

## DEVELOPMENTS IN THE LOWER ROTHER VALLEYS UP TO 1600

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The river Rother has undergone two major changes of course in historic times. In the Saxon period, it apparently flowed through Wittersham Level, south of the Isle of Oxney. In the fourteenth century the construction of the Knelle Dam across the west end of Wittersham Level had the effect of diverting the river into a considerably longer course round the north of Oxney. Finally, in the first half of the seventeenth century, the river was re-routed back down Wittersham Level.

W.V. Rendel<sup>1</sup> has already provided documentary details of the seventeenth-century change of course, which began with a breach of the Knelle Dam 'in 1600 or thereabouts', and of the complex and protracted negotiations which preceded the eventual agreements to it. He also noted<sup>2</sup> that the existence of 'the old sewer' and the course of the county boundary running down Wittersham Level suggested that at some previous time (much earlier, he thought, than the seventeenth century) the main channel of the river had run south of Oxney.

The purpose of this article is to present evidence of the building of the Knelle Dam – shown in Fig. 1 – in the fourteenth century, and the resulting change of course of the river. It goes on to describe, using contemporary maps, the state of affairs at the end of the sixteenth century – shown on Fig. 2 – which led up to the second change of course so well described by Rendel. The article also discusses the various causes of flooding in the Rother Levels and considers the

<sup>1</sup> W.V. Rendel, 'Changes in the Course of the Rother,' *Arch. Cant.*, lxxvii (1962), 63–76.

<sup>2</sup> W.V. Rendel, *ibid.*, 74, note vi.

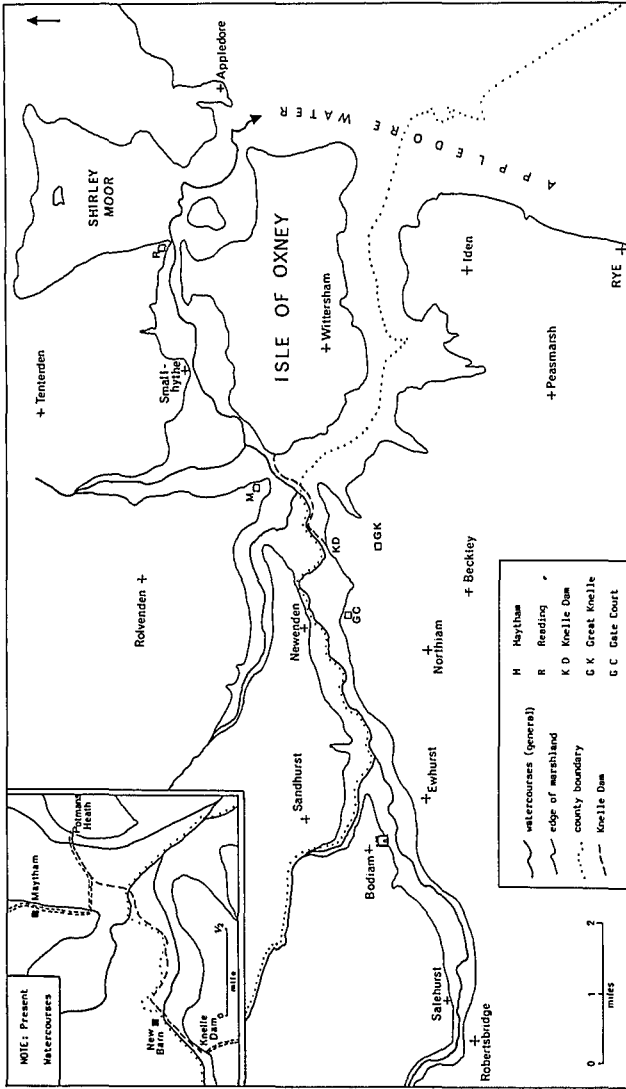


Fig. 1. The Rother Levels in mid-fourteenth Century, following the Construction of the Kneble Dam. Inset: The Kneble Dam, showing its relationship to present-day watercourses and the county boundary. This map shows the site of places named in the text. Etchingham, the only place associated with the fourteenth-century dispute now shown on the map, lies about two miles up the Rother from Robertsbridge. The water-courses are taken from the O.S. 1-in. second edition (1879): the map does not purport to show their exact position in the fourteenth century. The boundary between Kent and Sussex is taken from O.S. 6-in. first edition (1887). The extent of the Appledore Water (Apoldreflote) is not known.

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different circumstances likely to have necessitated the two diversions of the river.

