



Portion of Assize Roll 12 Edward I.  
relating to the Hundred of  
Beynhurst, Berks.

*By Mr. Nathaniel Hone.*

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**T**HE following is a translation of one membrane of an Assize Roll for the year A.D. 1283. These Rolls are interesting as presenting us with a picture of social life in the village communities of the period; the system of local government and police, and the organization of the hundred and township are here unfolded before us.

The elliptical style of the language evidently points to the conclusion that these documents were the actual notes of the presentments and evidence taken down in Court, which the clerks would have to rapidly turn into Latin from the local dialect in which they were delivered.

The Assizes in this Michaelmas term were held before the Justices itinerant at Windsor; each Hundred of the County was represented by its jury of twelve, a list of these forms the last membrane of Roll. It was their duty to present the crimes of their several districts.

Every man was supposed to belong to some tithing *decenna*, who in the case of a crime committed by him was responsible for his arrest and production, otherwise he would be in the mainpart (household) of some great man who would be equally responsible for his appearance, and on the criminal's flight from justice liable to a fine *in amerciamenta*. By a law of the Conqueror in a case of homicide and escape of the criminal, if the murdered man could be proved by his kinsfolk to be an Englishman, the tithing would be exempt from the fine *murdrum*: if Englishry, *Englescherea*, could not be satisfactorily established, the victim was accounted a foreigner and the fine enforced. As an example of the more common presentments, some evildoers, *malefactores*, have broken into a certain house and slain the inmates, it is not known who they were and no one is

suspected, *nullus malecreditur*. Here nothing can be done which is noted, *Eb ideo nichil*, or again a murder has been committed and a certain person is suspected and has fled, he is demanded by the Court and outlawed, his goods if he have any are forfeited and the sheriff has to answer for their value, *et vicecomes respndeat*.

Besides crimes, the jurors were bound to bring to the cognisance of the Court other matters of a civil nature, such as the case of females or minors holding property within the hundred, or of an eldest son having attained his majority and not having taken up his knighthood, whereby a fine accrued to the Crown.

Those who wish to make a further study of these interesting documents will find great assistance in Mr. F. W. Maitland's Pleas of the County of Gloucester published by the Selden Society, to the able preface of which I am indebted for the substance of the foregoing remarks.

Pleas de Juratis et assisis taken before Salomon de Rochester  
Assize Roll Berks No. 48 12 Ed. I. Translation. Richard de Boillond Robert Ffulke and Geoffrey de Picheford justices itinerant of the lord King at Windsor in the County of Berks in the Octave of St. Michael in the twelfth year of the reign of King Edward.

The Hundred of Benhurst came by xii jurors: Thomas fitzAdam of the Oak and Robert his brother were attached in the vill of White  
township of White Waltham Waltham. So that the aforesaid Robert struck the aforesaid Thomas with a stick on the head from which he died, and forthwith fled and is suspected. Therefore let him be demanded and outlawed. His chattels [were worth] vs. vid. for which the vill of Shotesbrook must account. The same held land, [referring to the system of cultivation on the three years shifts—every third year the arable land being thrown into fallow] whereof the year and waste [were worth] xi for which the same vill must account and the mesne time of the same land [was worth] xvi for which the same vill must account. The first finder [i.e. of the corpse] comes and is not suspected. No Englishry [is presented]. It is adjudged murder upon the hundred. And the vills of Waltham and Shotesbrook have not made suit therefore they are amerced.

John de Waleys and Ivor his brother have slain Robert the Reaper of Roesia de Shotesbrook in the same vill and forthwith fled and are suspected. Therefore let them be demanded and outlawed. They had no chattells nor were they in the tything because they were strangers, but they were of the manupast [household] of

Henry de Shotesbrook. Therefore he is amerced. And the vill of Cressewell does not come to the inquisition before the coroner. Therefore it is amerced.

Robert de la Ho, Roger Le Tayllur and Stephen de la Lake fished in the fishery of Roesia de Shotesbroke on account of which the aforesaid Roesia commanded William le Bolt and Richard le War reaper and Robert de la Bure and William le Rede carter and John fitz Terry to be sureties for them and contention arising between them the aforesaid William, Richard and Robert de la Bure slew the aforesaid Robert de la Ho and forthwith were taken and imprisoned at Wyndesor and afterwards were delivered to bail by writ of the lord King and William le Bolt is now dead and Richard the reaper and Robert de la Bure have now withdrawn themselves and are suspected, therefore let them be demanded and outlawed. They had no chattels nor were they in the tything, but they were of the manupast of the aforesaid Roesia who is dead, and John Terry now comes and defends the death and everything and for good or evil puts himself upon his country. And xii jurors say upon their oath that he is in nowise guilty of the aforesaid death. Therefore he is quit thereof. And the aforesaid William le Rede carter never withdrew for the aforesaid deed nor is he suspected therefore. And the aforesaid William Terry of Shotesbroke, William de Camera [of the chamber], Robert fitzPeter, Robert Thudret, Ralph Godard, William of the oak, Walter Kere, Robert Herding, John Wolerich, William de Cruchesfield [Crossfield], Ralph de Burnham mainprised [i.e. undertook to produce] the aforesaid John Terry, and Ralph de Camera, Ralph Godard, William de la Adam Godard, Robert Thudred. William of the Oak, John de la Putte, John de la Hulle, William Attewodehech, Adam de Ashwood, William de Cressewell and Peter le Man mainprised the aforesaid Robert de Camera to have them on the first day and they have not done so, therefore they are amerced. And it was agreed by the xii jurors that Nicholas de Yatingdon, sometime constable of Wyndusore, took mainprise of the aforesaid Richard le War, and Bartholomew de Yatingdon, brother and heir of the aforesaid Nicholas, has not yet answered of the aforesaid mainprise. Therefore it was commanded the sheriff that he cause the aforesaid Bartholomew to come and answer for the mainprise aforesaid. Afterwards comes the aforesaid Bartholomew and makes a fine for the transgression because he did not answer, xxs as appears within by the rolls aforesaid.

