

## LIBERTIES AND FRANCHISES WITHIN THE RAPE OF HASTINGS.

BY WILLIAM DURRANT COOPER, F.S.A.

---

READ AT THE MEETING AT BATTLE, JULY 23, 1852.

---

THE entire rape of Hastings consists of thirteen hundreds, exclusive of the Cinque port of Hastings with its liberties, and the two ancient towns of Rye and Winchelsea. Of these hundreds the lord of the rape, the Earl of Chichester, is still lord of nine, viz., *Baldslow, Goldspur, Guestling, Hawkesborough, Henhurst, Netherfield, Ninfield, Shoyswell, and Staple*: for them, as did the Earls of Eu, from the time of the Conqueror's grant, he holds the courts leet; he also claims the wastes in them as chief lord; he receives, for various lands, the castle guard rents for Hastings Castle; and he appoints the coroner for the whole of the rape not included in the *Cinque ports* or *Battle*. Of the hundred of *Foxearle* the Earl of Ashburnham is lord, it having been sold 17th Henry VI, by Sir John Pelham to Sir Roger Fynes Knight. The three remaining hundreds have peculiar rights and privileges; they are,

1. **BATTLE**, comprising the parishes of Battle and parts of Bexhill, Sedlescombe, and Whatlington.

2. **BEXHILL**, containing that manor, formerly the possession of the see of Chichester and afterwards of the Earls of Dorset; and

3. **GOSTROW**, comprising the parishes of Brede in part, Iham, and Udimore, formerly the possession of the abbot of Fécamp and, on the suppression of the alien priories, of Syon Monastery.

All three hundreds are exempt from shires and hundreds, and free of all tolls, markets, and amerciements; Bexhill and Gostrow from the Saxon times, and Battle by the

Conqueror's charter confirmed by Hen. I, Stephen, and Hen. III.<sup>1</sup>

The valuation of the real property for the entire rape, in 1815, amounted to £149,569 ; and we are enabled from the account book of Mr. John Everenden<sup>2</sup> to give the following very interesting valuation of all the property in the rape made in 1648, and duly presented on 18th June, 1649.<sup>3</sup>

	£.	s.	d.		£.	s.	d.
Ashburnham . . . . .	802	0	0	Hooe . . . . .	872	10	0
Battle . . . . .	1,638	17	0	Icklesham . . . . .	1,649	13	4
Beckley . . . . .	1,802	12	0	Iden . . . . .	861	7	6
Bexhill . . . . .	1,796	8	0	Mountfield . . . . .	789	6	0
Bodiam . . . . .	518	0	0	Ninfield . . . . .	358	14	7
Brede . . . . .	860	15	0	Northiam . . . . .	875	10	0
Brightling . . . . .	1,054	0	0	Ore . . . . .	204	10	0
Burwash . . . . .	1,973	15	0	Peasmarsh . . . . .	973	16	0
Catsfield . . . . .	483	10	0	Penhurst . . . . .	320	14	0
Crowhurst . . . . .	368	0	0	Pett . . . . .	817	7	4
Dallington . . . . .	721	0	0	Playden . . . . .	461	0	0
Etchingham . . . . .	1,051	15	0	Rye . . . . .	945	0	0
Ewhurst . . . . .	1,438	10	0	Salehurst . . . . .	2,027	10	0
Fairlight . . . . .	465	0	0	Sedlescombe . . . . .	594	0	0
Guestling . . . . .	510	12	0	Ticehurst . . . . .	2,106	10	0
Guilford . . . . .	2,045	0	0	Udimore . . . . .	814	13	4
Hastings :—				Warbleton . . . . .	1,287	0	0
All Saints . . . . .	153	0	0	Wartling . . . . .	1,917	10	0
The Castle . . . . .	108	15	0	Westfield . . . . .	516	10	0
St. Clements . . . . .	235	10	0	Whattlington . . . . .	296	13	4
Heathfield . . . . .	1,503	0	0	Winchelsea . . . . .	874	0	0
Herst-Monceaux . . . . .	1,344	13	4				
Hollington <sup>4</sup> . . . . .	461	15	0				
					Total	£41,051	2 9

At the same period the valuation for Lewes rape was for lands, &c. £32,937. 11s. 6d. and personal estates £8706. 13s. 4d., together £41,644. 4s. 10d.; and for Pevensey rape for lands, &c. £54,284. 8s. 2d. and personal estates £2930, together £57,114. 8s. 2d.

