

INQUISITIONES POST MORTEM.

INQUISITIONES POST MORTEM.

(Continued from Vol. V. p. 304.)

XLVIII.

[Esc. No. 5, 55 Hen. III., 1271.]

Writ "de etate probanda" to Stephen de Penecestre, Constable of Dover, to inquire whether RALPH FITZ BERNARD, son of JOHN FITZ BERNARD, deceased, was of age or not at the date of the escape of four robbers from the prison of KINGESDON, and by consequence whether he or the executors of Imbert Pugeys, deceased, who had custody of his lands during his minority, were liable to the King for the "redemption" or fine for their escape.¹⁹¹ Tested at Westminster, August 28, 55 Hen. III.

Inquisition made before Sir Stephen de Penecester, Constable of Dover, and Justice by appointment, by oath of—

Hugh le Franceys, — John de Chimbeham, — Alan de la Laese, — Thomas de Peavincompe, — Godfrey le Cornmongere, — William de Hodesole, — Michael de Hodesole, — Philip le Heg, — Clement Atte Wode, — Michael de Sevebeche, — Gilbert son of John, — John and Ralph de Dombre.

Who say on their oath that after the death of JOHN FITZ BERNARD, who held of our Lord the King *in capite*, RALPH FITZ BERNARD, son and heir of the said John, fell into the custody of our Lord the King, and the same our Lord the King granted the marriage of the same Ralph to Sir Robert de Cocfeud, and gave and granted to Sir Ymbert Pugeys custody of the lands belonging to Ralph himself by heirship, to have and to hold to himself and his assigns till the lawful age of Ralph Fitz Bernard himself. By reason of which grant the executors of the will of the said Ymbert, viz. Master Godfrey de Haspale and Sir John le Bretoun, Knight, after the death of Ymbert himself, had custody of the said lands till the age of the said Ralph for per-

forming therewith execution of the will of Ymbert himself, and in the time of the said executors the four robbers escaped from the prison of KYNGESDOUNE, while the same manor was in the hands and custody of the said executors by grant of our Lord the King, so that the said Ralph did not have and hold his own lands for a year and a half after the said escape. They say that the said executors, or else Robert Pogeys, son and heir of the said Ymbert, are bound to answer for the said escape.¹⁹²

 XLIX.

[Esc. No. 19, 55 Hen. III., 1271.]

Writ addressed to Richard de Clifford, Escheator for the hither side of Trent, to inquire how much land WILLIAM DE DUSTON, deceased, held of the King in capite in DITTON on the day of his death, how much of others, and by what service; what his lands were worth per annum; if they possibly are or can be escheats to the King so that without injustice he can grant them as he pleases; and if so, how and why; who and how old is his next heir, if any; and who now holds his lands, and how and why. Tested at Westminster, April 9, 55 Hen. III.

Inquisition made at Canterbury on the morrow of St. George the Martyr, in the 55th year of the reign of Henry, son of John, before Master Richard de Clifford, Escheator of our Lord the King for the hither side of Trent, of the lands which were WILLIAM DE DUSTONE'S in DITTON, by the underwritten,—

Robert Biset,—Hamo de Totinton,—Ralph de Rawe,—Ger-vase de la Brok,—William de Linvine,—Eudon de Reyherss,—Ralph de Fonte,—Nicolas Sparewe,—Lambin Russel,—Clun de Malling,—Ancelm de Maidestan,—and Walter de Boclande.

Who say on their oath, that the said William de Dustune held *in capite* of our Lord the King 100 shillings of annual rent, in the ville of Ditton, on the day of his death, and of others nothing, nor of our Lord the King held he anything else than that rent in the county of Kent. To the question by what service the said William held, they say that one STRANGEA,¹⁹³ who sometime held the manor of AYLESFORD, which formerly was an Escheat of our Lord the King, gave the said rent to William de Dustune, grandfather of Isabella de Grey, in frank marriage