It is interesting that the name 'Rother' does not appear in fourteenth-century records. The river is referred to as 'the river of Newenden', 'the water of Lyminee' or 'the river of Lyminee'. By 1600 the name 'Rother' was firmly established. This must surely be explained by the fact that at the earlier date the tides reached inland at least as far as Newenden: below that was the estuary. By 1600, the sea had retreated, and the tides probably only reached the neighbourhood of Smallhythe.

### FLOODING IN THE LEVELS

The Rother reaches its flood plain and enters the area of tidal influence near Bodiam. At present, the river bed from Bodiam to Newenden is some 8 ft., and between Newenden and Scots Float, Rye, some 10 ft. below High Water Neap Tides (O.D. Newlyn). Below Scots Float the river is tidal. This situation – extending some twelve miles up the valley from Scots Float – is bound to lead to serious drainage problems. It is very difficult to get rid of all the water which reaches the Levels – and this has led to long periods when considerable proportions of the Levels have been 'drowned' – that is, permanently inundated.

A critical rise in the water-table, increasing the floods, may be caused by (a) seasonal or longer-term increase in precipitation (rapid melting of snow would also have a temporary effect); (b) a rise in sea-level relative to the land-surface of the Levels; or (c) a combination of both – which is quite likely to occur in periods of marked storminess.

One must also remember that the level of the land-surface itself can be complicated by the wastage of any peat deposits in the valley sediments, and by the deposition of additional silt. A widespread peat bed exists below the surface sediments in the Rother valleys. Where this is close enough to the surface and the water-table is (even seasonally) low enough to allow it to dry out, the peat wastes away by oxidation followed by bacterial and fungal attack – and hence the land-surface is lowered. This process is still, today, exacerbating drainage problems in the Levels.

Deposition of silt, on the other hand, raises the land-surface, usually in localized areas – and is therefore likely to prejudice any pre-existing drainage arrangements. At present, the river and its tributaries evidently carry a small quantity of sediment from the uplands to the Levels. But it seems that silt and sand brought in and deposited by the tides have been far more important in causing major

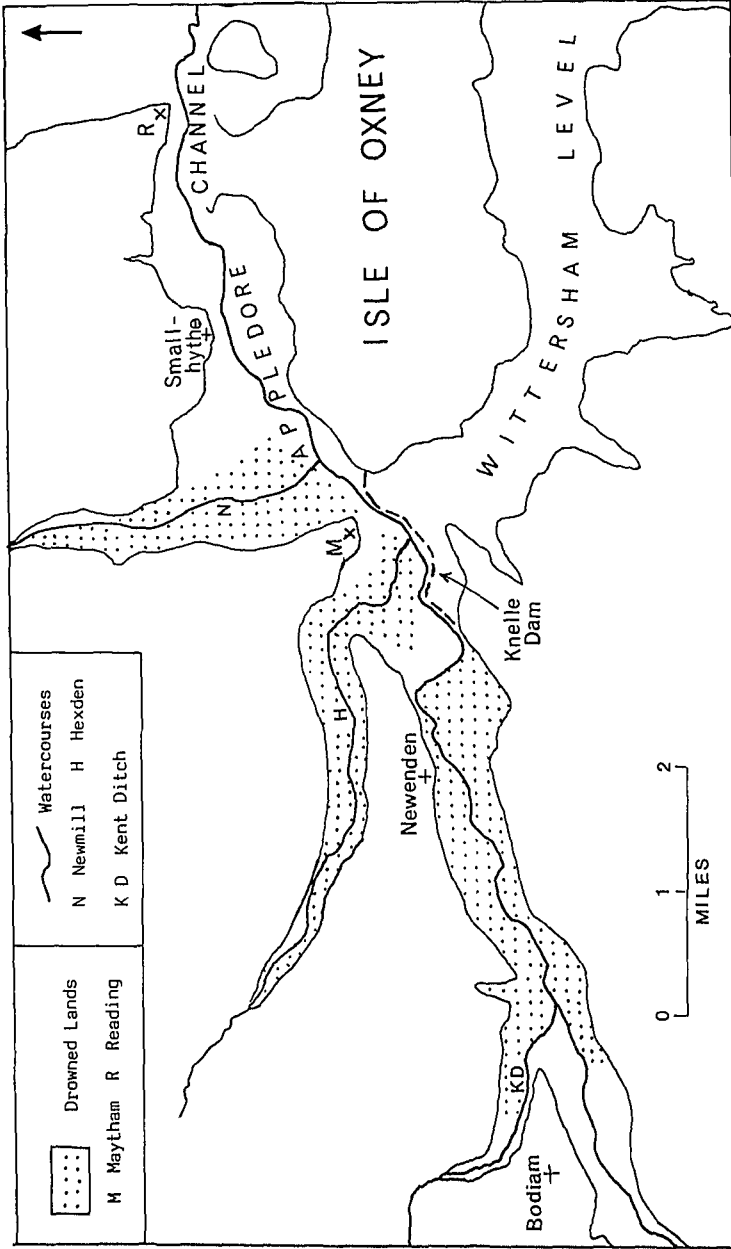


Fig. 2. Drowned Lands in the Rother Levels c. 1590 (after the MSS Map B.L., Cotton Augustus 1 i 25). The Rother still reached the sea by way of the Appledore Channel, but this map can only show the general, not the exact position of the water-courses in 1590.