Into the origin and particulars of the privileges of the CINQUE PORTS we need not enter at length ; it will be sufficient to state that the jurisdiction of Hastings extends in Sussex, over the entire parishes of All Saints, and St. Clement, St. Andrew, the Holy Trinity, and St. Michael, in Hastings,

<sup>1</sup> See copy of the Insuperimus Charter of Hen. III, 20 May, 1270, Addl. MS., No. 6166.

<sup>2</sup> Frewen's MSS.

<sup>3</sup> The lands, tithes, &c., and the personal estate are not separated in this rape.

<sup>4</sup> Probably including St. Margaret's and St. Leonard's, Hastings.

St. Mary Bulverhithe and the parish of St. Leonard's next Winchelsea, and includes part of the parishes of Ore, St. Mary in the Castle, St. Margaret, more recently called St. Mary Magdalen, St. Leonard, and the Liberty of the Sluice, in the parish of Bexhill; the remainder of these parishes being within the county.

I proceed, therefore, to notice the other exempt jurisdictions within the rape, and of these by far the most important is :

1. BATTLE, which under its charters was not only made "free and quit of every custom of earthly service," but also as the old chronicler tells us, "of all subjection of bishops, especially of the bishop of Chichester," and was declared to be as free as the metropolitan church of Christ Church, Canterbury.<sup>5</sup> I must refer those, who would seek a vivid description of the difficulty with which this spiritual exemption was maintained, to Mr. Lower's translation of 'The Chronicle of Battle Abbey.'

The peculiar privileges of the Abbey extended over the Leuga or Lucate, the boundaries of which are defined in that Chronicle.<sup>6</sup> This Leuga was at first divided into four, and subsequently into five boroughs, named respectively, *Mydyl*, now subdivided into *Middleborough* and *Uckham*, *Santlake*, *Monjoye*, and *Telham*, and it appears by the Chartulary at Carlton House ride, that parts of Whatlington and Sedlescombe<sup>7</sup> are within the borough of Monjoye.<sup>8</sup> There are also the outboroughs of Barnehorne, Glazye, Bucksteep, Whatlington, and Sedlescombe, within the hundred and the jurisdiction of the Leet.

The *civil jurisdiction* of the Abbot included the ordinary jurisdiction of the court leet, and the Abbey had a right of free warren in all its manors ;—treasure trove ;—the right of inquest ;—sanctuary first in cases of murder and homicide extended by the charter of Hen. III to all cases whatsoever ;—by the same charter the abbot was empowered to hold pleas of his tenants before his own steward, and by the charter of

<sup>5</sup> Chron., p. 82.      <sup>6</sup> Chron., p. 14.

<sup>7</sup> The Knights Templars had estates in this parish, the particulars of which are to be found in Addl. MS., No. 6165, f. 365.

<sup>8</sup> There was also a tenement called Wisshouse, in Ylkhurst, within Mount-

joye, although locally situated in the hundred of Staple. The relative values of the property in these boroughs, temp. Henry VIII, was Mydyl 30s. 6d., Sandlake, 51s. 8d., Monjoye 48s. 4d., and Telham 29s. 3d.

Edw. I, he had a right to all fines and americiaments of his tenants in the town, and cognizance of all trespasses committed within a certain limit of the abbey precinct. After these charters courts of gaol delivery were duly held in the town before the seneschal and justices itinerant, in the same manner as the gaol deliveries in towns that are counties of themselves; but I can find no authority for the statement that the abbot or his seneschal or steward ever alone exercised or had the power of capital punishment or licence to erect a gallows.

The customs of the manor are these :—

*The Manor of Batell in Sussex.*—Articles wherein is contained the whole Custom of all the Copyholders within the Lordship and Manor of Battell, as hath been used and accustomed time out of mind, confirmed, ratified, and allowed, by the Right Hon. Anthony Viset. Montaigne, Lord of the said manor and his tenants there the Wednesday in Palm Week, Anno Domini. 1564, in the presence of John Skinner Esq. High Steward of the said manor, John Jeffery Esq. one of his Lordships counsel, and William Denton Gentleman, his Lordships surveyor:

(Presented and enrolled again at a court holden 2d. June 1772).

