




## Berkshire Court Rolls.

*By Mr. Nathaniel Hone.*

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O class of Records has suffered more from neglect than the Rolls of our Manorial Courts. Being of a semi-private nature, they have not to any extent found their way into our great national repositories, and many, no doubt, lie hidden and uncared for in the muniment rooms of old manor houses, and the offices of local solicitors. It is to be hoped that if the proposal of establishing County Record Offices should be carried into effect, many Lords of Manors may be induced to deposit therein these valuable Records, so replete with material for local history. They give us, like the Assize Rolls, many a vivid glimpse of the social life of the period. The Manorial Courts were of two kinds : The Court Baron, which appears to have been incident to every manor—a civil court dealing out justice between the lord and his tenants ; and the Court Leet, sometimes called a View of Frankpledge, which took cognizance of breaches against the King's peace. However, in the earlier period of our history, the separate jurisdictions do not seem to have been very carefully observed, and the same Court often dealt with both civil and criminal matters. After due proclamation, on the appointed "law-day," the tything men who form the jury, each accompanied by his tything, assemble at some convenient spot within the manor, and being charged by the steward are duly sworn to present, that is, to declare on oath, to their certain knowledge such and such things have been done or left undone, or that such and such property has changed hands. A.B. is presented for breaking the assize of bread or beer, *i.e.*, has either baked or brewed without a license or otherwise infringed the statute by selling at false weight or measure. Cattle or sheep are presented as having been found straying on the Manor and unclaimed, thus becoming the property of the Lord ; or one of the tenants has died and his son and heir is come to do fealty and pay his relief.

It is a matter of congratulation that the Public Record Office contains a goodly store of these Rolls, a great number of which are comprised in the munificent gift of Her Most Gracious Majesty to

the Nation of the private Archives of her Duchy of Lancaster. The following few membranes, referring to manors in the County of Berks, are found in this collection; they have been fully transcribed, and are here offered in translation:—

FIFYLDE.<sup>1</sup>—View of Frankpledge held there, the last day of July in the xix. year of Henry the Sixth.

The tything man comes there, and presents vii<sup>s</sup>. of cert money<sup>2</sup> this day, and iiij. quarters of fine wheat price per bushel ii<sup>d</sup>. v<sup>s</sup>. iiij<sup>d</sup>. sold. And they present that Robert Dodde ij., John servant of John Golloffer i., Thomas servant of the said John i., William Hykkes i., John Huet William Symmys i., John Symkyns ij., William Croftacre i., William Symkyns i., Richard Chapman i., Walter Banester i., John Ele i., John Wayfer i., William Levyng ii. . . . have brewed and broken the assize, Therefore they are in mercy. And they present that Bray the miller has not taken sufficient toll, therefore he is in mercy.

And they present 1 swarm of bees, value ix<sup>d</sup>. forthcoming of estrays<sup>3</sup> about the feast of St. John Baptist last past, not claimed, but remaining to the lords therefore they are forfeited. And to the same [Court] comes Alice Strange and Thomas Bocher, and give to the lord for licence to brew from the feast of St. Michael last past to St. Michael next coming, as appears in the margin and over their names, x<sup>d</sup>.

The tything man of Kyngston comes into full court with his tything. And gives of cert-money this day xx<sup>d</sup>, and 1 quarter of fine wheat, sold to John Numan for xvi<sup>d</sup>. And that William Lord has brewed once and broken the assize. Therefore he is in mercy. And that all other things are well.

The tything man of Dencheworth comes into full court with his whole tything. And gives of cert-money this day iiij<sup>d</sup>. And they present that John Smyth Hesy i. and John Spycer i., have brewed and broken the assize, therefore they are in mercy.

Verdict. xii. Jurors, to wit, Thomas Symkyns and his fellows come and present upon their oath that all the tything men above-

1. Duch. of Lanc.: Court Rolls No. 3, Bdle. I.

2. Certus=Certain money or head-money paid yearly by the resiants of the Manor to the Lord for the certain keeping of the Leet.

3. The numerals after the names indicate the number of times the offence has been committed, in some cases the amount of fines are inserted over the several names.

