

THE ROYAL FOREST OF LEICESTERSHIRE, c.1122–1235

David Crook

The royal forest of Leicestershire had a relatively brief existence, from the imposition of forest law on the south-eastern part of the county, contiguous with the county boundary with Rutland, by Henry I at an uncertain point in his reign (1100–1135), until the disafforestation of the area in 1235 during the reign of Henry III. Because of the early date and relative lack of evidence relating to it, it has received scant attention from historians compared with that afforded to what was originally the private forest of the earls of Leicester, Leicester forest, and Charnwood, never a legal as distinct from a physical forest, in the north-western part of the county. Coverage of the royal forest in the *Victoria County History* is very brief, and does not give any account of its extent or the location of its boundaries.¹ By contrast, the neighbouring forest of Rutland, with which the Leicestershire forest was always linked, and in many respects integrated, during the period of their joint existence, has been much more fully treated, because it lasted for much longer and is particularly well documented during the thirteenth century by two forest eyre rolls and one large forest eyre estreat.² The Leicestershire forest played a not insignificant role in the history of the royal forest in England as a whole during the age of the Norman and Angevin kings, which culminated in the royal grants of Magna Carta in 1215 and the Charter of the Forest two years later, followed by their joint confirmation in their definitive forms in 1225.

The origin of the royal forest of Leicestershire was described in a sworn statement delivered by a jury of 24 Rutland knights and law-worthy men before the king's forest justices in the Rutland forest eyre of 1249, and subsequently confirmed by a similar jury of 12 from Leicestershire. It began, according to these juries, with the afforestation by Henry I in person of 'a certain wood called *Riseberwe*' in Leicestershire. The story goes that, on a journey to the north of England, Henry passed through that wood and saw five hinds. He immediately ordered a servant of his, named Pichard, to remain in the area until he returned from the north, to guard the hinds for his use. As it happened, the king did not return there in that year, and during it Pichard associated himself with a serjeant in the area called Hasculf of Allextun, whose house he was in the habit of visiting. When the year was over, and the king had returned from the north, Pichard went to him and said that he did not want to be the keeper of his bailiwick any longer. The king enquired as to who else was suitable to be the new custodian, and he recommended Hasculf, who had lands nearby and lived within the same bailiwick. The king therefore entrusted

¹ *Victoria County History of Leicestershire*, II, ed. W. G. Hoskins and R. A. McKinley (OUP for the IHR, London, 1954), pp. 265–6; see also J. C. Cox, *The Royal Forests of England* (London, 1905), pp. 231–3.

² *Victoria County History of Rutland*, I, ed. W. Page (London, Archibald Constable, 1908, reprinted Dawson, Folkestone, 1975), pp. 251–8, written by the Rev. J. C. Cox.



Fig. 1. The Royal Forest of Leicestershire: boundaries, features and places mentioned in the text. Italicised boundary points are those mentioned in the 1225 perambulation.

to Hasculf the custody of the forest of Leicestershire and also of Rutland, and he held it for a long time until he was killed during the reign of Henry's successor, King Stephen, after 1135. Sometime after Henry II's accession in 1154, the king appointed Hasculf's son, Peter, to the same office. Peter's position was subsequently consolidated with the aid of his wife's uncle, Ives de Neville, the son of King Henry's chief forester, Alan de Neville. He held office until the reign of King John (1199–1216), and when he died his son, another Hasculf, succeeded on the same terms.

Hasculf then held the forest until Henry III disafforested the Leicestershire portion in 1235, after which he continued to hold the Rutland forest, which continued in existence, until 1249. He then retired to a monastery, to be succeeded by his own son, Peter de Neville, who was still in office at the time of the Rutland forest eyre of 1269.³

The location of *Riseberwe* wood long evaded identification, although Nichols conjectured that it was to be identified as Rearsby Wood.⁴ It can, however, now be firmly established as a location called ‘Risborough’ (with a number of mid-seventeenth century variations in spelling) in the parish of Tilton on the Hill.⁵ If the part of the story stating that Henry was on his way north when he afforested this part of Leicestershire is accurate, it is most likely that the event took place in 1122, when the king is recorded as visiting York and Durham in October.⁶ This was the only time he is known to have visited England far to the north of the Trent, although he did visit Pickering in Yorkshire sometime before 1119, held a council at Nottingham in 1109, and besieged Tickhill castle in southern Yorkshire in 1102, at a time of war and political uncertainty when he is less likely to have taken a close interest in hunting and afforestation. A perambulation of the forest, a description of its boundaries, made in 1225 during the minority of Henry III as part of one of the repeated attempts to implement the terms of the Charter of the Forest, claimed to define the boundaries as they had been in the reign of Henry II, which were under the Charter’s terms to be disafforested.⁷ In it, Tilton is indicated as being on the western boundary of the Leicestershire forest, which suggests that, once Henry I had afforested *Riseberwe*, the much larger area eastwards to the Rutland boundary was also designated as forest to create one large forest in Rutland and eastern Leicestershire, with the latter as an appendage of the former. The details of the story related to Hasculf of Allextun may be taken as indicating this. There is most likely to have been continuity in the forest’s extent between the reigns of Henry I and Henry III, whatever disruption may have taken place during the reign of King

³ *Select Pleas of the Forest*, ed. G. J. Turner, Selden Society XIII (1899), p. 45. The 1249 Rutland forest eyre roll has not survived, but the verdict was recorded in an entry in the roll of the subsequent forest eyre of 1269. Some of the details can be confirmed and amplified by contemporary records. For example, the first Hasculf appears as ‘Hasculf the forester’ of the forest of Rutland in the first surviving pipe roll, of 1130: *Pipe Roll 31 Henry I*, ed. J. A. Green (Pipe Roll Society, New Series, LVII, 2012), p. 69. Later, the succession of the second Hasculf to the office under John took place about 1211, but necessitated an offer of a fine of £100 and a good horse at his father Peter’s will, Peter having first quitclaimed it before the king: *Pipe Roll 13 John*, p. 193. It was paid in full in the following year: *Pipe Roll 14 John*, p. 139. The published pipe rolls referred to here to are all published by the Pipe Roll Society; full bibliographical details are not given here. The rolls for 1225 and later are referred to by their documentary references.

⁴ J. Nichols, *The History and Antiquities of the County of Leicester* (4 parts in 8 vols, 1795–1815), II, p. 516.

⁵ B. Cox, *The Place-names of Leicestershire*, III, English Place-name Society LXXXI (Nottingham, 2004), pp. 247, 288; Record Office for Leicestershire, Leicester and Rutland, Tilton tithe award and map, 1841 (Ti/333/1), plot 170. The plot is on the southern slope of Robin a Tiptoe Hill at grid reference 773041, although it may be that the original area covered by the name was larger, perhaps the whole hill. A similar name also existed in Leighfield in Rutland by 1266: B. Cox, *The Place-names of Rutland*, EPNS, LXVII/LXVIII/LXIX, for 1989–92, pp. xvii, 101.

⁶ *Regesta Regum Anglo-Normannorum*, II, ed. C. Johnson and H. A. Cronne (Oxford, 1966), p. xxx.

⁷ *Rotuli Litterarum Clausarum*, ed. T. D. Hardy (2 vols, Record Commission, 1833, 1844), II, pp. 207b–208a.

Stephen, although it is possible that the fuller bounds were only finally established during the period of the chief forestership of Alan de Neville in the late 1160s. In Domesday Book there was extensive woodland in the eastern part of Leicestershire near the Rutland border, most of it in blocs of less than 100 acres,⁸ so a wood-pasture landscape may be conjectured, the sort of country to be found in many of the royal forests throughout England.

The extent of the Leicestershire forest is first recorded in a perambulation made by a jury on 25 July 1218, which has survived in the original, and to which we will later return. This gives an account only of the eastern boundary, where it ran along the county boundary with Rutland, together with a brief reference to the stream which formed the southern part of the western boundary.⁹ It is more clearly described, with the mention of many geographical points defining the western part of the boundary, in the later perambulation of 1225.¹⁰ This indicates that the eastern forest boundary ran north from the junction of the Welland with the Eye Brook, running along the Rutland border (including through the middle of the modern Eye Brook reservoir) until it reached *Finchesford*, what is now Finchley bridge, on the A47 trunk road, the point at which the county boundary turned north away from the earlier part of the course of the Eye Brook, which came in from the west. The forest boundary continued north along the line of the county boundary, through The Wisp, where the road from Tilton to Braunston in Rutland crossed it, and around the eastern corner of Cold Overton Park, as far as Ranksborough Hill, in Rutland north-west of Langham and to the east of the road from Oakham to Melton Mowbray. The county boundary followed the first stretch of a stream which rises north of North Overton Grange and runs at the foot of Ranksborough Hill to its west, the forest boundary continuing to follow that of the county, reaching its most northerly point probably where the county boundary turns west north of Northfield Farm. It then turned south and west by a certain road (probably the one running past Northfield Farm and Cold Overton Grange) to the stone cross standing on the great way outside Cold Overton on the south side, which has not survived but probably stood at the junction with the road south to Knossington; from there by the same road to Somerby, heading west and slightly north; and from Somerby south-west along the road to Newbold; then following the road, now a path, to the south, crossing the ford just below Newbold and continuing past Red Lodge Farm to the cross in the churchyard just south of Tilton parish church; from there along the road to Skeffington; and then south and east along a stream called Lipping, which rises between Skeffington and Rolleston, perhaps from the point now known as Skeffington Vale, and running into the Welland just south of Welham; from there the southern boundary of the forest continued to the east along that river and so back to the starting point at the confluence of that river with the Eye Brook.¹¹

⁸ A. Squires, 'Parks and woodland in medieval Leicestershire', in *Leicestershire Landscapes*, ed. P. Bowman and P. Liddle, Leicestershire Museums Archaeological Fieldwork Group, Monograph no. 1 (Leicestershire County Council, 2004), pp. 141–53, map on p. 142.