Some unknown evildoers broke into the house of Ralph Loutherte

in the vill of Creswell and slew Alice the wife of the aforesaid Ralph and carried away his goods. It is not known who they were. The first who found it out comes and he is not suspected. No Englishry. It is adjudged murder upon the hundred, and William Bodrigan was taken for the aforesaid death and imprisoned in the Kings prison of Bray in the custody of the vill of Bray, who from the custody of the same escaped. Therefore it is adjudged escape upon the aforesaid vill, and forthwith he put himself in the Church of Bray and acknowledged the aforesaid deed and abjured the kingdom before the coroner. He had no chattels and was in the tything of Cresswell. Therefore it is amerced, and the vill of Bustleham and Hurley have not made suit, therefore they are amerced. And the escape more fully appears in the hundred of Bray where the said William escaped.

Some unknown evildoers broke into the house of Parnell Self in the vill of Bustleham and slew her, Parnell, and forthwith fled. It is not known who they were. The first finder comes and is not suspected. But the vill of Ramenham does not come to the inquisition before the coroner, therefore it is amerced.

The jurors present that John Whytney was taken for a certain theft of a hog and is imprisoned in the prison of the Prior at Hurley in the time of John de Syra sometime Prior of Hurley, who so detained him at will in prison and afterwards permitted him to go, and the jurors in no wise suspect the aforesaid John Whytyng. And it was commanded the sheriff that he distrain the aforesaid prior to show by what warrant he claims to have a prison and that he cause to come the aforesaid John de Syra sometime prior who has resigned the office of Prior and now is a monk in the same house. Afterwards it was witnessed that the aforesaid John is a paralytic, and the prior of Hurley made a fine for him xxs by the pledge of Robert of Hurley.

Of liberties: they say that the Abbot of Waltham claims to have gallows and correction of the assize of bread and ale at Heywode and the Abbot of Chertsey claims to have the same liberties at Waltham, they know not by what warrant. And the Abbot of Waltham by his attorney says that the lord Henry king, father of the lord king that now is, granted to him infangenthef in his lands aforesaid and view of frank pledge and produces a charter of the same king which confirms this. And the Abbot of Chertsey, by his attorney, comes and says that the lord Edward king, ancestor of the lord king that now is, granted to the Abbot of Chertsey the liberties aforesaid and

produces a charter or deed of the same king in English, which confirms this. And the jurors say upon their oath they used the same therefore they are without a day saving the right of the lord king.

A certain unknown man was found slain in the wood of the Prior of Hurley in a certain place which is called Outtescroft. It is not known who slew him, the first finder comes and is not suspected. No Englishry. It is adjudged murder upon the vill of Hurle because it does not participate with the hundred, And the vills which formerly, &c.

William Pynke and William Colbe slew John Joye in the vill of Bustleham and forthwith fled and are suspected, therefore let them be demanded and outlawed. They had no chattels, nor were they in the tything because they were strangers. The first finder comes and is not suspected. No Englishry. It is adjudged murder upon the hundred. And the vills which formerly, &c.

Of youths and girls: they say that Jordan le Forester held xxiiii librates of land in Waltham in chief of the lord king by the serjeantry of keeping the Bailiwick of the Twythene in the forest of the lord king, and Joan, daughter and heiress of him Jordan, is within age, and in the custody of the lord king. Of ladies: they say that Amicia who was the wife of the aforesaid Jordan was dowered of the third part of the aforesaid Jordan and was married to a certain Milo de Hastings and because she had no land in this county it was commanded the sheriff of Oxon that he should distrain them. Afterwards it was witnessed that the aforesaid Amicia was not dowered in this county, but in the county of Oxon. Therefore inquiry is to be made there.

Of serjeantry: they say that Hugh de St. Philibert holds the Manor of Cressewell by the serjeantry of bringing the measures of wine to the morning meal of the lord king, and that serjeantry is called de la Huse throughout the realm of England. And the jurors being asked if the aforesaid Hugh performs the same serjeantry they say that it is at the will of him the lord king.