*First.* All those tenants, which hold lands by copy of Court roll within the aforesaid manor, hold the same lands and tenements to them and to their heirs at the will of the lord after the custom of the manor, by which custom time out of mind, those copyholders which have not by copy of court roll their fine and heriott stinted to a certain sum of money, pay to the lord of the manor, after the death of every tenant, dying seized heriott (that is to say,) for every several tenement, the best beast, (except the lands lye within the Borough English), and the heir at his admission a reasonable fine.

*Item.* None that holdeth copyhold lands and tenements within the Watch Crosses of the town, pay heriott at no time for the said lands; but fine only as is aforesaid, because it is within the Borough English and within the same Watch Crosses the youngest doth inherit, as well the freehold as the Copyhold, (except there be any act done to the contrary).

*Item.* By the same custom the widow of the tenant dying seized may have the third part of his copyhold lands during her widowhood, agreeing with the lord for the same.

*Item.* By the custom of the said manor, if a tenant die seized of his lands and make no surrender, his child being under the age of fourteen years, the mother of the child shall fine for the lands with the lord, until the child come and be of age of fourteen years, and then the child shall take it in court and chose his keeper till he come to the age of one and twenty years, and then must they both be accountable to the child; and if the child have no friend alive to be his guide, then shall the next of kin to the child and farthest from inheritance make fine in the court, and keep the lands to the use of the child as is aforesaid.

*Item.* By the aforesaid custom the tenant may take upon his copyhold lands timber sufficient for the repairing of his copyhold, (so that it be not ridge-bone), being appointed by the lord's officer.

*Item.* By the aforesaid custom the tenant may not build nor repair any ridge-bone house with timber growing upon his copyhold, but with underwood, unless he agree with the lord.

*Item.* By the said custom the tenant may burn in his copyhold tenement all underwoods, and top the oaks that hath been used to be topped.

*Item.* By the aforesaid custom the tenant may digg up all manner of wood upon his copyhold land, so that he make the ground arrable to be sown, and sell those woods where he listeth, being appointed by the lords officer aforesaid.

*Item.* By the aforesaid custom the tenant may slope and top all manner of wood (except timber) growing in the hedges and for the maintaeance of his hedges, or in the copyhold lands, to take sufficient hedge-boot and stacke-boot for the maintenance of the same hedges, and if there be any wood left in making the said hedges the tenant may burn it in his copyhold house.

*Item.* By the aforesaid custom if two copyholds lying together, being two mens, the one having a good hedge and the other naught between them; the partie grieved must present it to the homage at the tenant's court, and the homage must present it to the steward, and then it shall be paind untill it be amended.

*Item.* By the aforesaid custom if there lye copyhold lands and freehold lands together, the one being one man's and the other being another's, if the freeholders marke between them be not sufficiently kept, the remedy for the copyholders is by way of action, and the freeholder to present the copyholder to the homage as aforesaid.

*Item.* By the aforesaid custom if any tenant having freehold and copyhold lying together, and taketh away the inclosure between them and have not a sufficient senture of the division of the copy and of the free, he shall be paind in likewise.

*Item.* By the aforesaid custom the homage at every tenant's court must present the death of every tenant that happeneth between court and court and what advantage the lord ought to have thereby, and who is his next heir, as also every alienation and sale that hath happened between court and court, with all other profits belonging to the lord.

*Item.* By the aforesaid custom, if the copyholder have not upon his own copyhold lands timber for the necessary reparations of his tenement (being no ridge-bone) the officer aforesaid shall appoint him timber upon some other copyhold lands, and in likewise plough-boot and wesne-boot.

#### *Of surrendering copyholds.*

*First.* If a surrender be made out of the court it must be delivered to one tenant in the presence of two tenants, or to the steward alone, and be brought in at the next tenant's court, or otherwise the surrender is void.

You may surrender your copyhold lands by the licence of the lord after the custom of the manor to the use of the last will, or to any other person for term of life, years, in fee or fee tayll, after the custom of the manor, as by record it doth appear.

Also if you surrender to the use of your last will by which will you intail

your copyhold, the surrender is good untill your will be accomplished according to your meaning, unless he which hath the first property of the will by surrender have any heir of his body lawfully begotten; that heir if he live to be of full age may surrender the same lands to some other use, then that the intail by the will aforesaid be clearly extinguished; and if the heirs of all those die which have the benefit of the said will before they do any lawful act, then shall the youngest to him, which had the last property, enjoy the same by our custom.