⁹ Text given below, Appendix I.

¹⁰ Text given below, Appendix II.

¹¹ See the map, Fig. 1.

The earliest records relating to the forest are found in the pipe roll accounts for the forest eyres, held by royal justices sent into the county to hear its forest pleas and impose financial penalties on those who had broken the forest laws since the previous eyre. The information they give, although it lacks detail about the individual offences, confirms, through the names of the settlements and those of individuals with toponymic surnames who were punished, that the boundaries mentioned in the 1225 perambulation had existed since at least 1167.¹² Although the forest of Rutland and Leicestershire was a single bailiwick, the Exchequer accounting arrangements meant that the penalties imposed on the two counties by royal justices were accounted for in different shrieval accounts – that for Rutland and that for Warwickshire and Leicestershire, who shared a sheriff. In one of the Henry II rolls the Warwickshire and Leicestershire judicial debts, for common pleas eyres and forest eyres alike, were clearly demarcated by the use of separate county headings within the overall account.¹³ The forest eyres in Leicestershire during the whole period between 1167, when the first pipe roll account of an eyre was enrolled, and 1212, were usually less productive of revenue for the crown than those held in larger or more important forest counties, such as those in neighbouring Nottinghamshire and Derbyshire, and in Yorkshire, the county which normally produced the greatest yields.¹⁴

As in many counties, the eyres of Alan de Neville in 1167 were crucial in re-establishing the forest within the boundaries which it was thought had been established in the reign of Henry I. In most shires, no evidence exists to indicate what the boundaries were in 1135. In Leicestershire all that can now be known is of the afforestation of *Riseberwe*, and that depends on local memory reported by a jury at least 114, and probably 127, years after that event. Neville's eyre in Leicestershire imposed penalties amounting to only £8 2s. 8d., the smallest sum for any county, except Cumberland, visited by the chief forester in 1167.¹⁵ The total yield from Rutland was nearly £37, for Nottinghamshire and Derbyshire £21, and for Yorkshire over £126. The effect on the Leicestershire forest of the personal forest eyre of Henry II in 1175, which followed the defeat of the major rebellion against him in 1173–74, was far less than on that of some other counties, especially Yorkshire and Nottinghamshire and Derbyshire, where there were some amercements of 200 marks, £100 or 100 marks against major individuals, and many more penalties of between five and 60 marks, all apparently imposed by the king himself. In Leicestershire, which seems unlikely to have been visited by the king in person, far fewer amercements were imposed and they were at much lower levels.

¹² See the details in Appendix III below.

¹³ *Pipe Roll 22 Henry II*, pp. 185–6.

¹⁴ Figures of the yields of forest eyres from counties other than Leicestershire are taken from J. Winters, 'The Forest Eyre, 1154–1368', unpublished Ph.D. thesis, University College London, 2000. Sessions concerned only with the collection of income from assarts and waste and with no evidence of offences against the venison have not been counted as forest eyres, like those of 1170, 1178 and 1180, which raised £6 2s. 8d., £11 11s. 6d. and £9 13s. 4d. respectively, and the last two of which were carried out by Thomas fitz Bernard: *Pipe Roll 16 Henry II*, p. 89; *24 Henry II*, p. 82; *26 Henry II*, p. 105. On these kinds of sessions, see D. Crook, 'The earliest Exchequer estreat and the forest eyres of Henry II and Thomas fitz Bernard, 1175–1180', *Records, Administration and Aristocratic Society in the Anglo-Norman Realm*, ed. N. Vincent (Woodbridge, 2009), pp. 34–7.

¹⁵ *Pipe Roll 13 Henry II*, pp. 161–3.

There were two penalties of 40 marks, against Robert de Ioy and Fulk fitz Warin, one of 20 marks against Ralph de Biseche, and another of £5 against Geoffrey the Abbot,¹⁶ while the others against individuals were smaller, ranging from five marks to half a mark. No amercements at all were recorded as having been imposed on local communities in the county, whereas nine places in Yorkshire, and nine in Nottinghamshire and Derbyshire, were charged.¹⁷ The total of the sums charged in Leicestershire was £84 6s. 8d., compared with under £11 from Rutland, £882 from Nottinghamshire and Derbyshire, and £1,677 from Yorkshire. Before the end of Henry's reign, and during the chief forestership of Geoffrey fitz Peter, further eyres were held in 1185, 1187 and 1189, with yields of £11 17s., £9 6s. 8d. and £4 2s. 8d. respectively.¹⁸

After the accession of Richard I in 1189 and his departure on crusade, forest eyres ceased for nearly a decade, before being resumed in 1198. The Leicestershire forest eyre of 1198, carried out by Geoffrey fitz Peter and Hugh de Neville, the outgoing and incoming chief forest justices, yielded total penalties of £21 19s. 3d., consisting of 106s. 8d. on unspecified individuals and villages, six amercements of half a mark each, one of one mark, and £13 5s. 11d. of 'small particulars'. (Cold) Overton is the only settlement mentioned by name, but a Henry the priest of Cranoe, a Sybil of Welham and a Henry of Skeffington also appear. Offences specified include waste, having dogs contrary to the assize, default and trespass of the vert. A Robert Friday, probably an ancestor of the John Friday who was one of the jurors who made the perambulation of 1225, was charged with half a mark for a trespass of the vert.¹⁹

Under John there was a Rutland forest eyre on 3 March 1209, held by Hugh de Neville and Peter de Liuns at Oakham, for which a plea roll survives, one of only three for any county from the period before the Charter of the Forest. It resulted in penalties totalling £43 13s., consisting of £10 10s. on unspecified individuals and villages, a large amercement of 20 marks on Ralph de Martivaux, two amercements of 20s. each, four of half a mark each, two of one mark, and £14 3s. of 'small particulars'. Villages specified by name include Knossington (twice), Halstead, Skeffington and Norton. This time the kinds of offences are not specified.²⁰ A roll of Leicestershire penalties was drawn up, a very early documentary survival. It includes lists of old assarts, and material resulting from two separate regards, inspections of the state of the forest by local commissioners, of the Leicestershire forest, both probably since John's accession in 1199.²¹ The last forest eyre in the county for

¹⁶ Unlikely to be a real abbot, because no Geoffrey is known to have been in office in a local monastic house during this period.

¹⁷ *Pipe Roll 22 Henry II*, pp. 93–7, 112–18, 185–6. On Henry's forest eyre, see Crook, 'The earliest Exchequer estreat', pp. 33–4.

¹⁸ *Pipe Roll 31 Henry II*, p. 103; *33 Henry II*, p. 119; *2 Richard I*, p. 44. The relative figures for Rutland were £7, £8 and £6; Nottinghamshire and Derbyshire £120, £178 and no eyre; and Yorkshire £288, £156 and £220.

¹⁹ *Pipe Roll 10 Richard I*, pp. 159–60. The equivalent figure for Rutland was £26, for Nottinghamshire and Derbyshire £175, and for Yorkshire £425.

²⁰ *Pipe Roll 11 John*, pp. 23–4. Other counties had two eyres between 1207 and 1210: Rutland in 1208 yielded £15, and its next eyre on 3 March 1209 £51; Nottinghamshire and Derbyshire 1209 £231, 1210 £76; Yorkshire 1208 £605, 1209 £724. There are no forest penalties in the Rutland account for 1212.

