

## Original Documents.

WRIT OF HENRY III. RELATING TO CERTAIN DISORDERS IN  
THE REALM SUBSEQUENT TO THE PARDON OF THE NOBLES  
WHO HAD TAKEN PART WITH THE EARL MARSHAL. DATED  
JUNE 6, A.D. 1234.

From the Evidences of George Alan Lowndes, Esq., of Barrington Hall, Essex.

Communicated by the late WILLIAM CLAYTON, Esq.

THE incidents to which the following document relates are connected with a memorable crisis in the eventful period of the reign of Henry III., a reign, with one exception only, of longest duration in the annals of our sovereigns, and chequered with many discordant conditions alike in political and in social affairs. The youthful prince, whose succession was disputed by a dangerous and powerful competitor, in a position replete with jeopardy to his inheritance and his person, was mainly sustained for a brief interval through the wise counsels of the Regent, William, Earl of Pembroke. On his untimely decease in 1219, when Henry had attained only to the age of twelve years, the regency fell into the hands of the ambitious Peter de Roches, Bishop of Winchester, a native of Poitou, a prelate scarcely less energetic in military command than in the subtle influence which for many years rendered the weak-minded king the passive instrument of his selfish ambition. Amongst the arbitrary acts of that wily alien, Henry was so effectually imbued with distrust of his nobles, that they were dismissed from posts of influence and power; the reins of government and the command of the royal strongholds were committed to foreigners. The unshaken loyalty of noble hearts, such as the distinguished Justiciary, Hubert de Burgh, and other faithful servants of the crown, was sorely tried. Richard, Earl Marshal, son of the Earl of Pembroke who had been so instrumental in seating Henry III. on the throne, had been disgusted by the favor shown towards Peter de Roches and other foreigners; he made an urgent appeal to the king to reform abuses, and thus aroused their enmity. Having had notice that an attempt was about to be made to seize him, the Earl Marshal fled to Llewellyn, Prince of Wales, and having mustered a considerable force, made a raid with him into the territory of the king, burned Shrewsbury, and carried off a valuable booty. Henry seized the castles and possessions of the Earl, who, with his brothers and the other proscribed nobles, retaliated, and ravaged the country with hostile aggressions. After a short time the Earl was enticed to Ireland, where he had extensive possessions, and he was there betrayed by some of his followers. After a gallant defence he was wounded and captured on April 1, 1234, and died in prison a few days after. Shortly after this event, through the mediation of the Archbishop of Canterbury and others, his brother Gilbert, who succeeded as Earl Marshal, and also his two other brothers, Walter and Anselm, with their

friends Gilbert Basset and Richard Seward, came over to the king, and were restored to favor. Having been summoned to meet the king at Gloucester, they were then admitted to the kiss of peace on May 28, 1234, and their lands were restored to them. On Whitsunday, June 11, according to the contemporary narrative of the monk of St. Albans, Roger de Wendover, Henry bestowed the *cingulum militare* on Gilbert Marshal at Worcester,—"tradens ei virgam marescalciæ suæ, sicut eam antecessores melius et liberius habuerunt." The king likewise admitted into his household and privy council the Justiciary, Hubert de Burgh, Gilbert Basset, and Richard Seward.<sup>1</sup> The disaffected nobles having been reconciled to the sovereign, recalled their adherents, designated in the following document *inprisi*,<sup>2</sup> sharers in the emprise, through whose lawless incursions the king's peace had been sorely disturbed in various quarters of the realm, and great loss of life and property sustained. There remained, however, some dispersed about the country with mischievous intent; in order to arrest these marauders writs were issued, and amongst others to the Sheriff of Essex; the object of the writ here subjoined was to command the Foresters of the county to assist the Sheriff in the matter.

In Rymer's *Fœdera*, vol. i., p. 212, a letter, undated, from Henry III. to Llewellyn, has been printed from Close Roll 18 Hen. III., reciting the reconciliation of Gilbert Marshal, "et omnes qui fuerunt *inprisi* Richardi Marescalli, tam de Anglia quam de Wallia, qui ad pacem nostram venire voluerunt," and inviting the Prince to meet and confer with the Archbishop and others in some secure and convenient place in the Marches of Wales, on Tuesday after the Feast of the Holy Trinity (June 20).

The following writ has been preserved amongst the muniments of the Barrington family, at Barrington Hall, Hatfield Broad Oak, Essex, now the property of George Alan Lowndes, Esq., by whose obliging permission it is here published. It has been stated by Le Neve and other writers that the custody of Hatfield Forest had been entrusted to a Saxon named Barentone, in the service of Emma, queen of Ethelred, and that he was deprived of his possessions by the Conqueror, but his son Eustace was appointed Forester by Henry I., with a grant of certain lands, subsequently confirmed by Stephen and Henry II.

We have to acknowledge the kindness of our late lamented friend, Mr. Clayton, in supplying a note of the various evidences which he found amongst the Barrington documents relating to the hereditary function of the Forestership of Hatfield. With his accustomed kindness he had prepared a transcript of the following original grant by Henry I., as we believe, hitherto unpublished.

Henricus Rex Anglie Episcopo London', et Alberico de Ver Vicecomiti, et omnibus baronibus de Essexia, salutem. Sciatis me dedisse et concessisse Eustacio de Barentona servienti meo terram illam que fuit Gaufridi Foristarii in Hatfelda solutam et quietam per custodiam foreste mee. Et

<sup>1</sup> Rogeri de Wendover Flores Hist., edit. by Mr. Coxe for the Hist. Soc., vol. iv., p. 310. The most detailed narrative of the events of this period is given by this chronicler, whose work was used by Matthew Paris as a basis for his own more extended history, and embodied

*verbatim*, with some occasional additions. Compare M. Paris, edit. Wats, *ann.* 1234.

