

Itinerant justices in Kent : 1241 : Eyre of Willelm of York and others

The surviving original roll is JUST 1/359. (Part of it used to be "Assize Roll 360".)

Extracts relating to the "Pleas of the crown" were printed in the appendix to *Book of fees*, pp 1378-81: "Placita corone comitatus Kancie de itinere W. de Eboraco, prepositi Beverlaci, et sociorum suorum, anno regni regis Henrici filii regis Johannis vicesimo quinto".

Many passages were quoted (in English) by Robert Furley, in the second volume of his *History of the Weald* (1874). I append a copy of these excerpts.

A long sequence of entries resulting from this eyre appears at the end of the account for Kent in the exchequer roll for 1242 (GREx 1242:154-8).

Fines were levied before these justices at Canterbury between 2 and 25 June (*Feet of fines*, pp 154-71); one of them is printed in full (p cxxxv).

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#### Extracts in Furley (1874, pp 30-64)

"Pleas of the Crown of the county of Kent, of the Eyre of W. of York, Provost of Beverley, and his associates, in the 25th year of the reign of King Henry, son of King John." [1241].

"The Seven Hundreds of the Wealds [de Waldis].

"On the Seven Hundreds, as a fine for murder before judgment, ten marks, excepting liberties.

<Blackbourne hd> "The Hundred of Blakeburne comes by twelve [the jury].

"Richard Godsticche struck Malger, son of Thomas de Apeldre, with a certain club on the head so that he died; and he fled to the church of Apeldre, and confessed the deed, and abjured the realm. And because the vill of Apeldre did not make suit after him, therefore [it is] in mercy. And Richard was in the pledge (borga) of Walter de la Tune [Woodchurch]; therefore [he, i. e. Walter, is] in mercy. His chattels, 16d., for which John de Cobham, sheriff, is responsible. No Englicery, therefore murder. And it is witnessed that Simon de Blakeburn and Robert de la Broke were present when the aforesaid Richard killed the same Malger. Therefore let them be taken.

"Thomas, son of Alice de Kynardinton, was drowned in a certain well in Kynardinton. Alice his mother, the first discoverer, comes, and is not suspected, nor any other. Judgment: misfortune.

"Concerning minors [vadlettis], they say that Eustace de Normanville has the custody of the land and heir of Thomas de Normanville in Kinardinton, by grant of the Lord King; and the aforesaid land is worth 100s. a year. <Fees, p 1378>

"Concerning escheats, they say that the land of Ralph de la Tune, in Wudechirch, is in the hand of the Lord King, by reason that it pertains to the honor of Haughnet, which is in the hand of Earl Ric[hard], who holds all the demesnes of the aforesaid honor by the gift of the Lord King. And they say that the Lord King holds all the Knights' fees of the aforesaid honor in his own hand. <Fees, p 1378>

"Richard Wade, charged with the larceny of stolen wheat, comes and defends the larceny and the whole, and puts himself on the country for good and ill. And the jurors say that he is not guilty. Therefore in quiet."

<Tenterden hd> "The Hundred of Tentewardenne comes by twelve. They present nothing except what has been presented and determined in the Hundred of Blakeburn."

<Rolvenden hd> "The Hundred of Rulvindenne.

"Richard, son of Wymarca de Rulvindene, was drowned in a certain well in Runildene [sic]. Wymarca his mother, the first discoverer, comes, and is not suspected, nor any other. Judgment: misfortune.

"Unknown malefactors broke into the house of Alice Black, in Rulvindenne, and bound her and committed a robbery. And Ralph de Maydeshull, charged with the fact, comes, and defends the whole, and puts himself, &c. And the jurors say that he is not guilty; therefore in quiet.

"Concerning defaults, they say that Orabila de Mayham and Joan de Beningdenne came not on the first day; therefore, etc.

"Alice, who was the wife of William the Miller (Molendarius), Estrilda her mother, John son of the said William, and Christiana, sister to the said John, were drowned by inundation of the sea. And the twelve jurors did not present this matter (loquellam), but they say that it happened in the hundred of Schepweye. Therefore let inquisition be made there before they are amerced for the concealment. The coroner witnesses that it happened in this hundred. Afterwards it was found that it happened in the hundred of Ringeslawe. Therefore nothing from the twelve jurors."

<Selbrittenden hd> "The Hundred of Selbritindenne comes by twelve.

"John, servant of Wylard of Newendenne, was drowned from a certain boat in the river of Lymene [the Rother]. The first discoverer comes, and is not suspected, nor any other. Judgment: misfortune. Price of the boat, sum not known; for which J. de Cobham, the sheriff, is answerable.