with a certain lady of her household (*domicilla*), so that no service is due thereout till it comes to the fourth descent.¹⁹⁴ Of the value of the said rent, they say that there are there 100 shillings of rent only. They say too that the said rent can by no means be an escheat of our Lord the King in the life of the heirs of William de Dustune, nor can our Lord the King grant the said rent to any without doing injustice to the heirs of the said William. They say too that the said William de Dustune had three daughters his heirs, who were under age on the day on which the said William, their father, died; whose custody our Lord the King had, by reason of the tenements which the said William, their father, held of our Lord the King *in capite* in the county of Northampton. And they say that Walter, formerly Archbishop of York, who afterwards had custody of the said heirs, gave them in marriage, and assigned to each of them part of their heritage, so that in that partition the said rent fell in the share of ISABELLA, eldest daughter of the said William, who was married to WALTER DE GREY. And they say that the said Isabella is in seisin of two parts of the said rent, viz. of a third part which our Lord the King rendered to her by reason of her share; and of another third part which our Lord the King rendered to her by reason of ROESIA DE VYLLI, who at another time came to our Lord the King's presence, and acknowledged that she claimed nothing in the said rent, because that whole rent fell in its entirety in the share of Isabella, her sister; and a third part remained in our Lord the King's hand, because JOAN, third daughter of the said William, who was married to MAUGER DE VAVATHUR, never came to our Lord the King's presence to make any acknowledgment thereof. And they say that the said Joan is dead, and has an heir of full age. They say too that the said Isabella de Grey and Roysia her sister are of full age. They say too that our Lord the King assigned a third part of the said rent to William le Chandelur, who died, and the wife of the said William is now in seisin thereof, by what warranty they know not. In witness whereof the said inquisitors have to this inquisition set their seals.¹⁹⁵

[Endorsed—"Domino Cancellario per Magistrum Ricardum de Clifford."]

L.

[Esc. No. 34, 55 Hen. III., 1271.]

(Only a fragment of the writ remains.)

*Extent of the Manor of Folkestone.*¹⁹⁶

Extent of the Manor of FOLKSTANE, with its appurtenances, viz. WALTON, NEWENTON, ALCHAM, ACHANGRE, and the advowsons of the churches, in the county of Kent, which falls in the purparts of Sir JOHN DE SANDWICO and Sir BERTRAM DE CRIOLL; in the name of AGNES and ALIANORE, eldest daughters and heirs of MATILDA DE AVERENCH, in the said BARONY OF FOLKESTANE, on Monday next after the Sunday on which is sung "Misericordias Domini,"¹⁹⁷ in the fifty-fifth year of King Henry, by,—

Sir William de Horlanston, Knight,—William de Boywyk,—William de Langedone,—William de Monte,—John de Wodeshelle,—Richard de Edyng,—Richard de Gedding,—John de Kemesing,—Adrian de Selling,—Augustin de la Holte,—John Young (*Juvenem*),—Robert Petre,—Henry de Prato,—Walter Rut,—John de Hamstede,—and others.

Who say on their oath, that the said manor, with its appurtenances, advowsons of churches, and hundred, is held *in capite* of our Lord the King, by knight-service, paying to our said Lord the King 20s. per annum for liberty of hundred, and by 15s. to the ward of Dover. They also say that the assised rent pertaining to the said manor, with its appurtenances, is worth £74. 16s. 8½d. That the assised rent of Romiscot¹⁹⁸ is worth per annum 32s. 10d. That a rent of two pounds and a half of pepper is worth per annum 2s. 6d. That a rent of two pounds of cumin seed is worth per annum 4d. That a rent of 42 lambs is worth per annum 28s.; price of a lamb 8d. That a rent of 21 seams of oats, taking the seam at 16 bushels, is worth per annum 70s.; price of a seam 3s. 4d. That a rent of two seams of white and fine salt is worth per annum 4s.; price of a seam 2s. That the assised rent of three ploughs is worth per annum 2s.; price of a plough 8d. That a rent of one fat capon (*altibis*) is worth per annum 2d. That [a rent of] 376½ hens, taking the hundred at five score, is worth per annum 47s. 6½d.; price of a hen 1½d. That a rent of 800 eggs is worth per annum 2s. 4d.; price of a hundred 3½d.

The sum £84. 6s. 5½d.