²¹ The National Archives: Public Record Office, E 32/249, rot. 30, details given below, Appendix III;

many years took place in 1212. The pleas in the eyre relating to the Leicestershire forest yielded penalties totalling £33 13s. 7d., consisting of 23 marks on unspecified individuals and villages, a large individual amercement of 100s. on William of Harrington, five amercements of half a mark each, one of one mark, one of 20s., all for unspecified offences, and £10 3d. of ‘small particulars’. The only vills specifically mentioned are Easton and Skeffington.²² Occasionally major breaches of the forest laws were dealt with outside eyres, such as when an offender offered a fine to clear himself of a trespass against the venison. In 1205, William of Hartshill, evidently a Warwickshire man, offered a large fine of 40 marks for having taken a stag in the forest of Leicestershire, which had resulted in his land and chattels being taken into the king’s hand. Ralph fitz Ralph and Robert of Sutton made offerings of 40 marks and 20 marks for the same offence, and seem to have been Hartshill’s accomplices. The lands of all three of them were committed to the custody of the royal household knight Robert of Ropsley until he had taken those sums from them.²³

The disafforestation of the Leicestershire forest in 1235 was just a small part of a wider process by which many forest areas of England were removed from the jurisdiction of the forest laws over a period of nearly 50 years. As it happens, Leicestershire was the last county whose forest boundaries were settled during those years. The background was that, during the second half of the twelfth century, all but five ordinary English counties included some land subject to the forest laws. The process of disafforestation began in 1189 when Richard I, having just acceded to the throne and preparing to depart on crusade, raised money for his expedition by accepting payment from groups of people in several counties to take specified areas out of forest jurisdiction. In 1204 another and bigger round of such grants was made by his successor, King John, when he needed funds to try to prevent the conquest by the king of France of his duchy of Normandy. His failure to retain the duchy led him in the following years to exert extreme financial pressure on England to finance his attempts to recover what he had lost, and his exaction of money by exploiting his forest rights came to a climax in the years from 1209 to 1212, a period characterised by severe forest eyres, after which increased resistance to his demands led to something of an abatement and attempts to restrain the activities of the king’s foresters. Specifically, on 25 September 1212, Peter de Liuns and Roger de Neville were appointed to investigate the custody of the forests of Leicestershire, and others to deal similarly with all the counties north of the Trent.²⁴ The failure of John’s attempts to reconquer the duchy, following the French victory at Bouvines in 1214, led in the following year to concessions to his subjects in a charter of liberties which

D. Crook, ‘The forest eyre in the reign of King John’, *Magna Carta and the England of King John*, ed. J. S. Loengard (Woodbridge, 2010), pp. 65–6. All unpublished documents cited are in The National Archives: Public Record Office unless otherwise stated.

²² *Pipe Roll 14 John*, pp. 140–1. In Nottinghamshire penalties of £544 were imposed, and in Yorkshire of £1,477. No Rutland eyre was held.

²³ *Rotuli de Oblatis et Finibus in Turri Londonensi Asservati*, ed. T. D. Hardy (London, Record Commission, 1835), pp. 319, 325; *Pipe Roll 7 John*, pp. 33, 38; *8 John*, p. 4; *9 John*, p. 192; *10 John*, p. 161. S. D. Church, *The Household Knights of King John* (Cambridge, 1999), pp. 148–9, note 161, took the first of the fine roll references to indicate that Ropsley was ‘controller of the royal forests in Warwickshire, Leicestershire and Lincolnshire’.

²⁴ *Rotuli Litterarum Clausarum*, I, p. 125.

soon came to be known as Magna Carta, the Great Charter. In the negotiations which led up to its issue, one demand made by his rebellious barons was that all the areas afforested by Henry II, Richard and John himself should be disafforested. This huge potential concession was not included in Magna Carta, which only went as far as to specify that all forests which had been afforested in John's own reign should be removed from the forest.

One concession that was made in the Charter (chapter 44) limited the liability of men living outside the forest to attend a forest eyre when one was held in their county: 'Henceforth men who live outside the forest shall not come before our justices of the forest upon a general summons, unless they are impleaded or are sureties for any person or persons who are attached for forest offences.'²⁵ Leicestershire is the only county in which it is possible to assess the effect of the summons to the forest eyre on those living not within the forest boundaries but within a short distance of them. In the Rutland forest eyre roll of 1209 the knights of Rutland gave a verdict that when the men of Leicestershire were summoned before the forest justices, those living up to two leagues outside the forest were bound to attend.²⁶ It is not clear how far a league was considered to be in that particular temporal context. An English league seems to have been variously the equivalent of either 1½ miles or of three miles.²⁷ The shorter distance seems to have been used in a petition by the burgesses of Nottingham to the York parliament of 1318, when they said that the distance between the town of Nottingham and the king's manor of Clipstone was more than 14 leagues.²⁸ If that measure applied in this instance, the men of settlements within three miles of the forest boundary would be obliged to attend a forest eyre. This would include the inhabitants of Tur, Church, East and Thorpe Langton, Shangton, Carlton Curliou, Noseley, Rolleston, Ilston on the Hill, Gaulby, Billesdon, Cold Newton and Lowesby. If the larger measure was used, and the men from within six miles of the boundary had to attend, in addition the men of villages up to and west of the River Sence, including Saddington, Smeeton and Westerby, Kibworth Beauchamp and Harcourt, Fleckney, Burton Overly, Great Glen, Great and Little Stretton, Houghton on the Hill, Thurnby and Bushby, Ingarsby, Keyham, Hungarton, Beeby and Baggrave, would be obliged to attend. This would more than double the geographical area within which the inhabitants would be liable to attend the forest eyre, and even the use of the shorter measure of the league would greatly increase it.

The failure of Magna Carta to bring peace between the king and the rebels led to a civil war and a French invasion, during which the king died in October 1216. During the war, it seems that the normal local forest administration lapsed, and the Leicestershire forest was administered by the sheriff of Warwickshire and Leicestershire. When, on 28 December 1215, John wished to make a gift of five

²⁵ J. C. Holt, *Magna Carta* (2nd edition, Cambridge, 1992), pp. 437, 462–3, 513.

²⁶ *Select Pleas of the Forest*, p. 6.

²⁷ R. E. Zupco, *A Dictionary of Weights and Measures for the British Isles: the Middle Ages to the Twentieth Century*, American Philosophical Society (Philadelphia, 1985), p. 226.

²⁸ D. Crook, 'Clipstone Peel: fortification and politics from Bannockburn to the treaty of Leake, 1314–1318', in *Thirteenth Century England*, X, ed. M. Prestwich, R. Britnell and R. Frame (Woodbridge, 2005), p. 195. The distance from Nottingham to Clipstone is approximately 20 miles.

hinds to Fulk fitz Warin from his forest of Leicestershire, it was the sheriff who was instructed to ensure that the order was carried out.²⁹ Later the custody of the forests of Rutland and Leicestershire was held by the constable of Sauvey castle, until long after the return of peace. It was not until 20 June 1219 that the custody was returned by the constable to its hereditary forester, Hasculf of Allextun.³⁰ The supporters of John's young son and heir, Henry III, in 1216 reissued a version of Magna Carta by which they sought to rally support for the new king. This version, however, omitted the clause about forest boundaries, and it was not until after the royalist victory and peace in 1217 that the Charter was reissued for a second time, accompanied by a separate Charter of the Forest, dated 6 November that year, far more detailed than the few forest clauses in the original Magna Carta of 1215. The crucial first clause of the forest charter prescribed that all the forests which Henry II had afforested should be viewed by 'good and legal men'; and, if any man's wood other than a royal demesne wood had been afforested to the damage of the owner of that wood, it was to be disafforested. If the king had afforested any of his demesne woods it was to remain forest.³¹

As it happens, the first general national attempt to implement that crucial boundary clause of the forest charter, which prescribed that areas which had been afforested since the first coronation of Henry II in 1154 were now to be disafforested, was initiated on 24 July 1218 at Leicester. John Marshal, son of the regent during the king's minority, William Marshal, who had been appointed as chief justice of the forest on 8 November 1217, was instructed to hold perambulations of the forest boundaries by juries of 12 legal and discreet knights in each affected county, chosen by four of their own number, to establish the boundaries between those areas which were to remain forest and those which were to be disafforested. The word 'perambulation' might be taken to suggest that these juries were actually to walk around the boundaries, but the real intention was that they should swear that the boundaries which were already established and deemed to be generally known were valid and correct. The written verdicts were to be returned to the government, in practice to the royal Chancery, authenticated by the seals of the sheriffs and jurors.³² Marshal began by holding perambulations for both Rutland and Leicestershire on the following day, using 26 jurors for the Leicestershire one.³³ The Leicestershire document described the forest boundaries in the county and stated that the area enclosed by them had been afforested by Henry II after his first coronation in 1154, at the same time noting that the area included the royal wood of Withcote; the manor had been obtained by an exchange with Reginald of Norton involving land in Finedon in Northamptonshire.³⁴ The 26 jurors who provided the information were

²⁹ *Rotuli Litterarum Clausarum*, I, p. 182.

³⁰ *Rotuli Litterarum Clausarum*, I, p. 393b.

³¹ For the best account of this process, see Holt, *Magna Carta*, especially pp. 52, 60–1, 72, 211–12, 214, 240, 338–9, 428, 462–3, 512.

³² *Patent Rolls 1216–25*, p. 162. The original letter appointing Marshal to his office survives in C 47/11/1, no. 4.

³³ C 47/11/1, no. 5 is the original Leicestershire perambulation, and is printed in full below, Appendix I.

³⁴ *Curia Regis Rolls*, XV, no. 1950; *Pipe Roll 14 John*, p. 129, where Reginald is described as 'of Welford'.

named, and the names of the 12 knights among them who, together with the abbot of Owston and the prior of Launde, added their seals to the document, were named for a second time. The seals have long since become detached from the document and have disappeared. As already noted, the description of the forest bounds in this perambulation is far less detailed than that of the one of 1225, mentioning only the Lipping stream as the western boundary and only giving boundary points as far north as the corner of Cold Overton Park on the eastern side, although it did include one which does not appear in 1225. It is said to have been held in the presence of Marshal as chief justice of the forest, William de Cantilupe, the current sheriff of Warwickshire and Leicestershire, Hugh de Neville, the former forest justice, William de Aubigny, lord of Belvoir and former rebel, and Robert of Ropsley, the royal household knight.