<sup>2</sup> "*Imprisi*, qui *imprisiæ*, seu partibus alicujus favent, vel alterius tutelam suscipiunt, quomodo dicimus *emprindere*, vel *emprindere* le party de quelqu'un." Ducange.

preter illam concedo ei terram que fuit Adam qui se forisfecit de foresta mea, per xij. sol. reddendis inde per annum, sicut Adam eam habebat die qua se forisfecit de foresta mea. Et volo et precipio quod bene et in pace et honorifice teneat. Teste Roberto de Sigillo, et Willelmo de Montefichet, et Alberico de Ver, et Roberto de Ver, et Roberto de Essex. Apud London.

With the foregoing document the following have been preserved :—

- 1, Confirmation by King Stephen of the above grant.
- 2, Another confirmation by Stephen, granting also other lands.
- 3, Confirmation by Stephen granting to Humphrey de Barenton, son of Eustace, the lands held by his father, with the office of Forester.
- 4, A further confirmation to Humphrey de Barenton of his lands, and the office of Forester of William de Montefichet. (Chief Forester of Essex?)
- 5, Another grant to Humphrey of lands in Hadfield-Writtle (i.e., Hatfield Regis), Hadfield-Havering (i.e., Hatfield Peverel), and Witherfeld.
- 6, Patent of Henry II., confirming the above grants to Humphrey de Barenton.
- 7, The writ here subjoined, dated 18 Henry III. At that period Nicholas de Barenton, grandson of the above-named Humphrey, held the lands in question and was Forester of Hatfield. To him doubtless the writ was addressed.

The document, which through the kindness of our departed friend we submit to the readers of this Journal, measures only 6 inches in length by  $2\frac{7}{8}$  inches in breadth; the lower margin is somewhat ragged; it is probable that a label was cut about two-thirds of the length of the parchment, and that to this was attached the seal which, with the narrow slip or label, has been torn away. Some obscure traces of writing may be discerned at the lower corner to the right, in paler ink than that used in the document; the words have been cut through, they may however be thus deciphered,—*Forestariis de feodo et aliis*.

The obliging courtesy of the late Mr. Clayton and his intimate acquaintance with documentary evidences, from which on many occasions he drew forth valuable matters for our gratification, are in the remembrance of the readers of this Journal. In bringing before them this his last contribution, received shortly before his decease, we would record the tribute of respect and esteem of the assistance of our lamented friend, during many years, in which the results of his investigations were ever freely placed at our disposal. We cannot refrain from bearing the tribute of grateful regard to the memory of one whose friendly exertions in promoting the purposes of the Institute, especially in connexion with their gathering at Rochester, had been unwearied to the latest day of a life which has been brought to so painfully sudden a close. Mr. Clayton had been invited to take part with the Earl of Darnley and other persons of note, in a deputation of the Kentish Archæological Society, who desired to tender an expression of goodwill towards the Institute on assembling to hold their annual meeting at Rochester, and he was about to proceed thither on that friendly purpose.—*Deo aliter visum!*

## WRIT OF HENRY III., A.D. 1234.

(From the Barrington Hall Evidences.)

Henricus Dei gracia Rex Anglie, Dominus Hybernie, Dux Normannie et Aquitanie, Comes Andegavie, forestariis suis de feodo et aliis forestariis de Comitatu Essex' salutem. Sciatis quod Gilebertus Marescallus et fratres sui, Gilebertus Basset, Philippus Basset, Ricardus Suward, et omnes alii Inprisii<sup>3</sup> Ricardi Comitis Marescalli in Anglia et Wallia venerunt ad pacem nostram, et eos recepimus in gratiam et amorem nostrum, et eis terras et tenementa sua reddidimus, ita quod predicti Marescallus Gilebertus et alii nobis sufficientem securitatem fecerunt quod nec per eos nec per suos nobis vel regno nostro dampna evenient decetero; et quia multi, ut audivimus, nomine eorum itineraverunt per terram nostram pacem nostram perturbando, et adhuc perturbant, ut dicitur, mandavimus Vicecomiti Essex' quod diligenter et viriliter modis quibus poterit se intromittat ad predictos perturbatores et malefactores in baillia<sup>4</sup> sua arestandos et capiendos, ut pax nostra in baillia sua firmiter observetur, et ne pro defectu sui ad ipsum et baillivos suos oporteat nos manum apponere graviolem. Et idcirco vobis mandamus quod eidem Vicecomiti et baillivis suis ad hoc faciendum totis viribus sitis taliter consulentes et auxiliantes, ne pro defectu vestro malefactores in bailliva vestra conversentur, pro quo ad vos graviter nos capere debeamus. Teste meipso apud Theok(esburiam) vj. die Junii anno regni nostri xviii<sup>o</sup>. [A.D. 1234.]

<sup>3</sup> *Sic.* The word is usually written *imprisii*. See Wats' Glossary, appended to his edition of M. Paris, and Ducange, *in v.*, as cited in a note *supra*.

<sup>4</sup> *Sic.* The more usual form of the word is *baillivia*, written also *baillia*, *ballia*, *balia*, &c. See Ducange,