

DEAN CROUCHER'S BOOK

BY W. D. PECKHAM

OF the books formerly in the muniment room at Chichester which have strayed from it, the two¹ which are known to be still in existence have both, by different roads, reached the Bodleian. With one, quondam Liber D, now Ashmole 1146, I have already dealt in *S.N.Q.* II, pp. 105-8; recently work on Liber Y has drawn my attention particularly to the other, once doubtless known by the name which heads this paper, now Univ. 148.

The book is made up of several quires on different subjects bound together, as described in a note, perhaps in Dean Croucher's own handwriting, on f. 4* v., which may be translated as follows: '[This book belongs to the Deanery of] Chichester, and was new bound by Mr. John Crucher, Dean, who also with his own goods renewed the Deanery stock, alienated and embezzled by Mr. Richard Talbot, his penultimate predecessor. Dean John spent much on the repair of the Deanery and the manor of Coudr[ay] and of other buildings belonging to the Deanery, all almost in ruins; his successor should therefore spare him and pray for his soul.'² One phrase in this is ambiguous, the book is described as *de novo ligatus*; but it is not clear whether this means that the binding of an existing book was renewed, or that a number of separate components was put together for the first time. The binding, or rebinding, can be dated fairly closely. The Dean speaks of Dean Talbot as his penultimate predecessor; Dean Talbot occurs in 1415,³ and Dean Milton died in July or August 1424,⁴ which fixes the superior limit for Dean Croucher's accession. Probably the King or the Pope (or both) had a hand in naming his successor, hence

¹ Or perhaps three. Pp. 367-92 of MS. Ashmole 1144 contain institutions and collations of Bishop Montague from 7 March 1628[-9] to 30 April 1634. If not the original Register, this is a contemporary copy, and is in the handwriting of one of the Registry scribes.

² Quoted by Walcott, p. 1; the first words, which have been cut away, are there restored as *Liber Decanatus* . . ., but this is too short to fill the gap; I would rather conjecture *Iste liber pertinet Decanatu* . . . This is not the only time I have found a medieval ecclesiastic showing anxiety about his successor's claims against his estate for dilapidations.

³ Lambeth, Reg. Chichele, II, f. 194.

⁴ *S.R.S.* XLI. 264.

some delay; the new Dean had, besides doubtless his prebend,¹ held one of the two Mortimer's Chantries in the Cathedral; and his successor in this was only presented in December 1426,² though there would have been no difficulty in finding a clerk to take the benefice.

Croucher combined the Deanery with the Wardenship of St. Mary's Hospital, being, so far as I know, the first, though by no means the last, Dean to do so; he evidently resigned both posts at the same time, for the Deanery was void when the Chapter, on 20 October 1447, appointed his successor in the Hospital.³

Between, then, 1426 and 1447 the book was bound; and we may suppose that it remained in the Chichester muniment room till the seventeenth century, and, probably, till 1642.⁴ It next appears, from a note which may be in his own handwriting, as the property of Gerard Langbaine of Queen's College, Oxford.⁵ Langbaine was Keeper of the Archives of Oxford University in 1655-6; he became Provost of Queen's in 1645, and died in 1657-8; before, then, the latter date, if not before the former (he does not describe himself as Provost in his note of ownership), he acquired the book. His son and namesake inherited it; but his interests were in the drama rather than in medieval manuscripts; after his death his widow, in 1692, gave the book to University College, of which her husband had been a fellow-commoner.⁶ The College has now deposited its manuscripts in the Bodleian; and I have had opportunity of examining this one there.

Before giving a detailed account I must mention certain other books more or less closely connected with it.

Between the gift to University College in 1692 and his own death in 1711 Matthew Hutton made notes from the book, his notebook now being in the British Museum, Harl. 6973. Hutton was not always successful in reading unfamiliar names, Amb(er)ley once appearing as Wuble; later work on

¹ Presumably Wittering, to which he was presented in 1418: *Cal. Pat.* 1416-22, p. 154.

² *Cal. Pat. R.* 1426, p. 383. Mortimer's Chantrists were superior Vicars choral rather than inferior Canons; but the Chantries were fat enough to attract graduate incumbents; in 1478 Mr. Thomas Barkar was both Canon and Chantrist (*Reg. Story*, i. f. 4).

³ *Post*, p. 17.

⁴ But the loss may have happened earlier; see *Hist. MSS. Comm.* LV. 188, 201.

⁵ f. 2* r.

⁶ f. 2 r.

the book has superseded his, a fact of which, unfortunately, E. W. H. Dunkin seems to have been ignorant.

In 1725 the Dean and Chapter of Chichester had a transcript of a great part of the book made. The volume containing this measures 8 in. by 6½ in., has a law calf spine and marbled paper boards; it is now in the Cathedral library. It has twice been collated with the original, once soon after it was made, once in recent years by Canon F. E. Teesdale.¹ I shall refer to it as UCc, i.e. U[niv. 148] C[hichester] c[opy].

In 1872 Canon C. A. Swainson, then Custos of St. Mary's Hospital, published, in *S.A.C.* xxiv, an account of those parts of the book which concerned the Hospital. He worked, not from the original, but from UCc, but his work did not suffer as the copy seems very reasonably accurate. Later, in 1880, he published *The History and Constitution of a Cathedral of the Old Foundation*, in which are other quotations from UCc. I shall refer to this latter book by the author's name.²

In 1874 Precentor Mackenzie Walcott read to the Society of Antiquaries a paper on 'The Early Statutes of Chichester Cathedral', his materials being taken direct from Univ. 148; the paper appeared in *Archaeologia* XLV in 1880, and an offprint, with special title-page and with an extra plan, in 1877. This also I shall simply refer to by the author's name.³

I shall also have occasion to refer to two books still in the

¹ But collation was not always improvement; the earlier collator altered the word *Wlstan* on f. 98 v. to *Willielmi*; and Canon Teesdale corrected the name of Jordan Pope (*Papa*) at the end of f. 70 r. to Jordan Reeve (*Preposito*). Both corrections are wrong.

² The book seems rare; in 1901 there was no copy in the Cathedral library (*Hist. MSS. Comm.* LV. 204), and it was only in 1941 that the Society's library at Barbican House acquired a copy from the Penfold bequest. The Cathedral library now has the copy that belonged successively to Canons R. H. Codrington and F. E. Teesdale, and also a copy formerly in the library of the Prebendal School. For long I sought a copy in vain; I now have the copy given by the author to Canon F. G. Bennett. The copy given by the author to Augustus Jessopp was included in the Fletcher sale at Bognor in 1941; this had a note, in Jessopp's handwriting, that Swainson had told him that only one copy had been sold. It is not surprising that the projected second part was never issued; the present book ends, in the middle of a word, on p. 120. Swainson's notebook is in the Cathedral library.

