husband: 199
holds only by curtesy of England: 1, 97, 255
holds only from vouchee's inheritance: 37
holds only through wife: 81
if anyone other than P sued D, P would have to warrant D: 37
incorrect description of tenement claimed: 129
P granted tenement to D: 386
P granted tenement to third party who granted to ancestor: 280
P quitclaimed tenement for a corrody: 23
P not the nearest heir: 44, 368
villeinage of D: 113
vouchee to warranty under age: 168
vouchee's father gave tenement to church in return for corrody: 176
voucher to warranty: 17, 37, 39, 44, 79, 111, 121, 149, 168, 176, 178, 179, 219, 280, 321, 330, 335, 368, 389
wife not named in writ: 11, 81, 196

Counter pleading by plaintiff:

ancestor did not hold tenement from D so D cannot claim custody of heir: 402
bastardy of D: 368
bastardy of heir: 126
cannnot have like writ concerning seisin of another: 37, 126
charter put forward not deed of ancestor: 37, 280
tenement not part of estate covered by fine: 196
tenement not subject to curtesy of England: 1, 97
under age when made deed: 23
vouchee never had any right in tenement: 168

Court orders:

assize to be taken by default of D: 44, 127, 239, 245, 272, 276
assize to be taken by default of vouchee: 389
damages paid to clerks: 199, 272, 348
inquiry into names of sureties: 23
jurors at previous hearing to come: 368
jury to come: 39, 44, 79, 111, 121, 168, 176, 179, 348
plaintiff may proceed by another writ: 97
summons of vouchee: 39, 79, 121, 149, 168, 178, 179, 321, 335
vouchee to make exchange: 111, 219, 389
writ to remain with sheriff: 111

Concluded by:

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agreement by chirograph: 37, 264 (following 129), 140, 149, 172, 249, 280
agreement involving payment of money by D to P: 17, 249
enrolled agreement: 1, 17, 77, 138, 149, 172
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jury verdict and judgment for D: 7, 25, 97, 126, 127, 129, 191, 195, 196, 217, 231, 330, 340, 386, 402
jury verdict and judgment for P: 199, 219, 239, 245, 272, 276, 348, 389
licence to withdraw from all or part of claim: 11, 179, 196, 280, 317, 335, 382
P did not pursue case: 3, 19, 23, 60, 71, 83, 90, 113, 133, 135, 136, 143, 228, 296, 303, 331, 347, 369
satisfaction made by D by licence: 77, 111, 113, 174, 255, 256, 298, 310, 317
withdrawal by P after action had started: 17, 23

V c NUPER OBIIT 130, 150, 270

VI Utrum

Pleas: 51, 109, 200

VII Darrein Presentment

None: all actions of this sort were heard at Westminster

VIII Miscellaneous Actions

VIII a ACCOUNT (*QUOD REDDAT EI RACIONABILEM COMPOTUM*) 99

VIII b ESCHEAT on bastardy: 107, 283

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VIII d FISHERY (*QUOD PERMITTAT*) 151+181

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Procedure:

action proceeds: 163, 198, 214, 266, 277, 293, 294, 315, 336, 349, 362, 373, 374, 390, 406, 413, 415, 420
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Pleading by defendant:

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D to have rent from vouchee in exchange: 413
defaulter to be summoned again: 415, 420

jury to come: 406
summons of vouchee: 293, 374
third party to be admitted to defend right: 374

Concluded by:

adjournment for production of defaulter: 415, 420; for production of jury: 406; for production of vouchee: 293, 374; to hear judgment: 380
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agreement by chirograph: 26, 240, 292, 302, 313, 314, 326, 397
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IX Personal Actions

IX a ANNUITY 202, 260, 278, 313, 393

IX b COVENANT

Pleas: 29, 61, 89, 94, 139, 147, 164, 165, 175, 197, 201, 206, 355, 392

Procedure:

action proceeds: 94, 147, 164, 165, 175, 197, 206, 355, 392
attorney appointed to collect chirograph: 139
deed proffered: 175
default of D: 392

Plaintiff complains that:

D ejected P before agreed term: 175, 197
D has not paid agreed profits from mill for the last two years: 147

Pleading by defendant:

acknowledges facts: 147
did not eject P, who is still in seisin: 175
has done nothing wrong: 197

Court orders:

distraint and summons: 392
jury to come: 175, 197
P to recover profits: 147

Concluded by:

adjournment for production of defaulters: 392; for production of jury: 175
agreement by chirograph: 29, 61, 89, 94, 139, 201, 206, 355
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IX c DE FINE FACTO 80

IX d DEBT

Enrolled acknowledgment: 8, 34, 53, 59, 65, 68, 212, 254, 300, 308, 343

Pleas: 75, 100, 220, 235–7, 322, 323, 361, 365, 366, 367, 394, 395

Pleas not pursued: 322, 323

Procedure:

action proceeds: 75, 100, 220, 235–7, 361, 365, 367, 395
deed proffered: 220
D finds sureties that he will pay: 220, 235–7, 395
default of D: 361, 365, 366, 367, 394

Court orders:

distraint: 361, 365, 366, 367, 394

Concluded by:

adjournment for production of defaulter: 361, 365, 366, 367, 394
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IX e DETINUE

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IX f REPLEVIN 105, 155, 156, 187, 279, 297

IX g TRESPASS (IN CIVIL PLEAS) 10, 45, 72, 73, 171, 180, 242, 253, 328, 385, 398, 401, 412

IX h WARRANTY OF CHARTER

Pleas: 2, 4, 28, 33, 78, 82, 84, 108, 148, 160 (unfinished), 166, 233, 370, 371, 378, 408, 418

Pleas not pursued: 233

Procedure:

action proceeds: 78, 84, 108, 160, 166, 370, 378, 408, 418
attorney appointed to collect chirograph: 2
charter proffered: 160
default of D: 84, 370, 371, 378, 408, 418
sheriff did not summon D as has nothing in his bailiwick: 84
wife did not agree when questioned by justices: 166

Court orders:

cape (take into the king's hand) and summons: 370, 371, 408, 418
defaulters to be summoned in another county: 84
fine for chirograph pardoned because party is minstrel of the king: 78
P to have seisin from D's land and D from defaulting vouchee: 409
sheriff to distrain, answer for issues, and have defaulter at Westminster: 378

Concluded by:

adjournment for production of defaulters: 84, 370, 371, 378, 418
agreement by chirograph: 2, 4, 28, 33, 78, 82, 108, 148, 166
judgment for D: 233
judgment for P: 408

X Crown Pleas

Trespasses and Plaints: 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877

XI Appellate Proceedings

Attaint of novel disseisin (common of pasture) 381

Appendix II
Statistical Summaries

(1) Summary of Forms of Action

A: Analysis of forms of action and their outcomes

Forms of action	*Adj'd.*	*Agreed*	*Did not proceed*	*Withdrew*	*P wins by jury*	*P wins by court*	*D wins by jury*	*D wins by court*	*Total*
Writs of right:									
customs etc.	–	1	–	–	–	–	–	1	2
land	3	2	2	–	–	–	–	–	7
ward	2	–	–	–	1	–	–	–	3
Dower	8	11	3	1	–	2	1	1	27
Writs of entry	21	18	10	6	–	–	–	2	57
sur disseisin	–	2	–	–	1	–	2	2	7
Novel disseisin	2	–	8	15	4	–	7	–	36
com. of pasture	–	1	1	–	–	–	–	–	2
nuisance	–	–	–	–	–	–	1	–	2
quare deforciat	–	1	–	–	–	–	–	–	1
Limited descent:									
mort d'ancestor	12	15	17	6	8	1	13	4	76
aiel, etc.	6	5	3	4	4	1	1	3	27
Utrum	2	–	–	–	1	–	–	–	3
Miscellaneous:									
account	–	–	–	–	1	–	–	–	1
escheat	–	–	1	–	1	–	–	–	2
fishery	–	1	–	–	–	–	–	–	1
formedon	2	5	–	–	1	2	–	–	10
land unspecified	5	12	–	–	1	7	–	1	26
mesne	–	–	–	–	1	–	–	–	1
mill	–	2	–	–	–	–	–	–	2
waste	–	1	–	–	2	–	–	1	4
Personal:									
annuity	–	5	–	–	–	–	–	–	5
covenant	2	11	–	–	–	1	–	–	14
debt	6	15	2	–	–	–	–	–	23
de fine facto	–	–	–	–	1	–	–	–	1
detinue	2	2	–	–	–	–	–	–	4
replevin	2	–	2	–	–	–	–	2	6
trespass	7	–	2	2	–	–	1	1	13
warranty	9	5	1	–	–	1		–	16

Note: the category 'Agreed' includes both concorded cases and those where the defendant came to court and handed over by licence to the plaintiff. Where there were two or more outcomes in a single case, that counted for the table here is the outcome concerning the largest portion of the property (e.g. in 325, where the jury found that, of 8 acres claimed, the plaintiff should have 1 and the defendant 7, the outcome has been assigned to 'D wins by jury'. (On the other hand, in the Conspectus, both results are shown.)

B: Percentages of forms of action brought

Forms of action	*Total*	*Percentage*
Writs of right	12	3.2
Dower	27	7.1
Writs of entry	64	16.9
Novel disseisin	41	10.8
Limited descent	103	27.2
of which mort d'ancestor 76 (20.0%) and aiel, etc. 27 (7.1%)		
Utrum	3	0.8
Miscellaneous	47	12.4
of which land unspecified 26 (6.9%)		
Personal	82	21.6
of which debt 23 (6.1%) and warranty of charter 16 (4.2%)	12	
Totals	379	100.0%

(2) The Outcomes of the Main Types of Plea Heard, Analysed by Size of Claim

Mort D'Ancestor	*carucate (120 ac.) +*	*virgate (30 ac.) +*	*15–29½ ac.*	*7½–14½ ac.*	*up to 7 ac*	*messuage, rent, etc.*	*unspecified*	*Totals*
Total of actions won:	3	1	5	3	4½	1	–	17½
by jury verdict	1	–	2	1	3	1		(23.0%)
by judgment of court	–	–	–	–	1	–		
by action of D	2	1	3	2	½	–		
Total of actions lost:	–	4	3	7	10½	1	16	
by jury verdict		2	3	2	6	–	–	41½
by judgment of court		1	–	2	1	–	–	(53.2%)
by action of P		1	–	3	3½	1	16	
Actions concorded	–	2	1	–	2	–	–	5 (6.6%)
Actions postponed:	2	3	1	3	2	1	–	12
to Westminster	2	2	1	3	2	1		(15.8%)
until age	–	1	–	–	–	–		
Total actions	5 (8.3%)	10 (16.7%)	10 (16.7%)	13 (21.7%)	19 (31.7%)	3 (5.0%)	16 (21.1%)	76 (100%)

Aiel, Cosinage etc.	*carucate (120 ac.) +*	*virgate (30 ac.) +*	*15–29½ ac.*	*7½–14½ ac.*	*up to 7 ac*	*messuage, rent, etc.*	*unspecified*	*Totals*
Total of actions won:	–	–	3	1	1	–	–	5
by jury verdict			2½	–	1			(18.5%)
by judgment of court			½	–	–			
by action of D			–	1	–			
Total of actions lost:	–	3	3½	–	2	1	1	10½
by jury verdict		–	–		1½	–	–	(38.9%)
by judgment of court		1	1½		–	–	–	
by action of P		2	2		½	1	1	
Actions concorded	–	3	–	–	2	–	–	5 (18.5%)
Actions postponed:	–	1	3½	–	2	–	–	6½
to Westminster		–	2		–			(24.1%)
until age		1	1½		2			
Total actions	–	7 (25.9%)	10 (37.0%)	1 (3.7%)	7 (25.9%)	1 (3.7 %)	1 (3.7%)	27 (10%)

Writs of entry	*carucate (120 ac.) +*	*virgate (30 ac.) +*	*15–29½ ac.*	*7½–14½ ac.*	*up to 7 ac*	*messuage, rent, etc.*	*unspecified*	*Totals*
Total of actions won:	–	–	1	–	2	–	–	3
by jury verdict			–		–			(5.3%)
by judgment of court			–		–			
by action of D			1		2			
Total of actions lost:	3	2	1	–	3	3	6	18
by jury verdict	–	–	–		–	–	–	(31.6%)
by judgment of court	–	–	1		–	1	–	
by action of P	3	2	–		3	2	6	
Actions concorded	1	3	1	1	5	4	–	15 (26.3%)
Actions postponed:	1	6	3	5	3	3	–	21
to Westminster	1	4	2	3	2	2		(36.8%)
until age	–	2	1	2	1	1		
Totals	5 (8.8%)	11 (19.3%)	6 (10.5%)	6 (10.5%)	13 (22.8%)	10 (17.5%)	7 (12.3%)	57 (100%)

Entry sur disseisin	*carucate (120 ac.) +*	*virgate (30 ac.) +*	*15–29½ ac.*	*7½–14½ ac.*	*up to 7 ac*	*messuage, rent, etc.*	*unspecified*	*Totals*
Total of actions won:	–	–	1	–	–	–	–	1
by jury verdict			1					(14.3%)
by judgment of court			–					
by action of D			–					
Total of actions lost:	1	1	1	–	–	1	–	4
by jury verdict	1	–	–			1		(57.1%)
by judgment of court	–	1	1			–		
by action of P	–	–	–			–		
Actions concorded	–	1	1	–	–	–	–	2 (28.6%)
Actions postponed:	–	–	–	–	–	–	–	–
to Westminster								
until age	–							
Totals	1 (14.3%)	2 (28.6%)	3 (42.9%)	–	–	1 (14.3%)	–	7 (100%)

Writs of right	*carucate (120 ac.) +*	*virgate (30 ac.) +*	*15–29½ ac.*	*7½–14½ ac.*	*up to 7 ac*	*messuage, rent, etc.*	*unspecified*	*Totals*
Total of actions won:	–	–	–	–	–	–	–	–
by jury verdict								
by judgment of court								
by action of D								
Total of actions lost:	1	–	–	–	–	–	1	2
by jury verdict	–						–	(28.6%)
by judgment of court	–						–	
by action of P	1						1	
Actions concorded	1	–	–	1	–	–	–	2 (28.6%)
Actions postponed	3	–	–	–	–	–	–	3
to Westminster	3							(42.9%)
until age	–							
Total actions	5 (71.4%)	–	–	1 (14.3%)	–	–	1 (14.3%)	7 (100%)

Novel disseisin	*carucate (120 ac.) +*	*virgate (30 ac.) +*	*15–29½ ac.*	*7½–14½ ac.*	*up to 7 ac*	*messuage, rent, etc.*	*unspecified*	*Totals*
Total of actions won:	–	–	–	–	3	1	–	4
by jury verdict					3	1		(11.1%)
by judgment of court					–	–		
by action of D					–	–		
Total of actions lost:	2	2	2	1	8	8	7	30
by jury verdict	1	–	–	1	3	2	–	(83.3%)
by judgment of court	–	–	–	–	–	–	–	
by action of P	1	2	2	–	5	6	7	

Novel disseisin	*carucate (120 ac.) +*	*virgate (30 ac.) +*	*15–29½ ac.*	*7½–14½ ac.*	*up to 7 ac*	*messuage, rent, etc.*	*unspecified*	*Totals*
Actions postponed	-	1	–	-	-	1	–	2
to Westminster		1				1		(5.6%)
until age		–				–		
Totals	2 (5.6%)	3 (8.3%)	2 (5.6%)	1 (2.8%)	11 (30.6%)	10 (27.8%)	7 (19.4%)	36 (100%)

Note: licence to concord was not granted in novel disseisin cases. Some of the actions withdrawn or not pursued by the plaintiffs did in fact lead to agreements, which were then enrolled or recorded in a chirograph.

Dower cases	*carucate (120 ac.) +*	*virgate (30 ac.) +*	*15–29½ ac.*	*7½–14½ ac.*	*up to 7 ac*	*messuage, rent, etc.*	*unspecified*	*Totals*
Total of actions won:	–	–	–	2				2 (7.4%)
by jury verdict				–				
by judgment of court				2				
Won by action of D*	–	3	2	2	2	2	–	11 (40.7%)
Total of actions lost:	–	2	2	–	–	–	2	6 (22.2%)
by jury verdict		–	1				–	
by judgment of court		–	1				–	
by action of P		2	–				2	
Actions postponed:	4	2	–	1	–	1	–	8 (29.6%)
to Westminster	4	1		1		1		
until age	–	1		–		–		
Total actions	4 (14.8%)	7 (25.9%)	4 (14.8%)	5 (18.5%)	2 (7.4%)	3 (11.1%)	2 (7.4%)	27 (99.9%)

* In these 11 cases the 'defendant' acknowledged the facts, came to court, and handed the property over to the claimant by licence. There seems to have been no other form of concord employed.

