

Itinerant justices in Kent : 1219 : Eyre of Benedict bishop of Rochester and others

There is no full record of the proceedings, but evidence survives relating to some aspects of the business transacted by these justices.

(1) The 'Book of fees' (E 164/5-6) has extracts from the record of this eyre relating to wardships, churches, escheats, serjeanties, etc – that is, the sort of rights which belonged to the king (either as king or as overlord), about which the hundred juries were expected to inform him. These extracts are printed in *Book of fees*, pp 269-71. I append my own transcription of the printed text.

(2) Long sequences of entries resulting from the eyre of 1219 appear in the exchequer rolls, under the heading *Amerciamenta facta per B. Roffensem episcopum et socios suos* (GREx 1219:151-2, 1220:162-9). These justices had imposed rents on various 'purprestures' (encroachments on the king's land) (*Book of fees*, p 271): those rents turned up for the first time on the exchequer roll for 1222 (GREx 1222:63-4) but did not start flowing smoothly till two years after that (GREx 1224:148).

(3) Fines were levied before these justices at Canterbury, 9-16 June (*Feet of fines*, pp 68-9), and at Rochester, 20-21 June (p 69).

(4) One significant by-product of this eyre is an order sent to the justices in July 1219, which I copy here as it was translated by Furley (1874, p 56):

The King [by the grace, etc.], to the venerable father in Christ B. <Benedict>, by the same grace Bishop of Rochester, and his associates, justices in Eyre in cos. Kent and Sussex, greeting. We command that you all or certain of you do go to the Lowy ('banlega') of the liberty of Tunebruge, in like manner as the Justices in Eyre used to go there in the times of our predecessors and of the predecessors of G. <Gilbert> Earl of Clare, in order to see that the same Earl do have his liberties which he ought and is wont to have in the Eyre of Justices, and that the pleas of our Crown which fall to us be justly conducted in the same liberty. Witness, H. <Hubert> de Burgh, Justiciary, at Westminster, the 17th day of July [1219].

As far as I know, this is the earliest explicit evidence that the itinerant justices were expected to hold a separate session at Tonbridge for the lowy of Tonbridge. But the language which the king is made to use (he was 11 years old at the time) is emphatic that there is nothing new about this. By speaking of "our predecessors" in the plural, the king must at least mean that the arrangement existed in the time of his uncle, king Ricard, who died in 1199; by speaking of "the earl's predecessors", he must at least mean that the arrangement existed in the time of the earl's grandfather, Roger earl of Clare, who died in 1173. Thus, without

saying so, this letter of the king's invites us to suppose that the itinerant justices who visited Kent in 1168 would already have been required to hold a session at Tonbridge.

(5) Uniquely on this occasion, some people who ought to have refused to attend -- because they were men of the Five Ports and could only be tried in their own courts -- allowed themselves to be had up before the itinerant justices. The exchequer roll for 1220 has thirteen entries grouped together as follows --

Cristiana que fuit uxor Luce de Dovr' deb' xx m' pro vino vendito contra assisam apud Dovor'. Hamo filius Simonis deb' xx s' pro eodem ibidem. Galfridus qui fuit serviens Salomonis deb' i m' pro eodem ibidem. Ricardus filius Berengeri cum borga sua deb' i m' quia non habuit quem plegiavit. Robertus Vinitor deb' dim' m' pro vino vendito contra assisam apud Faveresham. Ricardus frater eius deb' dim' m' pro eodem ibidem. Gloria de Faveresham deb' dim' m' pro eodem. Yvo Mercator deb' dim' m' pro eodem ibidem. Godefridus le Taillur deb' dim' m' pro eodem ibidem. Stephanus filius Eborardi deb' i m' pro eodem. Thomas Parmentarius deb' dim' m' pro panno vendito contra assisam. Ysaac Iuvenis deb' x m' pro vino vendito contra assisam apud Stanore. Rogerus Vitele deb' ii m' pro eodem. Iohannes Packere deb' c s' pro eodem. Summa xxxi li' et dim' m'.  
(GREx 1220:167-8)

with a note in the margin "v.P." (for "Five Ports"). In the next roll this becomes --

Id' vic' <space> xxxi li' et dim' m' de misericordiis hominum Quinque Portuum quorum nomina et debita et cause debitorum annotantur in rotulo precedenti. (GREx 1221:208)

and the entry is then carried forward from one roll to the next, without anything ever happening. In 1226 (because the sheriff of Kent could not be expected to recover debts from people who were outside his jurisdiction) the entry turns into this --

Homines de Quinque Portubus deb' xxxi li' et dim' m' de misericordiis hominum Quinque Portuum quorum nomina annotantur in rotulo iii. ([http://aalt.law.uh.edu/AALT4/H3/E372no70/bE372no70dorses/IMG\\_7091.htm](http://aalt.law.uh.edu/AALT4/H3/E372no70/bE372no70dorses/IMG_7091.htm)) ("Roll 3" is the roll for 1220.)