³ Volumes of *Archaeologia* XLV are probably commoner than the offprint; to convert page references add or subtract 142. The Cathedral library had no copy in 1901, now it has: (i) an interleaved copy with notes in the author's handwriting, given by his widow to Canon Bennett and by him left to the library; (ii) a second copy that belonged to the Precentor and was extra-illustrated, having the same history as No. i; (iii) a copy that belonged successively to Canons Codrington (*e dono Cantoris*) and Teesdale; (iv) a copy that belonged to Treasurer Carey Borrer. The copy in the Society's library was given by the Precentor himself. My own copy was given by the Precentor to Canon Bennett, and by him to me. *V.C.H. Suss.* III sometimes refers to *Arch.* XLV, sometimes to the offprint; it was only recently that I saw the former and established the identity of the two.

muniment room at Chichester, Liber Y and Liber E. The former is a Cathedral Chartulary useful for determining the dates of certain parts of Univ. 148; I shall deal with its date in the edition which I am preparing for the Sussex Record Society,¹ but I here note that there is evidence that work on it had already begun by 1256, while it is probable that it had been bound by 1296. Liber E dates from the episcopate of William Rede (1369–85) and contains a copy of the Cathedral Statutes; where I have collated it (mostly in lists of Dignitaries and Canons) it is textually inferior to Univ. 148, and may be a copy of it.²

Three accounts of the contents of Univ. 148 have been made. The first is in the printed catalogue of Bodleian and other manuscripts published in Oxford in 1693; the account on p. 5 should be corrected by the addenda on p. 87. In 1700 some one, presumably the librarian of University College, made a manuscript table of contents on a blank leaf of the book itself.³ And A. Ballard, as part of his introduction to the Chartulary of St. Mary's Hospital, gives a list of the things of Sussex interest.⁴ In the course of my own account I shall note some material corrections to these.

The book now contains 119 leaves of vellum, measuring about $9\frac{3}{4}$ in. by 7 in., and is in a modern casing of parchment. It appears to have had no earlier foliation than that in ink, in Arabic figures, in the middle of the head of the recto of each leaf, which, from the form of the figures, I suppose to have been made by Gerard Langbaine the elder. He began his foliation with the fifth leaf; the first four, still unnumbered in the original, I shall refer to as 1*–4*. He also missed the leaf after f. 27, which I shall refer to as f. 27*a*. Before his time a leaf had been cut out after f. 64, in the middle of the Chartulary of St. Mary's Hospital. The foliation ends with f. 113 and an unnumbered folio following. Later the book was paged, perhaps by the maker of the contents table of 1700, who refers to pages; but, while the foliator missed a leaf, the pager skipped from p. 37 to p. 40. Hence, f. 1 r. is p. 1, f. 19 r. is p. 37, f. 19 v. is p. 40, f. 27

¹ I have numbered the charters for that edition, and refer to those numbers in this paper.

² *The Statutes and Constitutions of the Cathedral Church of Chichester*, ed. F. G. Bennett, R. H. Codrington, and C. Deedes, Chichester, 1904, takes its text from E; this is surprising as two, at least, of the editors had copies of Walcott in their possession.

³ f. 40 v., cf. f. 4* v.

⁴ S.A.C. LI. 42.

v. is p. 56, f. 27*a* r. is p. 57, and f. 113 r. is p. 229. The following table gives the structure of the book; but I am not sure whether the three single folios 7, 8, and 9 should be regarded as belonging to the quire which follows or as a quire by themselves.

				1*	2*	3*	4*				
		1	2	3	4	5	6				
		7	8	9				
10	11	12	13	14	15	16	17	18	19	20	21
22	23	24	25	26	27	27 <i>a</i>	28	29	30	31	32
		33	34	35	36	37	38	39	40		
		41	42	43	44	45	46	47	48		
		49	50	51	52	53	54	55	56		
57	58	59	60	61	62	63	64	..	65	66	67
	68	69	70	71	72	73	74	75	76	77	
78	79	80	81	82	83	84	85	86	87	88	89
		90	91	92	93	94	95	96	97		
		98	99	100	101	102	103	104	105		
		106	107	108	109	110	111	112	113		
				113 <i>a</i>	..						

The first four leaves were obviously added when Dean Croucher had the book bound. On f. 1* r. are scribblings, including 'This pen was starke nowght', and the names of Thomas Woodshaw, John ?Clarkson, and Thomas ?Thomson; the verso is blank. F. 2* r. has a note about Langbaine's ownership and the beginning of a table of contents in his hand; the verso has an ill-written note, apparently about Church law, as the phrase 'the privilege of Pope Clement notwithstanding' is legible; there follows, 'Mr. Vmfre Hawfilde clarke of the presentacions dwelleth by charterhowse gate. Mr. William Wasburne is his clarke and attendeth dayly in his office with the lorde keper'. Both these are in a hand of about the sixteenth century.

Ff. 3* r. to 4* r. have, in a fifteenth-century hand, collects for Trinity Sunday, St. Winifred, St. Pantaleon, a Mass of St. Mary,¹ St. Mary Magdalene, St. Clement, the Assumption, St. George, and St. Nicholas. The doctrine of the invocation of saints, which, of course, appears in most of these, has caused a later writer to make comments such as 'Superstition', 'Blasphemy, lies', and a long and illegible one opposite St. Mary Magdalene. I have some reason to suppose that the writer, whose handwriting is abominable, and who

¹ To be used, except within the octaves of feasts, from Candlemas to Advent: *Sarum Missal*, ed. F. H. Dickinson, 1861-83, p. 779*.

made similar comments in Liber Y, was Bishop Barlow. F. 4* v. has the statement, already quoted, about the re-binding by Dean Croucher, followed by a short note, in a contemporary hand, about some of the contents.

1, 2.¹ Ff. 1-3 r., copied in UCc, 1-13, contain copies of documents connected with a lawsuit of 1254 between the Crown and the Dean and Chapter about the feudal tenure of certain land outside the walls of Chichester. To judge by *V.C.H. Sussex*, I, p. 372, part of this is an exemplification of P.R.O. Curia Regis 151, m. 38, but I have not been able to verify. F. 1 has been mutilated and most of the outer column of it is missing.

3. Next, on f. 3 v., is a short treatise on the different, but kindred, subject of buildings on the City wall. The reference to the Franciscan site at Oxford fixes the superior limit of this at about 1244. Of the cities mentioned, the writer may have had first-hand knowledge of Rome and Paris, but is less likely to have seen the City of Jericho, the subject of the eloquent peroration (though I have little doubt that the house mentioned was shown, for a consideration, to thirteenth-century pilgrims). The omissions of some English precedents may be as significant as the mention of others; Winchester is, of course, the nearest walled city, but the omission of Canterbury is as curious as that of London. The account of Oxford is so inaccurate that I suspect the writer of having been a Cambridge man; St. Frideswide's, to-day Christ Church, was next to the south gate; the southern water defence of Oxford was the Isis, and the course of the Cherwell is entirely on the east of the city. It is perhaps significant that the case of the comparatively remote city of Gloucester is quoted by a man who seems to have some local knowledge; for there were Gloucester men in the Chichester Chapter at least from the time in 1214 when the Crown granted a prebend to Robert of Gloucester to the time, between 1272 and 1275, when Walter of Gloucester avoided the Deanery. It is probably relevant that the old Deanery house, destroyed in the Civil War, was actually on the city wall.

¹ I follow the numbering of the sections of the Univ. librarian's table of contents on f. 40 v., which has also been followed approximately by Ballard, *S.A.C.* LI. 42.

As these documents have never been printed, I close this paper with a translation of them.