Appendix III
A Comparison of the Rolls of the Justices at the 1286 Buckinghamshire Eyre

(A) Entries Missing from the Rolls of Individual Justices

No. in Vaux's roll	*Missing in roll of:*			*Description of entry*
4.		Loveday		licence to agree
29.		Loveday		licence to agree
30.	Mettingham			contempt amercement
32.	Mettingham			enrolled agreement
59.	Mettingham		Saham	acknowledged debt
63/4.			Saham	did not pursue case
65.	Mettingham	Loveday		Leics agreement for Siddington
77.		Loveday		m.d'a Mile vs abbot of Woburn
80.			Saham	jury Usser & Rokele – damages £10
85.			Saham	Simon s Jn vs Peyvre, v. long
86.		Loveday		nov diss Robt s Walter
98.	Mettingham			jury Jn Giffard vs R Pippard
112.	Mettingham			nov diss Heselardeston & Tyringham
113.			Saham	md'a Mile vs villein of abbot of Woburn
141.	Mettingham	Loveday	Saham	unfin. entry in 167 (Oseburn)
157.	Mettingham			did not pursue case
166.	Mettingham	Loveday		licence to agree (wife did not agree)
168.			Saham	md'a Constance de Bedford
187.	Mettingham			Pippard etc. vs Giffard, taking stock
188.			Saham	repeat of 186
198.	Mettingham			Jn Waryn vs Jn de Thedmers
207.		Loveday	Saham	Jn de la More ackn. quit-claim

No. in Vaux's roll	*Missing in roll of:*			*Description of entry*
208.		Loveday		instalment of fitz Bernard formedon
234	Mettingham			did not pursue case
239.		Loveday		md'a Henry de Foxton
241.		Loveday		Langtoft did not pursue case
263.	Mettingham		Saham	Wm de Aete contempt amercement
264.		Loveday		abbess of Godstow licence to agree
274.	Mettingham			licence to agree
279.			Saham	Walter Edred vs Laurence Bluntisden
306.	Mettingham			R Padbury did not pursue case
326.			Saham	licence to agree (Hurtwells)
364.	Mettingham	Loveday	Saham	enrolled deed, Ric le Heyr
375.		Loveday	Saham	enrolled deed, Houtots
376.		Loveday	Saham	enrolled deed, Roger Bozun
377.			Saham	first Croiz entry
378.		Loveday		Grussets vs Emma Grusset
400.	Mettingham			second Croiz entry
401.			Saham	Berkhamsted entry
403.			Saham	Peyvre vs Grusset, to Cambridge
409.	Mettingham			Newtons vs abbot Missenden (dower)
411.	Mettingham	Loveday	Saham	second Basilia widow of Draper entry
415.	Mettingham		Saham	Mungevill vs Paytewin
417.		(Loveday)	Saham	Ashridge foundation charter
419/20.		Loveday	Saham	Geoffrey de St Martin

(B) A Comparison of the Rolls

No.	*JUST 1/67 des Vaux*	*JUST 1/63 Rex roll*	*JUST 1/65 Mettingham*	*JUST 1/68A Loveday*	*JUST 1/68B Saham*	*Type of case etc.* * = *jury verdict given*
1.	1 – 1	1 – 1	1 – 1	1 – 1	1 – 1	m.d'a (*de donis conditionalibus*)
2.	1 – 2	4 – 4	1 – 2	1 – 2	8 – 3	lic. to agree + chirograph
3.	1 – 3	4 – 5	1 – 3	1 – 3	8 – 4	d.n.p. m.d'a
4.	1 – 4	18 – 2	17d – 8	–	18d – 11	lic. to agree + chirograph
5.	1 – 5					day given (refers to 1 – 12)
6.	1 – 6	–	–	–	–	name of clerk?
7.	1d – 1	1 – 5	1d – 1	1d – 1	1d – 1	m.d'a*
8.	1d – 2	1 – 6	1d – 2	1d – 2	1d – 2	acknowledged debt

No.	*JUST 1/67 des Vaux*	*JUST 1/63 Rex roll*	*JUST 1/65 Mettingham*	*JUST 1/68A Loveday*	*JUST 1/68B Saham*	*Type of case etc.* * = jury verdict given
9.	1d – 3	1 – 7	1d – 3	1d – 3	1d – 3	lic. to withdraw
10.	1d – 4	1d – 1	1d – 4	1d – 4	1d – 4	trespass (postponed)
11.	1d – 5	1d – 2	1d – 5	1d – 5	1d – 5	m.d'a, lic. to withdraw
12.	1d – 6	–		–		amercement of 100 bailiff
13.	2 – 1	16 – 2	16 – 2	2 – 2	3 – 2	fine for 9 100s to plead at Wycombe
14.	2 – 2	16 – 3	16 – 3	2 – 3	3 – 3	d.n.p. nov. diss.
15.	2 – 3	–	16 – 4	2 – 4	3 – 4	d.n.p. aiel.
16.	2 – 4	16 – 4	16 – 5	2 – 5	3 – 5	amercement of 100 bailiff
17.	2 – 5	16 – 5	16 – 6	2 – 6	3 – 6	m.d'a. concorded.
18.	2 – 6	2 – 6	16 – 7	2 – 7	3 – 7	suit to mill concorded.
19.	2 – 7	6 – 7	16 – 8	2 – 8	3 – 8	d.n.p. m.d'a.
20.	2 – 8	6 – 1	16 – 1	2 – 1	3 – 1	amercement of 100 bailiff
21.	2 – 9	6 – 11	16 – 9	2 – 9	3 – 9	d.n.p. nov. diss.
22.	2d – 1	6d – 1	16 – 10	2d – 1	3d – 1	suit to mill concorded.
23.	2d – 2	6d – 2	16d – 1	2 – 10	3d – 2	d.n.p. m.d'a.
24.	3 – 1	6d – 4	16d – 8	6 – 1	5 – 1	aiel lost on technicality
25.	3 – 2	6d – 5	16d – 9	6 – 2	5 – 2	m.d'a.*
26.	3 – 3	6d – 6	16d – 10	6 – 3	5 – 3	lic. to agree + chirograph
27.	3 – 4	6d – 7	16d – 4	6 – 4	5 – 4	nov. diss. concorded
28.	3 – 5	6d – 8	18 – 1	2d – 5	3 – 11	lic. to agree + chirograph
29.	3 – 6	16d – 9	18 – 2	2d – 5	3 – 12	as above – same parties
30.	3 – 7	16d – 12	–	2d – 4	5 – 6	amercement for contempt
31.	3d – 1	17 – 1	18 – 3	2d – 6	3 – 13	nov. diss.*
32.	3d – 2	17 – 2	-	8 – 2	5d – 1	enrolled agreement
33.	3d – 3	17 – 3	11 – 11	6d – 1	5d – 2	lic. to agree + chirograph
34.	3d – 4	17 – 4	11 – 12	6d – 2	5d – 3	acknowledged debt
35.	[3d – 5]	–	–	–	-	[*vacat in JUST 1/67*]
36.	3d – 6	17 – 5	11 – 13	6d – 3	5d – 4	d.n.p. entry
37.	4 – 1	2d – 3	2d – 5	6 – 5	11 – 1	m.d'a concorded (very long case)
38.	4d – 1	1 – 8	3 – 1	3d – 4	4d – 5	aiel: lic to withdraw; also*
39.	4d – 2	2 – 3	3 – 2	3d – 6	4d – 6	m.d'a > voucher to warranty > W.
40.	4d – 3	2 – 4	3 – 3	3d – 7	4d – 7	*cui in vita* lost on technicality
41.	4d – 4	2 – 5	3 – 4	5 – 1	4d – 8	m.d'a lost
42.	4d – 5	3 – 1	3 – 7	1 – 8	2 – 2	writ of right > W.
43.	5 – 1	1d – 3	1d – 6	1d – 6	1d – 6	entry (granted under-age) concorded
44.	5 – 2	1d – 4	2 – 1	3 – 1	4 – 1	m.d'a > Hunts. jury
45.	5 – 3	2 – 2	16d – 3	2d – 3	4 – 3	trespass (d.n.p.)
46.	5 – 4	16 – 10	18 – 4	8 – 1	3 – 14	dower: jury to come
47.	5d – 1	2 – 1	2 – 2	3 – 2	4 – 2	nov. diss. (Scoville)*
48.	5d – 2	1d – 5	2d – 1	3d – 1a	4d – 1	entry > age
49.	5d – 3	1d – 6	2d – 2	3d – 1b	4d – 2	entry > age
50.	5d – 4	2d – 1	2d – 3	3d – 2	4d – 3	waste lost on technicality
51.	5d – 5	2d – 2	2d – 4	3d – 3	4d – 5	utrum > voucher to warranty > W.
52.	6 – 1	2 – 6	3 – 5	5 – 2	4 – 4	nov. diss.*

No.	*JUST 1/67 des Vaux*	*JUST 1/63 Rex roll*	*JUST 1/65 Mettingham*	*JUST 1/68A Loveday*	*JUST 1/68B Saham*	*Type of case etc.* * = *jury verdict given*
53.	6 – 2	2 – 7	3 – 6	1 – 7	4 – 5	acknowledged debt
54.	6 – 3	1d – 6	3d – 1	5 – 4	2 – 1	nov. diss.*
55.	6 – 4	17 – 6	18 – 5	6d – 4	5d – 5	nov. diss. (d.n.p.)
56.	6 – 5	17 – 7	3d – 4	6d – 5	4 – 7	d.n.p. entry [also 5d–6, JUST 1/68b]
57.	6 – 6	17 – 8	3d – 5	6d – 5	4 – 8	d.n.p. entry [also 5d–7, JUST 1/68b]
58.	6 – 7	3 – 7	3d – 6	5 – 5	8 – 9	dower (varied outcomes)
59.	6 – 8	3 – 6	–	5d – 4	–	acknowledged debt
60.	6d – 1	8 – 6	11 – 5	19 – 8	13 – 6	d.n.p. m.d'a.
61.	7 – 1	3 – 2	3d – 2	1 – 9	4 – 6	lic. to agree + chirograph
62.	7 – 2	3 – 3	3d – 3	5d – 1	2 – 3	aiel*
63.	7 – 3	3 – 4	17 – 1	5d – 2	–	d.n.p. entry
64.	7 – 4	3 – 4	17 – 2	5d – 3	–	d.n.p. entry (same plaintiffs as 63)
65.	7 – 5	–	–	–	2 – 4	ackn. debt, Leicester
66.	7 – 6	10 – 3	11 – 12	19d – 4	15 – 2	enrolled grant
67.	8 – 1	18 – 1	18d – 1	4 – 1	2 – 5	customs and svces, concorded
68.	8 – 2	18 – 3	18d – 4	4 – 2	2 – 6	acknowledged debt
69.	8 – 3	18 – 4	18d – 5	4 – 3	2 – 7	nov. diss.*
70.	8 – 4	18 – 5	18d – 6	4 – 4	2d – 1	nov. diss. anc. demesne >
71.	8d – 1	18 – 6	16d – 5	8 – 3	2d – 2	d.n.p. m.d'a
72.	8d – 2	18 – 7	17 – 3	8 – 4	2d – 3	trespass, withdrawn (Zouche)
73.	8d – 3	8d – 3	17 – 4	8 – 5	2 – 8	trespass lost on technicality
74.	8d – 4	8d – 4	17 – 5	8 – 6	7 – 1	detinue of charter (handed over)
75.	8d – 5	8d – 5	17 – 6	8d – 1	7 – 2	acknowledged debt
76.	8d – 6	8d – 6	17 – 7	8d – 2	7 – 3	formedon (fitz Bernard)*
77.	8d – 7	8d – 7	17 – 8	-	7 – 4	m.d'a concorded.
78.	9 – 1	4 – 1	3d – 7	9 – 1	8 – 1	warranty concorded + chirograph
79.	9 – 2	4 – 2	3d – 8	9 – 2	8 – 2	m.d'a > voucher > W.
80.	9 – 3	4 – 3	3d – 9	9 – 3	–	de fine facto*
81.	9 – 4	4 – 7	4 – 1	9 – 7	15 – 5	m.d'a lost on technicality
82.	9 – 5	4 – 8	4 – 2	9 – 8	8 – 8	lic. to agree + chirograph
83.	9 – 6	9 – 6	4 – 3	9 – 9	8d – 1	d.n.p. m'd.a.
84.	9 – 7	9 7	12 – 13	13d – 6	24 – 7	warranty; d.n.a. > W.
85.	9d – 1	4 – 10	4 – 4/5	9d – 1	–	entry (term past) (long) > W.
86.	10 – 1	4d – 1	1 – 5	-	8d – 3	nov. diss. (Bromlond).*
87.	10 – 2	4d – 2	4d – 1	5d – 6	8d – 4	entry sur disseisin*
88.	10 – 3	4d – 3	4d – 2	9 – 10	6 – 1	writ of right (gd. ass, but concorded)
89	10 – 4	4d – 4	4d – 3	9 – 11	6 – 1	lic. to agree + chirograph
90.	10 – 5	4 – 6	1 – 5	9 – 4	8 – 5	d.n.p. m.d'a
91.	10d – 1	3d – 1	5 – 1	6d – 6	6 – 5	nov.diss; agree, but wife does not.

No.	*JUST 1/67 des Vaux*	*JUST 1/63 Rex roll*	*JUST 1/65 Mettingham*	*JUST 1/68A Loveday*	*JUST 1/68B Saham*	*Type of case etc.* * = *jury verdict given*
92.	10d – 2	3d – 2	5 – 6	6d – 7	6 – 6	withholding of land (parties as 91)
93.	10d – 3	3d – 4	4d – 5	7 – 1	6d – 1	cui in vita (Stat.Westm.) > W.
94.	11 – 1	17d – 3	16d – 11	8 – 7	7 – 5	covenant, concorded, chirograph.
95.	11 – 2	–	17d – 1	8d – 4	7 – 6	dower > W.
96.	11 – 3	17d – 7	17d – 3	8d – 6**	7 – 7	formedon (fitz Bernard)
97.	11 – 4	18d – 1	24d – 2	12 – 6	7d – 2	m.d'a (Emma Wylcus)*
98.	11 – 5	18d – 2	–	4d – 1	5d – 8	wardship Pippard vs Giffard*
99.	11 – 6	5d – 1	18 – 9	4d – 2	12 – 3	account
100.	11d – 1	17 – 9	17d – 2	8d – 5	7d – 1	debt owed, concorded
101.	11d – 2	17 – 10	17d – 4	8d – 7	7d – 3	entry > age.
102.	11d – 3	5d – 2	17 – 9	8d – 8	7d – 4	entry sur disseisin, concorded, chir.
103.	11d – 4	18d – 3	18 – 6	4 – 5	7d – 5	quitclaim of pl. in 40
104.	11d – 5	18d – 4	18 – 7	–	–	as above
105.	11d – 6	5d – 3	17d – 5	4 – 6	12 – 1	detinue, lost on technicality
106.	11d – 7	18d – 5	17 – 10	4 – 7	2 – 9	sheriff pays in issues
107.	11d – 8	18d – 6	17d – 6	8d – 9	12 – 2	escheat for bastardy, d.n.p.
108.	11d – 9	18d – 7	19 – 1	4d – 3	12 – 4	agreement on warranty; chirograph
109.	12 – 1	3 – 8	6 – 1	7 – 2	6d – 2	utrum*
110.	12 – 2	4d – 5	6 – 2	7d – 1	9 – 1	m.d'a (Vipont) > W.
111.	12 – 3	6 – 4	5 – 8	6d – 9	9d – 2	m.d.a > voucher; defs. hand over
112.	12 – 4	27 – 1	–	12 – 2	13d – 6	nov. diss. > W. to consult rolls
113.	12d – 1	5 – 1	6d – 1	1 – 4	–	m.d'a, def hands over
114.	12d – 2	5 – 2	6d – 2	7d – 2	9 – 2	entry, term past (Stat Gloucs) > W.
115.	12d – 3	5d – 5	5 – 3	7d – 3	6 – 7	nov. diss., d.n.p. > concorded
116.	12d – 4	5d – 6	5 – 4	11 – 1	6 – 8	nov. diss.*
117.	12d – 5	6 – 3	5 – 5	7d – 4	6 – 9	entry, d.n.p.
118.	12d – 6	5d – 8	5 – 7	6d – 8	9d – 1	entry > voucher > W.
119.	13 – 1	6 – 8	5d – 1	11 – 2	9d – 3	waste, concorded
120.	13 – 2	6 – 9	5d – 2	11 – 4	9d – 4	aiel, pls withdraw
121.	13 – 3	6 – 10	5d – 3	11 – 5	9d – 5	m.d'a > voucher > W.
122.	13 – 4	6 – 11	5d – 4	11 – 6	9d – 6	aiel, lic to agree.
123.	13 – 5	5d – 9	5d – 5	7d – 5	9d – 7	entry, lic to agree
124.	13 – 6	3d – 3	5d – 6	11 – 7	10 – 1	dower, def hands over
125.	13 – 7	6d – 1	5d – 6	11d – 1	10 – 2	waste*
126.	13d – 1	6d – 2	6d – 3	11 – 8	10 – 4	m.d'a*
127.	13d – 2	6d – 3	6d – 4	11d – 3	10 – 5	m.d'a*
128.	13d – 3	5 – 3	6 – 3	11d – 4	10 – 6	dower, judgment for pl.
129.	13d – 4	5 – 4	7 – 1	11d – 5	10 – 7	m.d'a (Escheker) lost on technicality

No.	*JUST 1/67 des Vaux*	*JUST 1/63 Rex roll*	*JUST 1/65 Mettingham*	*JUST 1/68A Loveday*	*JUST 1/68B Saham*	*Type of case etc.* * = *jury verdict given*
130.	13d – 5	5 – 5	7 – 2	11d – 6	10 – 8	*nuper obiit*, lic. to withdraw
131.	14 – 1	5d – 4	18 – 8 (and 19 – 2)	4d – 4	12 – 5	entry sur disseisin, judgment for def
132.	14 – 2	18d – 8	19 – 3	4d – 5	12 – 6	nov. diss.*
133.	14 – 3	19d – 1	19 – 9	10d – 4	12d – 7	d.n.p. m.d'a.
134.	14 – 4	19d – 2	19 – 10	10d – 5	12 – 7	d.n.p. nov. diss.
135.	14 – 5	19d – 3	19 – 11	10d – 6	12 – 8	d.n.p. m.d'a
136.	14 – 6	19d – 4	19 – 12	10d – 7	12 – 9	d.n.p. m.d'a
137.	14 – 7	19d – 5	19d – 2	10d – 8	12 – 10	entry sur disseisin, judgment for def
138.	14 – 8	–	19d – 3	10d – 9	12 – 11	m.d'a concorded
139.	14 – 9	6d – 6	7d – 1	3d – 8	9d – 8	covenant, lic to agree, chirograph
140.	14 – 10	6d – 7	7d – 2	3d – 9	5d – 9	m.d'a, lic to agree, chirograph
141.	14d – 1	6 – 1	–	—	–	m.d'a [unfinished entry]
142.	14d – 2	19 – 1	18 – 10	10 – 1	12d – 1	*cui in vita*, defs hand over
143.	14d – 3	19 – 2	18 – 11	10 – 2	12d – 2	d.n.p. m.d'a
144.	14d – 4	19 – 3	19 – 4	10 – 3	12d – 3	entry, term past, judgment for def
145.	14d – 5	19 – 4	19 – 5	4d – 6	12d – 4	d.n.p. entry
146.	14d – 6	19 – 5	19 – 6	4d – 7	12d – 5	m.d'a > age
147.	14d – 7	19 – 6	19 – 7	10 – 4	12d – 6	covenant, judgment for pl
148.	14d – 8	19 – 7	19 – 8	10 – 5	12d – 8	lic. to agree, warranty; chirograph
149.	14d – 9	19 – 8	19d – 1	10 – 6	12d – 9	m.d'a > voucher
150.	15 – 1	6d – 4	7 – 3	13 – 1	10d – 1	*nuper obiit* lost on technicality
151.	15 – 2	6d – 5	7 – 4	13 – 2	10d – 2	common of fishery, concorded
152.	15 – 3	8 – 1	7 – 5	13 – 3	10d – 3	nov. diss, pl withdrew; chirograph
153.	15d – 1	8d – 1	7d – 3	13d – 1	13 – 1	right vs. abbot of Missenden > W.
154.	15d – 2	8d – 7	6 – 4	9 – 5	13 – 8	d.n.p. nov.diss.
155.	15d – 3	8d – 8	6 – 5	9 – 6	13 – 9	day given at W. (taking of stock)
156.	15d – 4	8d – 9	7d – 5	13d – 3	13 – 10	taking stock; jury to come
157.	16 – 1	20 – 6	–	10d – 1	12d – 14	d.n.p. dower
158.	16 2	20d · 2	20 – 1	12d – 1	11d – 2	cosinage, varied outcome*
159.	16 – 3	20d – 3	24 – 6	12d – 3	11d – 5	aiel > jury, then agree
160.	16 – 4	20d – 4	12 – 9	17d – 6	16d – 8	warranty [unfinished]
161.	16d – 1	20 · 7	18 – 12	10d – 2	12d – 15	entry, def hands over
162.	16d – 2	20 – 8	18 – 13	10d – 3	12d – 16	entry > voucher > W.
163.	16d – 3	20 – 2	18d – 2	12 – 3	18d – 7	(fitz Bernard) pl wins by defs' default
164	16d – 4	20 – 3	18d – 3	12 – 4	18d – 8	covenant, lic to agree) same
165.	16d – 5	20 – 4	24 – 1	12 – 5	18d – 9	covenant, lic. to agree) plaintiff