Also if you have made a surrender to the uses before-named, and he which shall receive the comodity of the same surrender do come to the next tenant's court to claim property thereof, or else do procure a court to be kept before the tenant's court, the lord ought to grant him the comodity of the surrender; and if he come within the proclamations made by the lord, (that is to say) at the several tenants' courts, the lord ought not to deny him the comodity of the surrender by our custom, whether it be in fee or fee tail, for years or for term of life: and if the surrender be in fee to him and his heirs, if they come not within the proclamations made by the lord as is aforesaid, then is the lands fallen into the hands of the lord. And if the surrender be but for term of life or years, and no property claimed, the surrender is void, and the youngest heir of him that made the surrender is heir to it, and not the lord. And if it fall among sisters, they divide it equally among them by the custom aforesaid.

*Forfeitures and advantages growing to the lord.*

*First.* If the tenant of copyhold fell by ground any other woods than underwoods to burn in his copyhold houses or otherwise, he doth forfeit his copyhold land to the lord, which forfeit ought to be taken: if it be well approved to be true by the bailiff of his liberty in this court, the bailiff must go to the lands, and set thereupon a white wand, and say these words or such like in the presence of two tenants: "In the name of the lord, I have seized this land to the use of my lord untill such time as the owner that was or his heir come and fine and agree with the lord for the same."

*Item.* If any man let his copyhold lands for years otherwise than from year to year, and agree not with the lord for the same, he maketh the like forfeiture.

*Item.* If any tenant hold copyhold lands to be freehold, and hath not the lord's license to shew it, he maketh the like forfeiture.

*Item.* In likewise the homage ought to present at every tenant's court if any copyhold houses are going to decay or ruin for lack of repairing, the steward ought then to give a day for the repairing thereof by a fine.

*Item.* If any man have a copyhold house and no ridge-bone blown down with the wind or otherwise, he shall be likewise pained by a fine to build it again, or else to agree with the lord for it, or else to let it fall into the lord's hands for lack the reparations be not done.

The *ecclesiastical jurisdiction* of the abbot, which still exists, includes all the rights of visitation, of holding courts, of granting probates, and administrations, and licenses for marriage, within the Leuga, in as ample a form as was possessed

by the Bishop of Chichester himself. The chief of this jurisdiction is styled "*the Dean*," although the church of St. Mary is parochial only, and not collegiate. The authority for the title is not very clear, but the following account is given of its origin in the *Abbey Chronicle*:<sup>9</sup> Whilst the Abbey was without an abbot, after the death of Walter de Lucy (1171), Humphrey, a priest and parson of the church of St. Mary, died, and the prior and convent took the church into their own hands, received the revenues, and assigned a vicar, but without any fixed appointment, to perform the duties. There were many eager applications for the church; and writing in reply to one, Poitou, afterwards Bishop of Winchester, the prior and convent having conferred together, said, that the church was a chapel to the abbey, so that its altar was reckoned as one of the abbey's own altars; and that the chaplain therein ministering ought to be acquainted with the affairs of the monastery as if he were one of its monks; and in the margin it is written, "of which he ought to be Dean." The court, till the present century, was in active operation for all the ordinary purposes of ecclesiastical courts, such as determining church-rate disputes, punishing for brawling and defamation, citing and punishing parties for living together without matrimony, &c.; and several wills were proved. Latterly, however, the business has fallen off, the suits have ceased, and it appears by the return made to the ecclesiastical commission in 1830, that there had been only two probates, and two administrations granted in three years; the average annual emoluments of the judge were only £5. 8s., and of the registrar £3. 3s. 1d.

The earliest register of wills now preserved in the registry commences in 1531, and contains forty-four pages of the reign of Henry VIII: there are no wills entered during the reign of Mary: the entries commence again 3 Edward VI, and continue till 1616; the next book, from 1616 to 1731, is missing: but the original wills, from 1685 to 1728, were found by me tied up in a bundle: from 1731, the entries in the register are continuous. A reference to very few of the earliest wills is interesting.

The first entry is in 1531, of the will of *Nicholas Morant*, who directed his body to be buried in the parish church of

Battle, if he should die there. He gave to the high altar of that church, for tithes and oblations neglected and forgotten, 20*d.* : to the light before the crucifix, 8*d.* : to the shrine of St. Richard at Chichester, 4*d.* ; to the shrine at Battle, 4*d.* : to the Lord Abbot of Battle, to offer the Holy Sacrifice according to his intention, and in satisfaction for his offences if he had in any way offended him, 10*s.* : to the convent there, to celebrate mass for his soul, 10*s.* : and the residue to his two sons.