4. Next follows, on ff. 4 r.-5 r., another treatise, on the relative rights of the Archdeacon and of the Dean and Canons in the churches of their prebends. Excerpts are given by Walcott,¹ who has occasionally altered the grammar to close his gaps; the complete text is given by Swainson;² the latter quotes from UCc, 14-20; I have collated about half with the original and found no serious error. I cannot leave this subject without a word of respect for the industry and patience displayed by Canon Swainson's identifications of the various quotations of Canon Law.

5. Ff. 5 v.-6 r. contain, in a more or less book-hand, the Rule of St. Mary's Hospital. The bede-roll of this can be dated to between 1227 and 1241 (in the original the Christian name of Mr. [William] de Keynesham is blank). This has been translated by Swainson, from UCc, 21-5, in *S.A.C.* xxiv, pp. 44-7.

6. On f. 6 v. is the record of the collation on 20 October 1447 by the President and Chapter of Chichester, the Deanery being void, of Sir John Goswell, Vicar choral, to the office of Custos of St. Mary's Hospital, void by the resignation of Dean John Croucher. This is in a contemporary hand; besides the transcript in UCc, 26, 27, there is a contemporary copy in Liber Y, f. 229 v.³

7. The three folios 7, 8, and 9 are written in single column, in a book-hand of perhaps the fourteenth century with rubricated capitals; I know of no copy. Ff. 7 r.-8 v. contain a series of prayers in preparation for the Mass which, as the table of contents notes, are to be found in the modern Roman Missal.⁴

Next, on f. 8 v., is a prayer of St. Ambrose, *Deus qui de indignis dignos . . .*; this is given in Maskell's *Ancient Liturgy of the Church of England* (3rd edition), p. 2. This is followed on f. 9 r. by another prayer, *Clementissime deus qui*

¹ pp. 63, 64.

² pp. 42-5, No. 87.

³ Cf. Swainson, p. 90, No. 163.

⁴ The *Ritus Celebrandi Missam* and the section *de Defectibus* are followed by the *Praeparatio*; these prayers, attributed to St. Ambrose, follow the collect *Conscientias nostras*; they are divided into sections, one for each day of the week. They are followed by *Alia oratio* and a prayer of St. Thomas Aquinas, followed in turn by the prayers to be said while vesting. The printed text of the Sarum Missal, ed. F. H. Dickinson, 1861-83, pp. 566, 567, quotes them, with slight variations, from a sixteenth-century English Missal and from the Roman Missal of 1525.

centium sacerdotum. meq; tua miseria a unis
omnib; guar. quem reatus pae conscie guar p

Oloria in excelsis deo. **O**loria in excelsis deo.

Gloria in excelsis deo. **G**loria in excelsis deo.

Oloria in excelsis deo. **O**loria in excelsis deo.

Gloria in excelsis deo. **G**loria in excelsis deo.

Dum incensat altare oro.

Dne deus qui suscepisti munera iusti abel. nec ad
ron. & samuel. suscipe dignare de indignis ma
nibus meis hoc incensum in conspectu tuo in odorem
suavitatis. in remissionem omnium peccatorum
meorum. p.

Aue rex noster. **V**enite. venite

Venite filii. Audite me. **I**te missa est.

Ite missa est. **I**te missa est.

Ite missa est.

MS. Univ. Coll. 148.

omnium occultorum . . ., which I have not traced elsewhere. No vesting prayers are given save one for the chasuble which, as I have not found it elsewhere, I give at length: 'Fac me queso, domine Deus, ita iusticia indui ut in electorum tuorum merear exultatione letari quatinus exutus ab omnibus sordibus peccatorum consortium adipiscar tibi placentium sacerdotum meque tua misericordia a uitiiis omnibus exuat, quem reatus proprie conscientie grauat, per . . .' Next, on f. 9 v., are seven musical settings of the opening words of the *Gloria in Excelsis*.¹

Next is a collect to be said while the altar is being censed, as follows: 'Domine deus qui suscepisti munera iusti Abel, Noe, Aaron, et Samuel, suscipere dignare de indignis manibus meis hoc incensum in conspectu tuo in odorem suauitatis, in remissionem omnium peccatorum meorum, per . . .' Next follow musical settings of the words *Aue rex noster*, and of *Venite, venite, venite filii, audite me*. The section concludes with four musical settings of the *Ite, missa est*.

It will be noted that, while the whole of this section seems concerned with the preparation for, and the celebration of, the Mass, it differs in details from other similar manuals. Little stress should be laid on variations in the preparation prayers; it is unlikely that any complete standardization of these was ever attained in the Middle Ages. But when we find a collection of ritual details that begins with the *Gloria in Excelsis* and ends with the *Ite, missa est*, it seems almost impossible to avoid the conclusion that all that lies between them is part of the ritual of a Mass, even if there is no parallel in other medieval Uses. For Chichester once had a Use of its own.²

It is not to be expected that this differed any more notably from the Use of Sarum than that did from other contemporary Uses of western Christendom; but differences of a sort there were, even in the Canon of the Mass; for St. Richard ordered all churches of his diocese to follow the

¹ Dean Duncan Jones has compared these with the Sarum settings as printed by the Medieval Music Society, and identifies as follows: 1 is iv, 2 is perhaps iii, 3 is perhaps viii, 5 is i, 6 is vii, 7 is perhaps vi, 4 is unidentified.

² The *Census of Medieval MSS. in U.S.A.* under The Pierpont Morgan Library (New York) lists No. 487 as being a Prayer Book of the Use of Chichester, and as such it was described in a pamphlet issued (as an advertisement for its sale) in 1907. The Director of that Library informs me that the MS. 'is distinctly for Sarum use' and has no definite Chichester connection—the erroneous description being apparently based on the occurrence of St. Richard in the Calendar.—Editor.

Use of Chichester in the Canon.¹ Whether his orders were obeyed or no, the local Use continued in the Cathedral as late as the time when Dean Croucher himself was a member of the staff. Dean Milton's will, dated 25 July 1424, is good evidence: 'I leave my great Missal to the High Altar of the Church of Chichester if the Use of Sarum is to be followed (*observetur*) there, otherwise to be disposed of by the Dean and Chapter.'² From this it is clear that the Use of Chichester still continued, but that its disuse was contemplated. The end came, it would seem, with an order of Archbishop Chichele, of which there was a copy in Liber Æ, the Leiger Book, now lost.³ The engrossment was doubtless lost at the same time as the book; I have not been able to search Archbishop Chichele's Register, where it is reasonable to suppose that a copy should have been entered; but the Lambeth Registers are indexed, and I think that if there had been a copy there some previous student of Cathedral antiquities would have discovered it. The inferior limit for the order is 1443, the year of the Archbishop's death.

But why, it may be asked, were only these scrappy details preserved? They are no more the notes of a competent student of liturgiology than they are a complete Missal. With some diffidence, I suggest an explanation. The Use of Sarum was already in more general use than that of Chichester—even Dean Milton's great Missal was a Sarum one—and possibly this one page contained all the supplement needed to say Mass after the Chichester Use from a Sarum Missal. (The Congregation of Sacred Rites would probably be horrified at the idea of using two books thus; but what is ordered at Rome in the twentieth century is not certain evidence of what was done in Sussex in the thirteenth.)