No.	*JUST 1/67 des Vaux*	*JUST 1/63 Rex roll*	*JUST 1/65 Mettingham*	*JUST 1/68A Loveday*	*JUST 1/68B Saham*	*Type of case etc.* * = jury verdict given
166.	16d – 6	20 – 5	–	–	18d – 10	warranty, lic. to agree, chirograph
167.	16d – 7	–	24 – 2	14 – 1	11 – 2	acknowledgement of deed (Loveday)
168.	16d – 8	19 – 6	24 – 2	14 – 2	–	m.d'a.(can he vouch)* voucher > W.
169.	16d – 9	–	24 – 5	14 – 3	19 – 2	formedon > age
170.	16d – 10	17 – 11	24d – 1	14 – 4	19 – 3	entry (Audley) > W.
171.	17 – 1	19 – 9	19d – 4	10 – 7	12d – 10	trespass > 19 May
172.	17 – 2	19 – 10	19d – 5	10 – 8	12d – 11	m.d'a, defs hand over, chirograph
173.	17 – 3	19 – 11	19d – 6	10 – 8	12d – 12	entry (term past), lic. to agree
174.	17 – 4	19 – 12	19d – 7	10 – 10	18d – 1	m.d'a, defs hand over by lic.
175.	17 – 5	20d – 1	19d – 8	10 – 11	11d – 1	covenant > jury
176.	17 – 6	17 – 4	25d – 1	12 – 1	12d – 13	m.d'a (Stoke) > W.
177.	17d – 1	19d – 7	25 – 1	10d – 10	18 – 1	writ of right, Bardolf vs. Bec, agree
178.	18 – 1	7 – 1	6d – 5	25 – 1	13d – 1	m.d'a > voucher > W.
179.	18 – 2	8d – 10	7d – 6	13d – 4	13 – 11	m.d'a > voucher; then agree
180.	18 – 3	7 – 2	8 – 1	25 – 2	13d – 2	trespass (de Marisco) > W.
181.	18d – 1	6 – 5	6d – 6	6d – 10	13d – 5	common of fishery, lic. to agree
182.	18d – 2	–	8d – 1 [*vac*]	25d – 1	26 – 8	nov. diss. [unfinished]
183.	18d – 3	7d – 2	8d – 2	25d – 2	15 – 1	parson of Bledlow vs Bec, agree
184.	19 – 1	9d – 1	9d – 4	15 – 5	15d – 5	entry, Sale vs Bec > W.
185.	19 – 2	7 – 7	10 – 1	4d – 8	15 – 7	nov. diss., pls. withdraw; agree
186.	19 – 3	9 – 4	10 – 2	15d – 1	14 – 1	mesne*
187.	19 – 4	2 – 9	–	7d – 6	14 – 2	d.n.p. taking of stock
188.	19d – 1	9 – 6	10 – 3	15d – 3	–	[repeat of 186]
189.	19d – 2	9 – 8	5 – 9	1 – 5	11 – 3	memo re handing over charters
190.	19d – 3	1 – 2	10 – 4	15d – 4	2d – 4	aiel, different outcomes
191.	19d – 4	9d – 3	10 – 5	15d – 5	2d – 5	m.d'a*
192.	19d – 5	9d – 4	10 – 6	15d – 6	2d – 6	entry, lic. to agree
193.	19d – 6	6 – 6	10 – 7	1d – 7	2d – 7	d.n.p. writ of right (Paynell)
194.	19d – 7	9d – 5	5 – 10	15d – 7	10d – 4	nov. diss.*
195.	20 – 1	6d – 8	9 – 1	9 – 13	8 – 7	m.d'a*
196.	20 – 2	8 – 3	9 – 2	3 – 2	1 – 2	m.d'a (Escheker)*
197.	20 – 3	–	14 – 1	13 – 6	24 – 2	covenant, lic. to agree
198.	20 – 4	7 – 4	–	9 – 14	1d – 7	land, def defaults, pls recover
199.	20d – 1	7 – 5	9d – 1	15 – 1	15d – 1	m.d'a*
200.	20d – 2	7 – 6	1 – 6	2d – 7	15d – 2	utrum*
201.	20d – 3	6d – 9	5d – 8	11d – 2	10 – 3	lic. to agree + chirograph

No.	*JUST 1/67 des Vaux*	*JUST 1/63 Rex roll*	*JUST 1/65 Mettingham*	*JUST 1/68A Loveday*	*JUST 1/68B Saham*	*Type of case etc.* * = *jury verdict given*
202.	20d – 4	9 – 1	9d – 2	15 – 2	15d – 3	rent arrears (eccles.) agree
203.	20d – 5		4d – 4	3d – 5	15 – 6	aiel, def hands over
204.	21 – 1	21 – 1	17d – 7	14 – 5	19 – 4	dower, defs hand over
205.	21 – 2	21 – 2	22 – 1	14 – 6	19 – 5	customs and svces, judgment for def
206.	21 – 3	31 – 3	22 – 2	14 – 7	19 – 6	covenant, lic to agree, chirograph
207.	21 – 4	21 – 4	22 – 3	–	–	enrolled quitclaim
208.	21 – 5	21 – 5	22 – 4		19d – 1	formedon, judgment for pl
209.	21 – 6	21 – 6	22 – 5	16 – 2	19 – 8	nov. diss, pl withdraws
210.	21 – 7	21 – 7	22d – 5	12d – 10	17 – 3	dower, pls win
211.	21 – 8	–	17d – 9	16 – 1	19 – 7	letters of protection, earl of Lincoln
212.	21 – 9	21 – 8	22d – 2	16 – 6	17 – 4	acknowledged debt
213.	21d – 1	21d – 1	22 – 6	16 – 3	19d – 2	formedon (long) varied outcomes
214	21d – 2	21d – 2	22 – 7	16 – 4	19d – 4	same pl: recovers by default of def
215.	21d – 3	21d – 3	22d – 1	16 – 5	19d – 5	execs. of will, agree.
216.	21d – 4	21d – 4	22d – 4	12d – 9	17 – 2	entry > voucher > W.
217.	22 – 1	9 – 9	10d – 1	25 – 5	14 – 4	m.d'a*
218.	22 – 2	1 – 9	5d – 9	25 – 6	14 – 5	d.n.p. nov. diss.
219.	22 – 3	10 – 1	10d – 1	5d – 7	14 – 6	m.d'a*
220.	22 – 4	10 – 2	10d – 4	19 – 1	14d – 1	debt, agree
221.	22 – 5	10 – 3	10d – 5	19 – 2	14d – 2	entry, agree
222.	22 – 6	2 – 8	1 – 7	3d – 10	13 – 7	d.n.p. nov. diss.
223.	22d – 1	10 – 4	10d – 6	19 – 3	14d – 3	nuisance*
224.	22d – 2		–	–	–	[*unfinished entry*]
225.	22d – 3	8d – 2	11 – 1	19 – 4	13 – 2	besaiel > voucher > W.
226.	22d – 4	8d – 3	11 – 2	19 – 5	13 – 3	d.n.p. nov. diss.
227.	22d – 5	8d – 4	11 – 3	19 – 6	13 – 4	dower, defs default, pl recovers
228.	22d – 6	8d – 5	11 – 4	19 – 7	13 – 5	d.n.p. m.d'a.
229.	22d – 7	10 – 5	7d – 4	13d – 2	14d – 4	nov. diss, defs. default > lic withdraw
230.	22d – 8	10 – 6	11 – 6	19 – 9	14d – 5	nov. diss lost on technicality
231.	22d – 9	10 – 7	11 – 7	19 – 10	14d – 6	m.d'a*
232.	22d – 10	10 – 8	11 – 8	19 – 11	14d – 7	aiel, agree + chirograph
233.	22d – 11	10 9	2 3	1 6	11 – 4	d.n.p. warranty
234.	22d – 12	10 – 10		1 – 10	11 – 5	d.n.p. nov. diss.
235.	22d – 13	10d – 1)	11 – 9	19d – 1	16 – 1	)
236.	22d – 14	10d – 1)	11 10	19d 2	16 – 2	) Grusset debt agreements
237.	22d – 15	10d – 2	11 – 11	19d – 3	16 – 3	)
238.	23 – 1	23 – 1	23d – 5	14d – 8	20 – 1	formedon, agree
239.	23 – 2	23 – 4	24 – 4	–	20 – 2	m.d'a*
240.	23 – 3	23 – 5	20 – 5	6d – 11	20 – 3	lic to agree + chirograph
241.	23 – 4	23 – 6	20 – 6	–	20 – 4	d.n.p. entry
242.	23 – 5	23 – 7	20 – 3	18 – 1	20 – 5	trespass > W.
243.	23 – 6	23 – 8	20 – 4	18 – 2	20 – 6	aiel, def defaults, pl recovers

No.	*JUST 1/67 des Vaux*	*JUST 1/63 Rex roll*	*JUST 1/65 Mettingham*	*JUST 1/68A Loveday*	*JUST 1/68B Saham*	*Type of case etc.* * = *jury verdict given*
244.	23 – 7	23 – 9	20 – 7	16d – 2	17d – 2	nuisance, pl cannot deny facts
245.	23 – 8	23 – 10	20 – 8	18d – 1	20 – 7	m.d'a*
246.	23d – 1	23d – 1	20d – 1	18d – 2	20d – 1	dower > Beds jury > W.
247.	23d – 2	23d – 2	20d – 2	18d – 3	20d – 2	dower > voucher > W.
248.	23d – 3	23d – 3	20d – 3	18d – 4	20d – 3	entry, lose on technicality
249.	23d – 4	23d – 4	20d – 4	18d – 5	20d – 4	m.d'a (Merton) agree + chirograph
250.	23d – 5	23d – 5	23 – 9	18d – 6	17d – 4	entry, agree.
251.	23d – 6	23d – 6)	23 – 11	18d – 7	17d – 6	entry, lic. to agree) same parties
252.	23d – 7	23d – 6)	23 – 10	18d – 8	17d – 5	entry, lic. to agree)
253.	23d – 8	23d – 7	20d – 5	14 – 8	20d – 5	trespass*
254.	24 – 1	22 – 1	22d – 3	12d – 8	17 – 1	acknowledged debt
255.	24 – 2	22 – 2	22d – 6)	3 – 2)	17 – 5	m.d'a (Escheker) defs hand over
256.	24 – 3	22 – 3	22d – 6)	3 – 2)	17 – 6	as above
257.	24 – 4	22 – 4	23 – 1	14d – 3	17 – 7	aiel > voucher > W.
258.	24 – 5	22 – 5	23 – 2	14d – 4	17 – 8	d.n.p. entry
259.	24 – 6	22 – 6	23 – 3	14d – 5	17 – 9	d.n.p. entry
260.	24 – 7	22 – 7	23 – 4	14d – 6	17 – 10	covenant (herrings), agree
261.	24 – 8	22 – 8	23 – 5	16 – 7	17 – 12	entry > voucher > age
262.	24 – 9	22 – 9	23 – 6	12d – 11	17 – 13	entry, agree + chirograph
263.	24 – 10	22 – 10	–	12d – 12	–	various men in mercy
264.	24 – 11	22 – 11	23d – 3	–	20 – 8	lic. to agree + chirograph
265.	24d – 1	22d – 1	23 – 7	16d – 1	17d – 1	aiel (anc.demesne) pls cannot deny
266.	24d – 2	22d – 2	23 – 8	18 – 3	17d – 3	land, agree, etc. One pl. under age
267.	24d – 3	22d – 3	23d – 1	16d – 3	17d – 7	formedon, various outcomes
268.	24d – 4	22d – 4	23d – 2	16d – 4	17d – 8	formedon, agree / > jury
269.	25 – 1	11 – 1	11d – 1	19d – 5	16 – 4	writ of right vs prior of Merton > W.
270.	25 – 2	11 – 2	11d – 2	19d – 6	16 – 5	*nuper obiit**
271.	25 – 3	11 – 3	11d – 4	17 – 1	16 – 6	*sine assensu conventus**
272.	25 – 4	11 – 4	11d – 5	17 – 2	16 – 7	m.d'a*
273.	25 – 5	11 – 5	8 – 6	5 – 3	16 – 8	entry, def hands over
274.	25 – 6	11 – 6	–	25 – 7	16 – 9	lic to agree + chirograph
275.	25 – 7	11 – 7	11d – 6	17 – 3	16 – 10	entry > voucher > W. (> withdraw)
276.	25 – 8	11 – 8	11d – 7	17 – 4	15 – 3	m.d'a*
277.	25 – 9	11d – 5	12 – 5	23 – 3	16d – 6	land, defs default, pl recovers
278.	25d – 1	10d – 4	12 – 1	17 – 5	24 – 1	rent arrears (long), agree
279.	25d – 2	10d – 6	11d – 8	17d – 1	–	taking of stock, pl lose on technicality
280.	25d – 3	11d – 1	11d – 9	17d – 2	16d – 1	m.d'a (arguments) agree + chirograph
281.	25d – 4	11 – 9	12 – 10	17d – 7	16d – 9	aiel, agree + chirograph

No.	*JUST 1/67 des Vaux*	*JUST 1/63 Rex roll*	*JUST 1/65 Mettingham*	*JUST 1/68A Loveday*	*JUST 1/68B Saham*	*Type of case etc.* * = *jury verdict given*
282.	25d – 5	11 – 10	12 – 11	17d – 8	16d – 10	nov. diss, withdraw, then agree + chir
283.	26 – 1	24 – 1	20 – 9	18d – 9	22 – 1	escheat for bastardy (Carun)*
284.	26 – 2	24 – 2	20d – 6	20 – 1	20d – 6	dower, def hands over
285.	26 – 3	24 – 3	20d – 7	20 – 2	20d – 7	entry > age
286.	26 – 4	24 – 3	20d – 8	20 – 3	20d – 8	formedon (Wyclus) def hands over
287.	26 – 5	24 – 5	20d – 9	20 – 4	20d – 9	nov. diss., withdraws
288.	26d – 1	24 – 6	22d – 7	20 – 7	22 – 3	entry (term past) > jury; then d.n.p.
289.	26d – 2	24d – 1	22d – 9	20 – 9	22 – 5	cosinage*
290.	26d – 3	24d – 2	21 – 5	20d – 1	22 – 6	nov. diss, pl withdraws ; agreement
291.	26d – 4	24d – 3	21 – 6	20d – 5	20d – 10	dower > voucher > hands over
292.	26d – 5	24d – 4	21 – 7	20d – 6	20d – 11	lic. to agree + chirograph
293.	26d – 6	24d – 5	21 – 8	18 – 5	22 – 7	land > voucher > W.
294.	26d – 7	24d – 6	21 – 1	18 – 6	20 – 9	land, agree
295.	26d – 8	24d – 7	21 – 2	18 – 7	20d – 12	d.n.p. nov. diss.
296.	26d – 9	24d – 8	21 – 3	18 – 8	17 – 11	d.n.p. m.d'a.
297.	27 – 1	24d – 9	21 – 3	18 – 9	19 – 3	detinue of horse, pl d.n.a.
298.	27 – 2	24d – 10	21 – 9	18 – 10	17 – 14	m.d'a, def hands over
299.	27 – 3	24d – 11	21 – 10	18 – 11	22d – 1	entry sur disseisin*
300.	27 – 4	1 – 3	12 – 6	9 – 12	16 – 12	acknowledged debt
301.	27 – 5	25 – 1	21 – 11	20d – 2	22d – 3	dower, d.n.p.
302.	27 – 6	25d – 1	24d – 3	12d – 4	17 – 15	lic. to agree + chirograph
303.	27 – 7	21 – 9	24d – 7	22 – 3	21 – 7	d.n.p. m.d'a
304.	27 – 8	21 – 10	24d – 8	22 – 4	21 – 8	d.n.p. cosinage
305.	27 – 9	21 – 11	24d – 9	22 – 5	21 – 9	d.n.p. claim to holding
306.	27 – 10	25 – 2	–	18 – 4	19 – 9	d.n.p. aiel
307.	27 – 11	25 – 3	21d – 4	14d – 7	22d – 2	d.n.p. entry
308.	27 – 12	25 – 5	21d – 2	20d – 4	21 – 2	acknowledged debt
309.	27d – 1	25 – 4	21d – 1	20d – 3	21 – 1	nov. diss. pl withdraws
310.	27d – 2	25 – 6	21d – 3	20d – 5	21 – 3	m.d'a, defs admit facts
311.	27d – 3	25 – 7	9 – 3	20d – 6	21 – 4	dower* (various outcomes)
312.	27d – 4	25d – 2	24d – 4	22 – 1	21 – 5	cosinage*
313.	27d – 5	25d – 3	24d – 5	12d – 5	17 – 16	lic. to agree + chirograph
314.	27d – 6	25d – 4	24d – 6	22 – 2	21 – 6	lic. to agree + chirograph
315.	27d – 7	25d – 5	16d – 7	20 – 8	22 – 8	land, pl loses on technicality
316.	27d – 8	25d – 6	24d – 10	22 – 6	21 – 10	detinue of charters > jury
317.	28 – 1	14d – 2	13 – 2	13 – 4	6 – 3	m.d'a, various outcomes
318.	28 – 2	14d – 3	13 – 3	13 – 5	6 – 4	dower, vouchee hands over
319.	28 – 3	14 – 8	12d – 8	21 – 1	24d – 6	entry (term past) > jury, agree
320.	28 – 4	14 – 9	12d – 9	23 – 7	24d – 7	dower, pls cannot deny facts
321.	28 – 5	9 – 3	13d – 4	15 – 4	16 – 11	m.d'a > voucher > W.