The next entry is the will of *Julyan Apreese* in 1535 ; and on the 8th March in that year is the will of *Margaret King*, widow, of Battle, and of the exempt jurisdiction there, which contains these devises : “ I bequeath to the high altar there for my tythes and oblations negligently forgotten, 2*d.* Item, to St. Richard’s shrine of Chichester, 6*d.* Item, at my burial, 3*s.* For my month’s mynd, 3*s.* Item, to John Iden’s daughter, a calf ; and to every child of the said John Iden, a calf of the same size. Item, a calf to Mildred Kemp. Item, to Johan Iden, my black kyrtyll. Item, Alice, Iden’s wife, all my moveable goods in Battle.”

In the same year, *John Sykyll*, after making 4*d.* provision at the high altar for his tithes and oblations negligently forgotten, and bequeathing 2*d.* to the shrine of St. Richard, proceeds :

“ Item, I wyll at my buryall, fyve masses. Item, at my month’s mynde, fyve masses. Item, at my yery’s mynde, ij masses. Item, I gev and bequeth to Rychard Lucas, my daughter’s sonne, foure markys of good and lawfull money of Ynglond, to be delyveryd to the forsayd Rychard Lucas withyn ye space of iiij yerys next and immedyat after my depertyng of thys present lyfe. Item, I bequeth to ye same Rychard, a brasse panne, conteynyng iiij gallons. Item, a brasse potte of ij gallons. Item, a cawdorne of ij gallons, bounden with yron, to hang on the fyr. Item, a fether bed, with ye bolstyr and ij payer of flaxen shets, a chest, a spytt, and a payer of pothokys, with an andyron. Item, ij plattes, a pewter dyshe, a pewter bason, a chafyng dyshe, and a canstyck.”

And if Richard Lucas should die within the four years, then the property was to go to William Kent and Alice his wife.

These bequests show the social position of the townspeople just before the dissolution of the abbey ; but the most interesting entry is the will of JOHN HAMOND, the last Abbot of Battle, who had surrendered the abbey on 27th May, 1538, on a pension of £100 a year, which he only lived to enjoy for some eight years.



“ In Dei Nomine. Amen. The first of December, in the year of our Lord God, 1546. I, John Hamond, priest of the parish of Battle and of the peculiar jurisdiction there, make this my present testament and last will, in form following: First, I bequeath my soul unto Almighty God, to our Blessed Lady, and to all the holy company of heaven; and my body to be buried within the ile called St. Katherine’s Ile, within the parish-church of Battle, aforesaid. Item, I bequeath to the high altar there, 6s. 8d. Item, I will that myne executors shall bestow and cause to be bestowed at my burying months’ mind, and years’ mind, and so forth, in the space of six years, as the money will endure, to alms to poor people and scholars, and in divers masses and other works, charitable and necessary for the welth of my soul, and all christian souls, £40. Item, I bequeath to the church of Battle before said, to preserve in the chapel of St. Katheryn there, my two chesybyls, and that belongeth to them, and a chalyce with a patent double gilded, and a stochyn of silver in the foot of him, the space of six years next after my death, and after to remain to the said church of Battle for ever. Item, I will that Sir Bartholemew Barwyche, priest, shall sing in the said church of Battle, and in the said chapel of St. Katherine for my soul and all christian souls for six years next after the feast of St. Chrystyne, that is to say, the 24th day of July, the which shall be in the year of the Lord God 1547, provided that if it fortune him to die, or to come to any other promotion, so that he cannot or will not do the same service, then I will that mine executors [provide] another priest to do the same service, and he that shall do the same service shall have for his labour and business every year during the same feast £6. 13s. 4d. Item, I bequeath to the marriage of fourteen poor maidens to every of them 10s. Item, I bequeath to Richard Bushe the younger, the son of Richard Bushe of Hastings, £10 of the money that Henry Coldewell of London, Goldsmith, oweth me, if all the same money may be received, and else not to be paid to the same Richard at twenty-five years of his age if he demandeth it. Item, I bequeath to Richard Meryan, my servant, all my household stuff and also all my plate to the only use of the same Richard for ever; the residue of all my goods and my debts, I give and bequeath to John Wygsell and the said Richard Meryan my servant, whom I ordain mine executors of this my testament and last will. This witnesseth Edward Afold, Christopher Wygsell, Gregory York, and others.”