They also say that the chief messuage of FOLKSTANE, with the easements of houses there, and NEWENTON, WALTON, and TERLINGEHAM, together with the issues of the gardens and curtilages, is worth per annum £4. 18s. That the dovecot at FOLKESTAN is worth per annum 5s. That there pertain to the said manor, with its hamlets, four mills, whereof three are water-mills, and the fourth a windmill, which are worth per annum £6. That there pertains to the said manor a certain quarry in which millstones and hand-mill stones are dug, which is worth per annum 20s. That there pertains to the said manor a certain franchise of wreck of the sea, worth per annum 6s. 8d. That there pertains to the said manor a certain anchorage for ships crossing the straits (*applicatio navium transfretantium*), worth per annum 6s. 8d. That the issues and easements of rabbit-warrens, and other warrens pertaining to the said manor, are worth per annum 20s.; that the issues and easements of three stew-ponds pertaining to the said manor are worth per annum 20s.

The sum, £14. 16s. 4d.

That there pertain to the said manor, with its hamlets, 640 acres of arable land, worth per annum £25. 6s. 8d.; price of acre . . .; that [there are] 50 acres of wood, worth by extent of ground (*fundi*) 39s. 7d.; price of acre 9½d. That there pertain to the said manor, with its hamlets, 26 acres of mowing meadow, worth per annum 52s.; price of acre 2s. That the separate (*separabilis*) pasture pertaining to the said manor, and its hamlets, is worth per annum £11. 9s. 6d. That 50 acres of underwood in the park of HERSTLING, REYNDEN, and NEWENTON, for cutting partially, are worth per annum £10; price of acre 4s. That Donger¹⁹⁰ (*Dongerium*) for pannage of the said woods is worth per annum 72s. That there pertains to the said manor a certain custom, called 'Mortonefar,'²⁰⁰ worth per annum 8s. 6d. That there pertains to the said manor a custom called 'Watelseluer,'²⁰¹ worth per annum 5s. That there pertains to the said manor a custom called 'Wodelode,'²⁰² worth per annum 40s. 8d.; that the tenants of knights'-fees ought to cut and carry the fencing (*claustrum*), and to fence round the park every four years 360 perches, which service is worth per annum 45s.; price of a perch 6d. That there pertains to the said manor a custom of ploughing and harrowing (*herciandi*, altered from *seminandi*) 54 acres, which is worth per annum

36s.; price of acre 8*d.* That there pertains to the said manor a custom of reaping and stacking (*adunandi*) the corn of 18 acres, worth per annum 10s. 6*d.*; price of acre 7*d.* That there pertains to the said manor a custom of . . . (*reparandi*) twelve quarters of . . . which is worth per annum 4s.; price of a quarter 4*d.* That there pertains to the said manor a custom of mowing, carrying, and stacking, one acre and a half; and one virgate of meadow, which is worth per annum 10*d.*; price of acre 6*d.* That there pertains to the said manor a custom of carrying hay with two waggons for one day—it is worth per annum 12s.; price of a day's work, with one waggon, 6*d.*

The sum, £62. 11s. 3½*d.*

That the pleas, perquisites, fines, and reliefs of the said manor, with its hamlets, are worth per annum £8; that the pleas and perquisites of the hundred of FOLKESTAN are worth yearly £6.

The sum, £14.

The sum of this extent, £175. 14s. 0¼*d.*

That there pertains to the said manor a custom that all the tenants in socage of the said manor ought to contribute towards making the lord's eldest son a knight, viz. £21. 14s. 9*d.*, and the said tenants ought to contribute as much in aid of the marriage of the lord's eldest daughter.

That there pertains to the said manor one park, in which are 50 acres worth to cut wholly £200; price of acre £4.

That there pertains to the said manor one wood, called HERSTLING, in which are . . . acres of wood, worth to cut wholly . . . price of acre xiiij. . . .

That there pertains to the said manor one wood, called REYNDENN, of 150 acres, which are worth to cut wholly £300; price of acre 40s.

That there pertain to the said manor 18 knights'-fees, of which Sir WILLIAM DE VALENCE holds four, in the county of Northfolk, viz. IP and STEYFKEYE. Sir NICHOLAS DE CRIOL holds five fees in LOUDON Ox . . LEDECUM (?) SWYNEFELD and WALEMERE. ROGER DE EVERING holds one fee in EVERING. WILLIAM LE FL . . . holds one fee in H . . . land. ROBERT DE SCOTHONE and his parceners hold half a fee in CERETON. ALURED DE EYNEBROK holds one fee in EYNEBROK holds one fee in LAULINUS DE LANGELY holds one fee in ROLLINDENN. The Brothers of the DOMUS DEI HORSP(RINGE) . . .

and half a fee in TANKERTON. THE ABBOT OF SAINT
 one quarter of a fee in HOLMED. JOHN DE BOVETON holds half a
 fee in JOHN DE PUSI holds half a fee . . .