"William Burel wounded Reginald de Rissesdenne, so that he died; and William fled, and is suspected; therefore let him be banished and outlawed. This man was not in the borough (boregha), but it was witnessed that he was a tenant (manens) in Bodyham in co. Sussex. Therefore let inquisition be made there concerning his borough, and concerning his chattels, because he had no chattels in this county."

<Barkley hd> "The Hundred of Badekele [Barkley] comes by twelve.

"Richard de Blechindone fell from a certain hone, so that he died. Humphrey de Topingdene, the first discoverer, comes, and is not suspected, nor any other. Judgment: misfortune. Price of the horse [the deodand], 4s., for which J. de Cobham, the sheriff, is answerable. And because it is witnessed by the coroner that the price of the said horse was committed to John de Hechehurst, borsholder (boregesalder), and the said John had it not before the Justices; therefore in mercy.

"Some malefactors, unknown, killed a certain foreigner [a Norman?] in the wood of Hinendene. It is not known who killed him. No Englicery, etc.; therefore murder. And Godelyva de Hynendene, the first discoverer, came not; and she was attached by John de Bissopesdene, borsholder; therefore in mercy."

<Cranbrook hd> "The Hundred of Cranebrock.

"William, son of Alexander de Swetindene, was crushed to death by a certain beam (ligno). Alexander his father, the first discoverer, comes. And because he said that he was not the first discoverer, but that Edith his wife first found the same William, and now presents himself as the discoverer, therefore [he is] in mercy. No one suspected therein. Judgment: misfortune. And because the twelve jurors presented the said Alexander as the discoverer, therefore they [are] all in mercy.

"Richard the Salter was found killed in the house of William de Iden. Henry, son of Peter de Heyham, the first discoverer, comes, and is not suspected. It is unknown who killed [him]. No Englishry; therefore murder.

"Concerning those who withdrew suits, they say that the men of the Prior of Holy Trinity, Canterbury, of Ruherst, and of Hukindenne, and of Knocke, were wont to do suit at the Hundred of Cranebroc, after the war, always, until the last eyre of the Justices, and afterwards they withdrew themselves. And therefore the sheriff is commanded to distrain them to do the aforesaid suit, unless the Prior can show his warrant," &c.

"Amicia de Sussex, taken with stolen cloths, in Cranebroc, comes, and acknowledges [the fact]. And the jury say that she is guilty. Therefore, etc. She had no chattels.

<Great Barnfield hd> "The Half Hundred of Bernefield comes by six before the Justices; and because they had made no verdict,

therefore all in mercy; and they are commanded to come on the morrow with their verdict.

Afterwards they presented that a certain Mabel, daughter of Robert de Delmindenne, was crushed to death in a certain marl-pit [marlera]. Robert, her father, the first discoverer, comes, and is not suspected, nor any other. Judgment: misfortune.

"Simon the Smith of Seseley, charged with a misdeed in parks [poaching], comes and defends the whole, and puts himself on the country, etc. And the jurors say that he is not guilty; therefore in quiet."

<Newenden> "The Township [villata] of Newendenne.

"And they say nothing."

<Marden hd> "The Hundred of Merdenne.

"Lenota de Merdenne was drowned in a certain ditch in the borough of Baggeshull. The first discoverer comes, and is not suspected. ... Judgment: misfortune. And because Lenota was buried without view of the coroner, therefore the borough of Baggeshull in mercy.

"Concerning those who have withdrawn suits, etc., they say that the men of the Prior of Holy Trinity, Canterbury, of Chilindene, Woudhese, Wycheherst, Folkeneserth, Pikindone, and of Hecham, were wont to do suit at the hundred [court] for two lawedayes per annum; and they withdrew themselves after the war was commenced, etc. Therefore the sheriff is commanded to distrain them, etc., unless the Prior can show his warrant."

"Lath of Sutton." This heading on the dorse of membrane 1, shows that the Seven Hundreds, whose presentments are recorded on the face of that membrane, were not under the jurisdiction of either of the laths in the reign of Henry III.

<Summerden hd> "The Hundred of Sumerdene.

"A man went from the house of William de Algaresdenne towards his own home at Speldhurst, and it is said he was slain, as he has never been seen since. Two persons, a man and a woman, were suspected, but as it is unknown whether he was killed or not, as no one saw him dead, let them be committed to gaol, till it be inquired in Sussex upon the Hundred of Hertefelde, where it is said he was carried by them, and buried. The man arrested afterwards confessed that he was present when the murdered man was killed. Another man, charged with the murder, was committed to the custody of a "borwishalder" with all his borough, and escaped; therefore they were in mercy. No Englishry, &c.

