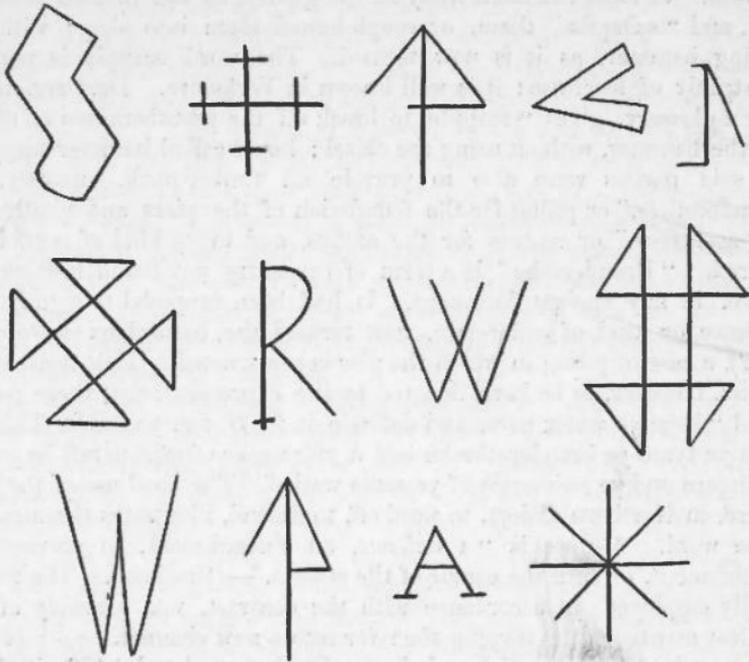


ment. He alludes to the prevalent practice of giving a gown, a consideration in addition to money payments, very frequently mentioned in ancient fabric accounts.⁵ It is not stated whether any mason's marks were noticed on the ashlar of the church. On the bridge they are still very distinct, and we are enabled by the kind assistance of Sir William Lawson to give, as it is believed, the complete series of marks. These symbols are not,



MASONS' MARKS, CATTERICK BRIDGE, SCALE, ONE-THIRD ORIG. SIZE.

indeed, considered by some antiquaries as of any great importance, their forms being regulated probably by individual caprice, but in researches of this nature trifling details may sometimes acquire a value, as a clue to more material points. Some notices of marks of this kind have been published, amongst which may especially be cited Mr. Godwin's curious memoir in the *Archaeologia*,⁶ and a few singular examples published in Germany by Heideloff, some of them very similar to the marks of which representations are here given.

NOTE ON TERMS OCCURRING IN WELSH LEGAL DOCUMENTS.

We have received the following observations from Mr. Smirke upon the Welsh documents communicated by Mr. W. W. Wynne:—

“THE word *pridare* or *appridare*, i. e. *ad pridam recipere*, to lend on mortgage or pledge, is new to me, and is, I presume, peculiar to Welsh instruments of impignoration. I profess no knowledge of Welsh, but I find

⁵ See also the notices of works of building at Durham, in Mr. Raine's interesting “Brief Account of Durham Cathedral,” 1833.

⁶ Vol. xxx., p. 113, with five plates of

marks found in England, France, and Germany. See a curious mason's mark on a column in a Roman villa in Shropshire, *Archæol.*, vol. xxxi., pl. 12.

the word *prid* in the Welsh glossaries in the sense attributed to it by Mr. W. W. Wynne.⁷ In the recent edition of the "Ancient Laws and Institutes of Wales," it occurs frequently, and is translated by the learned editor by the word *price*, and is supposed by him to be derived from the Latin *pretium*. It is remarkable, however, that in the several passages in which it occurs in the text, as in Vol. i., pp. 551, 549; Vol. ii., pp. 432, 433, 449, &c., it seems to import rather a charge or lien on land than the price or value of it. In some places it is clearly equivalent to the *droit de rachat*, by payment of which the heir redeemed the alienated land of his ancestor; as in Vol. i., p. 549; Vol. ii., p. 519. In other places, it seems to be a feudal charge or due claimed in respect of wardship ("conservancy," as it is called in the English text), or in respect of improvements made on the land whilst in the lawful custody of another. In both cases the claimant appears to have had a lien on the land for payment or indemnity. With all respect to the learned editor, his glossarial explanation, viz., "the price given for the tenure of land," is neither satisfactory nor intelligible. In the curious abstracts of mortgages noticed by Mr. W. W. Wynne, the conveyance by the mortgagor is for successive terms of four years continually until redemption. The word "quousque" has been twice misprinted "quosque" in the documents. The form is certainly singular, but it contains the essential elements of what is now called a *Welsh mortgage*,—that is, a pledge of land redeemable for ever by the borrower, but without any covenant to repay the money lent at all events. It is, in effect, a conditional sale of the land. The form of a renewable term of years must have been adopted to secure the devolution of the land to executors instead of heirs, and to leave the fee-simple in the mortgagor. The creation of a term of 1000 years would have been too bold a flight for a conveyancer of the 15th century.

"With regard to the word "*indictatorum*," I have no doubt about the soundness of Mr. Wynne's conjecture. Grand jurors are designated as "*indictatores*" in several of our old documents. Thus the statute 33 Henry VI., cap. 2, sect. 2, describes the grand jury of Lancashire by that name. In Stat. 1 Edward III., cap. 11, and 17, they are called "*enditours*;" and Chief Justice Hale calls them "*indictors*." (Hist. Plac. Coronæ, vol. ii., p. 152-3.) The word has ceased to be used in this sense, and now means (where it is used at all) a prosecutor or person who presents a bill to the grand jury.

"I may here be permitted to lament that we have no running commentary or any instructive notes on the codes published in the ancient Laws and Institutes of Wales. That the English translation is correctly and carefully executed we have no reason to doubt; but it is equally certain that it throws a very imperfect light on the meaning of the text. To explain and illustrate these laws would be a task demanding not only a knowledge of the original language, but some technical acquaintance with the forms and history of local law."

EDWARD SMIRKE.

MR. WYNNE has pointed out the following *Corrigenda* in the Notices of Welsh Documents above referred to. Archaeological Journal, Vol. VI., p. 394, lines 3 and 21, for "Avon" read "Aron;" line 26, between "festum" and "Michaelis" insert "Sancti;" line 32, for "Monmouth" read "Merioneth;" last line but one, *dele* an indicator, twice repeated.

⁷ Journal, vol. vi. p. 393.