

REPORT AND COMMUNICATIONS.

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PRESENTED TO THE

Cambridge Antiquarian Society,

AT ITS THIRTY-EIGHTH ANNUAL GENERAL MEETING,

MAY 27, 1878,

WITH AN ABSTRACT OF THE PROCEEDINGS OF THE SOCIETY

1877—1878.

ALSO

Communications

MADE TO THE SOCIETY.

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BEING No. 2 OF THE FOURTH VOLUME.

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IX. ON SOME ANCIENT COURT ROLLS OF THE MANOR
OF LITTLEPORT IN THE ISLE OF ELY IN THE COUNTY
OF CAMBRIDGE. Communicated by W. MARSHALL,
Esq.

[March 4, 1878.]

History of the Finding. A few months ago these ancient Court Rolls were brought to me by Joseph Martin, Esq., of Littleport, as having been found in a carpenter's shop just as they are produced, except that they were secured by a piece of common tape, and were daubed on the outside by a broad patch of pitch, apparently to stick the rolled sheets together. When one considers that the material of which these Rolls are composed is parchment (an animal substance), and the risks of their destruction either by moisture, mildew, mice, fire and housewives, to say nothing of the being tossed about one knows not for how long, it is nothing less than a marvel, almost amounting to a miracle, that they should have survived and been brought down safely through the 593 years which have elapsed since the oldest of them was written.

Description of the Documents. The documents turned out on examination to be a continuous series of the Court Rolls of the Manor of Littleport, from the 10th Ed. II. (1316—7) to the

1st Edw. III. (1327). They are contained in 26 membranes or skins of parchment about 10 inches wide by 20 inches long, and are closely and clearly written on both sides. Twenty-five of the membranes contain the records of 59 courts, 10 of which are Courts Leet. The outer membrane, which forms a backing to the rest, is a Court Roll of the same manor, but from its more archaic character obviously of older date. It is headed "Littleport. Cur. ibidem tenta die martis in vigil. s̄ci Jacobi Apost. anno Pont. H. xxvij." There is no King's reign mentioned, as in all the later rolls, but as the only Pontificate (of Ely) which about this period extended to 28 years was that of Hugh de Balsham¹, who occupied the See from 1257 to 1286 (29 years),

¹ "It was this Bishop," says Bentham, in his *History and Antiquities of the Cathedral Church of Ely*, "that settled the distinction of Jurisdiction between the Chancellor of the University of Cambridge and the Archdeacon of Ely in 1276. In the year 1280, from his affection to Learning, and respecting the state of the Poor Scholars in the University of Cambridge, who were much put to it for conveniency of lodging, from the high rents exacted by the Townsmen; he obtained a Licence from King Edward I. for founding a College of Students or Scholars there secundum Regulam Scolarium Oxon. qui de Merton cognominantur; intending at first as it should seem to have converted the Hospital of St John in Cambridge, where some scholars under the patronage of the Bishops of Ely then resided, into a College; but afterwards seeing occasion to alter his design he removed these scholars to two Hostles near St Peter's Church without Trumpington Gate; and by an Instrument dated March 31, 1284, ordained that they should for ever be styled The Scholars of the Bishops of Ely; and put them into immediate and perpetual possession of those two Hostles, and of St Peter's Church before mentioned, with the tythe of the two Mills thereto belonging; all which the Brethren of the Hospital before used to have; and to which ordinance of the Bishop they submitted. By his last Will he left to his Scholars many books in Divinity and other Sciences; and 300 marks for erecting new Buildings; with which sum they purchased a piece of ground on the South Side of the said Church where they built a very fine Hall. This was the first endowed College in Cambridge. The University, in grateful respect to his memory, by an Instrument dated at Cambridge 7 Kal. Jun. A.D. 1291, and sealed with the University Seal, obliged themselves annually to celebrate a solemn commemoration of his Obit."

there can be no doubt whatever that the date of this Roll is 1285 (15 Edw. I.), or exactly 60 years older than the first skin of the regular series.

The first Roll is thus entitled: "Littleport Cur. ibidem die veneris prox. post festum Sci Tiburtii Martyris Anno 12 R. E. fil. r. E. decimo et pont. J. de Hotho primo." The 10 Ed. II. and the 1st of John de Hotham Bishop of Ely represent the year 1316—7, and the Bishops of Ely were at this date Lords of the Manor of Littleport, and so continued till 10th June 1600 (42 Eliz.) when divers ancient Manors and Estates, including the Manor of Littleport, were conveyed to the Queen her heirs and successors in exchange for other estates (Bentham, p. 196). The Earl of Hardwicke is now Lord of the Manor of Littleport.