"A murderer was outlawed 'at the third county [court],' 'without the coroners;' therefore to be judged concerning the county, and likewise concerning the coroners, because they were not present at the county [court] to execute their office.

"A man's son was run over by a dung cart.

"Concerning encroachments, they say that the bailiffs of the Archbishop of Canterbury, of Otteforde, hold three lawdays yearly, whereas the sheriff holds but two; and that they did this after the King's prohibition. Therefore to be imparled."

<Westerham hd> "The Hundred of Westerham.

"From the hundred, as its fine before judgment for murder, excepting liberties, 40s. <GREx 1242:157>

"Thomas le Sauner fell upon certain shears [cysuras] in Edelmesbridge [Ponti Edelmi], so that he died. ... And the shears were committed to John, son of Hamon, Borghalder of Edelmesbridge, and to his borough, that they should have them before the justices.

"Matilda, who was the wife of John Drawefen, acknowledged that she killed Aldiva de Westerham, and for this she was hanged, and her two sons with her. She had no chattels, but she had a certain house, whereof the year and waste, 4s., for which J., the sheriff, is answerable."

<Brasted> "The Township [Villata] of Bradested.

"From the same town, for a fine before judgment, except [from] the drapers and vintners, ten shillings.

"Albreda, daughter of Peter Edwy, fell into a certain basin-full of hot water, so that she died. ... The basin was worth nothing, because it was of earth.

<Codsheath hd> "The Hundred of Coddeshethe.

"Schireman de Sundris [Sundridge] killed Robert le Cuner and fled. Therefore let him be banished. And he was in the borough of Adam de Sundris, in Sundris; therefore in mercy. And because the township [villata] of Sundrisse did not make suit after him, therefore in mercy. His chattels, 2s. and 10d. And it is witnessed that Emma, who was the wife of Richard le Cuner, held the aforesaid Robert while the afore-said Sireman killed him, and fled. Therefore let her be banished. Emma's chattels, 7s. 1d., for which J., the sheriff, is answerable."

<Wrotham hd> "The Hundred of Wrotham (in the Lath of Aylesford).

From John de Andeham for his fine, because he took the horse of his father without his licence, five marks, by the pledge of two persons.

Ralph Skogan and two women are charged with the murder of a certain man, and Ralph and one of the women are found guilty; but as she is pregnant, she is to be imprisoned till she has brought forth.

"William, son of Andrew, stole chattels to the value of three shillings, in the town of Schire, and was taken and imprisoned at Wrotham, in the prison of the Bishop of Worcester. And he escaped therefrom to the church of Wrotham, and confessed the larceny, and abjured the realm. Therefore to judgment concerning the escape. He was not in a borough, because he was a foreigner [a Norman?]; and he had no chattels."

<Little Barnfield hd> "The Half Hundred of Bernefeud [Barnfield] comes by six. [This is in the Lath of Eyleford].

They say nothing, and are fined one mark.

<Watchlingstone half-hd> "The Half Hundred of Wecchelestan comes by six.

"John Clobbe, charged with larceny of sheep and with burglary [burgatura] of houses, and William Potyn and Wulstan de Schireburne charged with the same, come and defend the whole, and put themselves [upon the country]. And the jurors say that they are not guilty; therefore they [are] quit therefrom."

<Littlefield hd> "The Hundred of Littelfeld.

"Concerning serjeanties, they say that Fulk Peyforer holds the manor of Westpecham of the Lord the King by the serjeanty of keeping one hawk at the cost of the Lord the King from the feast of St. Michael to the Purification of the Blessed Mary." <Fees, p 1379>

<Brenchley hd> "The Hundred of Brenchesle.

A man was crushed in a marl-pit in Brenchesle.

A man drowned himself in a certain pool. Judgment: felo de se. His chattels, 14s., for which the sheriff is answerable. He had two houses, whereof the year and waste, one mark.

Lindregge and Puneherst in the borough of Lamberherst, Westguningedene in the borough of Brenchesle, and Metfelde de la Birche have withdrawn themselves from the suits of this hundred since the war began. The sheriff is to distrain them unless they can show warrant. <?? end here ??>

<Maidstone hd> "The Hundred of Maydenestane.

A man found dead in the field of Maydenestan.

A long account of proceedings touching an assault in Boxle.

Cloths and wines had been sold contrary to the assize in Maidenstan. One of the offenders was named "Nicholas le Lingedraper," i. e, the Linendraper.

Five persons killed a man, and one of them took sanctuary in the

church of Maydenestan. No reference to Linton.

<Eyhorne hd> "The Hundred of Eyhorn.

"From the same hundred for its fine before judgment, and for murder, with Ulcume, which is of the archbishop's liberties, except other liberties, ten marks."