No.	*JUST 1/67 des Vaux*	*JUST 1/63 Rex roll*	*JUST 1/65 Mettingham*	*JUST 1/68A Loveday*	*JUST 1/68B Saham*	*Type of case etc.* * = *jury verdict given*
322.	28 – 6	9 – 5	13d – 5	17 – 6	16d – 2	d.n.p. debt)
323.	28 – 7	9 – 7	13d – 6	17 – 7	16d – 3	d.n.p. debt) same parties
324.	28 – 8	25d – 7	21d – 5	22 – 7	21 – 11	nov. diss. *
325.	28 – 9	25d – 8	21d – 6	22 – 8	21d – 1	nov. diss.*
326.	28 – 10	25 – 8	22d – 8	22d – 1	–	lic. to agree + chirograph
327.	28d – 1	24d – 12	16d – 6	12d – 2	22 – 9	nov. diss. withdrawn
328.	28d – 2	12 – 4	21d – 7	20d – 7	21d – 2	trespass
329.	28d – 3	12 – 5	21d – 8	20d – 8	21d – 3	entry sur disseisin, agree
330.	28d – 4	26 – 1	22d – 10	22d – 2	22d – 5	m.d'a.*
331.	28d – 5	26 – 2	22d – 11	22d – 3	22d – 6	d.n.p. m.d'a.
332.	28d – 6	26 – 3	24 – 8	22d – 6	21d – 5	dower, vouchee has nothing
333.	28d – 7	26 – 4	22d – 12	22d – 4	22d – 7	rent, lic. to withdraw on technicality
334.	28d – 8	26 – 5	24 – 7	22d – 5	21d – 4	nov. diss.*
335	29 – 1	11d – 3	11 – 13	23 – 1	16d – 4	m.d'a, lic to withdraw
336	29 – 2	11d – 4	12 – 4	23 – 2	16d – 5	land; pl wins by default of def.
337.	29 – 3	11d – 6	12 – 8	17d – 5	16d – 7	land > voucher > W.
338.	29 – 4	14 – 1	12 – 12	23 – 4	24 – 3	entry, various outcomes
339.	29 – 5	14 – 2	12d – 1	23 – 5	24 – 4	aiel > voucher > W.
340.	29 – 6	14 – 3	12d – 2	23 – 6	24 – 5	m.d'a.*
341.	29 – 7	6 – 7	11d – 3	17d – 9	5d – 10	dower > voucher > W.
342.	29d – 1	14 – 4	12d – 3	22d – 1	24d – 1	nov. diss. lic. to withdraw
343.	29d – 2	14 – 5	12d – 4	22d – 2	24d – 2	acknowledged debt
344.	29d – 3	14 – 6	12d – 5	26d – 14	24d – 3	dower > wage law > W.
345.	29d – 4	14d – 1	13 – 1	17d – 10	15 – 4	entry, lic. to agree + chirograph
346.	30 – 1	12d – 1	12 – 3	11 – 3	25d – 1	d.n.p. entry
347.	30 – 2	12d – 2	12 – 7	9 – 15	1d – 8	d.n.p. m.d'a
348.	30 – 3	12d – 3	14 – 3	26 – 1	25d – 2	m.d'a*
349.	30 – 4	12d – 4	14 – 4	13d – 5	25d – 3	land, def. defaults
350.	30 – 5	12d – 5	14 – 5	26 – 2	25d – 4	dower, def hands over
351.	30 – 6	12d – 6	14 – 6	26 – 3	25d – 5	aiel (Hog) agree
352.	30 – 7	12d – 7	14d – 1	26 – 4	25d – 6	entry (term past) > W.
353.	30d – 1	13 – 1	14d – 2	26d – 1	23 – 1	m.d'a > age.
354.	30d – 2	13 – 2	14d – 3	26d – 2	23 – 2	dower, def hands over
355.	30d – 3	13 – 3	14d – 4	26d – 3	23 – 3	covenant, agree
356.	30d – 4	13 – 4	10 – 8	26d – 4	23 – 4	d.n.p. writ of right
357.	30d – 5	13 – 5	10d – 3	26d – 5	23 – 5	entry > W.
358.	30d – 6	13 – 6	10 – 9	26d – 6	23 – 6	entry > voucher > W.
359.	30d – 7	13 – 10	14d – 6	23 – 8	13 – 12	entry > view > W.
360.	30d – 8	13 – 11	14 – 9	26d – 10	14 – 7	detinue > distrain > W.
361.	30d – 9	13 – 12	8d – 3	26d – 11	14 – 8	debt > distrain > W.
362.	30d – 10	22 – 12	14d – 7	17d – 4	11d – 6	land, pl wins by default of def.
363.	30d – 11	7 – 3	8 – 2	25 – 3	13d – 3	dower > king's hand > W.
364.	30d – 12	15d – 1	–	–	–	deed enrolled
365.	31 – 1	13 – 7	14 – 7	26d – 7	23 – 7	debt > distrain > W.
366.	31 – 2	13 – 8	14 – 8	26d – 8	23 – 8	debt > distrain > W.

No.	*JUST 1/67 des Vaux*	*JUST 1/63 Rex roll*	*JUST 1/65 Mettingham*	*JUST 1/68A Loveday*	*JUST 1/68B Saham*	*Type of case etc.* * = *jury verdict given*
367.	31 – 3	13 – 9	14d – 5	26d – 9	23 – 9	debt > distrain > W.
368.	31 – 4	13d – 1	15 – 1	27 – 1	23 – 11	m.d'a (Keynes) > W.
369.	31d – 1	13 – 13	14d – 8	15d – 2	11d – 3	d.n.p. m.d'a
370.	31d – 2	13 – 14	14d – 9	17 – 8	11d – 4	vouchee d.n.a. > king's hand > W.
371.	31d – 3	13 – 15	14d – 10	17 – 9	23 – 10	vouchee d.n.a. > king's hand > W.
372.	31d – 4	15 – 1	8 – 3	25 – 4	23d – 1	dower > jury at W.
373.	31d – 5	15 – 2	8 – 4	26d – 12	23d – 2	land, def. defaults
374.	31d – 6	13 – 16	8 – 5	26d – 13	27 – 1	land > voucher > W.
375.	32 – 1	2d – 4	7d – 7	–	–	deed enrolled
376.	32 – 2	8d – 11	9d – 3	–	–	deed enrolled
377.	32 – 3	26 – 6	21d – 9	24 – 1	–	wardship (repeated entry)
378.	32 – 4	26 – 7	21d – 10	–	22d – 4	vouchee d.n.a. > distrain > W.
379.	32 – 5	27d – 1	25 – 2	9d – 2	18d – 4	memo re Peyvre seal
380.	32 – 6	27d – 2	25 – 3	9d – 3	18d – 5	day given at W.
381.	32 – 7	27d – 3	25 – 4	9d – 4	18d – 6	jury of 24, lic. to withdraw
382.	32 – 8	23 – 2	26 – 1	12d – 6	22 – 4	m.d'a, lic. to withdraw
383.	32 – 9	23 – 3	26 – 2	12d – 7	22 – 10	amercement for contempt
384.	32d – 1	26d – 1	16d – 2	2d – 2	22d – 5	trespass (Burnell's stag)
385.	32d – 2	26d – 2	24 – 9	24 – 2	26 – 1	m.d'a, pl. cannot deny facts
386.	32d – 3	26d – 3	20 – 2	24 – 3	26 – 4	wardship, unfinished entry
387.	32d – 4	26d – 4	26 – 3	24 – 4	26 – 5	nov. diss.*
388.	32d – 5	26d – 5	26 – 4	2 – 11	26 – 6	m.d'a, vouchee d.n.a.*
389.	32d – 6	26d – 6	26 – 5	2 – 12	26 – 6	m.d'a.*
390.	33 – 1	27 – 2	25d – 3	22d – 7	18 – 2	land > king's hand > pl recovers
391.	33 – 2	27 – 3	25d – 4	22d – 8	26 – 2	entry > view > W.
392.	33 – 3	27 – 4	25d – 5	22d – 9	26 – 3	covenant > distrain > W.
393.	33 – 4	27 – 5	25d – 6	22d – 10	18 – 3	rent, agree
394.	33 – 5	27 – 6	25d – 7	27 – 2	18 – 4	debt > distrain > W.
395.	33 – 6	27 – 7	25d – 8	27 – 3	18 – 5	debt, agree
396.	33 – 7	27 – 8	25d – 9	27 – 4	18 – 6	nov. diss > jury d.n.a. > lic. withdraw
397.	33 – 8	27 – 9	25d – 10	27 – 5	18 – 7	lic. to agree + chirograph
398.	33 – 9	27 – 10	25d – 11	27 – 6	18d – 2	trespass, d.n.a. > W.
399.	33 – 10	27 – 11	23d – 6	27 – 7	18d – 3	entry > view > W.
400.	33d – 1	(21d – 9)	(24 – 1)	24d – 1	21d – 6	wardship > voucher > Cambs. > W.
401.	34 –1	–	27 – 1	27 – 8	–	d.n.p. trespass (Berkhamsted liberty)
402.	35 – 1	14d – 4	13 – 4	21 – 2	22 – 2	m.d'a.*
403.	35 – 2	8 – 2	14 – 2	21d – 4	–	entry > jury > agree +chirograph
404.	35d – 1	12 – 1	13d – 1	23d – 5	25 – 1	entry sur disseisin*
405.	35d – 2	11d – 2	12d – 10	21d – 2	24d – 8	entry > age
406.	35d – 3	12 – 3	13d – 2	21d – 1	25 – 2	land > king's hand > jury

No.	*JUST 1/67 des Vaux*	*JUST 1/63 Rex roll*	*JUST 1/65 Mettingham*	*JUST 1/68A Loveday*	*JUST 1/68B Saham*	*Type of case etc.* * = *jury verdict given*
407.	35d – 4	9 – 2	13d – 3	15 – 3	15d – 4	dower > vouchee hands over
408.	35d – 5	10d – 5	12 – 2	17d – 3	24 – 6	vouchee d.n.a. > pl recovers
409.	36 – 1	15 – 3	–	23d – 3	27 – 2	dower > voucher > W.
410.	36 – 2	15 – 4	15d – 1	23d – 4	27 – 3	aiel (unfinished)
411.	36 – 3		-	–	–	dower, > W. to wage law
412.	36 – 4	14 – 7	12d – 6	21d – 4	24d – 4	trespass > W.
413.	36 – 5	15 – 5	12d – 7	21d – 5	24d – 5	rent, vouchee hands over
414.	36d – 1	15 – 6	15 – 2	9d – 5	25 – 3	waste, jury view produced
415.	36d – 2	28 – 3	–	27 – 10	–	d.n.p. re messuage
416.	36d – 3	14d – 5	15d – 2	–	23d – 3	wardship > W.
417.	37 – 1	–	26d – 1	28 – 1**	–	Ashridge foundation charter
418.	37 – 2	28 – 2	26 – 6	27 – 9	23d – 4**	vouchee d.n.a. > king's hand > W.
419.	37 – 3	–		–	—	land (unfinished)
420.	37d – 1	7d – 3	26 – 7	–	–	(= 419) defs d.n.a. > king's hand > W

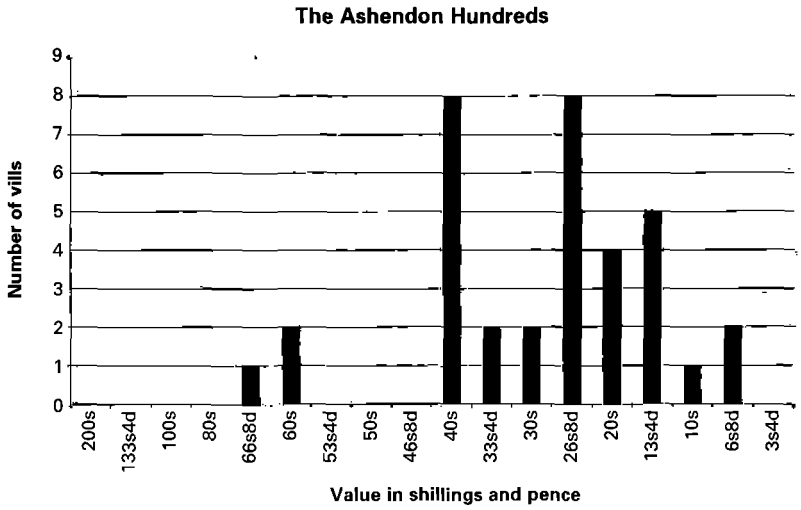
** = unfinished entry; d.n.a. = did not attend; d.n.p. = did not pursue case; > W. = case sent on to Westminster

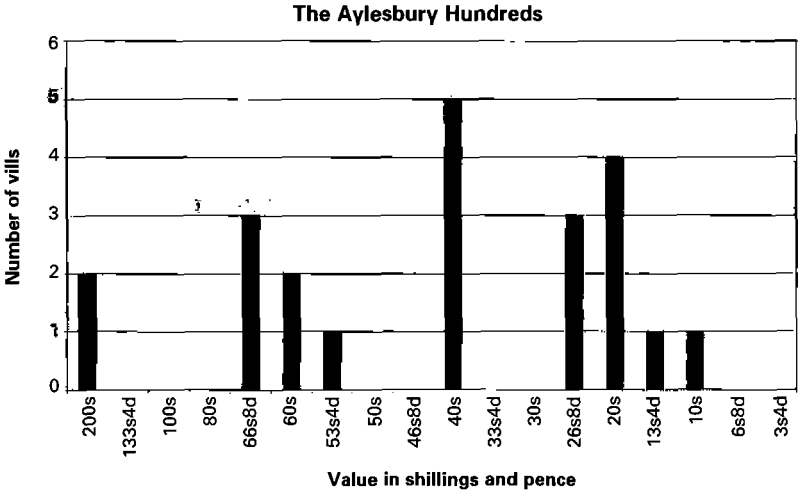
No.	*JUST 1/67 des Vaux*	*JUST 1/63 Rex roll*	*JUST 1/65 Mettingham*	*JUST 1/68A Loveday*	*JUST 1/68B Saham*	*Type of case etc.* * = *jury verdict given*
Plaints						
859.	17 – 1	51 – 1	49 – 1	53a – 1	44 – 1	GBH
860.	17 – 2	51 – 2	49 – 2	53a – 2	44 – 2	detinue of animals
861.	17 – 3	51 – 3	49 – 3	53a – 3	44 – 3	acknowledged debt
862.	17 – 4	51 – 4	49 – 4	53a – 4	44 – 4	acknowledged debt
863.	17 – 5	51 – 5	49 – 5	53a – 5	44 – 5	acknowledged debt
864.	17 – 6	51 – 6	49 – 6	53a – 6	44 – 6	has not paid debt
865.	17 – 7	51 – 7	49 – 8	53a – 7	44 – 7	acknowledged debt
866.	17 – 8	51 – 8	49 – 9	53a – 8	44 – 8	detinue of animals
867.	17 – 9	51 – 9	49 – 10	53a – 9	44 – 9	acknowledged debt
868.	17 – 10	51 – 10	–	53a – 10	44 – 10	acknowledged debt
869.	17 – 11	51 – 11	-	53a – 11	44 – 11	has not paid debt
870.	17 –12	51d – 1	49 – 7	53a/d – 1	44 – 12	has not paid debt
871.	17 – 13	–	–			appointment of attorney
872.	17d – 1	51d – 2	49d – 1	53a/d – 2	44d – 1	detinue of animals
873.	17d – 2	51d – 3	49d – 2	53a/d – 3	44d – 2	breaking in and taking grain
874	17d – 3	51d – 4	49d – 3	53a/d – 4	44d – 3	detinue of chattels
875.	17d – 4	51d – 5	–	53a – 12	44d – 4	acknowledged debt
876.	17d – 5	51d – 6	–	53a – 13	44d – 5	acknowledged debt
877.	17d – 6	51d – 7		53a – 14	44d – 6	acknowledged debt

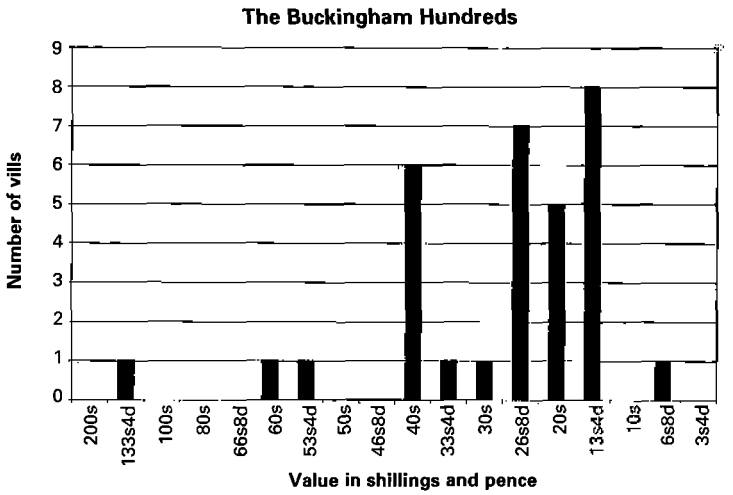
Appendix IV
The Relative Prosperity of the Buckinghamshire Hundreds

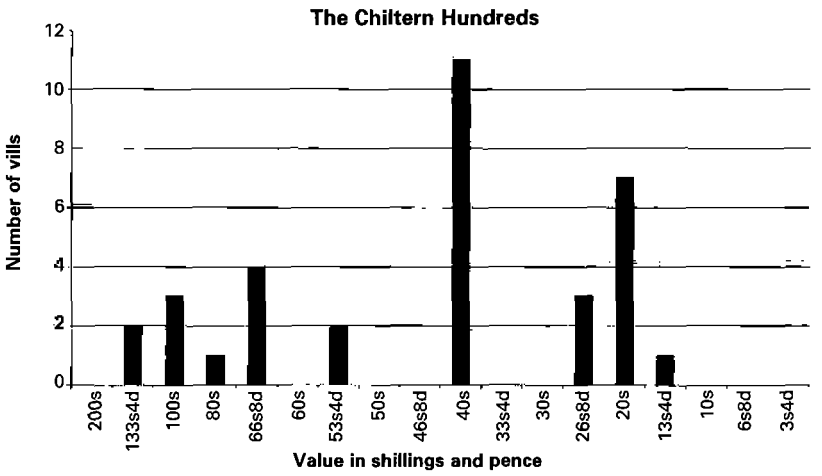
This appendix shows the relative prosperity of the Buckinghamshire hundreds deduced from the amercements imposed on individual vills within the hundreds at the 1286 eyre, listed in the Crown Pleas amercements in JUST 1/63, mm. 52–64d.