The Leicestershire and Rutland perambulations of 1218 were the first two officially sanctioned by the government, but earlier unofficial ones had been held in at least two counties by men anxious to implement the first clause of the Charter of the Forest as soon as possible. These took place on 21 May in Nottinghamshire and on 3 July in Huntingdonshire, and were the first hints of what was to become an extended period of conflict between the king's advisors and some of the inhabitants of some forest counties.³⁵ There is no evidence that any action was taken by the government to settle the continuing forest boundaries in Leicestershire, or indeed in any other county, on the basis of the perambulations that had been held. In May 1219 further perambulations were ordered to be taken in some counties, including neighbouring Nottinghamshire and Derbyshire, for consideration by the king's council. In July steps were also taken to enquire, through commissioners appointed in each county and with the assistance of the verderers and foresters of fee of the shire, into the assarts (areas cleared of forest vegetation), both sown and unsown, created there since the king's first coronation in 1216 without royal permission. In the earlier and more detailed versions of these orders, information was to be collected as to who had assarted each sown assart, by what warrant and through whom, and how many acres each assart included, who had sown them and how much each sowing was worth. As regards each unsown assart, information was required about who had assarted it, through whom, by what warrant and with what vegetation it was covered before it was assarted. The enquiries were to be carried out on 20 July 1219, and all the details were to be enrolled and the inquest sealed by the sheriff, verderers, foresters and all others involved. Commissioners for each county, including a clerk, were appointed, those for Leicestershire and Rutland being Robert Mansell, William de Foleville, Henry of Uppingham, John de Fresnei and William of Harston, clerk, who were to meet at Oakham. All the assarts identified were to be taken into the sheriff's hands, and all those who had created them were to give pledges to appear before the justiciar, Hubert de Burgh, and the king's council on 16 August to show by what warrant they had created them and sown them. Preparations had thus been made to record the extent of assarting in

³⁵ D. Crook, 'The struggle over forest boundaries in Nottinghamshire, 1218–1227', *Transactions of the Thoroton Society*, LXXXIII (1979), pp. 35–45. Much of what follows is already dealt with there. See also D. Carpenter, *The Minority of Henry III* (London, 1990), pp. 81, 89–91, 168–9, 180–1, 277–9.

the existing forests before the process of disafforestation could be completed. Then, on 17 August, the sheriffs and the ‘inquirers of assarts’ of 15 counties, including Leicestershire and Rutland, were instructed to ensure that those who proved to have made assarts, whether they had sown them or not, be put under pledges to appear before the council at Westminster on 27 October, with those who had sown bringing the monetary value of their crops, to answer for their trespass in doing so.³⁶

The process of disafforestation in 1219 seems to have stalled, probably because the revisions of the boundaries proposed in the perambulations seemed to the government to be too extreme. By 17 August the returns of assarts from at least 17 counties had been received, but when the hearing before the council came on 27 October the government had to moderate its attitude. On 17 July the men of Nottinghamshire and Derbyshire had complained to Pandulf, the papal legate, about the government’s seizure of the assarts, and he passed the matter on to the justiciar.³⁷ Those who had been ordered to bring the income from their sown assarts probably did not do so, and those summoned complained to the justiciar and council about forest administration in general. In response, royal letters of 8 November ordered the implementation of clauses of the Forest Charter dealing with the lawing of dogs and limiting the number of foresters, while those in charge of the forests were ordered not to breach the charter and treat forest dwellers in such a way that they would have future grounds for complaint.³⁸ Then, on 13 December 1219, a fresh attempt to implement the boundary clause of the Charter of the Forest was initiated, with groups of justices appointed, each to visit a group of counties, beginning in January 1220, to conduct a new series of enquiries with the help in each case of 24 knights and free tenants of that county. Leicestershire, along with Rutland and the other east midland counties – Nottinghamshire, Derbyshire, Northamptonshire, Huntingdonshire and Rutland – was assigned to the bishop of Lincoln, Fawkes de Breaute, Hugh de Neville and Walter Mauclerc.³⁹ Part of their enquiries concerned the custody of the forests, but they were instructed to immediately disafforest any areas afforested by King John; they were also to ascertain which forests had been afforested by the will of Henry II or any of his foresters, and submit the result to the king’s council for consideration, so that if they were found satisfactory they could be acted upon. There is again no evidence that any disafforestation resulted from these enquiries in Leicestershire or any other county, so the whole question remained unresolved.

In 1221 the appointment of John’s former supervisor of the northern forests, Brian de Lisle, as chief justice of the forest led to attempts to resume the holding of forest eyres for the first time since they were suspended when serious opposition to John began in 1212. They were resisted in some counties, especially in Yorkshire, where opposition prevented an eyre being held, and Nottinghamshire, where the men of the county twice paid a fine to Lisle to postpone the intended eyre. He did hold

³⁶ *Patent Rolls 1216–25*, pp. 211–19.

³⁷ *Royal Letters of the Reign of Henry III*, ed. W. W. Shirley (2 vols, London, Rolls Series, 1862, 1868), I, no. cxix.

³⁸ Carpenter, pp. 150–1, 159, 163–4; *Rotuli Litterarum Clausarum*, I, pp. 396b, 433b–4.

³⁹ *Rotuli Litterarum Clausarum*, I, p. 434b; *Select Pleas of the Forest*, pp. xcvi–vii.

forest pleas in Leicestershire in 1221–22 and 1224–25, but neither session seems to have been a full forest eyre in which pleas of the venison were included. The few ‘pleas of the forest by Brian de Lisle’, included in the Warwickshire and Leicestershire account for 1221–22, are for: amercements of individuals and vills totalling £6 40d., whose details were kept in an estreat, a simple list of penalties extracted from the more detailed records of the eyre, of which the original has not survived; 10s. from William de Waleden so that his wood of Waleden should remain outside the old waste; sums of 10s., 20s. and half a mark respectively from Robert Abbot of Prestgrave, Nicholas Parlbien and Walter brother of Hereward for trespass; and £4 3s. 9½d. for ‘small particulars of the forest’.⁴⁰ Much more detail is given in lists ‘concerning small particulars of the forest by Brian de Lisle’ and ‘concerning sowings (*imbladiamentis*) of the same eyre’ in the pipe roll for 1224–25.⁴¹ This session may have been subsequent to a regard, for which arrangements were made on 6 March 1224. It was to be carried out by the foresters and 12 regards in each of the forest counties, with 12 knights to view all the trespasses in contravention of the chapters of the regard.⁴² This may have been the preliminary to a series of full forest eyres held in four southern counties by Hugh de Neville late in that year, but none was held elsewhere before the attempt to implement the forest charter in 1225.⁴³ No further progress seems to have been made with implementing the disafforestation promised in the Charter of the Forest, and this is confirmed by an order on 30 October 1224 by the king’s council to Hugh de Neville, once again serving as chief justice of the forest in succession to Lisle, to keep the forest by the same bounds as it had been kept before the war between King John and his barons.⁴⁴ The forest remained at the extent it had reached by 1215.

The turning point in the implementation of the boundary clauses of the Charter of the Forest finally came early in 1225. During that year, following an agreement by the king to reissue Magna Carta and the Charter of the Forest in return for a grant of taxation to finance a war to regain territory lost to the French king in Poitou, new attempts were made to implement the provision which prescribed that areas which had been afforested since the first coronation of Henry II in 1154 were now to be disafforested. This was to be carried out following perambulations of the boundaries in the affected counties under a commission to Hugh de Neville, Brian de Lisle and Master Henry of Cerne, who were instructed to hold perambulations in many forest counties, assisted by two or more commissioners appointed from among the local gentry.⁴⁵ The record of the

⁴⁰ *Pipe Roll 6 Henry III*, pp. 9–10; *7 Henry III*, pp. 11–12; *8 Henry III*, p. 202.

⁴¹ E 372/69, rot. 12, m. 2 [AALT_IMG 1235], printed below, Appendix V. Use has been made of the images provided by the Anglo-American Legal Tradition project [<http://aalt.law.uh.edu>], and [AALT-IMG] numbers refer to this website.

⁴² *Patent Rolls 1216–25*, pp. 482–3.

⁴³ *Rotuli Litterarum Clausarum*, I, pp. 633, 655–6; *Pipe Roll 8 Henry III*, pp. 156–7, 227–8; E 372/69, rot. 11, m. 1 [AALT_IMG 1230]; rot. 14, m. 2 [AALT_IMG 1244].

⁴⁴ *Patent Rolls 1216–25*, p. 491.