4. Extrahura=Any animal found within a lordship and not owned, to be cried in the two nearest market towns on two market days; if not claimed within a year and a day it became the property of the lord.

said have presented well and faithfully in all things. And all other things are well.

Affeerers { John Wybbyn } Sworn in due form.  
                  { John Croftacre }

Sum { Of cert-money of this view ix<sup>s</sup>.  
          { Of perquisites of the court. iii<sup>s</sup>. ix<sup>d</sup>.  
          { Of Wardcorn. v. qrs.

FRYDELESHAM (Frilsham).—View of frank-pledge held there on Friday next after the feast of Holy Trinity in the xix. year of Henry the Sixth.

The tything man comes there with his whole tything and gives to the lord of cert-money this day iii<sup>s</sup>. vi<sup>d</sup>. And [they present] that John Pynno takes excessive toll. Therefore he is in mercy. And they present that Richard Umfrey i., John Whitehede ii., Gilbert Selke i., John Skynner i., John Strode i., have brewed and broken the assize. Therefore they are in mercy. And they present ii. sheep forthcoming in the name of estrays, of which one is black, value vii<sup>d</sup>, the other white, value vii<sup>d</sup>, and remaining in the custody of John Longe, farmer of the manor there, and they have been proclaimed over a year, therefore they belong to the lords.

Affeerers { John Clerk } Sworn in due form.  
                  { John Kynston }

Sum of this view with cert-money v<sup>s</sup>. iii<sup>d</sup>.

COMPTON.—View of frank-pledge held there the Wednesday next before the feast of St. John Baptist in the xix. year of the reign of King Henry VI. of England after the Conquest.

The tything man comes there and presents of cert-money this day vi<sup>d</sup>. and i. qr. of drag called Wardcorn. And presents that Edward Longbord Prior of Poughley makes default of his freehold. Therefore he is in mercy. And presents i. ewe sheep white val. xii<sup>d</sup>. forthcoming of estrays about the feast of St. Michael last past, and remaining in the custody of Thomas Champp. And it was ordered the tything man to proclaim it. And they present that Henry Clynche i., Will Alwyn i., Thomas Champe i., have brewed and broken the assize. Therefore they are in mercy.

The tything man of East Ilsley comes into full court with his tything. And they present that Henry atte Mere, Will Ledulph are in sworn assize of the lord King, &c. And present that Constance Fraye iii. has brewed and broken the assize. Therefore she is in

5. Afferatores=The officers appointed to assess upon oath the amount of fines to be imposed on offenders in Courts Seignorial.

mercy. And that . . . Smart is in mercy because he has not presented against William Spicer.

The tything man of West Ilsley comes into full court with his tything. And gives of cert-money this day ii<sup>s</sup>. And they present that John Bynde and John Schoryer make default, the Prior of Sandelford and Elizabeth Romsey make default, therefore they are in mercy.

Affeerers { John Potynger } Sworn in due form.  
                   { William Ledulph }

Sum of the perquisites of this court with cert-money iii<sup>s</sup>. vi<sup>d</sup>.

The following is an example of a Court Baron treating of purely Manorial matters :—

WODESPENE,<sup>6</sup>—Court held there the v. day of February in the fifteenth year of the reign of King Edward the Fourth after the conquest of England.

The Homage come there and present that Walter Bernard who held of the Lady [of the Manor] by the enfeofment of John Botiller late of Spene, a free rent of xii<sup>d</sup> and one messuage in socage, hath closed his last day. And upon this comes Edmund Bernard his son and next heir of full age and more. And he does fealty and gives of relief xii<sup>d</sup>. And he is admitted tenant.

Also they present that John Hore, contrary to the ordinances and customs of this Manor, keeps three mares to the grave damage of the tenants and his neighbours ; therefore he is in mercy.

Also they present that the said John Hore has taken without license one ox imparked without the corn [field] of Vincent Busshnell into the pinfold<sup>7</sup> of the Lady.

