

Original Document.

Communicated by JOSEPH BAIN, F.S.A., Scot.

"A tresnoble consail le Counte de la Marche monstrent si lour plest labbe et Couent de Cerne qe sont del fundacion des progenitours nostre Seignour le Roi qe come le dit Counte demande une seute de dite Abbe et Couent al hundr' de Mersshwode pour lour tenure de Symondesbergh' le quel manoir de Symondesbergh' est del primer fundacion et patronage nostre dit Seignour le Roi la ou nulle sute a ore est due come les ditz abbe et Couent souent ont offry de monstren lour chartres et evidences. Et nient contresteant vn Estephene Bolour baillif de Whit-churche et plusieurs autres meffesours par comandement de Seneschal et de son clerc du dit Counte viendrent oue graund nommbre a force et armes le Joedy proschein deuant la feste de Saint George ore proschein passe et pristeront oet boefs del charue a Symondesbergh' le quel manoir est la greyndre sustenance des ditz Abbe et Couent et enchaceront tanqal park de Mersshwode et apres a un autre temps pristeront iiij^{xx} et xvj owaillies nient tounduz et chaceront au dit park et al tierce foitz pristeront vynt et qatre boefs alantz al charue et chaceront au dit park et ce en brief temps manasseront de iour en autre de prendre touz les bestes de lour neifs tenantz par quey les ditz tenantz ne osent de faire lour hosebandrye ne les ditz Abbe et Couent ne puissent pour defaute des dites bestes; Sur quey le dit Abbe ad poursue la deludrance al dit viscecounte primo secundo. Et etiam sicut plur, vel causam. Et le viscounte ad retourne qil ne pust auoir la vewe des bestes pour faire la deliverance ¹[contre de les ministres du dit Conte demandans pour chescun piez des dites bestes un denier come pur fie auant le deliverance de la dite destresse] par quey priont les ditz Abbe et Couent en eovre de Charite et pour les almes des ancestres le dit Counte de prendre et receiure les chartres et evidences del dit Abbe et de auiser et faire eux droit et reson solonc lour evidences ou autrement de suffrir la deliverance estre faict par la ley issint qe la grosse verite puisse estre trie issint qe les ditz Abbe et Couent ne cient mester de pursure autre remede."

The original of the above is among Lord Frederick Campbell's Charters in the British Museum. It does not appear to which of the Earls of March it is addressed. The writing seems to be of the last part of the 14th or commencement of the 15th century. From its naming the Council of the Earl, it may have been addressed to Roger or Edmund

¹ The words in brackets are interlined in fainter ink, and in seemingly a different handwriting.

Mortimer, the 4th and 5th Earls, who were respectively minors in the 4th and 22nd years of Richard II.

The Abbot and Convent of Cerne in Dorsetshire complain that the Earl demands a suit from them to the Hundred of Mershwood for their Manor of Symondsburch, from which no suit was due, as they have often offered to shew by their charters and evidences. But, notwithstanding, one Stephen Bolour, bailiff of Whitechurch, and other evil-doers, by order of the Earl's steward and his clerk, came in great numbers and with force of arms, the Thursday next before the Feast of St. George [April 23] now last past, and took eight plough-oxen at Symondsburch, a manor from which the Abbot and Convent derive the greater part of their living, and drove them to the park of Mershwood; and again he took ninety-six sheep, not shorn; and a third time took twenty-four oxen going at the plough, and drove them all to the said park, and thus in a short time they threatened one day or other to take all the beasts of their "native tenants," whereby the tenants did not dare to do their labours, and the Abbot and Convent were unable, for want of the said beasts. Whereon the Abbot had pursued the deliverance to the said (sic) Sheriff "primo secundo. Et etiam sicut plur' vel causam." And the Sheriff had returned that he could not have a view of the beasts to make delivery, as the servants of the said Earl demanded for each beast one penny of fee before taking off the distrain: whereupon the Abbot and Convent, in the work of charity and for the souls of his ancestors, prayed the Earl to examine their charters and evidences, and do justice or otherwise, &c., &c.

There is no endorsement on the petition. According to Hutchins' *Dorsetshire*, Simondesberge (now Simondsbury) was a possession of Cerne Abbey at Domesday. Mershwood was anciently the only Honour in the County of Dorset. It was at an early date the property of the Maundeilles, and, after various transmissions, came to Lionel, Duke of Clarence, with whose daughter and heiress, Philippa, it passed into the hands of the Mortimers. Both of these places are in the Hundred of Whitechurch-Canonicorum.

The Abbot of Cerne of an earlier day appears in his turn to have exercised his rights in a high-handed style, and given cause of complaint by a widow against his officer. Maud, the widow of Robert Broun, complains to the King and Council that one Rauf Quenterel, bailiff of the Abbot of Cerne, had come to her house, broken three eggs, and driven off a horse, value 12s., which he did needlessly, for he made her understand he was ordered to distrain by the Abbot, and then drove off three cows, price "xx souz," which were so driven and "desolez" by him in his park, that they all died. This he did to her damage of "cent souz," and she seeks remedy.

The Council permit the complainant to have a Writ of Transgression in Chancery, with, it may be hoped, an equitable decision.

This latter document is probably of the reign of Henry III or Edward I. It is in the fine collection of Parliamentary Petitions in H.M. Record Office. No. 1181.