The price of a cart and two horses, which had run over a man, was given as a deodand by the justices to the Prior of Cumbwelle "for God."

<Longbridge hd> "The Hundred of Langebrigge [Longbridge].

A man who was a tenant in the Hundred of Chert, killed another. Therefore let it be more fully inquired there concerning his borough and chattels.

The borough of Kinges-Snade [Kingsnorth] buried a man who had been crushed by a cart, without view of the coroner; therefore in mercy.

"The three daughters of William de Essetesfold [Ashford] are in the custody of Bertram de Cryoille for the Lord the King; and their land is worth yearly 24l." <Fees, p 1380>

Roger the Mercer, of Langebrugge, was suspected of larceny, and withdrew himself. He was in the borough of Kingesnade, and had two houses, "whereof the year and waste, 20s."

<Chart hd> "The Hundred of Chert (in the Lath of Schirewynghope).

A man, who was in the borough of Walter Attebroke, in Rothelawe, killed another man. He had a house and twelve acres, "whereof the year and waste, 4s."

"Moses, the miller of Hatfeld [Hothfield] was struck to death by the wheel of a certain mill. ... Price of the wheel, 12d.," etc.

"The jurors present that the Prior of Holy Trinity has erected a certain gallows in Chert, where no gallows was ever before erected. And because it was afterwards presented by the same jurors that a gallows was formerly erected there, but that no one was ever hanged there, except now three years ago, when certain thieves were taken with the larceny and there hanged; therefore the jurors are in mercy for a false presentment."

<Milton hd> "The Hundred of Midiltone.

"Concerning those who have withdrawn suits, they say that the Hundred of Merdene used to do suit to the hundred of Midiltone, and withdrew itself after the war began, etc. Therefore let it be distrained to do suit, etc., unless it can show warrant, etc."

<Calehill hd> "The Hundred of Calehulle.

"The jurors say that a certain woman, Is[abella], was lodged at the house of William le Whyte, in Swerdenne [Smarden], and malefactors came by night to the house of the same William and [entered the same] house, and bound the same Isabella, and carried away her clothes (pannos). And hearing this, the aforesaid Nicholas [de Rumdene], who was [bor]hueshalder of that vill, came and took the same Isabella, because she would not raise the hue, and imprisoned her [in] his house." As she was a tenant of the Prior of Holy Trinity, Canterbury, certain persons came and claimed her, and because they could not have her by plevin, they came with many others and broke into the house of the said Nicholas and carried her away by force. ...

"William Bernykel cited Ralph de Watevill, Clement his servant, and Roger de Watevill, touching the peace of the Lord the King, and wounds, etc. And William does not now come; therefore he and his pledges for the prosecution [are] in mercy; to wit, Simon de Lecchindenne and William de Grenewaye. And Ralph was not attached, because [he is] a clerk, and parson of the church of Pluckele; nor the others, because they were his men, and tenants upon the land of the church aforesaid."

A man cited the "borweshalder" of Hallingehurst and another for imprisoning him in the vill of Smerendene. The jurors found that he was arrested because a hue had been raised upon him, and was only detained in a certain person's house till he found a pledge for his appearance, if required.

<Tonbridge counted as a township> "The Township [villata] of Tunebrige comes by twelve.

"From the township [villata] of Tunebrige, for a fine before judgment with a certain vintner, 40s."

A certain foreigner [Norman] and madman was found drowned in Medeweeye. The first discoverer comes and is not suspected. Judgment: misfortune.

Alan de Legh was taken for larceny, to wit, of ship-nails.

One Richard Gemund was hanged for larceny committed at Tunebrige. His chattels, 32d., for which J., the sheriff is answerable; these chattels were afterwards claimed by Walter Bladeloo, who sued for them, and they were delivered to him.

Ralph the Foreigner was taken with stolen cloths, and imprisoned in the house of one Otewy, then bailiff of Tunebrige; and thence he escaped to the church of Tunebrige, and abjured the realm, and therefore to judgment for the escape. He had no chattels.

Alan de Legh, Alexander the Hunter, and Codman Hert, accused of misdoing in parks [poaching], come and defend, and place themselves on the country. And the jurors say that they are not guilty; therefore quit therefrom.

A certain clerk, a foreigner, was found killed in the forest of

Tunebrige; and Dionysius, servant of the Lord King, appears and says that when he came to view him, the bailiffs of Richard de Clare would not permit him. And upon this comes Baldwin the Convert, bailiff of the aforesaid Richard, and says that no servant of the Lord the King or coroner was ever wont to enter into the forest of Tunebrige for any case of misfortune, nor any one on the King's behalf, except only the bailiff of Tunebrige and the forester. And therefore to be imparled."

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