The Courts were all held on Saints' Days, some of them, such as the one just mentioned, on the day of Tiburtius the Martyr, whose name does not appear in our reformed Calendar.

Having described the documents, the contributor of this paper feels that in making his communication to a learned body like the Cambridge Antiquarian Society, he may very likely dwell on points which to such a body are perfectly familiar, and may possess no antiquarian interest at all. If he should do so he must ask the meeting to make allowance for a person who is no professed antiquary, and who regards the documents in question merely as a layman and a lawyer. There may be, and probably are, hundreds of similar documents scattered throughout the country, equally ancient and equally interesting, and whatever is found in these Littleport Rolls may be nothing more than what may be found in many others. To the author of this paper the documents appeared interesting in this way. Littleport is a great parish of 17000 acres, 16000 of which are pure fen land, and here are documents which (inasmuch as at the COURTS BARON all the *Civil* business of the Manor was transacted, at the COURTS LEET many of the ordinary *Criminal* offences were dealt with and punished) cannot

fail to throw light upon the habits, usages, and social condition of the inhabitants of the fens upwards of 500 years ago, and at a time, be it remembered, before the oldest of the present Colleges of Cambridge was founded.

Amongst the matters of interest which we should expect to find in such a document would be the names of places, some remaining, many lost; the surnames of persons, some of which may still linger in the locality; the kind of living, the kind of dress, the employments of the people, their quarrels and offences, their physical condition, their social habits, the state of the fens as to drainage, the productions of the fens, the mode of user, and the kind of tenure which prevailed in those remote days.

It cannot be expected that these subjects can be exhaustively treated in a communication of this kind, when it is considered how voluminous the materials are and how brief the space allowed within which to condense what one may desire to say. The very most that can be done is to touch lightly on some of these points, leaving to other persons, with more leisure and more aptitude for the work, the task of submitting the documents to a more minute and searching investigation.

As to names of places in Littleport. There are "Mychel-snote," le Smale-snote, "Loftstede," "Conygreaves," "le Sour-lond," "Esthale," "Wrogewilgh," "Farnhoue," and many others which have been lost, an allusion to the "altam viam prope Pontem," shewing there was a bridge, "Portlow" which is plainly the origin of the "Portley" Hill of the present date, and the very frequent occurrence of such words as "Hulmo," and "Cruftum," which are retained in the Holmes and the Crofts of modern Littleport. "La Plaine" is also mentioned.

The names of surrounding Towns scattered through the manuscript. There are Ixninge, Dereham, Elm, Tyd, Laken-

heath, Feltwelle, Drayton, Chetisham, Helegeye (Hilgay), Hokewold, Modeneye (Modney), Milton, Ringstede, Weeting, Cambridge, Witcham, Downham, Foxton, Erheth (Earith), Ramsey, Rampton, Narburgh, Denever (Denver), Wereham, Wyggenhall, Stretham, Braham, Chatteris, Wimblington, Wilburton, Wille (Welle), Wroxham, and others. The name of "Prickwillow," a place near Ely at the junction of the Ouse and Lark, the origin of which has always been a puzzle, occurs twice, and is in both cases spelt "Pricwylgh." The second syllable is plainly the same as the modern spelling.

Surnames of Persons. Akerman, Akre, Albin, Anke, Atte Green and Atte Presthous, Bencosin (very common), Bolay, Bolle (Bull), Bindebeere, Brokenhorn (very common and runs through all the period covered by the Rolls), Bolewere (Bulwer), Bantelig (Bentley), Breton (Brittain), Bonere, Brennewater, Belde, Brett, Cosin, Capellanus, Clericus (Clark), Chareter (Carter), Fawkes, Fox, Gaybon, Godlomb, Godlob, Godlok (? Cutlack), Godchild (Goodchild), Godescarce! Hakeney, Huxtere, and Huckster, Ilger (Hilger), Kiggel, Lardener, Lovrig, Lovechild, Loveday, la Lunge (Long), le Lodere, le Vacher, le Bercher (Barker, Bearcock), le Vek (Bishop), le Peckere, le Tresorer, le Swon (Swan), Makehayt, Mountfort, Martin! (the name of the gentleman on whose premises the Rolls were found), Manumestér, Mortimer, Pinchbeck, Piscator (Fisher), Pitcock (Pidcock), Poccock, Peche (Peachy), Prest, Rushpilere, Schayl (Sayle), Sekir (Secker and Sucker), Swetegrom, Sarle (Searle), Sweyn, Tharne, Tepito, sometimes spelt Thepito, also Chepito¹, Wodcok, besides many others.