And the mere possibility that these are relics of the Use of Chichester makes them worth some study. First, there is the censuring prayer. No other Use of which I have knowledge⁴ prescribes a prayer to be said at this time; but we

¹ Swainson, p. 33, No. 70; Wilkins, *Concilia*, I. 691; the original of this is in Univ. 148.

² *Reg. Chichele*, I (C. & Y.), p. 287; *S.R.S.* XLI. 273.

³ Swainson, p. 85, No. 153; Dean Hayley's Book, p. 88. In 1429 Canon Simon Northew left to the Cathedral two grails and two processional (of a Use not specified) 'to be converted to Salisbury Use'; one may perhaps infer from this that the change had already taken place. (*Reg. Chichele*, I (C. & Y.), p. 401; *S.R.S.* XLI. 273.)

⁴ Except that most remarkable of Western Uses, the Muzárabe, which censes after

know from other sources that the Chichester Use was distinguished by peculiarities in the use of incense.¹ I have found no passage in other Uses at all corresponding to *Ave Rex noster*; but *Venite* is surely the opening of 'Come, ye children, and hearken unto me: I will teach you the fear of the Lord', of Psalm 34; though it is surprising to find an ideal of conduct which could be subscribed to by all good men, including 'Jews, Turks, Infidels, and Hereticks', in so doctrinal and denominational a service as the Mass.

8. Ff. 10 r.—40 r. contain musical settings of parts of the service; the words are written in a book-hand compared to which the products of fifteenth-century penmanship suggest a posse of porcupines; the lines of the stave are ruled in red and the capitals are rubricated. That this was of the Use of Chichester is attested, not only by the late note at the head of f. 10 r., but also by the note on f. 4* v. Ff. 10 r.—13 r. contain Tropes,² f. 13 v. unforced Kyries, ff. 14 r.—15 r. eight settings of the *Gloria in Excelsis*, while ff. 15 v.—40 r. contain the following hymns, accompanied by notes of the days on which they were to be used.

F. 15 v. *Salus eterna indesitiens . . .* Advent I; *Regnantem sempiterna . . .*, Advent II; *Missus Gabriel de celis . . .*, St. Mary in Advent. F. 16 r. *Ave Maria gratia plena Dominus tecum uirgo serena . . .*, St. Mary in Advent. F. 16 v. *Qui regis scepra forti dextra . . .*, Advent III; *Nato canunt omnia domino . . .*, Christmas, first Mass. F. 17 r. *Lux fulget hodierna Christus . . .*, Christmas, second Mass. F. 17 v. *Celeste organum hodie sonuit . . .*, Christmas, second Mass. F. 18 r. *Celica resonent clare camenas . . .*, Christmas, high Mass; *Magnus deus in universa terra . . .*, St. Stephen. F. 18 v. *Laus deuota magister Johannes . . .*, St. John; *Celsa pueri concrepent melodia . . .*, Innocents. F. 19 r. *Circa fines occidentis stelle iubar . . .*, St. Thomas the Martyr. F. 19 v. *Epiphaniam domino canamus . . .*, Twelfth Day. F. 20 r. *Stola iocunditatis . . .*, St. Vincent. F. 20 v. *Dixit dominus ex basan conuertam . . .*, Conversion of St. Paul. F. 21 r. *Hac clara die turma festiua . . .*, Candlemas; *Ab arce sydere descendens . . .*, Lady Day. F. 21 v. *Fulgens preclara rutilat . . .*, Easter. F. 22 r. *Victime paschali laudes . . .*, Easter. F. 22 v. *Prvine (sic) casta contio . . .*, Monday, St. Mary Magdalene's Day,

the Gospel and uses quite a different prayer. But let no one suppose that my knowledge of liturgiology is anything but superficial. I can suggest, but have not followed, two lines of research which might prove rewarding. The close relations between Sussex and Normandy suggest the examination of the Uses of the Province of Rouen. And, if Ralph Luffa came from Lauffen near Heilbronn, the medieval Use of Wurtemberg might give a clue (Walcott, p. 53).

¹ Liber Y, f. 124 v., Nos. 290, 291; *S.R.S.* VII, No. 1156; *V.C.H. Suss.* II, 49.

² A Trope is a forced Kyrie, that is, the words *Kyrie eleyson* expanded by the addition of other words which are not, strictly speaking, part of the ritual of the service. An account will be found in the edition of the Winchester Tropar published by the Henry Bradshaw Society in 1894.

O

E pater superius exornatus cunctipotent ut nostri dignetur election. Kyrie

leyston. **D**e deo Jans cum impudis ingrat qua ubi punitur cunctis election.

leyston. **O** bone rex qui sup astra sedes et domine qui cuncta gub-

nat election. **R**yre leyston. **O** theos age lina unifica redemptio-

nis election. **X**p̄ election. **Q**ui canunt ante te p̄senti amant et tu nobis sang

election. **X**p̄ leyston. **Q**ua deuota plebs implorat ingrat ut illi dignetur et

leyston. **X**p̄ leyston. **C**lamor incessanter hic chorus cunctis election.

Kyre leyston. **C**oeternae patri et filio tu nobis election. **R**yre

leyston. **I**n excelsis tibi magna sit gloria coeternae deus. **R**yre **D**icamus inobscu-

ter una uoce omnes election. **L** leyston. **D**e sedo cantu sine admittit.

Clemens totum coeternae pater inmensis election. **R**yre

ne non uacat exaudire benedicti domine election. **R**yre

ser nri nostri benignus election. **R**yre leyston. **P**lectum tuum cunctis ag-

xp̄ semp regis e leyston. **X**p̄ leyston. **P**ateri equalis sedular uolunt

preat rex cunctis election. **X**p̄ leyston. **I**dem au gunt hui qui

cedunt in te tu facere e leyston. **X**p̄ **F**er opem de excelsis et notat spiritus