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drainage difficulties in historic times. The greatest build-up of these marine sediments can be expected to occur in places where the tidal flow slows up and stops, i.e. at the limit of tidal flow in a channel – which may be either the natural limit where tidal water is held back by descending fresh water or a man-made sluice.

Human activities must have affected these natural processes from time to time. Deforestation in pre-historic or medieval times (for instance, in connection with Wealden iron-works) would have speeded up the run-off of land-water and increased the influx of silt from the uplands. Down in the Levels construction of fish-weirs or mill-ponds, of causeways or banks along the stream to limit the tides would have influenced the flow of water – and hence the fine balance between the deposition or removal of silt. A fast-flowing channel – or one that is controlled so that it has periods of fast-flow – has a better chance of removing silt than one flowing languidly or, quite possibly, not flowing at all, which is known to have been the case of the Rother during some summers in the early eighteenth century.

All these factors conspired to keep the Rother Levels under water. The particular geography of the lower Rother (see Fig. 1) exacerbates the problem. Not only is the valley floor well below HWNT for a long way inland, which is bad enough, but at Maytham the main valley is joined by two tributary valleys (of the Hexden and Newmill Channels) which together have a large catchment area. In addition, there was the probability in earlier centuries of two tidal flows – one from either side of the Isle of Oxney – also meeting at Maytham. It is not, therefore, surprising that the Maytham area seems to have been the focal point of the flooding in the crises of both the fourteenth and the seventeenth centuries.

### THE ROTHER LEVELS IN THE FOURTEENTH CENTURY

With the county boundary running down the middle of Wittersham Level and the Isle of Oxney having been part of Kent from the outset, there seems every reason to agree with Rendel's suggestion that when the boundary was established in Saxon times the mainstream of the Rother flowed down the Wittersham Level – south of Oxney. From the evidence presented below it is understood that the river continued in this course until the fourteenth century.<sup>3</sup>

<sup>3</sup> Its course once it reached the open marshland, although the subject of many controversial suggestions, has not yet been established. The earliest written reference, a much-quoted passage from the Patent Roll of 28th June, 1258, shows that at that time some of the water of the river was reaching Appledore by one route or another, to be channelled down the Rhee 'Wall' to Romney, and also that the mainstream of the river must by then have turned south to reach the open sea in 'the parts of Winchelsea'.

The Calendar of the Patent Rolls between 1289 and 1477 refers frequently to commissions *de walliis et fossatis* and to other drainage commissions in the Rother Levels. Detailed extracts are given in the Appendix.

Among the earliest recorded commissions in south-east Kent was that of August 21st, 1289, which was followed in quick succession by four more – two of which repeated those taken out in the preceding year. Matters were evidently urgent.

All these were prompted by complaints that the repairs necessary to protect low-lying lands from flooding were not being carried out – and make it clear that an integrated system of land-drainage and access to marshland holdings was already in existence ('walls, ditches, gutters, bridges and sewers' were not receiving the attention they ought to have had). The defaulting individuals were named, and the nature and area of their responsibility set out. Each of them held land 'by the sea-coast' or 'by the sea-shore'. William Barry and his tenants were suffering 'by inundation of the sea'. From this we can say that the lands in the Levels between Smallhythe and Maytham and up to Newenden and beyond (Selbrittenden was in Sandhurst) were at that time fully open to tidal flow.

Between 1308 and 1331, there were seven further commissions, which provide a continuing picture of tidal conditions prevailing up to Newenden. Those of 1324 and 1331 make it clear that flooding extended up the valley from Appledore. In that of 1314 (to which John Malemeyns, a defaulter in 1290, was assigned a commissioner) the area of authority was taken as far up as Bodiam.