⁴⁵ *Patent Rolls 1216–25*, pp. 567–9. The additional local commissioners for Leicestershire were William de Foleville and William de Charnelles, but the former seems subsequently to have been replaced by William de Flamville. For similar substitutions in an assize commission of 1223 involving the same people, see *ibid.* p. 393.

perambulation of the boundaries of the Leicestershire forest made on this occasion was eventually copied onto the Chancery close roll in January or February 1227, when the king, having just taken personal power following his long minority, objected to some of the disafforestations made two years earlier.⁴⁶ Although this copy is not dated, the perambulation must have been made in February 1225, when the commissioners were as named. Its appearance in the roll in early 1227, on the dorso of a membrane, indicates that Leicestershire was one of the counties whose perambulations of 1225 were being called into question; perambulations for Nottinghamshire and Huntingdonshire, subject to similar disputes, are recorded either on the same dorso or the one following. Also, on 9 February 1227 the patent roll records orders by the king that the knightly perambulators of the forests in Nottinghamshire are to come before him to recognise that in making their perambulation they had trespassed against him and to ask for his indulgence, because he could not remit this trespass against them or their heirs; the same orders were repeated in respect of the perambulators of Leicestershire, Rutland and Huntingdonshire on 19 March.⁴⁷ It seems that the men of these four adjacent eastern counties, in addition to those of Yorkshire, were thought to be the core of the movement against the established forest boundaries.

It is clear from the chronicle of Roger of Wendover, who was at the time prior of Belvoir, a Leicestershire dependency of the abbey of St Albans, that the disafforestations implied by the perambulations of 1225 had taken effect during 1225–26. As he put it: ‘The king’s commands being very soon executed, although not without great opposition of many, each and all used these liberties, selling the produce of their own woods, making assarts, hunting beasts, and ploughing the land which was before uncultivated, so that all disposed at their will in the disafforested woods; and not only the men, but dogs also, which were earlier accustomed to be expeditated, enjoyed these liberties. In short, the nobles, knights and free tenants used these common liberties, so that not one iota contained in the king’s charter was excluded.’⁴⁸ The accuracy and veracity of Wendover’s chronicle, especially the part of it covering the reign of King John, has often been criticised, but on this issue he was in a good position to know. As prior of Belvoir, Roger was responsible for the management of the priory’s manor and church of Horninghold, which lay in the Leicestershire forest.⁴⁹ What seems to have happened in 1227 was that the king’s action threatened to reverse this process in some counties. In Nottinghamshire two adjustments of the 1225 boundaries served to assuage

⁴⁶ *Rotuli Litterarum Clausarum*, II, pp. 207b–208a.

⁴⁷ *Rotuli Litterarum Clausarum*, II, pp. 208b, 209b; *Patent Rolls 1225–32*, pp. 109–10.

⁴⁸ *Rogeri de Wendover Flores Historiarum*, ed. H. G. Hewlett (3 vols, London, Rolls Series, 1886–89), II, p. 286: Facta itaque in brevi regii exsecutione mandate, licet non sine magna contradictione plurimorum, concessibus libertatibus singuli usi sunt, de boscis suis propriis vendentes, essarta facientes, bestias venantes, terram arabilem de incolta sulcantes, ita quod de nemoribus deafforestatis omnes pro libitu disponebant; et non solum homines, verum etiam canes, qui prius expeditari solebant, has libertates se habere gaudebant. Communibus vero libertatibus magnates, milites et libere tenentes adeo usi sunt, quod nec iota unum in regis charta contentum exstitit praetermissum.

⁴⁹ D. Crook, ‘Roger of Wendover, prior of Belvoir, and the implementation of the Charter of the Forest, 1225–1227’, forthcoming.

the king's concerns,⁵⁰ but in Leicestershire there does not seem to have been any settlement at that stage. This is understandable, because in its perambulation of 1225, the county had asserted that its forest area had been afforested in the reign of Henry II and was therefore due to be disafforested under the terms of the Charter of the Forest. It was, however, known locally, and perhaps centrally, that the Leicestershire forest was created by Henry I, and that the reafforestation after 1154 was a restoration of the pre-1135 boundaries after the likely abeyance of the application of the forest laws in the county during the civil war under Stephen between 1139 and 1153. This is likely to have been so even though eastern Leicestershire was probably under the effective control of the earl of Leicester, one of the main supporters of King Stephen, although in the northern part of the county he found it necessary to enter into a non-aggression pact with the earl of Chester towards the end of the reign.⁵¹

During the next few years, after the custody of the northern and eastern forests was entrusted to Brian de Lisle in October 1229,⁵² no forest eyres were held in the Rutland and Leicestershire forest at a time when they were taking place in many counties in which the forest boundaries had been agreed. Leicestershire was, however, subject, with all other counties under Lisle, to the second general regard of the reign, ordered in February 1229, when a full set of the chapters of the regard was entered in the patent roll; they included an instruction to survey the sowing of assarts that had taken place since 1217.⁵³ The final phase in the history of the royal forest of Leicestershire began on 4 November 1234 at Woodstock, when three justices were appointed to enquire into persons who had hunted or coursed with dogs, or felled wood in the king's forests in Northamptonshire around Rockingham, Leicestershire and Rutland, 'on account of the liberties which the king by charter lately granted to the good men of the realm'. They were to meet to hold the enquiry at the abbot of Peterborough's manor of Ashton in Northamptonshire on 17 November, and the sheriff of each of the counties was to bring 12 knights with him to hold the enquiry.⁵⁴ It seems that Leicestershire men were still hunting and felling in the forest on the basis of the terms of the Charter of the Forest even though their attempt to disafforest it had not been sustained in 1227, and that particular incidents reflecting that had brought the problem to the attention of the government.

Whether or not the enquiry actually took place is not clear, but it seems probable that the decision to hold it prompted what followed. On 3 December 1234, when the king was at Reading, the men of Leicestershire gave the king £100 for a perambulation to be made of the forest in the county adjacent to its boundary with Rutland by 24 knights – eight each from Northamptonshire, Rutland and Leicestershire – who were to have no lands within the forest, nor any blood-ties with those living in the forest, or with those who were involved in the previous perambulation, to define which areas were to be disafforested and which were not. If the outcome was that

⁵⁰ Crook, 'Forest Boundaries', pp. 39–40.

⁵¹ For the best accounts of this, see D. Crouch, *The Reign of King Stephen, 1135–1154* (Harlow, 2000), pp. 238, 254; E. King, *King Stephen* (New Haven and London, 2010), pp. 259–61.

⁵² *Patent Rolls 1225–32*, p. 273.

⁵³ *Patent Rolls 1225–32*, pp. 286–7.

⁵⁴ *Calendar of Patent Rolls 1232–47*, p. 123.

disafforestation was not to take place, the king would retain the £100. If it was concluded that it should be disafforested, they would give him 50 marks, so that he would receive in total 200 marks.⁵⁵ On 20 February 1235 a charter was issued at Westminster to the effect that, since the king had earlier granted (in the 1225 Forest Charter) that all places which were afforested after the first coronation of Henry II should be disafforested, and the inquisition recently carried out stated that it been, the forest of Leicestershire was ordered to be disafforested.⁵⁶ Henry had decided to accept the removal of the forest law from Leicestershire in return for money, abandoning his earlier apparently legitimate objections. On the following day, the sheriff of Leicestershire was informed about the grant of the charter and instructed to have it read in the county court, while both he and the Rutland forester, Hasculf son of Peter of Allextun, were ordered to observe its terms, as were any future justices in eyre of the forest in Rutland. It was noted in the fine roll that the men were due to pay 100 marks of the fine at mid-Lent (18 March) and the other 100 marks on 30 March.⁵⁷ These terms were evidently not met, because, about 27 April, when the king was at Windsor, the sheriff of the county was ordered to distrain the men of the county to pay what they owed. The order noted that the fine had been made on their behalf by the prior of Launde and the abbot of Owston.⁵⁸ In these last stages of the process of disafforestation the abbot and prior evidently acted as bankers to the laymen who were trying to bring it about, and their involvement had earlier been reflected in their adding their seals to the forest perambulation of 1218. They are likely to have had readier access to the coin needed to push the transaction through than the local lay landowners who formed the basis of the movement to bring about the disafforestation. There is little evidence of the local links that bound the group together, but it is probably of some significance that a member of the Martivaux family, Robert, had become prior of Launde by 15 June 1236.⁵⁹ A John de Martivaux had been one of the jurors who made the perambulation of 1218, and a William de Martivaux performed the same role in 1225. In 1235–36 a Richard de Martivaux held a single knight's fee at Hallaton of the honour of Peverel of Nottingham, while in January 1251 an Anketinus de Martinvast gave the king four marks for a charter of free warren in his manor of Noseley in Leicestershire, just west of the boundary of the former forest, plus another 11 marks for quittance of that

⁵⁵ *Calendar of Fine Rolls 19 Henry III*, nos 47–8. The first of these entries, in which the king was to receive 250 marks in total, was cancelled and replaced by the second.

⁵⁶ *Calendar of Charter Rolls*, I, p. 193. The debt does not appear in the pipe rolls so its payment cannot be traced: E 327/79, rot. 12; 80, rot. 10.

⁵⁷ *Close Rolls 1234–37*, p. 51; *Calendar of Fine Rolls 19 Henry III*, no. 146.