¹ This is a very common name of a very prominent person who appears all through the Rolls. Has it any connection with the modern surnames of Dobito and Dobede? In a Record of 2 Car. II., an Action of Trespass of the 21 Ed. III. is referred to as "inter Katharinam Buck querentem et Wilhelmum Trveto et alios de Littleport defendentes." Or it may be Tiptoft or Tiptoe.

Christian names. It would appear that in these remote times the Christian names of women were in considerable variety and somewhat grandisonant, even in the heart of the Fens. The following occur amongst others: Agnes, Alicia, Anniffis, Amicia, Blyda or Blytha, Cecilia, Christina, Christiana, Cassandra, Constanca, Dametta, Elisabeth, Elisota, Emma, Eva, Helena, Isabella, Juliana, Mabilla, Margaretta, Muriel, Sarra (Sarah). Reginald is not an uncommon name amongst the men.

The kind of Living. As to this, bread and beer seem to have been the staple of existence (curiously no mention is made of cheese or milk), and in the assizes of bread and beer the utmost vigilance was exercised by the Court Leet, both with regard to the price, the measure, and the quality of these two prime articles of sustenance. The "Tastatores Cerevisiae" who were appointed and sworn in, seem to have had plenty to do, as we find the names of defaulting Tapsters (they were always females) called "Gannokers" all through the Rolls continually being recorded, from which has been chiefly gathered the list of very fine female Christian names already referred to. With regard to the assize of bread there is a statute of uncertain date called "Statutum Panis et Servisie," but it is generally reputed to have been of the 18th Ed. II. The present Rolls go a long way to confirm this date, because in the Rolls of the 18th, 19th, and 20th Ed. II., we find that the statute was strictly followed, and the verdict of the Jury is entered in great detail.

Not only is the price of corn given for each year, but we are enabled to see what great fluctuations of price occurred between one year and the next. The following shews the price of corn (wheat) for the three years, 18th, 19th, and 20th Ed. II., as divided into three sorts: melior, mediocris, and debilior.

	PRICE PER QUARTER,		
	18 Edw. II. 1324.	19 Edw. II. 1325.	20 Edw. II. 1326.
Melior	7s.	5s. 0d.	3s. 8d.
Mediocris	6s.	4s. 8d.	3s. 4d.
Debilior	5s.	4s. 6d.	3s. 2d.

Here we see that the price of the best wheat had fallen in one year over 28 per cent., with a further fall of 25 per cent. in the next year, or a total fall of $47\frac{1}{2}$ per cent. in two years. What would happen to this country if the price of the staff of life fluctuated now as it did then? It is curious to see the vigilance exercised over the Pistores, Braciatores, and Gannokers, and from the number of them fined for defect in weight and measure we come to see that in those simple primitive times there were rogues in grain and rogues in drink just as there are now.

The bread also seemed to be divided like the corn into 3 qualities called respectively Wastell, Simenel and de Coket.

It is quite clear that all the cereals now in cultivation, wheat, barley, oats and rye, were in cultivation then; also beans and pease, the latter being mentioned in connection with the words "del Daylkin," or Daywin, whatever those words may mean.

Articles of Apparel. Amongst these, we meet with such phrases as "unam tapetam et unam tunicam," "tunicam de albo," "supertunicam," roket, curtepy, 1 huth, 1 hosten, 1 collob. and 1 par de Stacchys!

Amongst Tools and Articles in Use, we find 1 wimble, 1 axum, 1 segl (sail), lucernæ, andirons, batella, remigium, unum vetus rete, and unam ollam æneam.

The Employments of the people may be inferred from some of the surnames, as Brewster, Carter or Chareter, Chapman, Fisher, Piscator, Peche, Hucstere, le Meyr, Rushpilere (Rush-peeler), Shepherd, le Souter, le Threshere, &c.