On March 7th, 1332, comes the first reference to the embankment later to be known as the Knelle Dam.<sup>4</sup> A licence was granted after inquiry 'to make a sea wall at a place called Knellesflote . . . for the preservation of lands between that place and Robertsbridge' . . . 'on condition that the ancient course of the river be preserved by sufficient outlets through the wall'. A commission set up to implement the substance of the licence specified 'the making of a sluice and sea wall there' . . . 'for the greatest saving of the lands and to the least damage of the men of those parts', who were to contribute 'in proportion to their holdings, their common pasture and their fishery'. 650 acres had already 'been swallowed up and other land is likely to be also submerged' 'by the ebb and flow of the tide in the river between lands of Geoffrey de Knelle and Isabella Aucher'. 'The causeway which forms the highway between land of John de la Gate

<sup>4</sup> The Knelle Dam was later known variously as Spits Wall, Bush Wall and Maytham Wall. The name Knelle Dam is used throughout this paper.

[Gate Court in Northiam, N.G.R. TQ 836265] and Newenden bridge and the said bridge' were also threatened.

The Knelle estate is in Beckley, and a place known as Knelle Dam is shown (N.G.R. TQ 852269) at the southern edge of the Levels on the 1:25,000 (First Series) and the 6 in. Ordnance Survey maps. The Aucher family held Lossenham in Newenden – on the Kent bank.

From these entries we see that flooding was affecting the valley from Knellesflote (the name indicates the tidal estuary at Knelle) up to Robertsbridge and, once again was attributed to the ebb and flow of the tides, then sufficiently strong to threaten to undermine the causeway and bridge at Newenden.

The proposed embankment was emphatically a *sea* wall, built to hold back the tides on the east side in an attempt to limit flooding in an already seriously-flooded valley. From later maps and from field evidence it can be established that it ran 1.7 miles (2.75 km.) from Potman's Heath at the west end of Oxney to Knelle Dam in Beckley (Fig. 1, inset). Most of it still stands, part supporting the Potman's Heath causeway road and most of the rest being the foundation of the embankment which confines the present-day Wet Level. The difficult question of 'outlets through the wall' and sluice(s) is discussed at the end of this section, on page 00.

By 1336, some, at least, of the proposed works had been carried out, but matters were far from satisfactory. A commission *de walliis et fossatis* was directed to the lands of Wittersham, Iden and Peasmarsh, that is to say to Wittersham Level – on the seaward side of the Knelle Dam. The following January two commissions (with two different sets of Commissioners) were set up, each with specified terms of reference. One was to 'survey, supervise and repair the dykes and other works lately constructed'. The other was to attend again to Wittersham Level, to 'guard against further loss of land . . . where 500 acres have been entirely swallowed up by the sea'. In short, such works as had been constructed pursuant to the 1332 commission were in need of repair; and additional works were needed in Wittersham Level.

Between 1340 and 1342, three commissions were set up, two with specified powers and one *de walliis et fossatis*. That of 1340, set up to 'supervise the making of a sluice and the construction of a wall and gutter', had a notably wider area of jurisdiction, including not only Wittersham Level but also Beckley which has marshland on both sides of the Knelle Dam and Rolvenden, which was entirely on the west side. It is not, unfortunately, clear whether this was part of the Knelle Dam and its works – or was additional work further down Wittersham Level. It is, however, quite apparent that the works already built were much in need of maintenance. 'The wall so made

as aforesaid was greatly in need of repair' (1340) and '. . . the king is now informed that the walls and dykes planned and built require extensive repairs' (1342).

The works were in all probability difficult to construct and maintain physically, but obviously their unsatisfactory state was due in part to widespread defaults in payment. A key requirement was repeated (1340): 'that the wall shall be so made as to be most serviceable for the preservation of the land with least injury to the men of those parts' and the commissioners were to have powers to 'distrain and punish by amercement or otherwise any who will not contribute to the work in proportion to their holding'.

In 1347 and 1348, there were three more commissions, extending the area of operation still further, and laying down the duty of inquiring into collusions and defaults in payments. Most interestingly, the still-extensive flooding is now said to be due to 'water unable to find an outlet to the sea' – significantly different from the earlier problem, the ebb and flow of the tides.

James de Echyngham's petition shows that some interests were damaged by the construction which had been licensed after an inquiry – but in this case a further commission of inquiry set up *ad hoc* reported that 'the wall built' across the river is a public benefit.' The case is an early illustration of the point that under the conditions peculiar to marshland drainage conflicts of interest are almost bound to arise.