and in that form the entry gets carried forward again, year after year, without any money ever being paid. Finally, in the roll for 1234, these debts were all forgiven --

Homines Quinque Portuum reddunt comptum de xxxi li' et dim' m' de misericordiis hominum Quinque Portuum quorum nomina annotantur in rotulo iii. In thesauro nichil. Et in perdonis ipsis hominibus xxxi li' et dim' m' per breve regis. Et quieti sunt. ([http://aalt.law.uh.edu/AALT4/H3/E372no78/aE372no78fronts/IMG\\_4081.htm](http://aalt.law.uh.edu/AALT4/H3/E372no78/aE372no78fronts/IMG_4081.htm))

and after that (after fifteen years) the entry disappears.

The writ referred to, dated at Dover, 9 Feb 1235, is recorded on the Close roll as follows --

Pro baronibus de Quinque Portubus, de perdonatione. -- Rex perdonavit baronibus suis de Quinque Portubus amerciamenta, ad que amerciati fuerunt in primo itinere justiciariorum post guerram coram venerabili patre B. <Benedicto> quondam Roffensi episcopo et sociis suis apud Bermundes', et que amerciamenta ab eis exiguntur per summonitionem Scaccarii. Et mandatum est baronibus de Scaccario quod de predictis amerciamentis ipsos quietos esse faciant. Teste rege apud Dovor', ix. die Februarii. (*Close rolls 1234-7*, p 47)

If that is right, the people who had made the mistake of answering the summons in the first place had to travel all the way to Bermondsey.

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Eskaete comitatus Kancie. (*Book of fees*, pp 269-71)

In hundredo de Estrie est quedam eskaeta domini regis que vocatur Mainesse, quam H. de Burgo dedit Nichol' de Dunwic', et monachi de Dovor' illam modo tenent, set nescitur per quod servicium, et valet per annum c s'.

In hundredo de Beauseberge -- Ecclesia de Ripera est de donacione domini regis, et Johannes de Ripera tenet illam de dono domini regis Henrici, patris Johannis regis.

Villa de Ripera est eskaeta domini regis, castrum Dovor' tenet inde unam partem, canonici de Sancta Radegunda tenent inde unam partem, et Salom' de Dovor' tenet unam partem de dono regis Johannis, et valet per totum xxx l'.

Ewell est eskaeta domini regis de honore Peverelli, fratres milicie Templi tenent illam per Willelmum Lungespeie in elemosina, et valet per annum xx l'.

Midelton' -- Dominus Henricus rex, pater Johannis regis, dedit ecclesiam de Bradegare magistro Firmino, et hospitale Sancti Jacobi de Cant' tenet modo illam, set nescitur per quem.

Idem dedit ecclesiam de Hartlep Thome filio Edwardi Blundi de Londoniis, quam <read "qui illam"> adhuc tenet, et est in hundredo de Midelton'.

Midelton' -- Dominus Ricardus rex, frater Johannis regis, dedit ecclesiam de Bakechild magistro Olivero, qui illam adhuc tenet.

Dominus Johannes rex dedit ecclesiam de Milsted' Wydoni clerico, qui illam adhuc tenet.

Idem Rex dedit Willelmo de Wrotham ecclesiam de Wardon', et Robertus capellanus modo tenet eam, set nescitur per quem.

Codested est eskaeta domini regis, et dominus Johannes rex dedit eam Willelmo le Taillur, qui eam tenet, et valet per annum xv s'.

In hundredo de Otteford <Codsheath> -- Comesing' est eskaeta domini regis, et Falco de Breaute tenet illam, set nescitur per

quem, et valet per annum xxxvi l'.

In hundredo de Schamele -- Dominus H. de Burgo habet custodiam cuiusdam puelle que est heres Willelmi de Lanvalai cum maneriis de Chauk' et de Henneherst, et valet per annum xl l'. Et pertinet ad donacionem domini regis, set nescitur per quem habet illam in custodia.

In villa de Derteford' -- Terra Roberti Bacun est eskaeta domini regis, et Willelmus de Wrotham ex dono domini regis Johannis tenuit illam, et dedit eam fratribus hospitalis Ierosolimitanis, set nescitur per quod servicium, et valet per annum c s'.

In hundredo de Sutton <Axstone> -- Terra Gileberti de Foukarmont fuit eskaeta domini regis, et Willelmus de Wrotham tenuit inde iiii libratas terre de dono Johannis regis, et hospitalarii de Ierosolima illas iiii libratas tenent modo, set nescitur per quem.

Abbas de Lesnes tenet xx solidatas redditus de eadem terra de dono ipsius Gilberti Fukarmont.