⁵⁸ *Close Rolls 1234–37*, p. 82. At the same time the prior was taking care of his own forest interests in Nottinghamshire, being given permission to fell 30 oaks in his own wood of Salterford in Sherwood forest to build his church, and not to be charged cheminage for taking them out of the forest: *ibid.*, p. 81. Salterford was only a few yards within the revised Sherwood boundary of 1227, marked at that point by the course of the Dover Beck, and from 1225 to 1227 had been outside the forest. The deposition of both the abbot and prior, along with a number of others, by bishop Robert Grosseteste of Lincoln in 1236, is unlikely to have had any connection with the forest issue: *Annales Monastici*, III, ed. H. R. Luard (London, Rolls Series, 1866), p. 143.

⁵⁹ CP 25/1/121/15, no. 204; *The Heads of Religious Houses in England and Wales, II, 1216–1377*, ed. D. M. Smith and V. C. M. London (Cambridge, 2001), p. 405.

charter from the usual Chancery fees.⁶⁰ More extensive research on the backgrounds of the jurors of both inquisitions would probably prove revealing.

The failure to pay promptly did not delay the disafforestation of the county. There was, however, an amendment to the settlement in the following year. In mid-August 1236, when he was visiting Northampton, Geddington, Oakham and then Nottingham, the king informed the sheriff that he was taking the royal demesne manor of Withcote and its wood into his own hand, because it had not been his intention when disafforesting the forest of Leicestershire to include his demesne land or demesne woods. He ordered it to be proclaimed in the whole county court and in each wapentake court that no beast was to be hunted or taken there, and anyone who did so would be arrested as a forest malefactor. Instructions to that effect, citing the clause of the Charter of the Forest concerning the retention of forest law in royal demesne land, were given to Hasculf de Neville, forester of Rutland, at the same time.⁶¹ The retention of Withcote in the forest, administered as part of the forest of Rutland, is well documented after 1235–36. In 1251 four local men were appointed to sell the king's underwood 'in Rutland and in the wood of Withcote'.⁶² In the plea roll of the Rutland forest eyre of 1256, Reginald the miller of Withcote was amerced 12d. for an offence against the vert; the vill of Withcote was charged with half a mark for not coming to a plea of the venison; and brother Hugh of Knossington, probably a canon of Owston abbey, and Robert the groom of Richard of Whatborough, were accused of taking a fallow doe in the field of Withcote on 7 November 1254 and carrying it away.⁶³ Sauvey castle in Withcote parish continued to be linked with the forest administration in the later years of Henry III's reign. In 1253, Ernald de Bosco was given custody of all the forests north of the Trent, and at the same time the custody of the castle. Shortly afterwards he was given the whole forest bailiwick between the bridges of Stamford and Oxford, excluding Rockingham castle, but presumably retaining Sauvey.⁶⁴

The history of the Leicestershire forest did not, despite the settlement, finally come to an end in 1235. The charter of that year confirming the disafforestation was apparently ignored by Geoffrey de Langley when, as chief forest justice, he held a Rutland forest eyre in late July or early August 1249, the first full forest eyre there since 1209, and the first in Leicestershire since 1212. No plea roll has survived, but the details are preserved in an estreat roll, which recorded the penalties imposed in the eyre and was handed in to the Exchequer so that the payments could be specified in the summons to the sheriff to enable him to collect them.⁶⁵ Most of

⁶⁰ *The Book of Fees*, ed. H. C. Maxwell Lyte (3 vols, London 1920–31), pp. 520, 523, 525, 557, and see also 957; *Calendar of Fine Rolls 35 Henry III*, no. 152.

⁶¹ *Close Rolls 1234–7*, pp. 304–5. For the king's itinerary, the fullest details are given in *Calendar of Fine Rolls 20 Henry III*, nos 449–56.

⁶² *Calendar of Fine Rolls 35 Henry III*, no. 623.

⁶³ E 32/139, mm. 2d, 3d. See also E 32/249, rot. 2.

⁶⁴ *Calendar of Fine Rolls Henry III*, nos 435–6, 1097. For a plan of the surviving earthworks as they were a century ago, and a topographical account, see the *Victoria County History of Leicestershire*, II, ed. W. Page (London, Archibald Constable, 1907), pp. 249–50. See also R. A. Brown, H. M. Colvin and A. J. Taylor, *The History of the King's Works*, II (London, 1963), p. 829.

⁶⁵ E 389/87 (formerly E 370/5/43A). Such an estreat would have been made for every forest eyre, but only a few have survived, this being by far the most informative of them. The heading of the roll is

the information is found under five headings in the roll: ‘Amercements of assarts made in the county of Leicester and fines taken for having the sown crops of the said assarts and for retaining assarts quit in perpetuity’ (m. 9, 20 entries); ‘Fines and amercements taken for wasted woods in the county of Leicester and oaks had in the lord king’s demesne without warrant’ (mm. 9–10, 45 entries); ‘Redemptions and amercements for trespass of the venison in the county of Leicester’ (m. 11, 24 entries); ‘Amercements of the vert in the county of Leicester’ (m. 12, 52 entries); and ‘Amercements of defaults in the county of Leicester’ (m. 14, 42 entries). A few of these entries related to other counties, the names of which are annotated in the margin. On the other hand, further individual entries and groups of Leicestershire entries are scattered through the rest of the roll among those of other counties, mainly Rutland and Northamptonshire, and identified by marginal annotations. Many of the entries were marked *t* in the margin to indicate that the total payment of those debts had been accounted for in the pipe roll. The sheriff’s account for Warwickshire and Leicestershire in the pipe roll itself recorded these entries, each preceded by *t* and marginated *Leyc*, as amounting to the substantial sum of £152 10s. This note was followed by separate notes of larger sums owed by more important people that had not been paid: 40 marks by Richard de Martivaux and Richard son of the Deacon for a venison offence; William Burdet 30 marks for the same (some paid off and the rest pardoned); John of Sproxton 10 marks for the same; John son of Herbert of Keythorpe 40s. for having sown crops and an assart; Richard son of Hugh of Harrington four marks for the same; the abbot of Peterborough 40 marks for having a wood; the prior of Launde and John of Halstead 40s. for the same; the whole vill of Rolleston five marks for waste of a wood; the men of Richard de Martivaux in Hallaton 40s. for the same; the prior of Launde five marks for having animals in the king’s wood; Gilbert of Seagrave 10s. for pannage and 100s. for vert offences; and a paragraphed series of entries for other offences also still owing.⁶⁶ They were indicated in the estreat by a marginal mark like a paragraph mark and the note *in rotulo*, indicating their entry on the pipe roll. Most of them remained unpaid in the following year.⁶⁷

The most likely explanation for the imposition of these amercements and fines is that they related to the long period between the previous Rutland eyre in 1209 and the issue of the charter of 1235. In those years at least two regards of the forest had taken place, one in 1224 and another in 1229, as already noted.⁶⁸ In

damaged and illegible, but its date can be supplied from a record of the amercements from an assize of novel disseisin, heard by Langley and his colleagues at Stamford on 1 August 1249, found on mem. 9; see also a commission for an assize of novel disseisin concerning a tenement in Stamford, issued to Langley and others in May or June 1249, in C 66/60, m. 5d. One of the other forest justices, William le Breton, was allocated money for his salary from the money realised by the eyre as early as 14 August 1249, and the sheriff of Rutland made the first payment of the issues of the eyre into the king’s wardrobe at Windsor in early October: *Calendar of Liberate Rolls 1245–51*, pp. 248, 249, 256, 263.

⁶⁶ E 372/94, rot. 8d [AALT_IMG 6096]. The account was taken on 6 October 1249, E 159/25, m. 15 [AALT_IMG 0050]. At the end of Trinity term 1250 the Rutland accounts for all the regnal years 20–33 Henry II were held together: E 159/25, m. 21d [AALT_IMG 0150]; E 368/23, m. 21d [AALT_IMG 4290]. The Rutland penalties from the eyre must have been dealt with then, although no account for the county is to be found in the pipe roll.

⁶⁷ E 372/95, rot. 16 [AALT_IMG 6208].

⁶⁸ *Patent Rolls 1216–25*, pp. 482–3; *Patent Rolls 1225–32*, pp. 286–7.

the 1229 Nottinghamshire forest eyre of Hugh de Neville and Brian de Lisle, 'the men dwelling in those parts of Nottinghamshire which were disafforested by the forest perambulation made by the order of the king rendered account of 140 marks that they should be quit of all pleas of the forest levied upon them before that disafforestation except pleas of the venison'.⁶⁹ Their payment forestalled a final set of retrospective penalties, but their initiative was evidently not repeated by the men of Rutland and the former Leicestershire forest in 1249, since the latter were then made to answer the pleas of the years from 1212 to 1235.