Throughout the period from 1332 to 1348, the question of a sluice is clearly of the utmost importance – and almost equally difficult to follow. In two parallel wordings in 1332 'sufficient outlets through the wall' are stipulated and a sluice is to be made. The recapitulations of 1348 (April 8th and September 24th) make it clear that a sluice (only one) was certainly intended and that it was to have been built across the river which ran from Robertsbridge past Knellesfote. Its purpose seems plain: by closing, to prevent the tidal flow from passing through the wall, and by opening, to allow the river water to drain out following its 'ancient course'.<sup>5</sup>

In January 1337, a commission was set up to 'survey the making of a sluice' in Wittersham Level: this could have been – but was not necessarily – that originally planned in 1332 but not yet built. In 1340, another commission was directed to 'supervise the making of a sluice and the construction of a wall and gutter'. Again, it is not clear whether this refers to that planned in 1332. Miss Vollans<sup>6</sup> points out

<sup>5</sup> The same function as that exercised by the Scots Float sluice, Rye at the present day.

<sup>6</sup> In a letter.



that one final vestige of a clue may be found in the Calendar of the Patent Rolls. The commission of 1347, *de walliis et fossatis* in the marshes stretching from Newenden round the north side of Oxney to Romney Marsh, was appointed because lands there were inundated by water unable to find an outlet to the sea for default of repair to 'walls, dykes, gutters, drains, bridges, cawsies and weirs'. Miss Vollans questions whether sluices are to be distinguished from gutters, drains and weirs. If so, there can have been few, if any, operating in this long stretch of marshland, otherwise one would suppose that the word 'sluices' would have been added to the list.

There were no further directions for building sluice(s), and at no stage were there directions for repairs to a sluice already built. The enigma remains. Was the sluice intended for the Knelle Dam ever built? Do the entries in the Patent Rolls refer to other sluices as well – possibly further down Wittersham Level – and were these then built? The information available in the Calendar of the Patent Rolls is tantalizingly incomplete.

In spite of all the problems of maintenance and collection of scots, the Knellesflote sea wall was established. Whether any river water passed through it is doubtful and, according to James de Echyngham, there was no passage through it for boats.<sup>7</sup> Perhaps the most important – though probably incidental – result of the construction of the wall was to divert the Rother round the north of Oxney by what came to be known as the Appledore Channel, in the direction of Smallhythe and Reading.

After 1348, references to the Knelle Dam fade from the Calendar of the Patent Rolls. It is mentioned on only three occasions in connection with drainage commissions (1355, 1370 and 1382). Only that of 1355 seems to be directly concerned with the dam: 'at Knellesdam, and between Knellesdam and Appledore and between Knellesdam and Odyham Bridge'.<sup>8</sup> Allowing for possible pitfalls in constructing arguments on lack of evidence, this suggests that the immediate urgency of affairs at the dam was past and the new *status quo* generally accepted.

<sup>7</sup> The pound-lock familiar on modern waterways was not in use before the sixteenth century. It is unlikely that a medieval sluice would have allowed the passage of boats in any case. So, any passage through the Knelle Dam would have involved transhipment at the dam.

<sup>8</sup> Presumably Bodiam bridge.

## THE ROTHER LEVELS AT THE END OF THE SIXTEENTH CENTURY

For almost three hundred years the river flowed north of Oxney. Towards the end of the sixteenth century the Knelle Dam was still intact<sup>9</sup> but insuperable drainage problems had built up.

In about 1590, a large part of the valleys of the Rother and its tributaries was under water. According to one of the earliest maps,<sup>10</sup> the flooding extended from Maytham almost to Bodiam, and filled the Newmill and Hexden valleys and the Kent Ditch (see Fig. 2). A similar situation is shown on Symondson's map of 1594, although the flooding is slightly less widespread: it extends only up to Newenden and excludes the west side of the Newmill valley (a cartographic omission?).<sup>11</sup> 'The drowned lanes [*sic*] from Bodiam to Mayton' are mentioned in the caption of John Stoneham's map of 1599, and marked somewhat generally on the map.<sup>12</sup> A commission of sewers, dated 26th May, 1626, refers to 'Deeply Drowned Lands' in East Maytham, West Maytham, Newenden, Sandhurst, Ewhurst, Northiam and Beckley.<sup>13</sup>

Later records state that the Appledore Channel had been 'greatly stopped by the Sand and Mudd thrown into it by the Sea'.<sup>14</sup> Nothing could be more explicit. Fresh water from the river and its tributaries had been held up behind an accumulation of marine deposits in the Appledore Channel. The result was that some 3,000 acres were permanently 'drowned land'.

The eventual solution to the problem, reached after many years of

<sup>9</sup> By this time the whole of Wittersham Level was secured from the sea as well, by the Wittersham Sea Wall which ran from Knock on Oxney to the Sussex upland at Scots Float.

<sup>10</sup> 'The description of Romney Marsh Walland Marsley Denge and Guldforde marsh with the divisions of their waterings heades armes principal Sewers and their gutts'. *Temp.* Elizabeth (? c. 1590). Surveyor unknown. B.L. Cotton, Augustus I i 25 and E.S.R.O. 132/9. A copy of this map, evidently itself a copy, was published at a considerably later date by Dugdale in *The Imbanking and Drayning of divers Fenns and Marshes* (1662).