He also gave to the said Richard Meryan, his servant, and the heirs of his body, the house that he dwelt in in Battle, and also a croft of land, and for lack of heirs of his body, to John Hamond, son of Thomas Hamond, his kinsman, and his heirs; and to his servant, John Wygsell, his other croft of land in Battle, in Middleborough, there.

2. BEXHILL. The whole of the parish is exempt from shires and hundreds, &c.; part (the *Liberty of the Sluice*) being within the Cinque-port of Hastings; another portion (*Barnhorne*) being in the hundred of Battle; and the remainder being in the hundred of Bexhill. In the days of Edward the

Confessor, this manor, then called Bexelei, and subsequently Bixle, belonged to the see of Selsey. Immediately after the Conquest, the Earl of Eu claimed it as part of his grant from the Conqueror; the Bishops of Chichester, however, regained the estate; and in return to the quo warranto 7 Edward I<sup>10</sup> the bishop claimed by the charter of King Stephen, granted to Hilary the bishop, the manor of Bexhill, with the hundred and churches which had belonged to the see from the time of the Conquest, whereof the memory of man was not to the contrary, together with wreck of the sea, and freedom from all shires and hundreds. The bishops had a residence here; and by inquisition,<sup>11</sup> taken at Bixle, before John Olyver, the king's escheator, 15th June, 11th Richard II (1388), on the oaths of John Brekellesham and others, it was found that Thomas (Rushoke, late) Bishop of Chichester, held the manor of Bixle with the appurtenances, in which was a messuage worth nothing beyond reprises. One hundred acres of land, of which there were that year sown<sup>12</sup> with corn, twelve acres; with beans, six acres; with rye, four acres; and with oats, twenty-six acres; worth per acre to let to farm 3*d.*, and no more. There were also eighty acres of pasture, worth 12*d.* an acre; also eight acres of thick woodland, worth nothing beyond reprises; also 110*s.* a year rents of assize payable quarterly; and the profits of the court, worth beyond reprises 10*s.*; also thirty cocks to be rendered on the feast of the Nativity, worth 2*d.* a head; also one hundred eggs to be rendered at Easter, worth 5*d.*; total, £8. 6*s.* 9*d.*

3. GOSTROW hundred includes nine-tenths of the parish of Brede, the whole of Udimore, and the parish of Higham, next Winchelsea.<sup>13</sup> Brede was a portion of the grant of Edward the Confessor to the alien Abbey of Fécamp.<sup>14</sup> It must have been part of the same grant as included Rye and old Winchelsea as appendages of the manor of Steyning. The abbey contended for the latter, when in 7th Edward I,<sup>15</sup> the abbot

<sup>10</sup> Plac. de quo warranto, p. 759.

<sup>11</sup> Addl. MS. No. 6165, p. 213. Collated with original at Carl. Ho. Ride.

<sup>12</sup> These proportions of crops are curious. Only forty-eight acres out of the one hundred were cropped, and more than one-half were in oats.

<sup>13</sup> Not as Mr. Hussey supposes Northiam, which is in Staple hundred.

<sup>14</sup> Plac. de quo warranto, p. 749.

<sup>15</sup> As to the descent of this hundred see *Sussex Arch. Coll.*, vol. ii, p. 167.

had to show his title, and though this was denied on the part of the crown, the claim appears to have been correct.