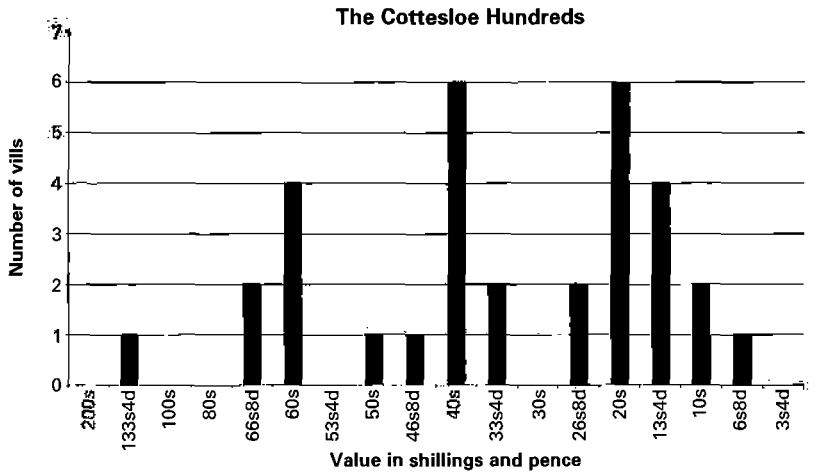
For purposes of comparison, figures given by Hopkinson and Crook for the Derbyshire eyre of 1281, and by the DeWindts for the Huntingdonshire eyre of 1286, are here shown in diagram form.

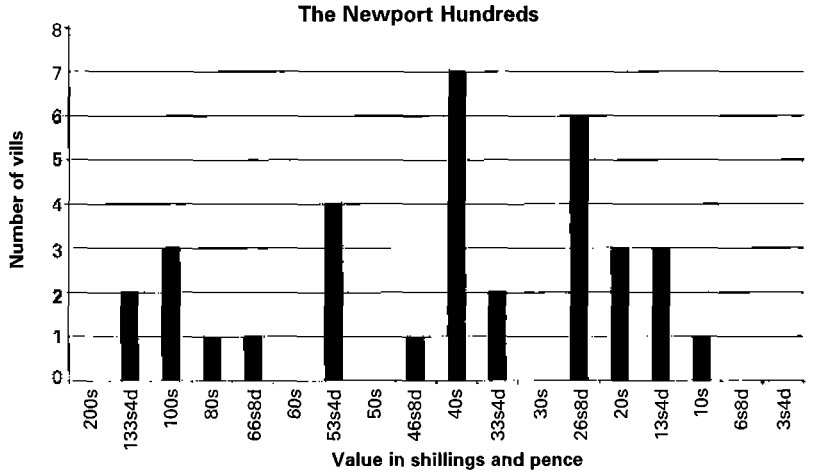



The Aylesbury Hundreds
Number of vills
0
1
2
3
4
5
6
200s
133s4d
100s
80s
66s8d
60s
53s4d
50s
46s8d
40s
33s4d
30s
26s8d
20s
13s4d
10s
6s8d
3s4d
Value in shillings and pence

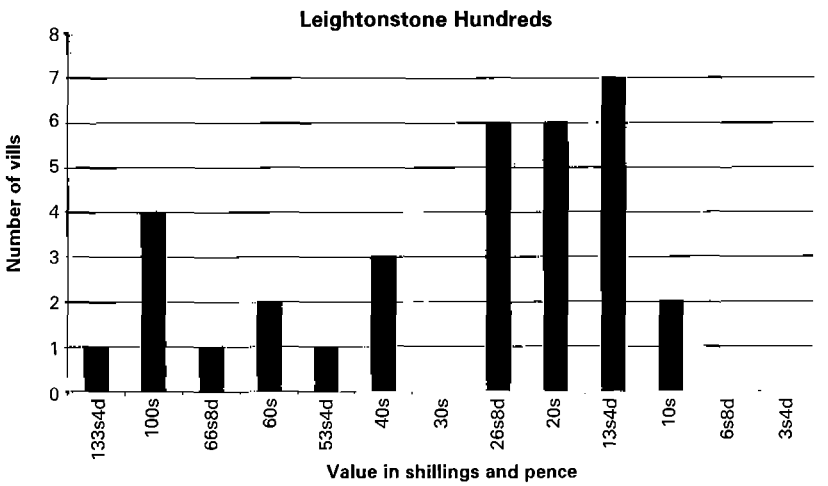

The Buckingham Hundreds
Number of vills
0
1
2
3
4
5
6
7
8
9
200s
133s4d
100s
80s
66s8d
60s
53s4d
50s
46s8d
40s
33s4d
30s
26s8d
20s
13s4d
10s
6s8d
3s4d
Value in shillings and pence

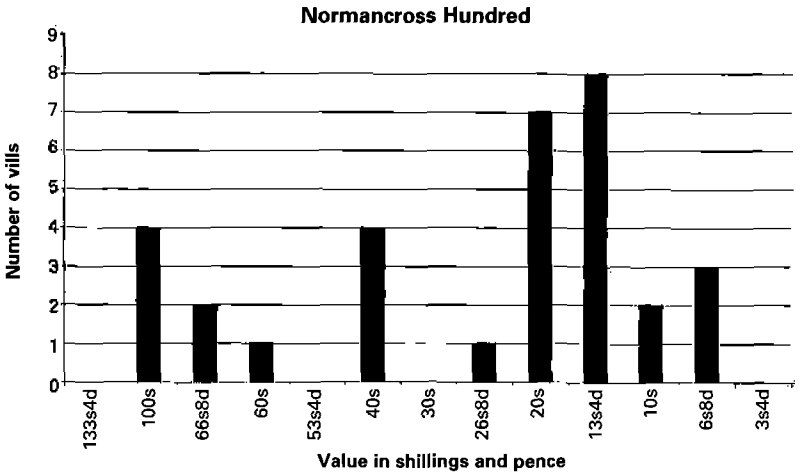

The Chiltern Hundreds
Number of vills
0
2
4
6
8
10
12
200s
133s4d
100s
80s
66s8d
60s
53s4d
50s
46s8d
40s
33s4d
30s
26s8d
20s
13s4d
10s
6s8d
3s4d
Value in shillings and pence

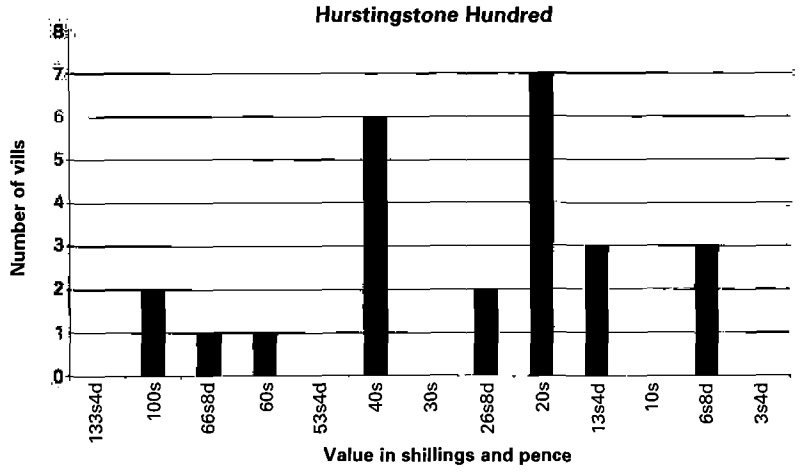


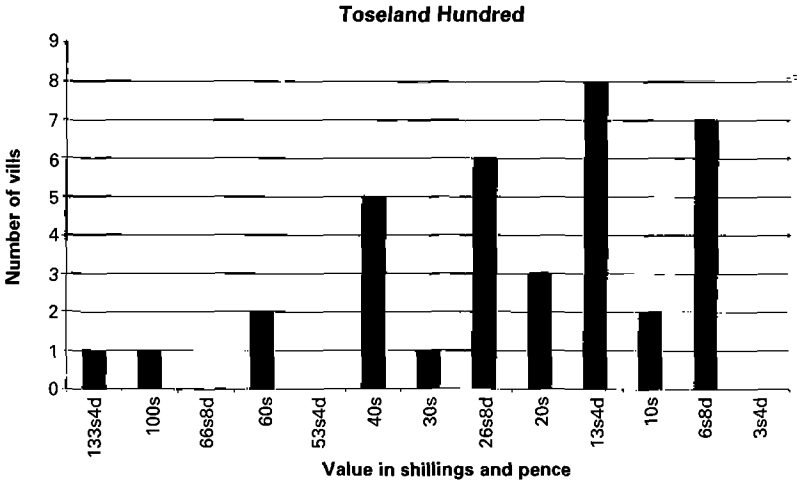


1286 Huntingdonshire Eyre

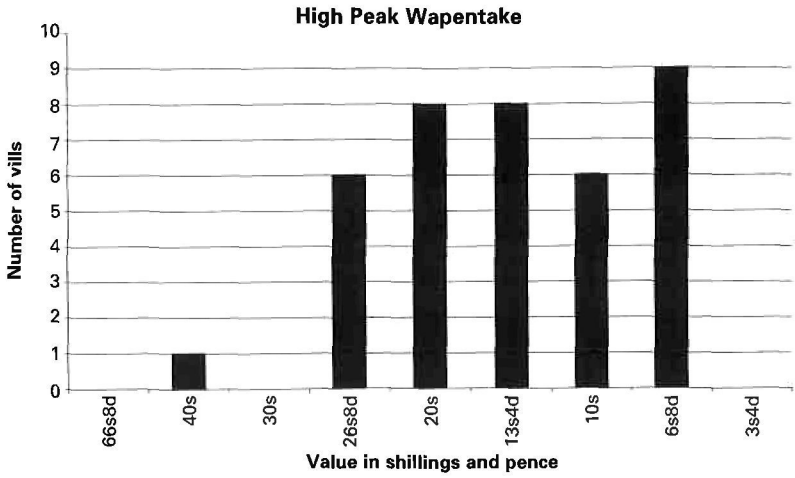


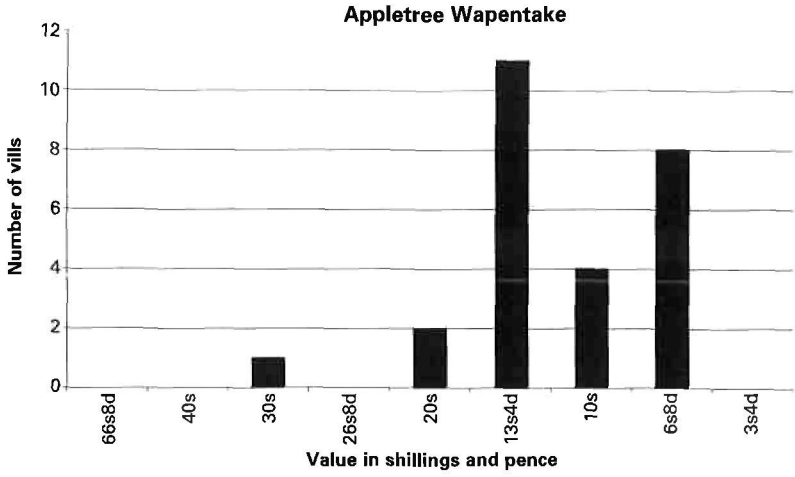

Normancross Hundred
Number of vills
0
1
2
3
4
5
6
7
8
9
133s4d
100s
66s8d
60s
53s4d
40s
30s
26s8d
20s
13s4d
10s
6s8d
3s4d
Value in shillings and pence

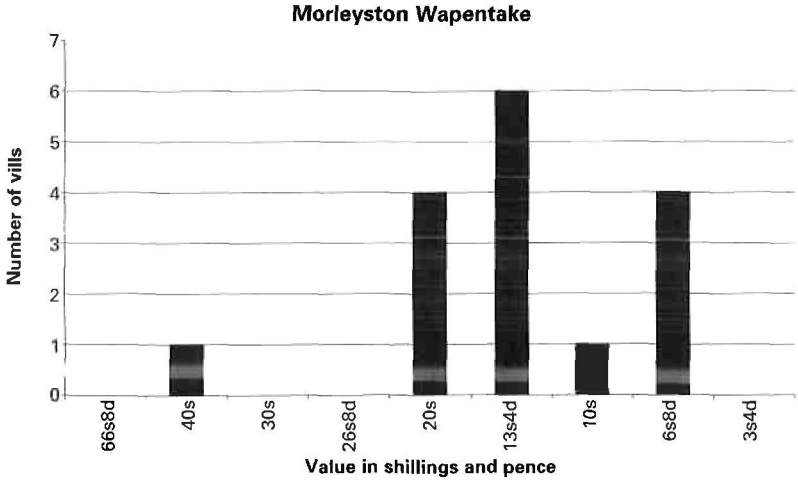

Hurstingstone Hundred
Number of vills
0
1
2
3
4
5
6
7
8
133s4d
100s
66s8d
60s
53s4d
40s
30s
26s8d
20s
13s4d
10s
6s8d
3s4d
Value in shillings and pence

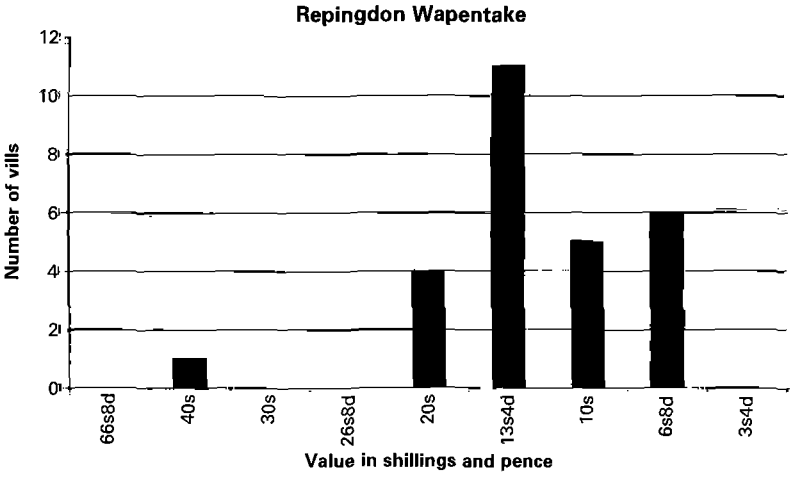

Toseland Hundred
Number of vills
0
1
2
3
4
5
6
7
8
9
133s4d
100s
66s8d
60s
53s4d
40s
30s
26s8d
20s
13s4d
10s
6s8d
3s4d
Value in shillings and pence