That there pertains to the said manor the advowson of the
 church which is worth yearly 60 marks.

[Here has been inserted "Summa bosci quod vendi potest"]

That the advowson of the church of ALCHAM is in

That the Nuns of GINES have the church of . . . weton.

Dated and done the day and place as above said.

In witness whereof

And be it known that there ought to be subtracted from the
 great sum the men of HECHAM receive per
 annum, and the men of in their purpart.
 There ought also to be subtracted 48s., which
 And 13s. 4d.
 in Dovor, in the Castle of
 Dovor. And 12s. 4d. which

(The roll is here torn.)

LI.

[Esc. No. 39, 55 Hen. III., 1271.]

*Writ addressed to Master RICHARD DE CLIFFORD, custos of the Arch-
 bishop of Canterbury, to inquire whether the land which belonged to
 WILLIAM DE HARGHES, who held of the Archbishopric of Canterbury
 on the day of his death, be the King's escheat thereby, so that he can
 give it to whomsoever he will without doing injury to any, or not. And
 if it be the King's escheat, how, in what manner, and by what reason.
 And how much land the said William held in capite of the said Arch-
 bishop on the day of his death, by what service, and how much it is worth
 per annum. Tested at Westminster, March 8, 55 Hen. III.*

[Indorsed—Cancellarius precepit per Egidium de la Garde-
 robe—preceptum est R. de Esthale.]

The names of the Jurors and Inquisitors of the manor of
 HERRH, to wit, Robert de Stablegate,—Richard de Wxendon,—

Walter de Plukendon,—Walter de la Hegg,—Andrew de Pinnor,—Robert Marleward,—Richard de Pinnor,—Berenger,—Richard de Marler,—Robert de la Stret,—Roger White (*Albus*),—Gilbert the Clerk,—and William del Hec.

Who say upon oath, that WILLIAM DE HERGH held no land *in capite* of the archbishopric of Canterbury on the day of his death, nor before; but held all his tenement of Ralph Swetman. Therefore, it cannot be the king's escheat, and the king cannot give away that tenement without injury to some; because he had an heir apparent, to wit, WILLIAM RUFFUS DE WATFORD, who is son of the aunt of the aforesaid WILLIAM DE HERGH.²⁰³

[Indorsed—Domino Cancellario.]

LII.

[Esc. No. 48, 55 Hen. III., 1271.]

Writ to the Sheriff of Kent. Whereby,—the King having assigned STEPHEN DE PENCESTRE and others to inquire who took part with the King and the Prince in the late disturbance of the kingdom, and whether THOMAS DE HEGHAM adhered to the King and Prince, or was against them; and if against them, how and where; and whether BARTHOLOMEW DE MERISTONE received anything of his goods at the time of the said disturbance; and if he or others did so, how much the same Bartholomew received, and how much remained in his possession, and how much the others received, and how much remained in their possession;—the Sheriff is required to bring a jury before the said Stephen, at a day and place to be named by him, and to relax the distraint which he (the sheriff) is making on the said Bartholomew for 110 marks, until further orders from the King or the aforesaid Stephen. Tested at Westminster, 10th of January, 55 Hen. III.

Inquisition made at Canterbury, on Thursday next, after the Purification of the blessed Virgin, 55 Henry III., before STEPHEN DE PENECESTRE, constable of Dover, appointed to that inquisition by command of the King, and Sir GUNCELIN DE BADELESMERE, and Sir HENRY MALESMEINS, associated with him—

By the oaths of the underwritten, namely, Sir William de Orlanweston,—Sir Water de Gosehale,—Sir William le Jefne,—Roger de Pettes,—John de Asling,—Edmund de Vyene,—

Stephen de Lurdingeden,—William de Boywyke,—Stephen de Eardeshose,—John de Ofne,—Andrew de Oxerode,—and John de La Teghe. Whether, etc. (as in the writ).