10

Tuesday (in Easter week); *Concinat orbis cunctus* . . ., Wednesday. F. 23 r. *Ad alta laus resonet* . . ., Thursday; *Alleluja dic nobis quibus e terris noua* . . ., Friday. F. 23 v. *Psalle lirica carmina* . . ., Saturday; *Laudes crucis attollamus* . . ., Invention of the Cross. F. 24 v. *Rex omnipotens die hodierna* . . ., Ascension; *Sancti spiritus assit nobis* . . .,¹ Whitsun. F. 25 r. *Ueni spiritus eternorum* . . ., Monday (in Whitsun week). F. 25 v. *Alma chorus domini nunc pangat* . . ., Tuesday; *Resonet sacrata iam turma* . . ., Wednesday. F. 26 r. *Laudes deo deuotas* . . ., Thursday; *Omnis spiritus concinat alleluia* . . ., Friday. F. 26 v. *Ueni sancte spiritus et emitte* . . ., Saturday; *Benedicta sit beata trinitas* . . ., Trinity. F. 27 r. *Quicumque vult* . . ., Sundays. F. 27 v. *Te ueneremur domine qui trinus es* . . ., Sundays; *Ronet (sic) uox et mens purgetur* . . ., Sundays. F. 27a r. *Uoce iubilantis magna* . . ., Sundays; *Stans alonge qui plurima* . . ., Sundays; *Eculta celum letare terra* . . ., St. John Baptist. F. 27a v. *Sancti baptiste christi preconis* . . ., St. John Baptist. F. 28 r. *Maxima que dantur sanctis* . . ., Decollation; *Laude iocunda melos turma* . . ., St. Peter. F. 28 v. *Sacra Paule uigere dogmata* . . ., St. Paul; *Saluatoris in honorem* . . ., Translation of St. Thomas Martyr. F. 29 r. *Mane prima sabbati surgens* . . ., St. Mary Magdalene; *Nunc luce alma splendescit* . . ., St. Peter's chains. F. 29 v. *Stola iocunditatis alleluia* . . ., St. Laurence. F. 30 r. *Area uirga prime matris* . . ., Assumption. F. 30 v. *Aue mundi spes maria* . . ., Assumption. F. 31 r. *Hodierna lux diei* . . ., Assumption; *Gaude dei genetrix, gaude uite reparatrix* . . ., Assumption. F. 31 v. *Alma dei genetrix eterni* . . ., Assumption; *Post partum uirgo maria* . . ., Assumption. F. 32 r. *Letabundus exultet fidelis* . . ., Assumption; *Uerbum bonum et suave personemus* . . ., Assumption; *Salue mater magne prolis* . . ., Assumption. F. 32 v. *Uirgini marie laudes* . . ., Assumption; *Aue preclara maris stella* . . ., Octave of Assumption. F. 33 r. *Alle(luia) cantabile sonet chorus* . . ., St. Bartholomew. F. 33 v. *Alle(luia) celeste necnon et perhenne* . . ., St. Mary's Mass. F. 34 r. *Ad celebres rex celice laudes* . . ., St. Michael. F. 34 v. *Christo inclita candida* . . ., All Saints. F. 35 r. *Sacerdotem Christi Martinum* . . ., St. Martin. F. 35 v. *Sacrosancta hodierna festiui* . . ., St. Andrew. F. 36 r. *Congaudentes exultemus* . . ., St. Nicholas. F. 36 v. *Psallat ecclesia Mater illibata* . . ., Dedication; *Laus deuota mente choro* . . ., Evangelists. F. 37 r. *Alleluia nunc decantet* . . ., Apostles. F. 37 v. *Celi solem imitantes* . . ., Apostles. F. 38 r. *Crebrescente Christi laude* . . ., A martyr or confessor; *Fulget dies celebranda* . . ., Several martyrs. F. 38 v. *A conualle fletus heres* . . ., A confessor; *Adest nobis dies alma* . . ., A confessor. F. 39 r. *Candidati gregis oues* . . ., A virgin. F. 39 v. *Exultemus in hac die festiua* . . ., A virgin. F. 40 r. *Uirginis uenerande de numero* . . ., A virgin.

The name of St. Thomas the Martyr on f. 19 r. and f. 28 v. has escaped the Protestant penknife; nor has Bishop Barlow made any observations. Like the last, this section, which is not accessible elsewhere, cries out for careful study by a competent liturgiologist.

On f. 40 v. is the contents table of 1700 already referred to.

¹ This is not the same hymn as that given in the printed edition of the Sarum Breviary (ed. Procter and Wordsworth, 1886), II. 504.

9. Ff. 41 r.—55 r. contain a series of prayers put forth, but probably not written, by St. Anselm. The University College librarian in 1700 notes that they are not to be found in the collected edition of St. Anselm's works, folio, Cologne, 1612, a fact which I can confirm at first hand. They are followed by four prayers: *Deus indulgentie pater . . .*, *Deus qui per coeternum filium tuum cuncta creasti . . .*, *Domine Jesu Christe qui es uia sine qua nemo . . .*, *Sancte spiritus qui te deum ac dominum reuelare dignatus es. . .*

10. Ff. 55 r.—56 v. contain, in a thirteenth-century book-hand, a meditation of Thomas, Dean of Chichester, followed, on f. 56 v., by a prayer of the same Dean Thomas. I must confess that my appetite for devotional literature of the thirteenth (or, indeed, of any other) century, and likewise my expectation of finding any historical facts, are both so slight that I have not read the meditation through. The identity of the author is uncertain, for three of the Deans of that century were named Thomas.

Thomas of Lichfield, formerly Chancellor of the Cathedral, and the virtual founder of St. Mary's Hospital, was elected to the Deanery in November 1227.¹ His successor, whom for lack of knowledge of his nativity I am driven to describe as Thomas de Alibi, or Plain Tom, occurs in 1235 in an agreement with Tortington Priory about the anniversary of Dean Thomas [of Lichfield] of good memory,² and avoided between 1239 and 1241.³ Thomas of Bersted had just been elected on 26 September 1296,⁴ and avoided in 1298 or 1299.⁵ Walcott⁶ credits the meditation to Thomas of Lichfield, Ballard⁷ to Thomas of Bersted; neither, probably, had disentangled Plain Tom from his namesakes; to my mind there is a slight balance of probability, from the style of the handwriting, against the Bersted man being the author; but I would lay little stress on this.

11. The next section, ff. 57 r.—70 v., contains the Chartulary of St. Mary's Hospital, copied in UCc, 28-115, summarized by Swainson in *S.A.C.* xxiv, pp. 42-4, calendared by A. Ballard in *S.A.C.* LI, pp. 37-64. It is written in single

¹ Liber Y, f. 148 v., No. 410; f. 144 r., No. 393.

² Liber Y, f. 181 v., No. 543.

³ Liber Y, f. 173 v., No. 507; f. 182 v., No. 550.

⁴ *Lambeth, Reg. Winchilsey* (C. & Y.), p. 139.

⁵ Liber Y, f. 219 v., No. 701; *Lambeth, Reg. Winchilsey* (C. & Y.), p. 370.

⁶ p. 1.

⁷ *S.A.C.* LI, 42.

column in a cursive hand of the thirteenth century with rubricated headings to the charters; the execution is identical with that of the earlier work in Liber Y, and the first part, at least, is in the handwriting of one of the Y scribes.¹ At one time I formed a plausible theory that the Chartulary was originally a quire of Liber Y, occupying a place between the present folios 179 and 180, but the structure of this book makes this most unlikely. It was, however, clearly contemporary work; this evidence, unknown to Ballard, supports his view of the date of it.

Also, it actually contains references to Liber Y. Before the first charter, in the same handwriting, is: 'Charter of the Church of St. Peter in the Market, look above among the Kings' charters.' This is clearly a reference to the Letters Patent of 1229,² a copy of which is on f. 91 v., No. 149. Between Ballard's No. 47 and No. 48 are references to four indentures, for which we are told to look above (*supra*) in the Dean's Register.³ The first of these tallies with No. 500 on f. 171 v., the second with No. 496 on f. 170 r., the fourth with No. 443 on f. 155 r.; the third differs from No. 489 on f. 169 r. only in reading *5s. 1d.* instead of *5s. 6d.*

Ballard's work calls for a few remarks. As he himself knew, he used inferior *Fasti* for his dating. This has caused no serious error; but Thomas of Lichfield became Dean five years earlier than the date (of occurrence) in the *Fasti* Ballard used.

In No. 1, for 'squares (*quadratas*)' read 'wainloads (*quadrigatus*)'. William de St. John made a similar, perhaps contemporary, grant of firewood to St. James's Hospital⁴ which is witnessed by Bishop John [Greenford], and can consequently be dated 1174-80.

In No. 3 read 'the lord of the fee of the aforesaid five acres'.