In eodem hundredo heredes Roberti Walensis tenent quendam campum qui vocatur Rede et valet per annum x s', et reddunt <read "reddent"> inde domino regi xiii d', et antecessores sui erant custodes de placitis corone domini regis de lesto de Sutton', et heredes predicti Roberti ita esse debent, ut intelligunt. <The rent of 13 pence is a new one imposed by the justices: the meaning is "they are to pay".>

In hundredo de Brugg' -- Medietas ville de Badrichesburn' que fuit Radulfi Teisuni est eskaeta domini regis, et Gaufridus de Say tenet eam per dominum regem Johannem, et valet per annum x l' sine stauro.

In hundredo de Maidestane -- Robertus de Bouton' tenet unam sergantiam in villa de Boxel', et valet per annum xl s', et debet domino regi unum equum cum sacco, quando vadit in exercitu apud Walliam. <This is Weavinging.>

Willelmus de Longo Campo tenet Ovenell' in eodem hundredo que est sergancia domini regis, et valet per annum c s', et debet invenire domino regi unum equum et unum saccum cum brocha in exercitu Wallie.

In hundredo de Strete -- Villa de Selling' est escaeta domini regis, et Willelmus de Putot tenet eam per Hubertum de Burgo, et valet per annum x l'.

In eodem hundredo, villa de Herst est sergancia domini regis, et Robertus Falconarius tenet illam per sergantiam unius falconis, et valet per annum xv l'.

In hundredo de Faveresham -- Ecclesia de Ospreng' est de donacione domini regis, et data fuit Thome de Boues per dominum Johannem regem, qui adhuc eam tenet, et valet per annum xl m'.

Villata de Ospreng est eskaeta domini regis de honore Peverelli de Dovor', et Hubertus de Burgo tenet eam, set nescitur per quem, et valet per annum xl l' sine stauro.

In hundredo de Eyhorn' -- Ecclesia de Sutton' est de donacione

domini regis, et Anselmus Grassus eam tenet, set nescitur per quem.

Herietesham est eskaeta domini regis, et Rogerus de Cressy tenet eam, set nescitur per quem, et valet per annum xx l'.

In hundredo de Wy -- Villa de Bouton' cum Helya herede Alulfi de Bouton qui esse debet in custodia domini regis est in manu Petri de Maulay, et est de honore Bolonie, set nescitur per quem, et valet per annum xx l'.

Ecclesia de Bouton que est de donacione predicti Elye heredis Alulfi dedit dominus legatus Willelmo de Cirencestr'.

Robertus de Wilminton' tenet unam sergantiam de honore Bolonie, scilicet Wilminton', et valet per annum ii m', et tenet illam per sergantiam quod sit cocus comitis Bononie.

Willelmus de Burton' tenet Seton' in eodem hundredo de eodem honore per servicium quod debet esse veautrator eiusdem comitis, et valet per annum i m'.

In hundredo de Litlefeld' -- Emma de Bendevill' tenet quandam sergantiam, scilicet Pecham, per servicium portandi i hostorium <read "ostorcum"> domini regis a festo sancti Michaelis usque ad purificationem beate Marie, et valet per annum xv l'.

In hundredo de Bircheholt -- Braburn' est eskaeta domini regis, et Falco de Breaute tenet eam, set nescitur per quem, et valet per annum xl l'.

In hundredo de Newecherche -- Medietas ville de Bilsinton' est eskaeta domini regis, et fuit terra Roberti de Curcy, et comes de Arundell' tenet eam per Johannem regem, et valet per annum xxx l'.

In dimidio hundredo de Langeport -- Aubrea de Jarpenvill' tenet quandam seriantiam que vocatur Effeton' per servicium quod sit mariscallus de falconibus domini regis, et valet per annum c s'.

In hundredo de Wrth -- Estbreg est eskaeta domini regis, et Stephanus Haringod tenet illam, set nescitur per quem nec per quod servicium, et valet per annum xii l', et est de honore de Pertico.

Graneston <read "Tr-"> est eskaeta domini regis, et Aubricus de Marinis tenet eam de dono Johannis regis per servicium i militis, et valet per annum v m'.

Sutton' est escaeta domini regis, et Fulco de Breaute tenet eam, et <read "set"> nescitur per quem, et valet per annum xl l'. <This is Sutton Valence; the entry ought to be included under Eythorne hundred.>

Filia Baldewini de Verevall' est de donacione domini regis, et Willelmus Taillur habet eam de dono domini Johannis regis, et seriantia illa infra Cantiam valet per annum xv m'. <I do not know what this entry is about.>

<The ten paragraphs following this relate to "purprestures" -- encroachments on the king's land. In eight of these paragraphs we are told that the justices have imposed a small rent: together with the rent for "Rede" in Sutton hundred (see above), those

rents first turn up on the exchequer roll for 1222 (GREx 1222:63-4, backdated to cover three years, 1219-22). No rent was imposed on two encroachments in Strood, apparently because they were thought to work to the king's advantage: the first one, we are told, *est ad commodum caucee*, "is a good thing for the causeway".>

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