On which the said Jurors say upon oath, that the aforesaid Thomas, at the time of the aforesaid disturbance, was against the party of our Lord the King, and of Edward his eldest son, at the siege of Rochester Castle,³⁰⁴ and the attack upon the King's lieges within the said castle, and kept at his own costs one balistarius, by name William Graland, at the assault of the same castle, during the whole time that the Earl of Leicester lay before the same castle. They also say that the same Thomas received into his house at GODWYNSTON³⁰⁵ the King's enemies, viz. ROBERT LE FERRUR of London, and EYLWYN, servant of the same ROBERT, who were both at the battle of Lewes against our Lord the King. They say also that, by reason of the aforesaid enmity, Sir JOHN DE THEDEMERS, who after the battle of Evesham was custos of TUNEBREG Castle, through the LORD EDWARD and the EARL OF GLOUCESTER, ordered the goods and chattels of the same Thomas to be seized. And the aforesaid Sir BARTHOLOMEW, by order of the same Sir JOHN, took of the goods of the same Thomas 40 quarters of barley, value 100*s.*; four pigs, value 12*s.*; 15 little pigs (*purcella*), value 2*s.* 6*d.*; 34 geese, value 5*s.* 8*d.*; 12 value 3*s.*; and one empty cart, value 18*d.* The sum thereof £6. 4*s.* 8*d.* And these premises the aforesaid BARTHOLOMEW retained to his own use.

They say also that certain persons, unknown of the garrison of the castle of TUNEBREG, coming to the house of the same THOMAS, took of his goods and brought to the castle of TUNEBREG 192 lambs, value £4. 16*s.* 0*d.*; 25 pigs, value 50*s.*; and 25 little pigs, value 25*s.* The sum thereof £8. 11*s.* 0*d.*

APPENDIX.

(191.) The fine payable by the lord for the escape of a felon from the gaol of his manor is called in Domesday "Hangwitha." "Sed rectius Hangwita et Hangwite," Spelman tells us, who defines and derives the word,—“Mulcta pro latrone præter

juris exigentiam suspenso vel elapso : a Saxon. 'Hangian' *suspendere*, 'wite' *mulcta*." (Gloss. ad verb.)

(192.) John Fitzbernard, = dead before 1271.	Ymbert Pugeys or Pogeys, = dead before 1271.
└───┬───┘	└───┬───┘
Ralph Fitzbernard, son and heir, 1271.	Robert Pogeys, son and heir, 1271.

(193.) "*Estrangia*" is regularly entered on the Pipe Roll as holding Aylesford (probably at fee farm) from 3 Hen. II. to 17 Hen. II. Richard Giffard from 21 Hen. II. to 31 Hen. II. Osbert Giffard gives 500 marks "pro habendo de manerio de Aillesford quod Will. de Caen ei deforc." (Rot. Fin. 9 Jo.). Aylesford was granted to Sir Richard de Grey, 14 Hen. III. by Patent (Rot. Pat. ej. an.). On the Hundred Rolls (temp. Ed. I.) we have "*manerium de Heyllisford solet esse in manu domini Regis, et datum fuit Ricardo de Gray per regem Henricum patrem Regis qui nunc est, pro uno feodo militis, xxx annis elapsis, et nunc tenet illud manerium Domina Lucia de Gray in dote.*"

(194.) It was one of the incidents to Frank-marriage, "that the donees shall hold freely of the donor till the fourth degree be past" . . . (Co. Lit. 21*b*). The "*domicilla*" must have been a relation of Strangea, for another incident to this tenure was "that the woman or man that is the cause of the gift be of the blood of the donor."

(195.) William de Dustune =	Domicilla Strangea, dominæ de Aylesford.	
└───┬───┘	└───┬───┘	
William de Dustune, = dead 1271.	=	
└───┬───┬───┬───┘	└───┬───┬───┬───┘	
Walter = Isabella, de Grey. eldest da., of age 1271.	. . . de Vylli = Roesia, 2nd da., of age 1271.	Mauger de = Joan, Vavathur. 3rd da., dead 1271.
		Heir of age 1271.

The Dustons were Lords of Duston and Weekley in Northamptonshire; the former of which manors fell to Isabella de Grey, the latter chiefly to Joan le Vavasour.

(196.) It is interesting to compare this extent throughout with that of the same manor taken on the death of Hamo de Crevequer, eight years before, Inq. no. xxxv. above (Arch. Cant.