In No. 12 the name of Simon Aynolf probably read Arnolf in the original engrossment.⁵

¹ He wrote Nos. 467 and 468 on f. 164 v. There is a slight change of hand here on f. 67 v., perhaps due, not to a new scribe, but to a mended pen. Unlike most of the early Y scribes, this man did not leave blanks for rubricated capitals.

² *Cal. Pat. R.* 1225-32, p. 249; Swainson, p. 18, No. 47; *S.A.C.* LXVII. 249.

³ Ballard has omitted to translate the word *supra*. Taken literally, it supports the view that the Chartulary was once part of Liber Y, but this should not be pressed. If *infra* in medieval Latin means 'within', *supra* might mean 'without', i.e. elsewhere, but I have no authority for saying that it did.

⁴ Liber E, f. 215 v.

⁵ Cf. Liber Y, f. 133 r., No. 341.

After No. 26, at the foot of f. 61 r., six lines are left blank. With No. 33 compare *S.R.S.* II, No. 406.

There are copies of No. 35 in Liber Y, f. 95 v., No. 173, and Liber K, p. 244. Richard the chaplain undertakes, not only to say a weekly Mass for Robert, but also to bid prayers for him every Sunday. 'The hide of Danesta' (*rectius* Danesca) should probably be rendered 'Daneshyde'.¹ For 'Richard de Lebun', read 'Richard de Bohun'. The charter is witnessed by Henry, Archdeacon. (The other copies give the names of more witnesses.)

No. 44 occupies the first five lines of f. 64 v.; the remaining 34 lines are ruled, but blank; No. 45, in the same handwriting, begins at the head of f. 65 r. Before the foliation was made a leaf had been cut out after f. 64.

I have not made a complete collation.

12, 13, ff. 71 r.—89 v., are copies of the Constitutions of Otto and Ottoboni, Papal Legates; these, of course, were part of the working equipment of any pre-Reformation ecclesiastical lawyer; the fourteenth-century Chichester copies are in quondam Liber D, now Ashmole 1146; the printed text is to be found in Wilkins, *Concilia*, I. 649–56, II. 1–19.

14, ff. 90 r.—94 v., is probably the only text of the synodal statutes of Bishop Richard II [de Wych], printed in Wilkins, *Concilia*, I. 688–93.²

15, f. 95 r. is the record of the Visitation, on 12 December 1299, of Chichester by Archbishop Robert Winchilsey. Printed, from UCc, 116, 117, by Swainson, p. 49, No. 100, from the original by Walcott, pp. 85, 86. The latter is the more accurate copy, but the former contains no material error; such small misreadings as there are, are those of the UCc scribe.

16. At the head of f. 95 v. is a note, in a running hand of the thirteenth century, concerning the non-observance of certain of the Cathedral statutes which follow. Swainson, p. 49, No. 100, prints from UCc, 118, 119, and suggests that this is part of the *detecta* of the Archbishop's Visitation, but it must be earlier; the provision of candles is said to be the Treasurer's duty, a duty which, with the consent of the Bishop,

¹ Cf. *S.R.S.* XXXI. 40. Liber Y reads *Clanesca*, an easy misreading.

² See C. R. Cheney, *English Synodalia of the Thirteenth Century*, pp. 84–9.

was transferred to the common fund in 1279.¹ Comparison of Cathedral practice, as here set out, with the Statutes will be a wholesome corrective of any tendency to believe that the latter furnish a faithful picture of things as they were.

17. Ff. 96 r.—101 r. contain the oldest and best copy of the ancient Cathedral Statutes, well written in a book-hand in double columns with rubricated capitals. A parchment tag stitched to the membrane of f. 96 once facilitated quick reference. There is a copy in UCc, 120—44; Walcott, pp. 18—75, worked from the original. Copies of a few sections (Walcott, pp. 64, 65—70) appear also in Liber Y. The fourteenth-century text in Liber E, ff. 179—84, may be a direct copy; over the first words on f. 96 r. is a mark, which I have several times met with in the Rede manuscripts, possibly a scribe's mark set against documents which he had copied or checked.² I have collated parts of Walcott with the original, particularly the lists of Canons on pp. 18, 42, 43, 65, 67, 70, and 71, and have found him trustworthy, more so than William Rede's scribe, who, for instance, has corrupted the dates 1193 and 1197 into 1113 and 1127. Ballard³ describes this section as 'Constitutions of Ralph Neville, Bishop of Chichester, 1232'. This rather serious mistake arises from a misunderstanding of the mention on f. 96 r. of the Bishop as approving the Statutes.

There is a blank space on f. 101 r. after the Statute about copes at the night offices (Walcott, p. 74) of about the right size for a copy of the Statute of 1271 about the Communar, quoted by Swainson on p. 45, No. 88, of which no earlier copy than that in E exists.

18. On f. 101 v. is a quotation from the will of Dean Roger de Freton [dated 14 Feb. 1381—2⁴], referring to his establishment of stock on the Deanery lands. Printed from UCc, 144, 145, by Swainson, p. 69, No. 128.

A copy of the Constitutions of 1261 of Archbishop Boniface occupies ff. 102 r.—107 v. Printed by Wilkins, *Concilia*, I. 746—55.

The forms of instituting a Canon and installing a Dean occupy ff. 107 v.—108 r. They are copied in UCc, 146, 147, and

¹ Liber Y, f. 221 v., No. 713. Walcott's quotation on p. 41 misled me in a former paper; in *S.A.C.* LXXVIII. 144, for 1481 read 1279.

² Any one who has made much study of Sussex parish registers will be familiar with Sir William Burrell's tick.

³ *S.A.C.* LI. 42.

⁴ *S.R.S.* XLI. 263.

given by Walcott, pp. 75-9; Swainson, p. 29, No. 66, quotes Liber E, f. 178.

19. A memorandum of the installation by proxy of Dean Richard le Scrope on 2 August 1382, and of his appearance in person a year later, on f. 108 r., appears in UCc, 148, 149, and in Swainson, pp. 70, 71, Nos. 130, 131. There is a slightly different account in Liber Y, f. 228 v., Nos. 726, 727.

20. On ff. 108 v.-111 r. is a copy of the re-issue by Henry III of the Great Charter, dated 1225. Text in *Charters of Liberties*,¹ Record Commission, pp. 22-5.

21. On ff. 111 r.-112 v. is a copy of the Forest Charter of the same date, omitting the witnesses; text in *Charters of Liberties*, p. 26.

On ff. 112 v.-113 v. is a copy of the Statute of Merton of 1236. Text in *Statutes of the Realm*, Record Commission, I, pp. 1-3 to end of para. vii.

This is followed, on f. 113 v., by a slightly condensed version of the sentence of excommunication against violators of the charters given in *Statutes of the Realm*, p. 7.