<sup>11</sup> Philip Symondson. 'The description of the decayed Harborough of Rye, with the Courses and Concurrence of the fresh waters that fall into the same . . .'. 1594. E.S.R.O. 132/6.

<sup>12</sup> John Stoneham. 'The plote of Romny marshe describynge aswell the Coman Water Courses . . . Moreover shewing also the drowned lanes from Bodiam to maytom . . .'. 1599. E.S.R.O. 132/7, 8. Another copy in the B.L. map room.

<sup>13</sup> Quoted in Nathaniel Powell, Esq., *Notes on a Remonstrance of some Decrees and other Proceedings of the Commissioners of Sewers for the Upper Levels in the Counties of Kent and Sussex.* (1659).

<sup>14</sup> K.A.O., U 282 L4 (A collection of drafts for the 1736/7 Petition to the Lord Chancellor. *Wittersham Level v. The Upper Levels.*)

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fruitless and expensive attempts to clear the Appledore Channel and of lengthy negotiations with the Commissioners of Sewers for Wittersham Level, seemed to be to breach the Knelle Dam and to make arrangements for the river to flow once more through Wittersham Level. This was achieved in the early 1630s. In fact, the result was that the problem of inundation was immediately transferred one stage downstream – into the lap of Wittersham Level, and the drainage problems of the Rother Levels as a whole were by no means solved.

### CONCLUSIONS AND SUGGESTIONS FOR FURTHER RESEARCH

The diversions of the Rother in both the fourteenth and seventeenth centuries took place at times when there were acute drainage problems in the Levels. But the causes of the flooding on the two occasions were very different.

It has been shown here that from at least 1289 the river was fully open to tidal flow up to Newenden and probably beyond. The Knelle Dam was commissioned in 1332 to prevent the tides sweeping up Wittersham Level and on up to Newenden and in this, after the early years when repeated repairs were necessary, it was apparently successful. The diversion of the river round the north of Oxney seems to have been an incidental result of the construction of the dam and to have been in the nature of a diversion of the river water from one large tidal creek to another – which was in itself a very remarkable achievement.

The cause of the flooding at this time was clearly stated to be the ebb and flow of the tides. Within fifteen years, however, the problem was said to be that water was ‘unable to find an outlet to the sea’. It appears that the Knelle Dam had solved one problem – that of tidal flooding – only to cause another – the build-up of fresh water (probably mixed with salt water arriving via the Appledore Channel) unable to get away at low tide.

The reasons for such extensive tidal flooding at this time are probably complex – and can only be conjectured at present. The thirteenth century is believed to have seen a general rise in sea level.<sup>15</sup> In addition, the shingle barrier beaches – the outer defence of the Romney marshes – were probably at their weakest across Rye

<sup>15</sup> As suggested by Professor H.H. Lamb: of the order of 50 cm. or possibly up to 1 m.

Bay and thus allowed the sea to make great inroads into Walland Marsh and hence up the river valleys.<sup>16,17</sup>

By the end of the sixteenth century, on the other hand, the sea had retreated considerably – but even so a large part of the Levels was ‘drowned land’. An accumulation of sand and silt deposited by the tides at the head of the estuary was limiting the outflow of the river and preventing the land water from being drained off. The events outlined by Rendel show that this problem could only be solved by accepting a breach in the Knelle Dam and directing the river through Wittersham Level (and, in the event, this proved to be only a local solution to a wider problem).

The fourteenth-century change of course resulted from works put in hand to control marine flooding which was extending a remarkable distance inland, whereas that in the seventeenth century was a response to the accumulation of land-water.

Remarkably little is yet known of the history of the two valleys of the Rother between 1350 and 1600. A geological assessment of the sediments in the valleys is much needed, and could provide a useful comparison of the sedimentary histories of Wittersham Level and the Upper Levels (from Bodiam to Appledore). The present-day difference of about 3 m. in ground level (no doubt due in part to differential peat wastage) between the two sides of the Knelle Dam is a most obvious candidate for investigation. On the historical side, it would be most interesting to know more of the suspected relationship between the times of prosperity and decline of the port of Smallhythe and the silting of the Appledore Channel.

Any further study should certainly seek to combine information from the physical sciences with that of archaeology, the features of the landscape and the historical records.

#### ACKNOWLEDGMENTS

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<sup>16</sup> Jill Eddison, ‘The Reclamation of Romney Marsh: some Aspects reconsidered’, *Arch. Cant.*, (xcix :1983), 51.