III. 257), 47 Hen. III. no. 33. The previous descent of the manor and pedigree of the lords is there traced, and many of the terms here used will be found noted and explained. Much light, too, is thrown upon difficult names, etc., by the comparison. For more as to Sir Bertram de Crioll see also Inq. no. xlii. above (Arch. Cant. V. 296), and the notes to that and the succeeding Inquisition.

(197.) The Sunday on which is sung "Misericordias Domini" was the second Sunday after Easter. This Inquisition was held therefore on April 20, 1271.

(198.) "Romiscot," called also "Rome-fee," "Rome-peny," and "Hearth-peny," was what is more commonly known as "Peter's pence." See a suggestion as to this rent in note 118 above (Arch. Cant. III. 271).

(199.) Dongerium or Dangerium was a payment in money made by forest tenants, that they have liberty to plough and sow in time of pannage or mast-feeding (see Manwood's 'Forest Laws'). Or, according to Ducange, sub voce "Dangerium," "In re forestaria, dicitur jus quod rex habet in forestis et silvis Normannie, in quibus proprietarii cæSIONEM facere non possunt, inconsulto rege, aut illius officialibus, sub commissi pœna quam Danger vocant." But the latter is hardly the meaning of the word in the passage before us. Manwood's explanation is probably the correct one, and it is confirmed by two charters in the Surrenden Collection.

One is a convention between the prior and convent of Christchurch, Canterbury, and their tenants in the manor of BROKE, in ROLVENDEN, in the Denn of DEVERDEN, dated 10 September, 30 Ed. III., 1356, to this effect:—

After citing the names of the tenants, and that they hold 28 acres of pasture and wood,—“per fidelitates et sectas et alia servicia, et serviciam *duorum solidorum pro DANGER*, singulis annis, certis terminis ad manerium predictum faciendum et reddendum, prout ipsi et antecessores sui, et omnes terras, pasturam, et boscum predicta tenentes, annuatim ea facere et reddere consueverunt. Et cum ante hec tempora, predicti tenentes, seu eorum antecessores, nec aliqui terram, pasturam, et boscum predicta tenentes, non potuerunt arbores aliquas in dictis terris, pasturis, et boscis crescentibus, succidere aut amputare, absque licencia dictorum Prioris et Conventus. Tamen, inter Venerabilem in Christo Patrem, Robertum Priorem Ec-

clesie predicte, et ejusdem loci Conventum, ex parte una, et prefatos Stephanum, etc. etc., ex altera, sic est conventum et in perpetuum concordatum, videlicet quod prefati Stephanus, etc. etc., et eorum heredes sive assignati, de cetero amputare possent, et succidere omnes arbores, sive majores sive minores fuerint, in terris, pasturis, et boscis predictis, in Denna et loco predictis, nunc vel inposterum, crescentes, pro voluntate sua absque impedimento seu calumpnia ipsorum Prioris et Conventus et successorum suorum, pro quatuordecim denariis annui et liberi redditus, eisdem Priori et Conventui, et eorum successoribus, in manerio suo predicto, de cetero, ad festum Sancti Michaelis, singulis annis, imperpetuum solvendis, et de terris, pasturis, et boscis predictis, percipiendis." Then comes the clause with power to distrain for this rent, and then "Salvis semper eisdem Priori et Conventui, et eorum successoribus, omnibus serviciis prius inde debitis, tam de *dangero predicto* quam aliis quibuscumque consuetudinibus et serviciis, que de terris, pasturis, et boscis predictis, fieri et reddi consueverunt."

Here, then, the covenant, allowing the tenants to brush and cut trees, still leaves the old assised rent for DANGER as it previously stood, proving that DANGER was not a penalty for cutting trees, but a privilege granted in return for a specific rent, and thus according with Manwood's interpretation above.

The other is a convention between the same prior and convent and their tenants in the Denn of Gomerdesden, in Bethersden, dated 4 July, 48 Ed. III. 1374.