To this court comes William Crockewell and claims to hold of the Lady one croft called Claycroft, and another called Jakescroft, and two acres of land lying in the southern part of Jakescroft, and half an acre of meadow in another part called Hedehulf, to hold to him for the term of his life, of which the date is the xxiiii. day of April, in the fourth year of the reign of King Henry VI. paying therefor per ann. v<sup>s</sup>. and suit of court, &c., and he shows the said copy in full court, &c.

The said William Crockewell shows another copy of a messuage, and vi. acres and a half of land with their appurtenances, called Quenehows, to hold to him for the term of his life, of which the date is the xx<sup>th</sup> day of June, the tenth year of the reign of King

6. Duchy of Lanc. : Court Roll No. 5, Bdle. I.

7. Pinfold=pound of the Manor.

Edward the iii<sup>th</sup>. Paying per ann. iii<sup>s</sup> and services therefrom due, &c.

The said William Crockewell shows another copy of one meadow called Ukkefordysmede, to hold to him for the term of his life, of which the date is the xx. day of June, the tenth year of the reign of King Edward the iii<sup>th</sup>. Paying therefor per ann. ix<sup>s</sup>. viii<sup>d</sup>. and services therefrom due, &c.

The said William Crockewell holds at will without copy xviii. acres of land in the fields of Benham, called Byland formerly Pydmans, and ij. acres of land called Smokacre, and v. acres of meadow in the common pasture called Benhammede. Paying therefor per ann. viii<sup>s</sup> and he used to pay per ann. xv<sup>s</sup>. Therefore it was commanded the bailiff to seize the same towards the feast of Michael next, and provide for the tenancy, &c,

Sum of this Court xvi<sup>d</sup>. Affeerers { Robert Adams.  
Robert Webbe.

(To be continued.)

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NOTES ON THE ANCIENT HISTORY OF WANTAGE.—Mr. Edwin H. Baverstock, writing from 24, Holford Square, London, to *Church Bells*, with reference to Wantage Parish Church and the late Dean of Lincoln, points out some inaccuracies which appeared in a review of the late Dean Butler's work at Wantage (published in a previous number of *Church Bells*). He points out that the fine brass in Wantage Parish Church to the memory of Ivo Fitzwarin bears the date of 1414; and then proceeds to mention that the spiritualities of Wantage were given to Bec Abbey by Henry II., out of gratitude, and owing to the fact that both his father and mother were buried there. He says: Wantage-with-Hungerford, Shalborne, and the two Ogbournes, near Marlborough, comprised the great cell of Okeburn, the largest cell in England belonging to Bec. The Manor of Combe, also, not far from Newbury, nestling under the down, on the top of which stands the third Combe "gallows," its church dedicated to St. Swithin, was given to Bec by Ameline de Hesding, the wife of one of William the Conqueror's most powerful nobles, and attached to Okeburn. In a lecture delivered at Wantage in September last, I called attention to the fact that, in 1247, the whole town of Wantage paid a tallage of 40s. to the Abbot of Bec, and that for a period of 250 years (Henry II. to Henry V.) Wantage was under Bec rule. All the histories about Wantage perpetuate the error that John, Duke of Bedford, died "seised" of the Rectory of Wantage, in 1436, whereas the Duke handed it over to the Dean and Canons of Windsor (the present patrons) on the 3rd of December, 1421. As regards Ivo Fitzwarin (Mr. Baverstock says) I have encountered three varying statements respecting his age. One makes him over seventy years of age at the date of death; another that he was born in 1361, and therefore only fifty-three in 1414. The third statement, unearthed after much research, I am inclined to accept as true. It is one of 631 documents, formerly kept in the White Tower of London, running thus:—

"No. 29.—Fitzwarren, of Whytington, Ivo son and heir of William, born at Blowntesdon (now Blunsdon), S. Andrew, and baptised there 30 November, 21 Edward 3rd Wils."

This would be 1348, and therefore Ivo was nearly sixty-six years old at the time of his death. Some have conjectured that the altar-tomb in Wantage Church chancel is to the memory of Ivo's father, Sir William Fitzwarin, Knight of the Garter, who died of the pestilence. In 1350, Edward III. gave him and other Wantage men permission to go on a pilgrimage to Rome. Indeed, the history of the Fitzwarins, so long connected with Wantage, is not easy to trace.