<sup>17</sup> c.f. the Fens, where the fourteenth century was a time of repeated flooding, suggesting a rising water-table. J.R. Ravensdale. *Liable to Floods; Village Landscape on the Edge of the Fens A.D. 450–1850*, (1974), 7.

information on levels of the bed of the river, and to the Kent Archaeological Society for a second grant towards the expenses of her research.

APPENDIX

*Extracts from the Calendar of the Patent Rolls, 1289–1348*

August 21, 1289 (C.P.R., Ed. I 1289–1292, 320):

'Commission *de walliis et fossatis* to Henry de Apuldre, Robert de Savaunz and Henry de Ledes on complaint by William Barry of Rouydenne that William de Poton has neglected to repair his lands in the marsh of Newbrok in Rolvinden, near the sea coast between Smallhede and Mayhamme, whereby inundations have been caused over the lands of other tenants.' (Repeated in 1290)

October 13, 1290 (C.P.R., *ibid.*, 390):

'Commission *de walliis et fossatis* to Henry de Appeltrefeld and Bernard de Tancre on complaint by William Barry that John Malemeyns refuses to repair and maintain the walls, ditches, gutters, bridges and sewers which he is bound to do by reason of his lands in the marsh of Westbrok in Rolvinden by the sea-shore between Mayhamme and Newendenne, whereby the lands of the said William and his tenants suffer by inundation of the sea.' (Repeated 1291) (and) 'The like on complaint by Osbert de Forshamme, John de Scovinton, Hugh de Herindenne and Eustace de Kasinghamme touching Ralph de Eselinge and Mabel his wife in respect of their lands in Newendenne and Selbrittenen along the sea-coast.'

March 7th, 1332 (C.P.R., Ed. III 1330–1334, 253):

'Licence after inquisition *ad quod damnum* for Geoffrey de Knelle, Isabella Aucher and others, who will benefit by the work, to make a sea-wall at a place called "Knellesflote" on the confines of Kent and Sussex for preservation of the lands between that place and Robert-sbridge, co. Sussex, now threatened with destruction by inundations, of the causeway which forms the highway between land of John de la Gate in that county and Newenden bridge and of the said bridge, and to keep the same in repair, on conditions that the ancient course of the river at the place in question be preserved by sufficient outlets through the wall.'

March 8th, 1332 (C.P.R., *ibid.*, 288):

'Commission to Roger Bavent, Roger de Hegham, Thomas de Lincoln and William de Northo on return of an inquisition by William

Trussel, escheator on this side of the Trent, whereby it appears that by the ebb and flow of the tide in the river between lands of Geoffrey de Knelle and Isabella Aucher, between a place called "Knellesflote" . . . and Robertsbridge . . . 650 acres of the lands of the said Geoffrey and others have been swallowed up, and other land is likely to be also submerged unless some prompt remedy be used, to supervise the making of a sluice and sea wall there, for which the king has already granted licence to the said Geoffrey, Isabella and others, to appoint how the same may be made for the greatest saving of the lands and to the least damage of the men of those parts, and to see that the cost of making the same is levied from such as should contribute, in proportion to their holdings, their common pasture and their fishery.'

May 4, 1336 (C.P.R., Ed. III 1334–1338, 290):

'Commission *de Walliis et Fossatis* to William de Ponte Roberti, William de Reycolver, Gosselin de Gatele and Robert Bataille in the towns of Wittersham, Iden and Peasmarsh, on the confines of Kent and Sussex.'

January 8, 1337 (C.P.R., *ibid.*, 376):

'Commission to William de Orlanstone, Thomas de Gillynham, Stephen de Padiham and John de Bettenham to survey the works carried out pursuant to a commission *de walliis et fossatis* lately directed to Roger de Bavent . . .' (another version, p. 343, states the commission was to 'supervise and repair the dykes and other works lately constructed').

January 12, 1337 (C.P.R., *ibid.*, 377):

'Commission to William de Reicolvre, Goscelin de Gatele, Nigel de Whetacre, Thomas de Thorpe and William de Langele, to survey the making of a sluice and the building of walls and gutters to guard against further loss of land in Wittersham, Iden and Peasmarsh on the confines of Kent and Sussex, where 500 acres have been entirely swallowed up by the sea.'

August 2, 1340 (C.P.R., Ed. III 1340–1343, 22):

'Commission to Thomas de Aldon, Stephen de Padiham, William de Sessingham and Stephen de Forsham to supervise the making of a sluice and the construction of a wall and gutter for the preservation of lands of tenants . . . of Wittersham, Rolvenden, Iden, Peasmarsh and Beckley . . . where 600 acres of land are now flooded and swallowed up by the sea and more land will be submerged unless a remedy be promptly applied, to order that that wall shall be so made

as to be most serviceable for the preservation of the land with least injury to the men of those parts, and to distrain and punish by amercement or otherwise any who will not contribute to the work in proportion to their holding.'