The Disputes amongst the people. Besides the numerous suits for very small debts, we find actions brought and damages recovered for what appear now to be very venial offences, such as breaking an "Evesbord," taking an oar out of a boat, detaining a "Horslep" (or Hordlep) selling a thousand of inferior lesch (the word always used for "Sedge"), described as "debilior quam ipsa emit ad dampnum xvij^d."; breaking a contract for the sale of 1000 eels sold for 10^s., damages claimed, 12^d.; for a trespass with oxen in the lord's barley ("in ordeo domini apud le WYNYERD cum bobus,") and another in the vicarage with geese. To shew the value of money, it is no uncommon thing to find an action brought for one shilling and fourpence halfpenny farthing, "unum solidum, quatuor denarios, obolum quadrans," which makes the magnitude of one of the sums sued for so much the more remarkable by contrast. John Tepito and Constance his wife, who was the wife of Osbert Godlob and the executrix of his will, acknowledged to owe to Thomas Thame, capellanus, xxiiij^s., and iv^d. for the *balance* (de residuo) of one anniversary which had been celebrated for the soul of the said Osbert, payable at Easter. It will be noted that this comparatively large sum of 24s. 4d. is only the balance due to the said Thomas. What might have been the whole amount of the charge made for the repose of Osbert's soul nowhere appears.

The Offences committed. These are very numerous and of the most varied description. Drawing fishponds (gurgites) and taking away fish, cutting and carrying away sedge (lesch) out of the fens, cutting "lesch" out of the proper season (ante le Hokeday contra ordinationem), breaking the lesch, selling it against the proclamation, selling it out of the manor, cutting

ears of corn, taking "tres garbas avenæ domini ad equos suos," collecting ova botorum, the eggs of the bittern (or "butter bump," now vanished from the fens), and exporting them extra mariscum; taking a man's oars out of his boat; trespass of hens (glènes gallenas), and damaging 1 bus. fri (frumenti) pr. xx^{d.}, i bus. ord. pr. xii^{d.}, and 2 bus. fab. xx^{d.}; placing dung in a lane so that no one could pass that way, fishing at night with nets (in alienis piscariis); killing somebody's hen; breaking the lord's fold, not cultivating the lord's land and leaving it incultam ob inopiam et caristiam, for which, under the circumstances, gersuma condonatur. Neglecting to do suit to the lord's mill, keeping and using a handmill (molendinum manuale) at home, defaming the corn of the lord, per quod alii emptores reliquerant emere; capturing a leveret (lepusculum) in garena domini; hunting a hare in the lord's field, doing damage in the lord's vineyard (vinarium); taking a man's baskets and putting them into the water, quare cepit corbellos suos et eos posuit in aquâ suâ. Selling oats and beer by false measure, spoiling corn for malting, letting a dog bite an animal of the lord; the brothers of the Hospital of St John of Jerusalem having two dogs (canes existentes) in garenâ domini unde oritur suspicio. Breach of warranty of eleven ewes (11 oves matres quas advocat esse sanas), but which expirassent cum putredine. Then we have people suspected of petty larceny, taking esticks (sticks¹) of eel, forestalling, regrating, pound-breach, non-repairing a causeway; digging clay in the King's highway, not coming to work soon enough in the morning, adeo mane sicut pares suos, ad carandum bladum domini. Not coming to cut the lord's corn, sicut facere debet; defaming the character of Mabil, the wife of Richard Manitele, unde eadem Mabilla deteriorata fuit in charactero ad dampnum of said Richard and Mabil of 40s. It appears moreover that Adam Abbot was punished for percussing Mabil le