“ Henry III, by letters patent, dated at Windsor 15th May, in the thirty-first year of his reign, (1247), granted to the abbot, &c. of Fécamp, the manors of Cheltenham and Slaughter, &c. &c. &c. in exchange for the villes of Winchelsea and Rye, which had been granted to the said abbot, &c. by Edward the Confessor; to hold them—‘adeo libera et quieta sicut antea tenuerunt Winchelsea et la Rye ratione donationis eis facte a felicitis memorie sancto Edwardo, et concessionum ac confirmationum postmodum abitarum a Willelmo et Henrico Regibus Anglie de terra de Staniges cum omnibus apendiciis suis. Inter que reputabantur Winchelsea et la Rye. In cujus regis Willelmi carta continebantur hujusmodi libertates; videlicet, quod predicti abbas et monachi Phiscanenses habeant terram de Staniges, cum omnibus omnino apendiciis suis et cum omnibus legibus, libertatibus, liberis consuetudinibus, quietanciis, placitis, querelis, et causis que sunt vel fore possunt, absque ulla inquietudine et diminutione cujuslibet secularis vel judiciaria potestatis sicut res ad Phiscum dominicum pertinentes et quod predicta terra cum omnibus apendiciis suis libera sit et quieta ab omni consuetudine terrene servitutis et ab omni dominacione et subjeccione Baronum et principum et omnium aliorum. Et quod prefati abbas et Monachi Phiscanenses et eorum ministri habeant omnem regiam libertatem et consuetudinem et omnem justiciam suam de omnibus rebus et negociis que in terra sua evenient vel poterunt evenire, nec aliquis nisi per eos se inde intromittat. Quia hoc totum regale beneficium est et ab omni servitute quietum. Et quod si aliquis quicquam contra hujusmodi concessionem presumat, ad Phiscum dominicum coactus auri libras centum persolvat.’ ”<sup>16</sup>

Edward I alleged that the patronage of the church of Brede was in the king, King John having presented one Laurence; to which the abbot replied, that Laurence had been presented by his predecessor, at the instance of John. The abbot was also called upon to show by what title he claimed the right of having a prison in his manor of Brede, with view of frankpledge, exemption from shires and hundreds, the goods of felons, assize of bread, &c., and wreck of the sea. The abbot denied that he claimed the right to a prison, though he had erected a house of detention for the safe custody of thieves captured, and alleged that the other liberties had been granted by Edward the Confessor as appurtenant to Steyning; and moreover that his tenants were only compellable to attend at the law day at Hastings and Guestling.<sup>17</sup> In the 2d Edward I it had been found that the men of the abbot ought not to be amerced except in his own courts;<sup>18</sup> and in 18th Edward I,

<sup>16</sup> Rev. Lambert B. Larking, Notes and Queries, vol. v, p. 236.

<sup>17</sup> Plac. de quo warranto, p. 758.

<sup>18</sup> Cal. Inq. post. m., vol. i, p. 54.

it had been declared that Steyning Church and its appurtenances should be exempt from the jurisdiction of the archbishop.<sup>19</sup> In the 18th Edward II. (1324), when the crown had seized the property of the alien priories, an extent of the possessions of the abbot of Fécamp in Brede was taken at Brede,<sup>20</sup> the Sunday after the feast of St. Andrew, 18th Edward II (1324), before Peter de Worldham and Stephen Power, the custodians of the religious houses of France in Sussex, by the oaths of John Martyn, Will. de Potter, John Sterne, John Fryldy, Will. de Ichyngton, Vincent Puntneys, John de Sodyngton, John de Helde, John de Brede, John de Burghton, Richard le Turnour, and Sampson de Stonlynk, of the hundreds of Gestling, Gosetrowe, and Baldeshuld.

*Manor of Brede.*—A house worth nothing beyond reprises—a house and stall beyond the court gate worth 6s—45 a. of land worth 15s., or 4d. an acre—65½ a. worth 16s. 4½d., or 3d. an acre—33 a. worth 16s. 6d., or 6d. an acre—19 a. worth 19d., or 1d. an acre—6 a. of pasture, worth 8s. 3d.—a wood containing by estimation 60 a. and worth for pasturage and pannage each year 3s. 4d.—rents of assize, payable at the feast of St. Martin 26s. 1d.—St. Andrew £11. 0s. 10d.—Easter 30s.—feast of St. John the Baptist 10s. 1½d.—St. Peter ad vincula 9s.—and St. Michael £12. 2s. 9d.—total rents £26. 18s. 8d. There were also rents of assize payable, viz., 463 sheaves of oats estimated at 8qrs., worth 10s. 8d., or 16d. per qr.—also at the feast of St. Thomas the Apostle 42 qrs. 2 bushels of malted oats<sup>21</sup> worth yearly 56s. 3d., or 16d. per qr.—at Xmas 10 cocks worth 10d. and 60 hens worth 7s. 6d., or 1½d. each—also at Easter 800 eggs, worth 2s. 8d., or 4d. per hundred—also customary ploughings, worth 16d.—also 2000 red herrings at the purification of the Virgin Mary, worth 8s., or 4s. per 1000<sup>22</sup>—and the perquisites of the court and hundred, worth 20s. Total £35. 12s. 0¾d.