November 12, 1341 (C.P.R., *ibid.*, 360–361):

'... whereas because (the King) was given to understand that the wall so made as aforesaid was greatly in need of repair he has appointed William de Orlanstone, Thomas de Gillingham, Stephen de Padiham and John de Bettenham to survey the same, and compel all those who should repair it to do so, he now associates Stephen de Forshamme and Stephen Donet in the commission to the said William, Thomas, Stephen and John.'

May 30, 1342 (C.P.R., *ibid.*, 538):

'Commission *de walliis et fossatis* to John de Fenes, kt, John de Bettenham, John Paulyn, Stephen Donet, Stephen de Forsham, William de Wittersham and Laurence Curboil . . .' (summary from Trussel's inquisition onwards) 'Afterwards (the king) appointed Roger de Bavent, Roger de Higham, Thomas de Lincoln and William de Northo to supervise the building of the wall and to compel all persons who should contribute to its cost to pay their share, but he is now informed that the walls and dykes planned and built require extensive repairs, otherwise further inundations will ensue.'

March 10, 1347 (C.P.R., Ed. III, 1345–1348, 308):

'Commission *de walliis et fossatis* to Thomas de Brokhulle, Thomas de Gillyngham, Stephen Donet and Stephen de Horsham in the marshes of Romenal, Sherlee, Redyng, Tenterdenne, Rulvyngdenne and Newenden.'

March 12, 1347 (C.P.R. *ibid.*, 308):

'Commission to the same to make inquisitions touching an information that by collusions between the keepers appointed by the men having lands in the same marshes to survey defects in the walls, dykes, gutters, drains, bridges, cawsies, and weirs there, and others who should repair and make good all such defects that they should not be compelled to do this, the lands of a very great number of men there are inundated by water unable to find an outlet to the sea for default of such repair, and the names of any who should repair the same and refuse to do so.'

April 1, 1348 (C.P.R., Ed. III 1348–1350, 78):

'Commission *de walliis et fossatis* to James de Echynghamme,

Thomas de Brokhull, Thomas de Gillyngham, Stephen Donet and Stephen de Horsham in the marshes of Romney, Sherlee, Redynge, Tenterden, Rolvenden, Oxney and Newenden, co. Kent, and Northiam, Beckley and Iden, co. Sussex.’

April 8, 1348 (C.P.R., *ibid.*, 80):

‘Commission to John de Strode, John de Ore, Robert de Sharneden and Philip en le Wyk reciting that whereas, after inquisition taken by William Trussel . . . the king by letters patent lately granted licence for Geoffrey de Knelle and Isabelle Aucher, both now deceased, to make a sluice in the river running between . . . Knellesflote and Robertsbridge . . ., and to build a wall to save their lands from inundation, he learns by petition of James de Echyngham . . . that the lands can be saved if the ancient walls along the river be repaired, and that if a wall be built by pretext of the letters patent it will be to the great damage of the king and petitioner, especially as by it the passage of ships and boats with victuals from divers manors of the latter in the county to his manor of Echyngham will be hindered, as well as to the destruction of his market town of Salehurst, situated on that water, and of his market there, from which he and his ancestors have been wont to receive toll and other profits . . . wherefore he prays that the letters patent may be revoked.’

September 24, 1348 (C.P.R., *ibid.*, 177):

‘Commission *de walliis et fossatis* to Henry Husee, “chivaler”, Oto de Grandisono, “chivaler”, Henry de Lockesle, Henry Vynch, Stephen de Forsham and Robert de Godestre under the following circumstances: (it was found by inquisition taken by William Trussel that 650 acres were inundated) by water running from a river between Knellesflote and Robertsbridge, and that to save the lands there should be a sluice made to carry off the water and a wall built at Knellesflote to shut out the sea, and whereas the king by letters patent granted licence for this to be carried out, a wall has been built pursuant to such letters patent across the river . . . the king appointed John de Strode, John de Ore, Robert de Sharneden and Philip en le Wyk to make inquisition hereof in the presence of the parties interested, but he is now given to understand that the wall is a public benefit and that the said James to get it thrown down for his own private advantage, to the damage of the king and public, sues for an inquisition to be able to attain his ends by suborned jurors. Wherefore the king has appointed them to make inquisition by jurors above suspicion and find whether the wall should be preserved or thrown down.’