Of indictments: they say that Adam le Brune has withdrawn himself for burglary of the grange of John de la More, Adam Moppe groom of the Prior of Hurley for money stolen of the same prior; William Putmere for hogs and chattels stolen; Robert Clepees has withdrawn himself for several thefts and robberies; and Walter Leman for breaking into the money chest of John Puther of Hurle; Robert de la Bure hath withdrawn himself for the death of Robert de la Ho and Agnes le Brune hath withdrawn herself for harbouring

thieves, and Peter Horlak hath withdrawn himself for robberies and other thefts, and all are suspected. Therefore let them be demanded and outlawed, and let the aforesaid Agnes be demanded and waived. [A woman not being held within the law could not be outlawed, she was waived which amounts to much the same thing.] The chattels of the aforesaid Adam are worth iiiid, for which the tything of Carswell must account, and he was in the same tything. Therefore it is amerced. The chattels of the aforesaid Walter Putmere are worth iis, for which the tything of Hurley must answer. And he was in the tything of Hurley. Therefore it is amerced. And Adam and the others have no chattels, but the aforesaid Adam Moppe was of the manupast of the Prior of Hurle. Therefore he is amerced, and Walter Leman and the others were of the tything of Hurley. Therefore it is amerced.

Of defaults: they say that Peter de Montfort, John ffaron de White Waltham, Hugh de la Dene of Hurle have not come on the first day. Therefore they are amerced.

Of youths: they say that John de Sotesbrok holds a whole knight's fee and is of full age and not yet a knight. Therefore he is amerced.

Of the vill of Wautham, the chattels of Hamors Wykyng who was hung are worth iiis, and that the Abbot of Chertsey took those chattels without warrant.

The jurors present that a certain Robert Waldyng was taken with an ox [which he had] stolen at the suit of John Wyood, and in full hundred [court] of the seven hundreds, was convicted at the suit of the aforesaid John, sentenced to be hung and by William de la Ho then bailiff of the seven hundreds was delivered to the Abbot of Wautham, who caused judgment to be done on him in his manor of Heywode upon a certain oak, they know not by what warrant. And the abbot by his attorney comes and says that he claims to have infangenteeff in his lands, because he says that the aforesaid Robert was taken within his manor, and by his bailiff brought into full hundred and convicted as is aforesaid and afterwards he was delivered to him for judgment to be done on him by reason of his liberty of infangenthef, and afterwards they caused him to be hung upon a certain oak, because the abbot and his predecessors lately had gallows in that manor, and upon this comes William de Gyselham who follows for the lord king and says that the lord king is in seisin and always has been of such liberties until the same abbot and his bailiffs unjustly seized such liberty from the lord king, and he asks that inquiry may be made, and the jurors being knights

elected for this purpose [say] that the aforesaid abbott and his predecessors have used the aforesaid liberties from the time that they first held the manor of Heywode, moreover that the lord king or his successors [never] had seizin thereof within the tenure of the same abbot. Therefore the aforesaid prior, as far as this matter goes is without a day saving the right of the lord king.

Of feuds they say that John de Sotesbrok holds one knight's fee in Sotesbrok in chief of the lord king.

Of withdrawals: they say that the prior of Hurley holds certain land in Hurley which is called Chedenhanger from which the lord king was wont to have a certain suit at the seven hundreds every three weeks until some thirty years since that that suit was taken away to the damage of the lord king of iis per annum, and likewise the Prior of Hurley together with the whole vill were accustomed to sue at the aforesaid hundreds every three weeks and to give to the lord king per annum xxs for view of frank pledge and vs for hidage until Richard le Gras, sometime Prior of Hurley, withdrew the said suits, now thirty years since, to the damage of the lord king per ann xxxs. And the prior comes and says that it is a fact that the aforesaid suits were due from the tenants aforesaid as is aforesaid, but he says that the lord H. King father of the lord king that now is remised to the Prior of Hurley and his successors the aforesaid suits and likewise the lord king that now is confirmed the same to them and produces a charter of the aforesaid kings which bears witness to this. And William de Gyselham says that the lord king was in seizin of them after the making of the aforesaid charters and asks for the lord king that inquiry may be made. And the knights chosen for this purpose say upon their oath that the lord king never was in seizin of them after the making of the aforesaid charters, therefore the aforesaid prior as far as this matter goes is without a day saving the right of the lord king, &c.

The same John de la More, bailiff.

#### Jurors—

Names of the  
jurors on last  
membrane of  
Roll.

Robert de Cruchesfield, juror; Hugh de la Hulle, juror; Ralph Smewyne, juror; Gooffrey de la Strode, juror; Gilbert de Pinkeng, juror; Richard Morevill, juror; Gilbert Saddok, juror; Robert de Camera, juror; Robert de Waltham, juror; Hugh de Sullebrok, juror; John de Boston, juror; William Turry, juror.