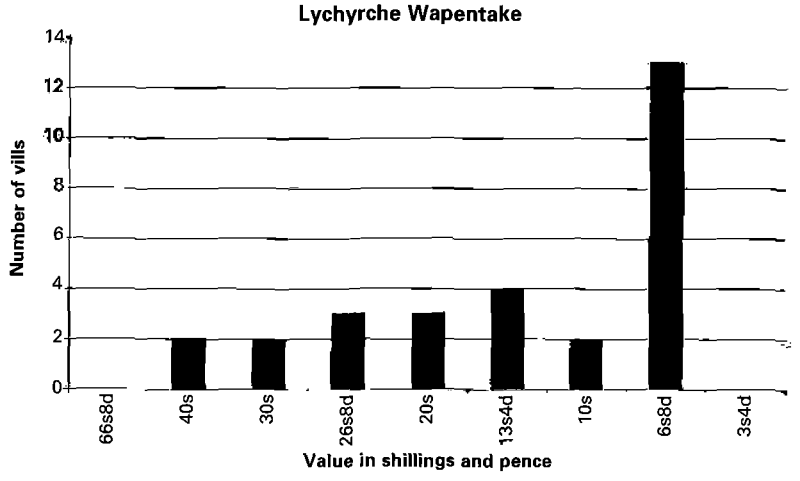
1281 Derbyshire Eyre

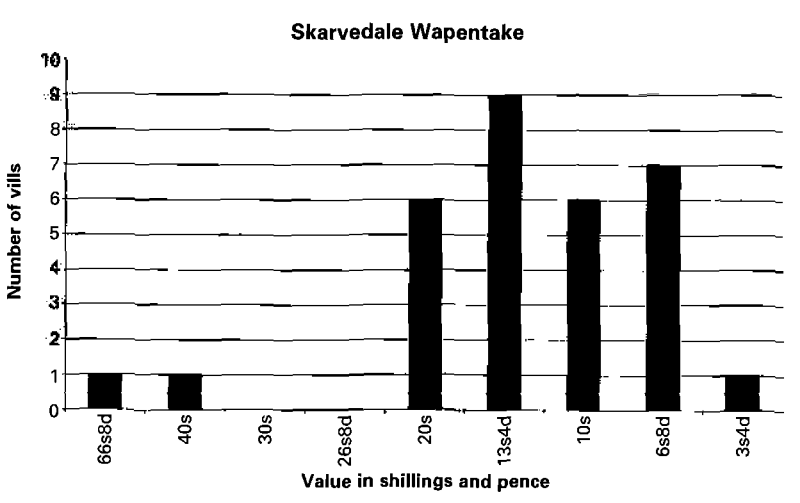


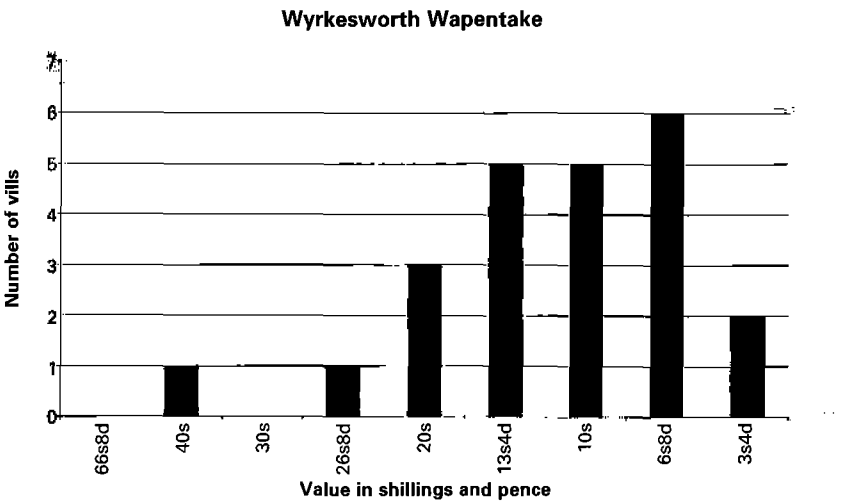





Repingdon Wapentake
Number of vills
0
2
4
6
8
10
12
66s8d
40s
30s
26s8d
20s
13s4d
10s
6s8d
3s4d
Value in shillings and pence


Lychyrche Wapentake
Number of vills
0
2
4
6
8
10
12
14
66s8d
40s
30s
26s8d
20s
13s4d
10s
6s8d
3s4d
Value in shillings and pence


Skarvedale Wapentake
Number of vills
0
1
2
3
4
5
6
7
8
9
10
66s8d
40s
30s
26s8d
20s
13s4d
10s
6s8d
3s4d
Value in shillings and pence



(B) Amercements: Crown Pleas

(Just 1/63 mm. 52–62d)

Entries relevant to the compiling of the bar charts on the previous pages are summarized here.

Vill of Brill for *murdrum* and other trespasses and the trespasses of the 12 jurors: 5 marks

Aylesbury Hundred:
From the hundred (except liberties): 100s.
Great Missenden did not attend inquest: 20s.; Little Missenden for same: 1 mark; Halton for same: 2 marks; Aston Clinton for same: 60s.; Buckland for same: 40s.; Great Hampden did not attend inquest: 20s.; Broughton with Hulcott did not attend inquest: [40s. *struck through*] 20s.; Weston with Little Broughton for same: 40s.; Stoke Mandeville for a false valuation: 40s.; Aylesbury for escape of Simon Namgar: 100s.; suburb of Wendover did not attend inquest: 10s.
From the jurors for concealment and other trespasses: 5 marks.

Vill of Aylesbury for escape of Robert Namgar: 100s.; for escape of John de Hambleden 100s.; from the vill of Hambleden for escape of the same John: 100s.
From the vill of Aylesbury for many trespasses of the 12 jurors: 5 marks.

Vill of Marlow for many trespasses and for the trespasses of the 12 jurors: 10 marks.

Ixhill Hundred:
From the same hundred for *murdrum* (except the liberties) 100s.
Dorton did not make suit 20s.; Chilton cum Easington (except the part of Grenville) for same: 30s.; Crendon did not attend inquest: 60s.; Ickford (except the part of the honour of Wallingford) for same: 1 mark; the same vill (the part of honour of Wallingford) for same: 20s.; Shabbington for same: 2 marks; Worminghall for false valuation [40s. *struck through*] 30s.; Kingsey for same: 1 mark; Towersey for same: 40s.; Aston Sandford for same: 2 marks; Aston with Ilmer for same: 40s.; Waldridge for same: ½ mark; Crendon for escape of Ralph son of Ralph of Pollicott: 100s; 'Essex' [Nash] did not attend inquest: 1 mark; Oakley with Edgrave for same: ½ mark.
From the 12 jurors except John de Grenevill' for trespass: 4 marks.

Stoke Hundred:
From the same hundred for *murdrum* (except the liberties) 100s.
Wexham and Eton with members did not attend inquest [60s. *struck through*] 5 marks; Stoke for same: 40s.; Iver for same: 40s.; Langley for same: 40s.; Horton for same: 40s.; Denham for same: 20s.; Upton did not attend inquest: 40s.; Fulmer with Datchet did not attend inquest: 40s.
From the 12 jurors for concealment and other trespasses: 6 marks.

Desborough Hundred:
From the same hundred for *murdrum* (except the liberties) 100s.
Little Marlow did not attend inquest: 40s.; Medmenham for same: 5 marks; the suburb of Wycombe for same: 5 marks; Wooburn for flight of John son of Humphrey: ½ mark; Hedsor for same: [2 marks *struck through*] 1 mark; West Wycombe for same: 100s.; Radnage (except the parts of the Master of the Military Temple in England and the abbess of Fontevrault) ½ mark; same for the part of the Temple: ½ mark; same for the part of the abbess: ½ mark; Turville with Ibstone for same: 20s.; Fawley for same: 40s.; Hambleden for same: 4 marks; Fingest for same: 2 marks; Saunderton did not attend inquest: 2 marks; Hughenden for same: 2 marks; Bradenham with Chicheley for same 20s.
From the 12 jurors for concealment and other trespasses [7 marks *struck through*] 100s.

Burnham Hundred:
From the same hundred for *murdrum* (except the liberties) 100s.
La Penne with Taplow did not attend inquest: 4 marks; Beaconsfield with Burnham for same: 100s.; Chalfont St Giles for same: 20s.; Chalfont St Peter for same: 40s.; Chesham for same: 5 marks; the suburb of Amersham did not attend inquest: 20s.; Farnham did not attend inquest: 6 marks; Cippenham for same: 40s.; 'Dorham' with Hitcham for false valuation: 20s.; the suitors [court at] of Burnham for false judgment: 100s.
From the 12 jurors for concealment and other trespasses: 5 marks.

Vill of Wycombe for escape of Hugh le Saghyere: 100s; for trespasses of drapers and vintners and for trespasses of the 12 jurors, except William le Draper: 10 marks.

Liberty of Berkhamsted from the 12 jurors for concealment and trespass: 20s.

From the whole county for a false statement and false judgment: £80, of which Moulsoe hundred £4 6s.4d., Seckloe hundred 100s., Bunsty hundred £4 10s., Rowley hundred 71s., Stotfold hundred £4 2s., Lamua hundred 77s., Mursley hundred 100s., Cottesloe hundred 107s., Yardley hundred 100s., Stoke hundred 115s., Burnham hundred 104s., Desborough hundred 105s., Ashendon hundred 74s., Waddesdon hundred 53s., Ixhill hundred 74s., Aylesbury hundred £4 3s.8d., Stone hundred 104s., Risborough hundred 74s.8d.

Stodfold Hundred:
From the whole hundred (except the liberties) for *murdrum*: 100s.
West Stratford for concealment: 20s.; Westbury for same: 4 marks; Shalstone for same: 40s.; Radclive for same [½ mark *struck through*] 1 mark; Morton did not attend inquest, and for flight of John le Saghiere: 1 mark; Lillingstone did not attend inquest: 1 mark; Great Leckhampstead for same: 40s.; Foscott for same: 1 mark; Akeley for same: 40s.; Stow Lamport did not attend inquest: 2 marks; Evershaw for false valuation: ½ mark; Dadford for same: 1 mark; Chackmore did not attend inquest: 30s.; Turweston did not attend inquest: 2 marks; Little Leckhampstead for false valuation: 2 marks.
From the 12 jurors for concealment and other trespasses: 6 marks.

Rowley Hundred:
From the same hundred for *murdrum* (except the liberties) 40s.
Hillesden (except the part of the liberty of Berkhamsted) did not attend inquest: 40s.; the same vill (the part of the liberty of Berkhamsted) for same: 20s.; Lenborough did not attend inquest: 20s.; Gawcott for same: 1 mark; Tingewick for same: 40s.; Barton for same: 2 marks; Bourton for same: 1 marks; Preston for same: 20s.; Chetwode for same: 2 marks; Bourton for escape of Stephen le Coverur: 100s.; Beachampton for false valuation: 1 mark: Caversfield for same: 20s.
From the 12 jurors 6 marks, whereof Robert [of Eton] and Miles [de Langetot] 3 marks.

Vill of Buckingham from the suitors of the court of Buckingham for a false judgment: 100s; for *murdrum* and other trespasses and the trespasses of the 12 jurors: 10 marks.

Bunsty Hundred continued [*a previous schedule must be missing*]:
Lathbury for false valuation: 40s.; Stoke Goldington for same: 2 marks; Tyringham with Filgrave for same: 100s.; Ravenstone did not attend

inquest: 40s.; Weston (except the part of the honour of Berkhamsted) for same: 2 marks; the same vill (the part of the honour of Berkhamsted) for same: 1 mark; Lavendon for false valuation: 100s.
From the 12 jurors for concealment and other trespasses: 40s.

Vill of Olney for *murdrum* and other trespasses and the trespasses of the 12 jurors: 10 marks.

Moulsoe Hundred:
From the same hundred for *murdrum* (except the liberties): 100s.
Wavendon (except the parts of the honours of Berkhamsted and Wallingford) did not attend inquest: 1 mark; the same vill (the part of the honour of Wallingford) for same: 20s.; the same vill (the part of the honour of Berkhamsted) for same: 1 mark; Milton Keynes for same: 2 marks; Bow Brickhill with its members for same: 100s.; Astwood for same: 1 mark; Hardmead with Great [North] Crawley for same: 2 marks; Crawley with Chicheley for same: 40s.; Emberton with Petsoe for false valuation: 40s.; Clifton with Newton for same: 4 marks; Sherington did not attend inquest: 40s.; Moulsoe with Broughton for same: 4 marks; Great Brickhill did not attend inquest: 4 marks; Little Brickhill for same: 2 marks.
From the 12 jurors for concealment and other trespasses: 100s.

Lamua Hundred:
From the same hundred for *murdrum* (except the liberties): 4 marks.
Padbury did not attend inquest: 40s.; Thornborough (except the parts of the hospital of St John Oxford and of St John of Jerusalem in England) for same: 20s.; from the same (the parts of the hospital of St John Oxford and of St John of Jerusalem in England) for same: 1 mark; Addington for same: 2 marks; Thornton for false valuation: 20s.; Adstock (except the part of Robert Bardolf) for same: 1 mark; Edgcott for false valuation, and did not attend inquest: [*torn away*]; Twyford with members for same [*torn away*].
From the 12 jurors for concealment and other trespasses: [40s. *struck through*] 6 marks.

Vill of Newport Pagnell for *murdrum* because it does not participate with the hundred, and for other trespasses and for trespasses of the 12 jurors: 10 marks.

Hundred of Seckloe:
From the same hundred for *murdrum* (except the liberties) 100s.
Stoke Hammond for false valuation of deodand: 40s.; Newton Longville for same: 1 mark; Eaton with Bletchley, Fenny Stratford did not attend inquest: 100s.; Wolverton for false valuation: 5 marks; Calverton for same: 4 marks; Bradwell (the part of William de Valence) for same: 20s.; the

same vill (the part of the honour of Wallingford) for same: 1 mark; Loughton (except the part of Berkhamsted) for same: 1 mark; the same vill (the part of Berkhamsted) for same: 1 mark; Simpson (except the part of Fontevrault) for false valuation: [5 marks *struck through*] 40s.; from same vill (the part of the same abbess) for same: 40s.; Shenley for false valuation: 20s.; Woughton (except the part of the honour of Berkhamsted) for same: 1 mark; from same vill (the part of the honour of Berkhamsted): 20s.; Great Woolstone did not attend inquest: 20s.; Little Woolstone for same: 1 mark; Willen with Caldecote did not attend inquest: 20s.; Tickford did not attend inquest: 20s.; Great Linford for same: 2 marks; Stanton for same: 10s.
From the 12 jurors for concealment and other trespasses: 7 marks, of which Thomas of Northwood 40s.

Mursley Hundred:
From the same hundred for *murdrum* (except the liberties) 6 marks.
Mursley with Salden (except the part of Berkhamsted) for false valuation: 40s.; from the same vill (the part of the honour of Berkhamsted) for same [2 marks *struck through*] 20s.; Drayton for same: 1 mark; Swanbourne (except the part of Berkhamsted) for same: 40s.; the same vill (the part of the honour of Berkhamsted) for same: 2 marks; Hoggeston for same: 40s.; Little Shenley did not attend inquest: 20s.; Tattenhoe for same: 2 marks; Whaddon with Essex [Nash] did not attend inquest: 40s.; Great Horwood with Singleborough did not attend inquest: 40s.; Little Horwood for same: 20s.; Winslow with Shipton did not attend inquest: 60s.; Dunton did not attend inquest: 20s.; Stewkley (except the part of the honour of Wallingford and Berkhamsted) for same: 1 mark; the same vill (the part of the honour of Wallingford) for same: 1 mark; the same vill (the part of the honour of Berkhamsted) for same: 1 mark [*this entry struck through*].
From the 12 jurors for concealment and other trespasses: 60s.

Risborough Hundred:
From the same hundred for *murdrum* (except the liberties) 20s.
Great Risborough [*i.e.* Earl's (Princes) Risborough] did not attend inquest: 4 marks; Little Risborough [Monks' Risborough?] for same: 2 marks; Bledlow with Mysel [Druells] did not attend inquest: 60s.
From the 12 jurors for concealment and other trespasses: 40s.

Cottesloe Hundred:
From the same hundred for *murdrum* (except the liberties): 4 marks.
Aston Abbots did not attend inquest: 20s.; Whitchurch with members for same: 40s.; Wedon (except the part of the honour of Wallingford) with Hardwick for same: 2 marks; the same vill (the part of the honour of Wallingford) for same: 20s.; Wingrave with Rowsham (except the parts of Wallingford and Berkhamsted) for same: 10s.; the same vill (the part of Wallingford) for same: 20s.; the same vill (the part of Berkhamsted) for

same: 20s.; Linslade with Southcott did not attend inquest: 20s.; Soulbury with members for the same: 60s.; Mentmore with Ledbourn for same [20s. *struck through*] 3 marks; Wing with members for same: 5 marks; Creslow with members (except the part of Wallingford) for same: 1 mark; the same vill (the part of Wallingford) for same: 1 mark; Helsthorpe with members did not attend inquest: 20s.; Cublington did not attend inquest: 2 marks; Grove Neyrnuit did not attend inquest: 1 mark; Mentmore for escape of William Selke: 100s.
From the 12 jurors for concealment and other trespasses: 2 marks.

Vill of Amersham for *murdrum* because it does not participate with the hundred, and . . . trespasses and for the trespasses of the 12 jurors: 100s.

Yardley Hundred:
From the same hundred for *murdrum* (except the liberties) [*left blank? ultra-violet light does not reveal anything*]
Over Pitstone did not make suit: 10s (?); Little 'Bekesfeld' for same: 1 mark; Cheddington (except the part of Berkhamsted) for same: 1 mark; the same vill (the part of Berkhamsted) for same: 20s.; Edlesborough with members did not attend inquest: 60s. Ivinghoe with members for same [100s. *struck through*]: 10 marks; Slapton with members for same: 40s.; Marsworth for same: 10s.; Hawridge did not attend inquest: ½ mark; Drayton Beauchamp (except the part of Berkhamsted) for false valuation: 1 mark; the same vill (the part of Berkhamsted) for same: 20s.; Cholesbury for same: 1 mark.
From the 12 jurors for concealment and other trespasses: 5 marks.

Vill of Wendover for many trespasses and for *murdrum* because it does not participate with the hundred and for the trespasses of the 12 jurors: £10.

Hundred of Waddesdon [*many of these vills are in fact in Ashendon Hundred*]:
From the same hundred for *murdrum* (except the liberties): 40s.
Wotton did not attend inquest: 1 mark: Ashendon for same: 2 marks: Ludgershall for same: 40s.; Tetchwick for same: 10s.; Grendon for same: 40s.; Lower Winchendon for false valuation: 20s.; Upper Winchendon for same: 2 marks; La Lee (except the part of the hospital of St John Jerusalem in England) for same: ½ mark; from same vill (the part of the said hospital) for same: ½ mark; Quainton for same: 40s.; La Lee and Doddershall for escape of John le Munz: 100s.; Chearsley (except the part of Wallingford) did not attend in-quest: 1 mark; from same vill (the part of Wallingford) for same: 20s.; Pollicott for false valuation: 20s.; Hogshaw did not attend inquest: 1 mark; Beachendon (?) for same: 40s.; Oving for same: 20s.
From the 12 jurors (except John de la Rokele) for concealment and other trespasses: 60s.

Stone Hundred:
From the same hundred for *murdrum* (except the liberties): 100s.
Great Kimble did not attend inquest: 40s.; Little Kimble for same: 20s.; Stone with members for same: 40s.; 'Hereweston' Little Hampden for same: 5 marks; Dinton for same: 5 marks; Upton (except the part of Wallingford) for same: 1 mark; from same vill (the part of Wallingford) for same: 1 mark; Haddenham with Cuddington for same: £10 [*this entry double-checked*]; Haddenham for escape of William le Lokiere: 100s.
From the 12 jurors for concealment and other trespasses: 6 marks (?).