F. 113a, the last ancient leaf in the book, is blank.

THE LITIGATION OF 1254

f. 1 r. King H[enry III] to the Sheriff of Sussex. Direct the following to render up: G[eoffrey de Glovernia], Dean of Chichester, 2 houses and 3 gardens in the suburb of Chichester and in Chichester; Adam the barber, 1 house in the suburb; Alice, formerly wife of le Serere, 2 houses in the suburb; Adam the miller, 1 house in the suburb; W[illiam de Neville], Treasurer of Chichester, 1 mill and land 20 p. long and 60 ft. wide in the suburb; Emeline de Merston, 1 house in the suburb; Robert, Parson of St. Pancras, land 2 p. long and 60 ft. wide in the suburb; W[illiam], chaplain of St. Michael, land 2 p. long and 60 ft. wide in the suburb; W[illiam] Doget, chaplain, 1 house in the suburb; the Warden of St. Mary's Hospital, land 6 p. long and 60 ft. wide in the suburb; John the smith, land 40 p. long and 60 ft. wide in the suburb; Alfred Frutel, 1 house in the suburb; Richard le Coniger, land 20 p. long and 60 ft. wide in the suburb; Clement de Porcestr', 1 house in the suburb; W[illiam] le Aungel, land 3 p. long and 60 ft. wide in the suburb. These are of our demesne of our City of Chichester. Summon the aforesaid (*one William and Alfred omitted, W. le Aungel torn away*) for the octave of Trinity (*torn*). [Dated] (*torn*) May, a. 37 (1253).

[Summon] the Bishop of Chichester (*torn*) [Geoffrey de Glovernia], Dean of Chichester, 2 houses (*torn*) in the suburb (*torn*) Chaplain of St. M[ichael] (*torn*) 60 ft. (*torn*) warrant W. le (*torn*) 60 ft. (*torn*) in our Court (*torn*). (*About half a column entirely missing.*)

¹ This is bound up with *Statutes of the Realm*, vol. I.

f. 1 v. [King Henry III] to the Sheriff of Sussex. Take (*cape*) in hand (*corn*) [Dean and] Chapter of Chichester worth (*corn*) [Chiches]ter in our Court (*corn*) as of our demesne of Chichester (*corn*) whence the said Adam in the same Court (*corn*) Dean and Chapter to warrant (*corn*) Dean and Chapter. Take (*corn*) worth of 1 house (*corn*) Court (*corn*) [Emel]ina de Merston (*corn*). (*About half a column entirely missing.*)

King H[enry III] to the Sheriff of Sussex. Take (*cape*) in hand of the land of the Bishop of Chichester to the worth of 2 houses and 3 gardens in the suburb and in Chichester, for which the Dean has called him to warrant; also to the worth of land 2 p. long and 60 ft. wide which William, chaplain of St. Michael, has called him to warrant; also to the worth of land 3 p. long and 60 ft. wide which W[illiam] Angel has called him to warrant. Summon the Bishop for a fortnight from Candlemas to answer why he was not before the Council at Windsor on the octave of St. Hilary to warrant them. Westminster, 27 Jan. a. 38 (1253-4).

f. 2 r. King H[enry III] to the Sheriff of Sussex. Summon Mr. R[oger] de Cant[ilupe], Canon of Chichester, for the octave of St. Hilary to warrant Alice la Serare for 2 houses in the suburb and in Chichester, and Adam the miller for 1 house in the suburb. Summon the Dean and Chapter to warrant Adam le Tundur for 1 house in the suburb and to warrant Emmeline de Merston for 1 house in the suburb, Richard le Coniger for half of land 20 p. long and 60 ft. wide in the suburb, W[illiam] Doget for 1 house in the suburb and Clement de Porcestr' for 1 house in the suburb. Summon Geoffrey de Belsted of la Manewode to warrant Richard le Coniger for half of land 20 p. long and 60 ft. wide in the suburb. Alice and her partners have called them to warrant. Witness, H. de Bathonia, date as aforesaid.

I, Geoffrey de Belstede, grant to Thomas le Coniger my arable in the suburb of Chichester outside the west gate under the town wall, abutting (*que habuteat*) on the east on the land of Peter de Ludeseye, which I hold of the King's fee, also the arable under the wall which I held of the fee of the Dean of Chichester, to him and his assigns, religious excepted; rendering to me a pair of gloves, price $\frac{1}{2}d.$, or $\frac{1}{2}d.$, at Easter, to John the clerk, son of Godwin Walsh (*Walens'*) $1d.$, to the King $4d.$ at Lammas, to the Dean of Chichester $5d.$ at St. Wilfrid's day (12 Oct.) and to Lettice Fotez $5d.$ and a pair of gloves or $\frac{1}{2}d.$ on St. Faith's day.

f. 2 v. Oxford, the quindene of Trinity, 38 Henry III (12 June 1254), before H[enry] de Bretton¹ and N. de Turrus, Justices. The King, by Laurence, etc., v. the Dean, N. houses in Chichester and its suburb as of his demesne. The Dean and Chapter by their attorney call to warrant the Bishop, who warrants, and says that these N. houses were of the land of a certain Ketell and (*sic*) Esterman; King William the Conqueror gave the land to the Church of Chichester, which has been seized of them ever since. He produces two charters of King William the Conqueror.² Laurence says that after those charters were made King Henry I and likewise King Henry II were seized. The Bishop by his attorney says that if King Henry I was seized he restored the land to Bishop Ralph [Luffa], and produces a charter as follows: 'King Henry [I] to R. de Belmeres and Hugh de

¹ Better known to lawyers as Henry de Bracton.

² Only formal opening words are recited, but they are evidently the two, Nos. 99 and 100 on f. 84 v. of Liber Y; copies in Liber A, f. 24 v., and Liber B, f. 23 v.; Dugdale-Caley, VIII. 1167, Nos. 22, 23.

Falaise and his men of Sussex. I have restored to Ralph, Bishop of Chichester, the land outside the walls of Chichester, and I grant him his ferry of Hoctona as he held them in the time of Robert de Belisma and his ancestors. Witness, William de Werelewast at Westminster in council.¹ So that afterwards the church was never out of seisin, and on this he puts himself on his country, Laurence likewise. A jury of sixteen is summoned for the octave of Michaelmas.

The King v. the Dean and Chapter of Chichester, 2 houses and 3 gardens in Chichester and its suburb. The Dean calls the Bishop to warrant, who produces a charter as follows: 'King H[enry I] to his men of Sussex. I grant to the Church of Chichester and Bishop Ralph the land which Earl Hugh gave for a graveyard and to his brother Henry the land, I say, and houses on the road and outside the wall. Witness, Robert Count of Mellent, at Westminster, Christmas day.'² Be it noted that the claim (*peticio*) for the house in Chichester on the road inside the wall at the end of it (*in parte sua extrema*) is voided (*evacuatur*) by the words 'land and houses both on the road', and that of the houses and gardens in the suburb by 'and outside the wall'. It is also clear that King Henry II declares the seisin of the Church by his charter to Dean Seffrid, allowing him to make a postern to go to his orchard, which was afterwards cut up into gardens by the road going to his barns and fields; the charter is: 'King H[enry II] to the Justiciar, the Sheriff and his servants in Sussex, and to all the citizens of Chichester. I have granted to Mr. Seffrid, Dean of Chichester, my clerk, that he may make a postern in the city wall over against his house to go out to his orchard, his fields and his barns. Let no one molest him on this account. Witnesses, John my son, Ralph fitz Stephen and Eustace his brother and Niel de Brok, at Winchester.'³

f. 3 r. Outside the east gate.⁴

The croft of Ralph de la Hulque goes from the prebendal land to the croft of John the smith, 22 p. 12 ft. long, about 3½ p. wide, and renders to the Earl 1*d.*

The holding of John the Smith is 14 p. 10 ft. long and 4 p. wide; from the house next to the wall, which was [built over part] of the moat, it renders 1*d.* to the Earl; from the rest 16*d.*; many holdings further on on that side of the street are the King's.