“It was also found that the parson of Brede rendered yearly to the abbot 23s. and the abbot had also a certain portion of the tithes worth 20s. per annum.”

The parson of Brede at that time was Bartholomew Morel, an alien;<sup>23</sup> his parsonage was worth £8 a year, and he had also a messuage, and thirty acres of land, worth 6s. 3d.; whilst the parson of Ihan at that time was Nicholas Pochin, another alien, whose parsonage was only worth five marcs a year. In the returns of Brede manor,<sup>24</sup> made 16 & 17 Henry

<sup>19</sup> Cal. Inq. p. m., p. 103.

<sup>20</sup> Addl. MS. 6164, p. 338. Collated with the original Carl. Ho. Ride MS. See as to the appointment of Worldham and Power, ante, p. 52.

<sup>21</sup> Malted oats were at that time in general use in this district; no mention is made of barley.

<sup>22</sup> This was a high price compared with the rent of the best land, and the price of the oats, poultry, and eggs.

<sup>23</sup> Addl. MS. 6164, p. 340. Collated with the original among the Carl. Ho. Ride MSS.

<sup>24</sup> Carl. Ho. Ride MSS. F.G. 14,477.

VIII (1501), after the grant to Syon Monastery, it appeared that the manor was in *Brede*, where the Londeneys and Oxenbridges held lands, and the annual rents were £8. 1s. 8d. half a farthing;—in *Odymer*, where Frebody and Oxenbridge were the principal persons, and where the annual rents were £9. 12s. 2½d.;—in *Hastings*, where the total rents were 35s. 4d. a year, of which the bailiff of Hastings paid 5s.;—in *Tham*, where the total yearly rents were 11s. 10d., including lands of Cheyney, Oxenbridge, the chantry of Godfrey Pulham,<sup>25</sup> for the well, and the castle lands;—in *Southbroke*, where the Oxenbridges, the abbot of Battle, and Henry Fynche held lands, and the total annual rents were £5. 15s. 2¼d.;—in *Northbroke*, where Oxenbridge and Fynche held lands, where five several rents were paid for lands belonging to the hospital of Pleyden, and where the total yearly rents were £4. 15s. 8d.;—and in *Were*, where the yearly rents were £13. 11s. John Williams, beadle, accounted for 37s. 11d. estreats of court, and John Lower, alderman there, for estreats of court, 10s. 4d. There was also received for the toll of Spital fair, 6d.; and 8d. for a load of hazle rods.

Dr. Diamond has lent me a sheet of vellum MS., beautifully illuminated, containing numbers 37 to 42, cut from some copy, of the charters of the Kings of England to the Abbey of St. Mary of Fécamp.<sup>26</sup> The first part is a portion of a charter from the king (probably Henry II), dated at Bureford, and witnessed by Robert de Brêtoil, Theobald Walter, and William de Buchecot, affording the abbey the utmost protection. The next, No. 38, is a charter, dated at Burton, 23 April, temp. Richard I, witnessed by the Bishop of Durham, acquitting the monks everywhere of all toll, passage, pontage, stallage, mastage, and all other customs. No. 39 is another charter from King Richard, dated at Longcamp, 10 September (no year), receiving the house, and the monks and their possessions into his hands, custody, and protection. No. 40 is a charter, dated at Doncaster, 28 March, 1 John (1200), witnessed by the Archbishop of York, taking the monks and

<sup>25</sup> This is the only notice I have found of this chantry.

<sup>26</sup> I have not been able to find the volume from which this leaf was cut. It

has the autograph of Henry George Oldfield, to whom it was given by Richard Julius, December, 1786.

all their possessions under the royal protection. No. 41 is a charter from Henry III, directed to all places in England and Normandy, and the Cinque-ports, and especially Hampton (Southampton), Hastings, Dover, Barbefleet, Caen, Ostreham, and Diepe, witnessed at London by Theobald, Archbishop of Canterbury, Robert, Bishop of Lincoln, and others, but without date, exonerating the monks and their men from toll, passage, pontage, and all other customs; and No. 42 is another charter from Henry III, witnessed at Worcester, but not dated, also receiving the monks and their possessions into his hands, custody, and protection.

These exclusive privileges of the men living within these exempt jurisdictions are, at the present day, of little more value than to save the inhabitants the trouble of serving on juries at the assizes and county sessions.

---