Appendix V
The Hundred and Vill Jurors at the 1286 Buckinghamshire Eyre

The jury lists for the individual hundreds have been transcribed from JUST 1/63 mm. 35–35d, and checked against the lists in JUST 1/66 mm. 18–18d. For the vills coming independently to the eyre, the jury lists have been transcribed from JUST 1/66, as in JUST 1/63 they are not very legible and partly torn away. As far as possible the vills have then been checked against what can be read in JUST 1/63. Any important differences between the two rolls have been noted. Modern forms of first names have been used in the transcription; surnames have been modernized sparingly. The names are written on the rolls in three columns, with four names in each, preceded by the name of the hundred bailiff. Each name is followed by *jur[atus]*, sworn, omitted in this transcript for space reasons. In JUST 1/66 (but not always in JUST 1/63), the word *electores*, selectors, is written on the right, and a line drawn from this word to the two first names in the right-hand column. The names of the selectors have been placed here at the head of each list, followed by the names in the left-hand column, the middle column, and the remaining names in the right-hand column.

The information about the land held by the jurors is taken from *Feudal Aids*, I, pp. 73–90 and *Rotuli Hundredorum*, II, pp. 334–355, supplemented by information (in square brackets) from *VCH* and, if available, from inquisitions *post mortem*, etc. Men from Anne Polden's knightly families (see chapter 3) are in bold type. Starred names are men involved in cases at the 1286 eyre.

A. The hundred juries, with property held

Hundredum de Segelawe (Seckloe Hundred) Bailiff: John le Sauvage

Juror	*Land held in*	*Amount*	*From whom held*
Sir Robert Barry (sel.)*	Bradwell	¼ f.m.	earl of Cornwall
	Stanton		earl of Cornwall
	Gayhurst	1 virg.	Wm de Nowers (from Wm de Saye)
Thomas of Northwood[1] (sel.)	–	–	–
John de Luxhton' junior	Great Loughton	1 f.m.	Wm Breuse (from earl of Gloucs)
William de Luxhton'*	Little Loughton	1 f.m.	heir of John fitz Alan
Adam Bertram	–	–	–
Robert de Verdun*	–	–	–
Robert fitz Alan	Stoke Hammond	1 f.m.	heir of John fitz Alan
Hugh Sampson	–	–	–
Richard son of Hugh*	–	–	–
John Hastyngg'*	Lavendon (Bunsty)	½ f.m.	the king in chief
(if same man: no property in Seckloe hundred traced)	Petsoe and Emberton (Moulsoe)	½ f.m.	the king in chief
	Clifton (Moulsoe)	¼ f.m.	the king in chief
	Crendon (Ixhill) + others		manor the king in chief
Hugh Barry	Bradwell	¼ f.m.	Robert Barry
John de la More*	–	–	

[1] JUST 1/66 has + in front of Northwood's name, and *infirmus* (ill) written above.

Hundredum de Muleshoe (Moulsoe Hundred) Bailiff: the same

[The whole of the first entry for this hundred is marginated *vacat*, void: columns 1 and 2 list the Bunsty jurors in error. Then the heading is repeated, and the correct names listed.]

Juror	*Land held in*	*Amount*	*From whom held*
Robert Borard (sel.)*[1]	[Clifton]		
Thomas de Reynes (sel.)*	–		
Peter le Botyller*	Clifton	¼ f.m.	John de Hastings
Martin de Carum*[2]	Sherington		from the king in chief
Richard Gerveys	–		
Robert de Ekeny[1]	[Lathbury?]		
Henry de Luthegershal[3]	–		
Godfrey Lamberd[3]	–		
William Fordel[4]	–		
Hugh cum Barba	–		
Osbert Chyval'	–		
William of Olney	–		

[1] Robert Borard not traced, but Richard Borard held 1 f.m. in Clifton and Newton from Robert de Ros. Robert de Ekeny not traced, but Roger de Ekeney held ½ f.m. in Lathbury (Bunsty) from Beauchamp (C 133/46/7).

[2] See also C 133/46/7 (105 acres in Sherington).

[3] These two names have + in front of them in JUST 1/66.

[4] Originally written *Fordel* but changed to *Cordel* in JUST 1/66.

Hundredum de Bonestowe (Bunsty Hundred) Bailiff: the same John

Juror	*Land held in*	*Amount*	*From whom held*
(Sir) William de Nowers (sel.)*	Gayhurst	1 f.m.	William de Say
	Weston Underwood	½ f.m.	Clinton family
(Sir) Miles de Hastings (sel.)*	Stoke Goldington	½ f.m.	Honour of Peverel (heirs of Wake)
	Stoke Goldington	20 ac.	Miles of Hastings
Roger de Morewell		10½ ac.	John de Morewell
	Eakley, Stoke Goldington	½ f.m.	Mortimer
William de Mortimer*	Hanslope	9 ac.	Sir Robert de Tathall
Ralph of Tathall*	Hanslope	¼ f.m.	Earl of Warwick
Thomas le Chamberlain	Hanslope	⅛ f.m.	Earl of Warwick
Roger de Byrchmore		watermill	Sir Robert de Tathall
	Hanslope	¼ f.m.	Earl of Warwick
William le Low	Gayhurst	½ hide	William de Nowers
John de Luvente	Weston Underwood	½ virgate	Master, Hosp. of St John, Northampton
Stephen Tebaud	Lavendon	50 ac.	Baldwin Wake
John de Beauchamp*	Lavendon	5 ac.	Sir Reginald de Grey
[John de Abendon'][1]	Weston Underwood	1 ac.	John Peyvre
Adam de Fortho	Weston Underwood	40 ac.	the Queen (honour of Berkhamsted)

[1] In JUST 1/66 this name is written *Willelmus de Abendon'*, struck through, and *Adam de Fortho* written below.

Hundredum de Mwe (Lamua Hundred) Bailiff: William de Hotot

Juror	*Land held in*	*Amount*	*From whom held*
John Carbonel (sel.)[1]	Beachendon	1 f.m.	earl of Cornwall
	⅓ of Addington	1 f.m.	Richard fitz John
	North Marston (Waddesdon)	5 virgates	earl of Cornwall
Ralph Cok (sel.)*	Thornton	4 virgates	John de Tingewick (from the earl of Cornwall)
John son of Henry	–		
Walter Fraunkeleyn		½ virgate	Wm le Chapeleyn (from John (of Tingewick and Rose)
Richard Berner	–		
Henry le Conestable*[2]	[*of Addington*]		
Adam Kyng of Claydon	Claydon		
		½ hide + ½ virgate	Abbot of Osney
John Myle of Marsh	–		
John Beneyt of the same	–		
Henry de Hillindon (Heliden)	Thornborough	3 virgates	Master hosp. St John Oxford (from John fitz Alan)

Juror	*Land held in*	*Amount*	*From whom held*
John Basset	-		
William Husnede	Edgcott	1 virgate	bishop of Chester (of gift of William fitz John of Englefield)

[1] JUST 1/66 has *Galfridus Munk'* written on an obliteration here.
[2] Described as "of Addington" on 1269 jury list (JUST 1/59 m. 4); see also 76.

Hundredum de Rowell' (Rowley Hundred) Bailiff: the same William

Juror	*Land held in*	*Amount*	*From whom held*
Robert de Eton (sel.)*	Lenborough	worth 58s.8d. p.a.	abbot of Reading
Miles de Langetot (sel.)*	⅓ Lenborough	¼ f.m.	heirs of Englefeld (fr earl of Gloucs)
Ralph de Berevill'	-	-	-
John de Covele	½ Cowley	¼ f.m.	Wm Bisset (fr heirs of Seriton)
Mauger de Covele	-	-	-
Henry de Covele[1]	-	-	-
Henry de Barton'	Barton	1 f.m.	John Dive (fr Wm de Valence)
Robert Malet*	[Quainton?][4]	1½ f.m.	earl of Cornwall
Henry of Preston	-	-	-
Henry Page of the same	-	-	-
John of Lychehull[2]	-	-	-
Master Henry of Beachampton*[3]	-	-	-

[1] JUST 1/66 has *Henricus Russel de eadem.*
[2] JUST 1/66 has *Litlehull.*
[3] Master Henry of Beachampton not found as a landholder, but John de Beachampton holds ½ Beachampton as 1 f.m. from the earl of Oxford (who holds from William de Valence, who holds from the earl marshal).
[4] Robert Malet of Quainton was a distinguished judge – perhaps this is not the same man.

*Hundredum de Stotfold (Stodfold Hundred)** Bailiff: the same William

Juror	*Land held in*	*Amount*	*From whom held*
William Doyte (sel.)	-	-	
Hugh de C(h)astelun (sel.)	Gt Leckhampstead	1 f.m. (18 hides)	William de Say
William le Vavasur*[1]	[Gt Leckhampstead]	-	-
John le Bretoun		-	-
William Sporoun[2]	Gt Leckhampstead	½ virgate	Adam le Var
	Gt Leckhampstead	½ virgate	prior of Luffield
Ralph of Lamport*	Lamport	½ f.m.	John fitz Alan
	Dadford	1 virg 2 ac.	abbot of Biddlesden
William of St(r)atford	Water Stratford	¼ f.m. (8 hides)	Hugh de Plessetis
Roger of Stratford	Water Stratford	½ hide	William of Stratford

Juror	*Land held in*	*Amount*	*From whom held*
Thomas Rykeward	–	–	–
John Page	Turweston	1 virgate	abbot of Biddlesden
Ralph Ruge	–	–	–

* Only eleven names are given for this hundred.
[1] William le Vavasur not identified, but Adam le Vavassour holds 4 hides in Great Leckhampstead and Isabel le Vavassour holds ½ virgate there from Hugh de Chastelun.
[2] William Sporoun is called *Magister*, master, in *RH*.

Hundredum de Essendon (Ashendon Hundred) Bailiff: Alexander de Wotesdon (of Waddesdon)

Juror	*Land held in*	*Amount*	*From whom held*
Robert le Lord of Oving (sel.)*	Oving	1 f.m.	Ralph de Somery
Thomas de Achecote (of Edgcott) (sel.)*[1]	Edgcott (Lamua)	1 virg.	Bishop of Chester (gift of earl of Gloucs)
Walter Golye*	Ashendon [*VCH* IV 4]		
Walter de sancto Andrea*	Ashendon	1 f.m.	Reginald de Argentein from Wm de Valence
	Ashendon (with others)	2 hides	Richard de Arches from earl of Cornwall
Peter de Rupell' (Rokele)*	Wotton Underwood (with others incl. John de la Rokele)[1]	1 f.m.	Millicent de Monte Alto (fr earl Gloucs)
John de Grenevyle[2]	[Wotton Underwood?]		
John son of William de Grendon	–		
William le Rus of Quainton	–		
John de Brukton (Broughton)	Ludgershall?[3]		
Henry de Hardwick	–		
David de la More	–		
Richard de sancto Andrea*	–		

[1] Thomas de Achecote struck through in JUST 1/66 and John de la Rokele substituted.
[2] John de Grenevyle not traced (unless he is the same man as the juror for Ixhill), but Eustace de Grenevyle held 1 f.m. in Wotton Underwood from William de Valence.
3 A man of this name of Ludgershall was juror for Ashendon Hundred in 1254–5 (RH).

Hundredum de Ikeshull (Ixhill Hundred) Bailiff: the same Alexander

Juror	*Land held in*	*Amount*	*From whom held*
Gilbert de Bolbek (sel) *	Kingsey	1 f.m.	the king in chief
John de Grenhull'? (sel.)[1]	Chilton	½ f.m.	Alianora de Lucy from Wm de Valence
William de sancto Oweyn	Worminghall (+ Robt de Leyton)	1 f.m.	Thos de Dounton (fr earl of Gloucester)
Richard de Turs*	–		

Juror	*Land held in*	*Amount*	*From whom held*
Nicholas de Lucy*	–		related to Alianora?
Walter Parage	–		
Ralph son of Nicholas*	–		
Ralph Sewyn	–		
William Pycok'	–		
Robert de Wyteneye	–		
John le Brun*	–		
Richard of Upton[2]	–		related to Walter, Stone 100?

[1] JUST 1/66 has Grenvill'.
[2] JUST 1/66 has another name added below this, then obliterated.

Hundredum de Wottesdon (Waddesdon Hundred) Bailiff: the same Alexander

Juror	*Land held in*	*Amount*	*From whom held*
Robert Arches (sel.)[1]	[Edrope?]		
Robert de Vernay (sel.)[2]	Fleet Marston (+ Jn Neyrnuit)	1 f.m.	earl of Cornwall
Roger de Aula[3]	–		
Adam de Coudray[4]	–		
John de Montibus	–		
Stephen de Aqua[5]	[Ickford?]		
Stephen de Warmstone[6]	[Long Crendon?]		
John le Fraunkeleyn	–		
Richard Tayl' of Blackgrove	–		
Andrew de Tonerio[7]	–		
Nicholas of Warmstone	–		
Alexander Styward	–		

[1] Robert Arches not traced, but Richard Arches holds 3 f.m. in Edrope from the earl of Cornwall, and 12 hides in Ashendon hundred from the same.
[2] Name annotated *infirmus* "ill" in JUST 1/66.
[3] Roger altered from Robert. JUST 1/66 has Richard.
[4] Adam de Coudray not traced, but Peter de Coudray holds land in various hundreds including Ashendon from William de Valence.
[5] Stephen de Aqua not traced, but Thomas de Aqua holds ½ f.m. in Ickford (Ixhill hundred) from the heir of Thomas de Apilford (who holds from the earl of Cornwall).
[6] Stephen de Warmstone not traced, but John Warmstone holds land in Long Crendon (Ixhill hundred, *VCH*, IV, p.41).
[7] JUST 1/66 has *Totemo*.

Hundredum de Aylesbyry (Aylesbury Hundred) Bailiff: Roger de Wesebyry

Juror	*Land held in*	*Amount*	*From whom held*
Geoffrey Anketyl' (sel.)	–		
Thomas de Missenden	–		
William Eustach'	–		
Geoffrey Taylefer	Kingshill[1]		
William de Hamedon'[2]	–		
Hugh le Seriant*	–		

Juror	*Land held in*	*Amount*	*From whom held*
Robert de Boroule*	–		
Walter Byllyng'	–		
Robert de Tryndel	–		
Alan Neel	Ellesborough[3]		
Hugh son of Robert de Weston'	–		
Robert le Bret	–		

[1] Inquisition *ad quod damnum* of 1293, C 143/20/23.
[2] Not traced, but probably related to the Hampden family of Great Hampden (Stone hundred).
[3] Inquisition *post mortem* (extent) of 1290, C 133/57/8.

Hundredum de Stanes (Stone Hundred) Bailiff: the same

Juror	*Land held in*	*Amount*	*From whom held*
Walter of Upton (sel.)*	Great Kimble	1 f.m.	earl of Oxford (from earl of Gloucester)
Roger of Stone[1] (sel.)	–		
Robert de Seynt Cler*	Southcote	½ f.m.	heir of John de St Cler (from Wm de Munchensy)
Thomas de Eyvill'*	–		
John son of Walter de Haddenham	–		
Richard le Beel	–		
William de la Merch*	–		
Robert of the same[2]	–		
Hugh le Jovene*	–		
Ralph le Clerk	–		
John de Bray	–		
Richard Ascelin	–		

[1] JUST 1/66 has Roger de Bray of Stone.
[2] JUST 1/66 has Robert de Merche.

Hundredum de Rysbergh' (Risborough Hundred) Bailiff: the same Roger

Juror	*Land held in*	*Amount*	*From whom held*
Henry de Owlswick (sel.)	Owlswick	½ f.m.	Archbishop of Canterbury
Robert de Grasceleye (sel.)*	–		
Hugh de Colverdon'*	Princes Risboro'[1]		
John de la Forde	–		
Hugh Lambert	–		
Hugh le Peet	–		
Andrew de la Lych'	–		
William de Farendon'	–		
Henry Henghe	–		
Henry le Mazon junior	–		
Richard Ovyet	–		
William de Lozelee*	–		

[1] *VCH*, II, p. 264.

Hundredum de Catteslagh (Cottesloe Hundred) Bailiff: (Thomas[1]) Mymekan

Juror	*Land held in*	*Amount*	*From whom held*
Nicholas Ambroys (sel.)	–		
John Michel (sel.)	–		
Luke de Cublington	–		
John Rauf	–		
Warin de Bragenham*	–		
Simon Rychard of Hillingdon	–		
Ralph de Ledburn*	–		
Walter son of Hugh de Wingrave	–		
John de Horsenden*	–		
Alexander de Creslow	–		
William Somenur	–		
William de Lyngure*	Wingrave	½ f.m.	Ralph de Weedon (from the earl of Cornwall)
	Burston	1/9 f.m.	Robert de Mortimer (fr Baldwin Wake, fee of Mortein)

Hundredum de Mursel' (Mursley Hundred) Bailiff: the same Thomas

Juror	*Land held in*	*Amount*	*From whom held*
John atte More (sel.)*	–		
Ralph le Poer (sel.)*	–		
Thomas de Walda	–		
Walter Russell	–		
(Sir) Hugh de Gerunde	Dunton	4 hides = 1 f.m.	king in chief
William de Garkenvill'*	Tattenhoe hamlet	40s. worth p.a.	heir of Paul Peyvre
Roger Clericus	Shenley (+ his tenants)	1½ virgates	Richard de la Vache (from earl of Arundel)
John Attenhetthe[1]	Little Horwood	1 virgate	abbot of St Albans
Robert Gyffard*	–		
Ralph le Sage	Salden	1 virg, 1½ ac.	Robert fitz Nigel (from earl of Cornwall)
William Neuman	Great Horwood	1 virgate	Richard fitz John (from earl of Gloucester)
William Roberd	Shipton	1 virgate	abbot of St Albans

[1] JUST 1/66 has atten Esche. Is this Fraxino?