¹ No. 104 on f. 84 v. of Liber Y; copy in Liber B, f. 24 r.; Dugdale-Caley, VIII, 1168, No. 28.

² No. 103 on f. 84 v. of Liber Y; copies in Liber B, f. 24 r., f. 77 r.; Dugdale-Caley, VIII, p. 1168, No. 26.

³ No. 125 on f. 86 v. of Liber Y; copy in Liber B, f. 25 v.; Swainson, p. 4, No. 13.

⁴ The measurements go widdershins round the city wall. The southern end of the croft of Ralph de la Hulque was at the point, behind St. Pancras Rectory, where the line of the wall of the Pallant quadrant turns north. The house of Emeline de Merston was clearly on the site now occupied by the Eastgate Stores; the croft of St. Pancras is probably now the cinema car park; the croft of Philip at Castle presumably adjoined what is now Priory Park. Each parcel mentioned does not necessarily adjoin the last; there is, for instance, nothing which can be identified as being in the neighbourhood of the north gate; nor is there any mention of the land south of the wall between the [Dean's] garden and the croft of Ralph de la Hulque, including any property outside the south gate.

Measured on the 1:2500 O.S., the various lengths of the wall are as follows: South gate to East gate, 110 p.; East gate to North gate, 140 p.; North gate to West gate, 117 p.; West gate to South gate, 100 p. I assume the perch throughout to be of 16 ft.

On the other side of the street the holding of Emeline de Merstone is 2 p. 5 ft. wide, and from the house next to the wall which was [built over part] of the moat renders *1d.* to the Earl, from the rest (*18d. altered by erasure to*) *1d.* to St. Mary's altar in the high Church. On that side of the street eastwards as far as the chapel of St. Michael all the houses belong to the lordships of others and render nothing to the King or the Earl.

The croft of St. Pancras next to the wall, which is said to be [part] of the moat, is 2 p. long and renders (*6d. altered by erasure to*) *1d.* to the Earl.

Northwards outside the gate.

The croft of Richard Dureman, 18 p. long and 4 p. wide, renders (*3d. altered by erasure to*) *1d.* to the Earl.

The holding of Robert the smith, 8 p. long and 4 p. wide, renders (*6d. altered by erasure to*) *1d.* to the Earl.

The holding of Edmund de Bedinton, 4 p. long and 5 p. wide, renders (*3d. altered by erasure to*) *1d.* to the Earl.

The croft of Philip at Castle (*de Castris*) 10 p. long and about 4½ p. wide, renders (*2d. altered by erasure to*) *1d.* to the Earl.

The croft formerly of St. Mary House, 6 p. long and about 5 p. wide, was wont to render *1d.* to the Earl and *4d.* to St. Mary House, which it lost by default.

The croft of Peter de Ludesye which goes as far as the croft of Richard le Conyer, about 6 p. long and 5 p. wide, renders *2d.* to the Earl.

The croft of Richard le Conyer, held of the King, is 24 p. long and renders *1d.* to the Earl.

The croft which he holds of the Dean is 22 p. long and goes as far as the holding of Clement de Porcestre, which goes as far as the west gate.¹

Be it known that that holding is 28 ft. wide next to the gate.

The holding of William Doget the chaplain on the other side of the gate is 32 ft. long, that is to say about 2 p.

Sum of perches lengthwise that belong to the King 118.

Rents to the Earl (*3s. altered by erasure to*) *1s. 1d.*

The new garden of the Deanery, besides the parcel of land that was in the garden of the house of the chaplaincy held by W[illiam] Doget, is 18 p. long.

The old garden, which goes as far as the henhouse, is 33½ p. long.

The garden eastwards is 30 p. long.

Total 81½ p.

It is manifest that the house of Emeline de Merston is a double one; that next to the wall which was newly taken, because it was [built over part] of the moat, renders *1d.* to the King. The remainder, which renders *18d.* to the light of St. Mary's altar, was given to the Church by one of the lords of the houses on that side of the street eastwards, which render nothing to the King. This house is claimed as the King's demesne because traces of the moat show outside it to the north; but it never was of the King's demesne since there were Christians in the kingdom. Let those summoned to inquest on the rights of the house beware lest simpletons' tales lead them to deprive the Church of its right, diminish the honour of

¹ 'As far as the west gate and beyond as it is said' in contemporary hand in the margin.

Our Lady in the light, and bring about the disherison of the ward who, after the beginning of the plea, succeeded Emeline.¹

THE RIGHT TO BUILD ON THE CITY WALL

f. 3 v. Seeing that there are in the world very few cities with both walls and moats, especially moats sixty feet wide, which have not many towers and bastions (*castra et castella*), it is strange that there should be enquiry on the subject in the poor City of Chichester, which never to this day has been able to defend itself against enemies; especially as this is confirmed (*muniatur*) neither by law nor statute nor by the usages and customs of other cities. The City of Rome, the head of all, has walls and no moat; the land within and without the wall is held by religious and others, clerks and laymen, all round; and they have towers on the wall and houses attached to it. So is it in the royal city of the French, Paris, and in other cities and towns in divers regions of the world. To speak of places better known, the Church of Winton uses its part of the circuit of the city wall to fence the close of the monks and that of the Bishop's house; in the monks' close the great hall of the guest house and the chambers and other buildings are attached to the city wall and their eaves in many places drip through (*per medium*) the wall and outside it, nor is there any moat outside the wall which fences the close of the Bishop and the monks. If there are signs of a moat (*fossata appareant*) about the place where Chichester Castle was and the neighbouring walls, there never was any moat in the part of the church except the bed of the Lavant. The Church of St. Fritheswiche in Oxford has the use of the wall and the land within and without it, and a gate in the wall itself; nor is there on that side any moat other than the Chereuull. Likewise the close of the Friars Minor is both inside and outside the wall, with no moat. Likewise the Minster of St. Peter and the Priory of St. Oswald in Gloucester have their own shares in the wall, and a gate in the middle. The church of St. Keneburga the virgin is situated (*situm suum habet*) in the middle of the wall of Gloucester, nor is there any moat about the wall save at the castle; it is said that the same prince was the first to build the walls of Gloucester and Chichester.² Since there are numberless cities with houses attached to the wall and towers on it owned by private persons, there seems no reason why the Church of Chichester should not have them on its own share. The poor burgesses of Chichester have houses attached to the wall in other quarters of the city; shall the Church be worse off than they in its own? Shall the Church of Chichester be lower than Rahab the harlot who, as we read in Scripture, had a house on the wall of the city of Jericho?

¹ I suspect that a lawyer would consider that the publication of this sentence to a juror would constitute embracery.

² Cf. Brayley and Britton, *Beauties of England and Wales* (1810), v. 552: 'Tradition ascribes' [the walls of Gloucester] 'to Cissa, the second King of the South Saxons.' But the tradition is not necessarily continuous; possibly some eighteenth-century antiquary found this passage and let it loose on Gloucester, adding Cissa for corroborative detail.