Langley's series of forest eyres between 1249 and 1252, of which the 1249 Rutland eyre was the first, were very controversial. In his annal for 1250, the St Albans chronicler Matthew Paris accused Langley of financial extortion in his role as 'inquisitor of trespasses in the forests' (*inquisitor transgressionum in forestis*).⁷⁰ Under 1253 he accused Langley, at that point being replaced by two new chief forest justices, of having in the previous year impoverished those living near to the forest but outside it.⁷¹ The truth of this is indicated by the fact that in 1251 the men of Nottinghamshire and Derbyshire living in the areas of those counties removed from the forest in 1225 and 1227 found it necessary to offer a fine of 300 marks to be quit of the common summons of the eyre, unless they were involved in forest pleas or were sureties for those who were. This point had already been conceded in the Charter of the Forest, and this fine confirms that Langley's actions were of questionable legality.⁷² In May 1253 he found it necessary to obtain official exemption from a variety of potential liabilities from his time as forest justice and holder of other forest offices right up to 29 May that year.⁷³ By then, however, the inhabitants of the former royal forest of Leicestershire, except those of Withcote, had finally and permanently succeeded in freeing themselves from the oppression of the forest laws.

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APPENDIX I

Perambulation of the Leicestershire forest, made 25 July 1218, C 47/1/1, no. 5. The right-hand edge of the membrane is missing except for the last two lines, and some other sections are faint or worn. Some material can be supplied and such passages are given in square brackets, while gaps which cannot be supplied are indicated by dots, mostly to cover the missing ends of lines on the right-hand side.

⁶⁹ E 372/73, rot. 5, m. 1d [AALT_IMG 3467]. 'homines manentis in partibus illis de Nottingham' que deaforestate fuerunt per perambulatione foreste factam per preceptum Regis reddunt compotum per c et xl m. quieti sint de omnibus placitis super eos levatis de foresta ante deaforestationem predictum exceptis tammodo placitis de venacione'.

⁷⁰ Matthew Paris, *Chronica Majora*, ed. H. R. Luard (7 vols, Rolls Series, London, 1872–83), V, pp. 136–7.

⁷¹ *Chronica Majora*, V, pp. 379–80: qui anno preterito sine ratione et misericordia omnes illas partes inhabitantis forestis conterminos miserabiliter depauperaverat.

⁷² Crook, 'Forest boundaries', p. 40.

⁷³ *Calendar of Patent Rolls 1247–58*, p. 193.

H[ec est] perambulatio facta in Leicestr'sir' die Sancti Jacobi apostoli anno secundo regni Regis H. tercii coram Johanne Marescallo tunc justiciario foreste et Willelmo de Cantilup' t[unc vicecomes?] et Hugo de Nevill' et Willelmo de Aubegn' et Roberto de Roppesl' et pluribus aliis per Radulfum Basset, Walterum de Preston', Robertum de Chawrciis, Robertum de Briningherst, [Michaellem de] Nevill', Robertum filii Willelmi, Hugonem de Burton', Willelmum de Pyro, Johannem Friday, Robertum Mansell', Robertum de Cheverecurt, Robertum Abbatem, Johannem de Haliac, Johannem de Mart[ivast], Robertum Sansum, Herbertum de Kaythorp, Willelmum de Hout, Reginaldum de Norton', Nicholaum de Kaithorp, Adam Copsy, Willelmum de Billesdon', Willelmum filii Reginaldi, A.... de ... feld', Willelmum de Walsingeham, Martinum de Thorp, Thomam de Overton', scilicet quod predicti jurati dicunt quod rex H. avus domini Regis H. filius Regis J. p[ost primam] coronacionem suam aforestavit secundum metas et bundas subscriptas, scilicet a loco ubi Lippinge cadit in Welande per filum riparie usque ad l[ocum ubi] Litelhe cadit in Welande et ita secundum divisas inter comitatum Leicestr' et Rotelaunde usque ad Coppetre⁷⁴ et de Coppetre usque ad Wispe [et] de Wispe sicut mete et bunde dividunt comitatus Leicestr' et Rotelaunde usque ad cornerum parci de Overton' versus orientem. Et inf[ra] hanc perambulacionem est quadem villa cum bosco quam dominus rex tenet in dominico suo per eschambium que dedit Reginaldo de Withcoc qui tenuit villa illa de With[coc] et boscum. Et fuit boscus ille aforestatus cum aliis boscis. Et in huius rei testimonium abbas de Osolueston' et prior de Landa et xij de predictis militibus huic scripto sigilla sua aposuerunt. Et sunt nomina militum qui sigilla sua aposuerunt Willelmus de Pyro, Michael de Nevill', Johannes de Martivast, Robertus Sansum, Johannes Friday, Hugo de Burton', Johannes de Haliac, Robertus de Cheverecurt, Robertus filius Willelmi, Robertus Abbas, Robertus Mansell', Robertus de Briningherst.

APPENDIX II

Perambulation of the Leicestershire forest, *Rotuli Litterarum Clausdrum* entered in the Close roll under Jan–Feb 1227, from 1225, II, pp. 207b–208a.

Hec est perambulatio facta in comitatu Leic' de foresta afforestanda per preceptum domini regis coram domino H. de Nevill', Briano de Insula, Magistro Henrici de Cerne, Willelmo de Charneles, Willelmo de Flanvil' justiciariis domini regis ad hoc assignatis per xij [?] *recte* vj] legales milites electos et juratos de comitatu Leic', scilicet Hugonem de Harinton, Willelmum Burdet, Robertum Maunsel, Johannem Friday, Willelmum de Martivall', Matheum de Arkethorp', qui dicunt super sacramentum suum quod Henricus rex avus domini regis H. filius regis Johannis post primam coronacionem suam afforestavit terras et boscos contentos infra divisas subscriptas

⁷⁴ In Launde: B. Cox, *The Place-names of Leicestershire*, III, EPNS, LXXXI (Nottingham, 2004), p. 161. Its precise location, other than that it must have been on the county boundary on the east side of the parish, is not known. Could it be at the point where the River Chater crosses the county boundary?

in comitatu Leic', scilicet a loco ubi aqua que vocatur Lipping'⁷⁵ cadit in ripariam de Welond'⁷⁶ per filum eiusdem ripparie de Welond' descendendo usque ad locum ubi aqua que vocatur Litelhe⁷⁷ cadit in eandem Welond' et ita ascendendo per eandem aquam de Litelhe usque ad Finchesford'⁷⁸ ubi divisa est inter comitatum Leic' et comitatum de Roteland' et sic per eandem divisam usque ad Roppederne⁷⁹ et inde per eandem divisam usque ad Wisp⁸⁰ et de Wisp per eandem divisam usque ad corneram parci de Coldhanetton⁸¹ versus orientem et inde per eandem divisam usque ad Rankesberwe⁸² et inde per quandam semitam usque ad crucem lapideam que stat super magnum chiminum extra Goldoverton⁸³ versus partem australem et inde per idem cheminum usque iuxta Sumerdeby⁸⁴ et inde per eundem cheminum usque ad vadum subtus Neubot⁸⁵ et inde usque ad crucem de Tilton⁸⁶ et inde per cheminum usque ad divisas inter Sokefinton⁸⁷ et Roluestan⁸⁸ et sic per easdem divisas usque in aquam de Lipping' et ita per filum eiusdem aque usque ad locum ubi aqua cadit in Welond'. Dicunt etiam milites quod infra dictas metas afforestatas habet dominus rex boscum de Widkoc⁸⁹ per escambium quod dominus J. rex fecit cum Reginaldo de Widkoc.

⁷⁵ The stream joining the Welland from the north at grid reference 761915, known by that name until the sixteenth century.

⁷⁶ Welland.

⁷⁷ Eye Brook: B. Cox, *The Place-names of Rutland*, EPNS, LXVII/LXVIII/LXIX, for 1989–92, pp. 1–2. It rises at Tilton on the Hill, and from just west of Allexton south to its confluence with the Welland at Caldecott forms the county boundary. The confluence point in the thirteenth century is more likely to have been at grid reference 875927, where the county boundary meets the Welland at the end of what is now a very short watercourse, than the current junction at 877933. The Brook now diverges from the boundary at 863936, to the east of Caldecott, which suggests that its course has altered slightly since the thirteenth century.

⁷⁸ Finchley Bridge [in Belton]: *The Place-names of Rutland*, p. 69. Still shown on six-inch maps of the mid-twentieth century, it is at the point where the A47 Leicester to Peterborough road crosses the Eye Brook, just south of the point at which its course diverts from the Leicestershire–Rutland boundary as the latter turns north, at 802005.

⁷⁹ In Withcote: B. Cox, *The Place-names of Leicestershire*, II, EPNS, LXXVIII (Nottingham, 2002), p. 285; precise location on the county boundary not yet identified.

⁸⁰ The Wisp [in Braunston]: *The Place-names of Rutland*, p. 74. The place appears to be the point at 816075 where the county boundary crosses the road between Tilton on the Hill and Braunston in Rutland, and is now applied to a field south of the road on the Leicestershire side of the boundary as well as a stretch of the road in this vicinity: www.geolocation.ws/v/W/File:The%20Wisp%20-%20geograph.org.uk%20-%2020165815.jpg/-len. The site was accessed on 3 July 2012. See also R. Sterndale Bennett, *The Field Names of Rutland* (Home Guard, 1943), which names the same field as The Wisp, and also identifies the two fields to the north of the road as The Big Wisp. I am grateful to Jim Auterson for bringing this reference to my attention.