Hundredum de Erle (Yardley Hundred) Bailiff: the same

Juror	*Land held in*	*Amount*	*From whom held*
Richard de Beauchamp	Edlesborough	¼ f.m.	the king in chief
(sel.)*	Lathbury (Bunsty)	½ f.m.	Roger l'Estraunge
Nicholas fitz Hugh (sel.)*	–		
William Blok'	–		
Thomas Ingold[1]	–		
Richard de Seybrok'	–		

Juror	*Land held in*	*Amount*	*From whom held*
Ralph son of Stephen of Aston	–		
John son of Walter of Byllingdon	–		
Geoffrey de Erlee (Yardley)	–		
Henry Attehyrne	of Marsworth (287)		
William atte Halle	of Drayton (287)		
William de Beauchamp*	Drayton	½ f.m.	heir of John fitz Alan
	Beauchamp		
	Helsthorpe (Cottesloe)	⅓ f.m.	John fitz Alan
John atte Nasche [Fraxino]	Whaddon (+ Roger Wygge)	1 hide	abbot of Woburn (fr earl of Oxford)

[1] JUST 1/66 has Robert Ingold.

Hundredum de Stok' (Stoke Hundred) Bailiff: Walter de Boyvill'

Juror	*Land held in*	*Amount*	*From whom held*
John de la Lee (sel.)	–		
Robert Bacheler (sel.)	–		
John de la Forde	–		
Geoffrey Forestarius	–		
Hugh ad Portam	–		
William Adam*	[of Hambleden]		
Henry Salve	–		
Richard Randolf	–		
Henry de la Penne[1]	–		
Hugh Bataille*	[of Stoke by Windsor]		
Hugh son of Hugh of Ditton	–		
John atte Mulne[2]*?	–		

[1] JUST 1/66 has John de la Penne.
[2] In JUST 1/66 this name is struck through and William de Polehames substituted.

Hundredum de Dustebergh (Desborough Hundred) Bailiff: Henry Plaunzoun'

Juror	*Land held in*	*Amount*	*From whom held*
Roger de la Lude (sel.)	–		
John Clericus of Marlow (sel.)	–		
William de la Feld	–		
William de Harleford	[Wycombe?]		
William de Medmenham			
William Adam of Hambleden*	–		
Thomas Poyngnaunt	–		
Reginald atte Frythe	–		
Robert of Kimble	–		
Elias de Wheatfield*	–		
Robert Boutonsaill'	–		
Adam de la Penne*			

[1] In JUST 1/66 this name is struck through and annotated *obiit*, he has died.

Hundredum de Burnham (Burnham Hundred) Bailiff: the same Henry

Juror	*Land held in*	*Amount*	*From whom held*
Reginald de Beauchamp (sel.)*	[Hitcham, *VCH* III 232]		
Adam Galyan (sel.)	–		
John del Brok*	[Chesham etc.?]		
John de Bollendon'	–		
William de la Bergh	–		
John Spaynell'	–		
William Goyz*	–		
Walter le Plomer	–		
Henry de Boterfeld[1]	–		
Robert de Cantelee*	[Wycombe?]		
John de Alderygge	–		
Robert le Clerk of Burnham	–		

[1] Henry de Boterfeld written above Walter le Plomer in JUST 1/66.

B. The jury of the liberty of Berkhamsted

Juror	*Land held in*	*Amount*	*From whom held*
Maurice de Pitstone (sel.)	Pitstone (Yardley)	¼ f.m.	earl of Cornwall
William de Blakevill'			
Simon le Rede			
Walter son of Alan of Salden			
Nicholas Iveynce[1]			
Gilbert Atteherst			
Philip son of Payn			
Richard Brunyan			
Ralph Thurbern			
Hugh of Wavendon			
John le Neuman			
Hugh le Bray	Woughton & Weston	1 f.m.	Queen + others

[1] JUST 1/63 has *Owynce*.

C. The vill juries

Except for Great Marlow, these are transcribed in three columns, *exactly as they are written in the rolls*. No vill jurors have land or property which appears in the Feudal Aids lists or inquisitions, though some jurors may be related to men whose property does so appear. These are indicated below. The information for Great Marlow is to be found in *RH* II pp. 353–5.

Vill' de Merlawe (Great Marlow, Desborough hundred) Bailiff: Robert de Cornvill'

William Pynel' (sel.)	-
William Cryps (sel.)	holds a *mansum* from heirs of Ralph Textor (Weaver) for ½d. p.a.; John le Mose holds a *mansum* from Cryps, paying 12d. p.a.
Robert de Cornvill'	
Robert de Wodemancote	not traced, but Walter de Wodemancote rents out ½ ac. of land to Jordan de Canvile for 12d. p.a., a *mansum* to Walter *Pistor* (Baker) for 12d. p.a., and another to Alice Cupere for 22d. p.a.
John de Watlington	not traced, but Gunnilda de Watlington rents out 8 *mansa*, receiving 12s. in all; tenants include Ralph *Tinctor* (Dyer), William le Flesmongere, and two men surnamed *Piscator* (Fisher). William de Watlington pays 12d. p.a. for *placeam terre*, a piece of land.
William clericus	–
Adam P[r]ynchard	not traced, but Ernald Princhard holds a *mansum* for 12d. p.a. from William de la Cornere, and Albreda Princhard holds a *mansum* from John de Chissebech for 8d. p.a.
Richard de Molyns	holds a burgage plot from the countess of Gloucester, paying 2s. p.a.
William Wytecol'	rents out a curtilage to William Wynkelin for 12d. p.a., and a *mansum* to Robert Kamon for 12d. p.a., and another for 14d. p.a. to Alex "*Fomcarius*" (*Fornicarius*? – presumably an unlisted form of *Fornacarius*, Baker, rather than "Fornicator".
Robert de Cheddington	-
William de Herleford	rents out a *mansum* to Gilbert *Sutor* (Stitcher, cobbler) for 5s. p.a. and another to Reginald Sutor for the same amount.
William Freser	–

Vill' de Olneye (Olney, Bunsty hundred) Bailiff: Robert filius Simonis

William Oweyn[1]	Richard son of Stephen	Walter[2] son of Augustine (sel.)
Roger de Stoke	Hugh of Hanslope	Richard Oveyn (sel.)
Richard le Blund	Walter de Temeford	Hamo de Hykham
Nicholas Baret	Robert le Welye	Robert Aleyn

[1] JUST 1 has *Okeyn*.
[2] JUST 2 has Richard. Walter was bailiff of Olney in 1272, but does not appear in *RH* II pp. 343–49, which omits Olney.

Vill' de Neuport (Newport Pagnell, Seckloe hundred) Bailiff: Richard le Clerk

Walter le Pollere	Richard de Middilton*	**William of Emberton** (sel.)
Jacobus le Chapman	Walter Russel	Laurence Cuspyn (sel.)
John de Stanham*[1]	Richard Terry	Geoffrey Cowe
William Biscop	Walter Celer	John Walrond*

1. Name struck through, and William Dykun substituted. JUST 1/63 just has *Willelmus Dykun.*

Vill' de Bukingham (Buckingham, Rowley hundred) Bailiff: Robert of Morton

Warin Ketchel	Robert le Clerk'*	Henry Payn (sel.)
Stephen Lacy*	Roger de Solers	William Page (sel.)*
John Marie	John Warin*	William Esquiret*[2]
John de Barton[1]	Ernald son of Ernald*	John le Brad

1. A Henry de Barton held Barton as 1 f.m. from John Dive, and was juror of Rowley hundred in 1286. Geoffrey and Simon de Barton were jurors of Rowley hundred in 1271.
2. Elias Squiert of Bourton (Rowley hundred) was juror for Rowley hundred in 1254, 1262, 1269; John Scuret of Bourton, junior, was juror for Rowley hundred in 1269.

Vill' de Wycumb' (Wycombe, Desborough hundred) Bailiff: Walter le Teynture

William Aurifaber	Andrew de Hurteshole	Roger le Cordewaner (sel.)*
Roger Cutred	Roger de Shenholt	John de Brhitwell (sel.)
Nicholas of Cemua[1]	Geoffrey le Clerk	Richard de Sandw[elle]
Richard le Casier	Roger de Guton'	Robert Poer

1. This name is struck through and *[M]ath' le Folur* scrawled above.

Vill' de Wendovere (Wendover, Aylesbury hundred) Bailiff: Reginald de Molend[ino]

Robert atte donne	John Cupping	Reginald de Molendino (sel.)*
John Adam	Roger de Burle	Walter de Putenham (sel.)
Reginald Bakenard	Hugh de Smalendon'	Richard of Berkhamsted
Henry of Hampden[1]	Hugh West	Hugh le Scrynton[2]

1. JUST 1/63 has *Campeden'*
2. JUST 1/63 has *Skyvereyn* (or *Skynereyn*).

Vill' de Amondesham (Amersham, Burnham hundred) Bailiff: Gervase le Bedel

Ralph de Grava	Richard Moryng*	Thomas Wate (sel.)
Robert le Warner*	Richard de Stock'	Walter Carpenter (sel.)*
William de Grava	Simon Mauntell'	Henry *Pistor* (Baker)
John Toly*	Ralph le Carpenter	Geoffrey *Faber* (Smith)*

Vill' de Aylesbury (Aylesbury, Aylesbury hundred) Bailiff: William Aungevyn

Richard del Hale	Ralph de Hardwick	Elyas Draparius (sel.)
Richard de Pakenden[1]	Ralph[2] de Caldecote	William de Hyda (sel.)
Robert de la Barre	William Balky	Reginald Hendyman
William Wolvy*	William Wylly	Nicholas Hautepe

1. JUST 1/63 has *Pakenham.*
2. JUST 1/63 has Richard.

Vill' de Brehull (Brill, Ixhill hundred) Bailiff: Nicholas Travers

John Ferebraz*	Thomas Brun'	Nigel de Boys (sel.)*
John de Brill	Robert le Waleys[2]	Nigel Travers (sel.)
Henry Belet	Peter de la Penne	Richard Pollard
Hugh son of Nicholas[1]	John Segrym	William North

1. A John son of Nicholas held 1 f.m. in Oakley and 1 f.m. in Addingrove, both in Ixhill hundred, but in his IPM in 1289 his heir is shown as another John. John senior had a capital messuage and lands in Boarstall (Ixhill) and was bailiff of Bernwood Forest (C 133/53/9).
2. A John de Waleys had 6 acres in Kingsey (Ixhill), q.v. above.

D. Analysis of the Hundred Jurors at the 1286 Buckinghamshire Eyre (215 men)

Grouping	*Hundred*	*Experienced jurors*	*Jurors from experienced families*	*New men*	*Polden's knightly families*	*Jurors involved in a case at the eyre*	*Jurors involved as a surety at the eyre*
Ashendon	Ashendon	6	6	–	4	6	1
	Ixhill	5	4	3	4	3	1
	Waddesdon	3	5	4	1	–	–
Aylesbury	Aylesbury	8	1	3	–	3	–
	Risborough	4	4	4	–	2	–
	Stone	4	4	4	1	1	4
Buckingham	Lamua	5	4	3	–	1	–
	Rowley	7	4	1	7*	3	1
	Stodfold**	3	4	4	2	2	1
Chiltern	Burnham	3	2	7	1	–	3
	Desborough	6	2	4	–	2	1
	Stoke	2	3	7	1	2	–
Cottesloe	Cottesloe	5	2	5	–	2	2
	Mursley	7	1	4	1	5	–
	Yardley	6	3	3	2	2	1
Newport	Bunsty	4	7	1	3	3	2
	Moulsoe	4	7	1	2	1	3
	Seckloe	4	6	2	2	5	1
Totals		86 + 40%	69 = 32.1%	60 = 27.9%	31 = 14.4%	43 = 20%	19 = 8.8%

* Three of these men were from one family (Covele = Cowley).

** Only eleven jurors named.

E. Analysis of the Vill Jurors at the 1286 Buckinghamshire Eyre (108 men)

Vill	*Hundred*	*Experienced jurors*	*Jurors from experienced families*	*New men*	*Polden's knightly families*	*Jurors involved in a case at the eyre*	*Jurors involved as a surety at the eyre*
Amersham	Burnham	2	5	5	–	1	4*
Aylesbury	Aylesbury	4	2	6	–	1	–
Brill	Ixhill	3	4	5	–	1	1
Buckingham	Rowley	8	2	2	–	6	–
Great Marlow	Desborough	3	–	9	–	–	–
Newport Pagnell	Seckloe	1	2	9	1	–	1
Olney	Bunsty	3	2	7	–	–	–
Wendover	Aylesbury	4	1	7	1**	–	1
High Wycombe	Desborough	1	1	10	–	1	–
Totals		29 = 26.9%	19 = 17.6%	60 = 55.6%	2 = 1.9%	10 = 9.3%	7 = 6.5%
Also listed: 12 men of Liberty of Berkhamsted (the earl of Cornwall)		3	1	8	2	1	–

* All four men are sureties in the same case.

** Reading *Hampeden* rather than *Campeden.*

Appendix VI
Plaints from Northern and Southern Circuits Compared

'Admin. entries' deal with appointments of attorneys, fines to have a case heard, etc. 'Later stages of a case' means that the entry is a note of an agreement, a failure to attend, etc.

The Huntingdonshire eyre of 1286, although in print [DeWindt and DeWindt, *Royal Justice*], did not have a separate membrane for plaints on any of the surviving rolls and so is not included here.

Table A: Plaints recorded on the Northern Circuit during the 1280s

Northern Circuit	*DBY 1281*	*NTT 1281*	*LINCS* 1281–4*	*LEI 1285*	*WAR 1285*	*NHT 1285*	*BKM 1286*	*CAM 1286*
Total entries	6	5	57	50	15	71	19	16
One or both parties is/are								
merchants	–	1	12	4	5	10	–	1
clergy	–	–	6	5	–	2	5	2
royal officials	1	1	1	–	–	3	–	–
seigneurial officials	–	–	1	–	–	1	4	–
Admin. entry	–	–	5	2	–	10	1	–
Later stages of a case	–	–	4	2	–	–	–	–
Void, unfinished	–	–	2	2	–	1	–	–
In mercy for not producing mainpernee	–	–	–	–	–	–	–	–
Acknowledges money owed	3	–	14	22	14	38	9	13
goods owed	–	–	–	1	–	–	–	–
both owed	–	–	–	–	–	1	–	–
Failure to pay debt	1	–	4	5	–	2	–	–
Failure to deliver goods	–	1	2	1	–	1	–	–
Trading practices	–	–	–	–	–	–	–	–
Detinue of stock	2	–	3	2	–	–	3	–
crops	–	–	–	–	–	–	–	–
goods						3	1	
charter	–	–	–	2	–	–	–	1
money	–	–	2	1	–	11	3	–
various	–	–	–	1	–	–	–	–

Northern Circuit	*DBY 1281*	*NTT 1281*	*LINCS* 1281–4*	*LEI 1285*	*WAR 1285*	*NHT 1285*	*BKM 1286*	*CAM 1286*
Arrest, imprisonment	–	1	–	1	–	–	–	–
Breaking and entering	–	–	–	1	–	–	–	–
+ taking, destroying	–	–	3	–	1	2	1	1
Taking chattels	–	1	3	2	–	–	–	–
GBH	–	–	7	–	–	1	1	–
GBH + taking, destroying	–	–	1	1	–	–	–	–
Destroying property	–	–	–	–	–	–	–	–
Taking heir	–	1	–	–	–	–	–	–
Nuisance	–	1	6	3	–	1	–	–
Other	–	1	6	3	–	1	–	–

* mm. 46–47d only (of mm. 46–51d).

Table B: Plaints recorded on the Southern Circuit 1279–87

Southern Circuit	*HRT 1279*	*SOM 1280*	*HANTS 1280–1*	*OXF 1285*	*ESSEX* 1285*	*SFK 1287*
Total entries	8	59	103	4	19	40
One or both parties is/are:						
merchants	–	–	1	–	–	–
clergy	2	5	8	2	1	2
royal officials	1	2	2	–	4	–
seigneurial officials	1	2	6	–	–	1
Admin. entry	–	5	6	–	4	–
Later stages of a case	2	3	51	–	3	5
Void, unfinished	–	1	4	–	–	1
In mercy for not producing mainpernee	–	26	4	–	1	20
Acknowledges money owed	–	3	2	–	–	–
goods owed	–	–	–	–	–	–
both owed	–	–	–	–	–	–
Failure to pay debt	–	–	5	3	–	–
Failure to deliver goods	–	–	–	–	–	–
Trading practices	–	–	–	1	–	–
Detinue of stock	4	6	4	–	–	2
crops	–	–	1	–	–	1
goods	–	–	3	–	–	–
charter	–	–	–	–	–	–
money	–	–	5	–	–	–
various	–	–	–	–	1	–
Arrest, imprisonment	–	2	5	–	5	–
Breaking and entering	–	–	–	–	–	–
+ taking, destroying	–	3	3	–	1	3
Taking chattels	–	4	1	–	–	–
GBH	1	1	4	–	–	3
GBH + taking, destroying	–	–	–	–	–	–

Southern Circuit	*HRT 1279*	*SOM 1280*	*HANTS 1280–1*	*OXF 1285*	*ESSEX* 1285*	*SFK 1287*
Destroying property	–	1	–	–	–	–
Taking heir	–	–	1	–	–	1
Nuisance	–	–	–	–	–	–
Other	1	4	4	–	4	4

* mm. 67–67d only (of mm. 67–68d).

Table C: Comparative percentages of main types of entry*

Northern Circuit	*Lincs 1281–4*	*Leics 1285*	*Warw 1285*	*Nthants 1285*	*Bucks 1286*	*Cambs 1286*
Total entries	57	50	15	71	19	16
Admin, later stages, etc.	19.3%	12.0%	–	15.5%	5.3%	–
Debt, trade, etc.	35.1%	58.0%	93.3%	59.2%	47.4%	87.5%
Detinue	8.8%	12.0%		19.7%	36.8%	6.25%
GBH, taking, destroying, etc.	26.3%	12.0%	6.7%	4.2%	10.5%	6.25%
Other	10.5%	6.0%	..	1.4%	–	–

Southern Circuit	*Somerset 1280*	*Hants 1280–1*	*Essex 1285*	*Suffolk 1287*
Total entries	59	103	19	40
Admin, later stages, etc.	59.3%	63.1%	42.1%	65.0%
Debt, trade, etc.	5.1%	6.8%		–
Detinue	10.2%	12.6%	5.3%	7.5%
GBH, taking, destroying, etc.	18.6%	13.6%	31.6%	17.5%
Other	6.8%	3.9%	21.0%	10.0%

* Only counties with 10 or more plaints entered on the separate plaints roll have been included in these figures.

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