After reciting that the said tenants (all being specifically named) have long held of the said prior and convent "per fidelitatem cujuslibet eorum, et sectam unam ad Curiam Manerii sui de BROKE, de tribus septimanis in tres septimanas, de Denna illa, per redditum viginti trium solidorum et novem denariorum, quatuor gallos et decem et octo gallinas annui redditus, et pro DANGERE quinque solidos." And whereas the present tenants "frequenter boscum illum in fundo eorum crescentem, captantes opportunitatibus, succidunt et asportant in dictorum Prioris et Conventus, qui pro tempore fuerint, dampnum non modicum, et suarum periculum animarum. Unde, volentes dicti Venerabilis Prior et Conventus utilitati sue ecclesie et animarum predictorum tenentium saluti providere, totum boscum in denna predicta crescentem, et qui crescet in ea inposterum, concesserunt, tradiderunt, et dimiserunt predictis

Johanni, etc. etc., heredibus eorum et assignatis ut ipsum succidant, aut stare et crescere permittant, et faciendum de eo sicut volunt, pro quinque solidis novi et annui redditus assisi, et servicium sicut antiquis redditus ipsius Denne eisdem Priori et Conventui, et eorum successoribus, ad festum Nativitatis Sancti Johannis Baptiste, singulis domis ad manerium predictum persolvendis." Then follows the clause giving the power of distraining for the rent, and then "Salvis preterea dictis Priori et Conventui, et eorum successoribus, dictis fidelitatibus, Secta Curie, redditu viginti trium solidorum et novem denariorum, quatuor gallorum et decem et octo gallinarum, et *pro DANGERIA, quinque solidis*, cum omnibus aliis serviciis et consuetudinibus de ipsa denna debitis ab antiquo, excepto pannagio quod de eadem antiquitus debebatur, quando accidebat."

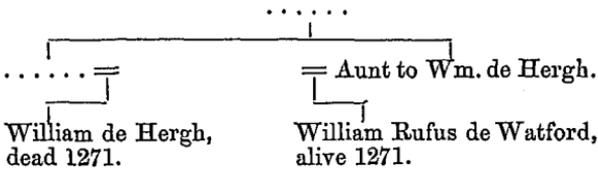
Here, then, as in the previous charter, the licence for cutting trees does not abrogate the old rent for "Danger,"—proving that "Danger" was not a penalty for cutting trees, but a privilege granted to the tenants in return for a specific rent; and the last clause, whereby the prior and convent give up their right of pannage, proves, as strongly as possible, that this privilege was that which Manwood describes it to have been. If the tenants paid for the right of ploughing and sowing the land during the pannage season, it became positively necessary that the lord should not send his beasts for pannage to destroy their crops.

(200.) "Moretonefar;" probably a custom connected in some way with the fee of Mortaigne, as of which Sir Nicholas de Crioll held 5 knight's fees of this barony of Averanches, at the time of the previous extent of this manor, given above (see Arch. Cant. III. 260). In many counties are found small fees belonging to the honour of Morton or Mortaigne.

(201.) "Watelselver;" perhaps a service of providing wattles or crates for folding sheep, such as is not uncommonly found in manors. In the former extent it is printed "Waterselver," but on fresh inspection appears to be there also plainly "Watelselver." ("Water-selver" or "Water-gavel" was a rent for right of fishing in the lord's waters.)

(202.) "Wodelode;" perhaps *i. q.* "Woodgeld," a right of cutting wood in the lord's forest.

(203.)



Query, "Harghes, — Hergh" = "Hardres, — Herdres" ?

(204.) The unsuccessful attempt upon Rochester Castle, conducted by De Montfort in person, in April, 1264. The history of the siege will be well known to the reader. How the town was taken and partly burnt, but the castle, garrisoned for the King by the Earl Warenne, Roger de Leybourn, (who was badly wounded at the capture of the town,) and others, held out bravely. How De Montfort was compelled to withdraw with part of the blockading force, to the relief of London, upon which Prince Edward was marching, fresh from his successes at Northampton and Leicester. How the Prince, baffled at London, appeared suddenly by forced marches at Rochester, and raised the siege. (See Knighton's Chronicle, in Dec. Script. ad an. ; etc.)

(205.) "Godwyneston ;" in all probability the manor of that name, now Goodneston, in Sittingbourne parish. In the reign of Edward II. it was vested in the Leybourn family, perhaps having been forfeited by Thomas de Higham on this occasion, and regranted thus for the services of Sir Roger de Leybourn to the royal cause during the latter part of this war.