¹ A stik of eels is 25.—*Stat. de Ponderibus et Mensuris.*

Smekere ad damp. 3^d, but he was also fined for breaking ramos fraxini in cemeterio Ecclæ in contemptu scæ ecclæ. Then John Fox himself broke open Mabel Bencosin's box which was locked, fregit cistam quod erat sub serrâ, and John Piscato stood by while it was done, and John Fox was fined 6d. Then we have John Montfort for committing the offence of Hamsoken (that is, invading the home of John Fox) et ipsum insult, eum cum cultello. Several women are presented for Lehrwite (fornication), but only when committed cum quodam *extraneo*. There is also the case of Wm. de Gys, presented as vagabundus de nocte et perturbator Pacis domini Regis et nescitur unde venit. John le Huxtere is also presented as vagabundus de nocte et suspectus mali penes eum. There is also Johanna, the daughter of Galfrid Whytering, presented as a leper, est leprosa. This long list does not by any means exhaust the catalogue of offences dealt with, but enough have been brought forward to shew that human nature then was pretty much the same as human nature is now. There are, however, three more small offences recorded which ought not to be passed over. One is a presentment of Richd. Manitele and Wm. de Helegye for defaming the lord's Court, by falsely and maliciously averring that no one could obtain justice in it; the second is a presentment that Wm. Tepito is fined 2d., quare impedit per *garulationem*, so that the capital pledges could not hear the particulars of the various presentments, and the third is that Constantia Brice, one of the tapsters, was fined for not permitting the tastatores cerevisiæ, *tastare*.

The use made of the Fens. It would appear by the allusions in these Rolls that the vegetable produce of the Fens consisted almost exclusively of sedge (lesch) which was probably a name used generically and covered all the *Canices* abounding in the fens, as well as the special sedge of Burwell

Fen (*Cladium mariscus*) to which the University of Cambridge was formerly so much indebted as a means of lighting their fires. Probably the word also covered reeds and rushes, as neither of these words occur. The word "Lesch" has now become obsolete in the Fens; but the French name for the plants of the genus *Carex* is "Laiche." The word "leyt" occurs a few times, and obviously meant a coarse sweet grass, what we still call "leed" [*Poa (glyceria) aquatica*], which was made into fodder for cattle, and which was of sufficient importance as a fen plant to receive special notice from Camden. Turf was cut in large quantities under strict regulations. There were evidently large pools of water in the fens called in the Rolls "gurgites" and "stagna," producing abundance of fish, especially eels, which were valued at 10s. to the thousand, and rent was often paid in eels. John Albin owed the Vicar of Littleport 1000 eels for tithe. There were also abundance of wild fowl, and their eggs. The small portion constituting the high land of Littleport (consisting of not more than 900 acres) was evidently well cultivated, with all the cereals and pulse still grown by farmers, and we find reference to ground game in the lord's warren, and the dogs of the Brothers of St John of Jerusalem together with a vineyard belonging to the lord.

Drainage. Very little is to be found which can throw any light on the Drainage. With crops of lesch, leyt, and rush, the people of Littleport needed none. The only reference to this subject which I have noted is where Wm. Hamond and John Spynnerel had obstructed a water course "cursum aque" at Ewerestring ad dampnum dñi Epi et nocumentum tenentum suorum, and they were fined 4*d.* to the Lord and ordered to repair and amend and cease to do further injury.

Roads. Tota villata de Lyttleport was presented for not repairing a causeway, and several individuals were also presented and fined for a like cause.

Government of the Village. There was the steward of the manor, the tasters of beer, an officer to collect the lord's rent, a collector of eels, a master of the harvesting, a person to see the bylaws were kept, an officer to buy and sell for the lord, a lord's miller over the lord's mill (unless it was let), an officer to report trespassers in marsh and warren, and there was what would now be called a fen reeve, who in the Rolls is called *Prepositus*, or *Provost*. There were views of frankpledge. If any one went out of the village he was reported, if any one came in he had to find his way into a decenna, where nine other persons would have to be responsible for him. If a tenant wanted to marry he had to obtain a *licentia maritandi* and pay to the lord a half mark for the privilege to do fealty. In addition to all these was the vicar of the parish whose name in the 20 Ed. II. was Wm. Russell.

There are also in the Rolls several allusions to tenure. Lands are called *Terræ de Wara*, and *Terræ de Bondage*, and some curious presentments appear as to the status of the new settlers called "undersetlers" in the village, and as to their rights in the fens, but to refer to these matters at large would extend this paper to too great a length.

In conclusion it is hardly necessary to say that the Rolls are in abbreviated Latin, very clearly written, the ink of good colour, and easily to be read by those whose eyes are accustomed to the character and this particular kind of research, of whom the author of this paper is not one. The only exception to the Latin is a rescript or mandate from the Bishop, written in Norman-French, dated from his manor of Somersham, and addressed to "Michel de Cantebrugg Seneshal de notre Isle d' Ely," requiring the Court Rolls to be searched on behalf of a lady, one Agnes Ange, who made claim to dower in some land at Littleport.