⁸¹ Cold Overton park: B. Cox, *The Place-names of Leicestershire*, IV, EPNS, LXXXIV (Nottingham, 2009), p. 152.

⁸² Ranksborough Hill [in Langham]: *The Place-names of Rutland*, pp. 91–2; see also *The Place-names of Leicestershire*, IV, p. 153.

⁸³ Cold Overton: *The Place-names of Leicestershire*, IV, p. 151; for the cross, see p. 153.

⁸⁴ Somerby: *The Place-names of Leicestershire*, II, p. 225.

⁸⁵ Newbold: *The Place-names of Leicestershire*, IV, p. 218.

⁸⁶ Tilton on the Hill: B. Cox, *The Place-names of Leicestershire*, III, EPNS, LXXXI (Nottingham, 2004), p. 244. An early cross survives in the parish churchyard: *ibid.*, p. 248.

⁸⁷ Skeffington: *The Place-names of Leicestershire*, III, p. 220.

⁸⁸ Rolleston: *The Place-names of Leicestershire*, IV, p. 221.

⁸⁹ Withcote: *The Place-names of Leicestershire*, II, p. 282.

APPENDIX III

Names of villages and toponyms in the pipe roll records of Leicestershire forest eyres, 1167–1212.

Alan de Neville's eyre of 1167: Overton, Ebrard de Ros; Knossington (Grosinton), William Pantul; Whatborough and Halstead, Fulk fitz Warin; Tilton, king and archbishop of York; Skeffington, land of David son of Geoffrey; Tugby, William Giffard; Goadby, Geoffrey de Normanville and Richard de Martinwast; Hallaton, Richard de Martinwast and Daniel de Crevecoer; Blaston, the king; Horninghold, the prior of Belvoir; fee of Reginald fitz Urse; land of the prior of Launde; Easton, of the abbot of Peterborough; Stockerston, William Samson; Allextun, land of the king of Scotland; Aelnoth of Withcote.

Henry II's eyre of 1175: Walter of Tilton; Gilbert of Thorpe; Hugh de Berc/Berch' [?Barkby]; John of Whatborough; Albinus of Skeffington; Ralph de Biseche; Robert of Langton; Colbert of Tugby; Geoffrey of Tugby.

Geoffrey fitz Peter's eyre of 1185: prior of Launde; Nicholas parson of Norton.

Geoffrey fitz Peter's eyre of 1187: vill of Tugby; vill of Knossington; Nicholas of Norton; Gerard of Holyoake.

Geoffrey fitz Peter's eyre of 1189 or 1190: Tugby.

Geoffrey fitz Peter and Hugh de Neville's eyre of 1198: Henry priest of Cranoe; Henry of Skeffington; vill of Overton; Sybil of Welham; Adam of Buckminster.

Hugh de Nevill and Peter de Liuns's eyre of 1209: vill of Knossington; vill of Halstead; Ralph of Withcote; vill of Skeffington; vill of Knossington; vill of Norton. Offences by the vill of Knossington and by an inhabitant of Skeffington are detailed in the eyre roll.⁹⁰

Eyre of 1212: William of Harrington; Richard of Kineton; Robert of Langton; vill of Easton (Estoz); vill of Skeffington.

APPENDIX IV

Records of amercements for waste, growing crops and new assarts in Leicestershire recorded at Oakham on 3 March 1209, from E 32/249, rot. 30.

Old waste in Leicestershire:

From William of Tugby 2s.; William de Waleden' 12d.; vill of Skeffington 20s.; vill of Tilton half a mark; vill of Knossington half a mark; vill of Hallaton, half a mark; vill of Horninghold half a mark; prior of the same one mark; vill of Norton one mark; vill of Keythorpe 5s.; abbot of Croxton one mark; abbot of Owston half a mark; Nicholas de Normanville half a mark; Fulk fitz Warin of Whatborough of his

⁹⁰ *Select Pleas of the Forest*, pp. 6–7.

demesne one mark; Alexander de Noers half a mark for default, and he is distrained by his fee; Walter de Sauketon' 20s. for the same.

Growing crops (*Imbladiamenta*) of the first regard in Leicestershire:

From the men of Horninghold 9s. 7½d. for three acres of wheat and 13 acres one rod of oats; the men of Cranoe of sokemen 5s. for five acres of wheat; the lady of Cranoe 18d. for the fee of Ralph Basset for 1½ acres of wheat; Nicholas de Normanville 4s. 6d. for three acres of wheat in Goadby and the same of oats; William de Haia and his [*sic*] 3s. for three acres of wheat; William fitz Peter and the men of Stonton 10s. for 10 acres of wheat; Rannulf man of Robert de Crevequer in Keythorpe 3d. for half an acre of oats; the men of Nicholas de Verdun in Skeffington 4s. for four acres of wheat; Robert son of Adam of Skeffington 3d. for one rod of wheat; the prior of Launde in Tilton 2s. 6s. for 2½ acres of wheat; the same prior in Launde £4 10s. for 60 acres of wheat and the same of oats; the heirs of Walter of Withcote in the same 4s. for four acres of wheat; Robert de Wyville in Stonton 5s. for five acres of wheat.

Growing crops (*Imbladiamenta*) of the second regard:

From the men of Horninghold 8s. 3½d. for 16 acres and one rod of oats; the sokemen of Cranoe 5s. for five acres of wheat; lady Amice of Cranoe 12d. for one acre of wheat; Nicholas de Normanville in Goadby 3s. for six acres of oats; Robert de Wyville in Stonton 2s. for two acres of wheat; William fitz Peter in the same 3s. for three acres of wheat; the men of the same vill 5s. for five acres of wheat; the men of Nicholas de Verdun in Skeffington 4s. for four acres of wheat; Robert son of David in the same 3d. for three rods of oats; the canons of Launde at Launde and Loddington 25s. 6d. for 49 acres of oats and one acre of wheat.

New assarts:

From Robert de Wyville in Stonton 13s. 6d. for 13 acres of wheat and one acre of oats; the prior of Brooke in Knossington 9d. for three rods of wheat; William d'Aubigny in Withcote 2s. for four acres of oats; John son of Simon in Skeffington 12d. for one acre [of wheat]; Matilda daughter of William of Holyoake 19½d. for three acres and one rod [of oats]; Robert Samson in Stockerston 16½d. for two acres and three rods of oats; Hugh de Siltof there 8½d. for one acre and one rod of oats.

APPENDIX V

Records of payments levied by Brian de Lisle in 1225, pipe roll 9 Henry III
(E 372/69, rot. 12 m. 2). [AALT_IMG 1235]

Small particulars of the forest before Brian de Lisle:

From Ralph de Akethorpe for vert 2s.; William son of Albert of Cranoe for old waste 2s.; Geoffrey de Prestgrave for new waste 12d.; Robert de Nuueray for trespass 4s.; Geoffrey son of Ailward of Marefield Regis for default 5s.; Walter son of Osmund

for the same 2s.; Henry son of the abbot for the same 12d.; Geoffrey son of Robert for the same 2s.; Robert Campione for the same 12d. These sums paid by one tally by the sheriff.

The sokemen of Cranoe for old waste 4s. Paid 2s., 2s. owing.

Robert David of Skeffington for vert 2s.; William de Waliden' for old waste 2s.; Herbert of Keythorp for waste 2s.; the vill of Norton of the part of Reginald of Welford for the same 4s.; Reginald of Welford for trespass 2s.; Robert of Blaston for a new assart 2s. These fully or partly paid in the next roll. [Two foreign penalties payable in Gloucestershire and Northumberland.]

Growing crops (*imbladiamentis*) of the same eyre;

16½d. from the vill of Stockerston of the same for 2½ acres and one rod of oats; 7½d. from Hugh de Siltoft of the same for one acre and one rod of oats; 19½d. from William son of Vincent of the same for three acres and one rod of oats; 8s. 3½d. from the prior of Belvoir in Horninghold of the same for 16 acres and one rod of oats; 5s. from the sokemen of Cranoe for the same for five acres of wheat; 18d. from Robert Sampson of the same for 1½ acres of the wheat. These sums paid by four tallies by the sheriff.

Hugh of Harrington owes 3d. for one rod of wheat in Glooston. Robert de Wyville owes 4s. 10½d. of the same for nine acres and three rods of oats in Stonton. Edmund of Stonton owes 2s. 6d. of the same for five acres of oats. Walter of Preston owes 18d. of the same for three acres of oats in Goadby. Alice de Haya of Keythorp owes 4½d. of the same for five rods of oats. Nicholas son of Simon owes 4½d. of the same for three rods of oats there. Roger of Welford owes 2s. of the same for two acres of wheat in Norton. Edmund of Skeffington owes 2s. of the same for two acres of wheat. And 12d. for two acres of oats. John son of Simon owes 12d. of the same for two acres of oats. Robert son of David owes 3d. of the same for one rod of wheat. The prior of Launde owes 9s. 9d. of the same for 19½ acres of oats in Loddington. Robert of Blaston owes 6½d. of the same for one rod of wheat and 1½ rods of oats. Ralph de Neville owes 7½d. of the same for five rods of oats in Blaston. The prior of Belvoir owes 6d. of the same for one acre of oats in Horninghold.

