

From the *Transactions* of the
Bristol and Gloucestershire Archaeological Society

Testa de Nevill. Returns for Gloucestershire

by H. Barkly
1889-90, Vol. 14, 14-47

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TESTA DE NEVILL
RETURNS FOR COUNTY OF GLOUCESTER.

No. 8.

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THE Return at page 82 headed "De Testa de Nevill," as if copied from the original Record thus designated, though printed last, ranks next in order of time, if my surmise¹ be correct that the payments from Religious Houses, credited at its close, were made on account of the Aid of 1235.

It begins with a list of tenants by Serjeanty, liable, as is known, to contribute on such occasions. In the case of the first eleven, the christian and surname alone are noted, without allusion to office, or locality and extent of holding. As the families referred to, however, are, as will be seen from the following enumeration, connected with the Forest of Dean (a single exception perhaps occurring), there can be little doubt that we have here the names of the officials¹ employed in its custody and remunerated by the occupation of a certain portion thereof by serjeanty, viz.—

1. "Robert Erchenband holds by serjeanty."

The family of this name was chiefly connected with Cirencester, where Richard Erkenband is given in a subsequent Return as holding under a serjeanty in 1249, and where Geoffrey Erkenbald had an estate in 36th Henry III.,³ three years later. Rudder expresses an opinion that the latter was the descendant of the "free man" mentioned in Domesday as holding two hides in that township "for which he did service to the sheriff throughout

¹ Trans., Vol. XIII., p. 352.

² Bigland gives a long list of the Wardens, Verderers, Woodmen, &c., in the reign of Henry III.; whilst a document published by Rudder shows that in the time of Edward I. the forest was divided into ten Bailiewicks, each under an hereditary guardian.

³ Rudder's Gloucestershire, p. 355.

all England. I can trace no connection with Dean, but they must have spread at an early date through the county, for in 1128 a "Robert son of Erkenbald" gave half a hide of land in Condicote (near Stow) to St. Peter's Abbey.¹

2. Thomas de Blaceñ by serjeanty.

Evidently "Blakeney," which was one of the Bailiwicks of the Forest. Thomas de Blakeney was a juror for the Liberty of Dean Forest in 1248,² and in the reign of Edward I. he, or his son of the same name, held of the King in capite.³

3. Ralph Avenel by serjeanty.

Though of good standing in Normandy at the date of the Conquest, the Avenels do not appear as Crown tenants in Domesday. They however acquired lands in England during the reign of Henry I. principally in the Isle of Wight, then an Earldom of the De Redvers family. Probably through the same connection they became prominent in Gloucestershire⁴ not long afterwards, for we find a Ralph Avenel holding from 1167 to 1174 in Sandhurst, a manor in which the Earls of the Isle had an interest subsequently.⁵ Another Ralph, presumably his son, obtained in 1200 confirmation of a weekly market⁶ in his vill of Bicknor, one of the Bailliewicks of Dean Forest, which constituted the Serjeanty above referred to. This Ralph died in 1223, and was succeeded by his son William, who held Bicknor till his death in 1226, when it passed to his daughter.⁷ Either, therefore, the name of Ralph is inserted by mistake for his sons, or this List of Serjeanties is of earlier date than I conjectured.

¹ Cartulary, Vol. I., p. 124.

² Trans. Bristol and Glouc. Arch. Society, Vol. X., p. 301.

³ Rudder's Gloucestershire, p. 355.

⁴ In the Carnage of 1221, in Cirencester Hundred, a vill of *Avenel* held by William de Marrys, appears to suggest the idea that the family in that county was of local origin, but I believe it to be a mistranscription of *Avening*.

⁵ *Vide* Return 1, No. 18, Testa de Nevill.—Trans. Bristol and Glouc. Arch. Society, Vol. XII., p. 264.

⁶ Close Roll, 2nd John.

⁷ *Vide* Pedigree of the Avenels of Gloucestershire, by Sir John Maclean, Appendix to his Paper on the Manor of Bicknor.—Trans. Bristol and Glouc. Arch. Society, Vol. IV., p. 318.

4. William, son of Geoffrey de Dene, by the same.

No doubt the William de Dene, who was one of the jurors for the Liberty of the Forest in 1248, and died seized of the manor of Great Dean, within the Forest of Dean in 1259.¹

5. Robert de Aubemarle, by serjeanty.

The Gloucestershire family of this name was apparently an offshoot of that in Devonshire, which sprung from Robert de Albamarla, who held a score of manors in the latter county at Domesday. On the Pipe Roll of 17th Hen. III. (Glouc.) *William* de Albamara rendered account of 10 marks for having sasine of the land of Rowarton (*i.e.* Ruardean, one of the forest bailiewicks), which his father *Robert* held from the King by serjeanty. This again seems to shew that the list is of earlier date than the rest of Return 8, but the explanation may be that the manor was not transferred to the son's name till his relief was paid. William had a younger brother of the name of Robert, whose daughters succeeded to Ruardean on their father's death in 40th Henry III.,² but it is scarcely probable that this Robert, junior, should have inherited within the space of two years.

6. Godfrey de Boxclive by serjeanty.

I have failed to trace the connection of this family with any particular bailiewick, but it resided near the Forest, for the jurors of Blideslaw Hundred in 1221 make a presentment as to William de Boxclixe, who had been slain, and James and Martin de Boxclive, are pledges for the prosecution.³

7. John de Lascy, by serjeanty.

Or de *Lacu*, as printed in Return No. 11, doubtless more correctly, as one of the Bailiewicks of the Forest was so called. In 1221 the jurors present the "Serjeanty of the Lake" as in the King's hands, and in the custody of John de Monmouth,⁴ which

¹ See Sir John Maclean's *History of the Manors of Dene Magna and Abenhail*, and a pedigree of Dene and descendants.—Trans. Bristol & Glouc. Arch. Society, Vol. VI., pp. 123-209. Inq. p.m., 43rd Hen. III. No. 18.

² See Sir John Maclean's *History of Ruardean*.—Trans. Bristol & Glouc. Arch. Society, Vol. VIII.

³ Pleas of the Crown for the County of Glouc. in 5th Henry III., edit. F. W. Maitland.

⁴ Pleas of the Crown for the County of Gloucester, 5th Henry III.—Edit. F. W. Maitland.

is confirmed by an entry in the carucage of that year under the heading "Liberty of the Forest of Dean."¹ William de Lacu was a juror for that Liberty in 1248. Nicholas de Lacu held in the time of Edw. I., when the manor was known as "the Lea."²

8. John Blund, by serjeanty.

I presume a scion of the Blunts of Aure, who were better known by the latter surname. John Blund held in St. Briavels in 1248, and was among the jurors for the Liberty of the Forest of Dean in the same year.

9. Elias Rudele, by serjeanty.

He no doubt took his name from Rodley, in Westbury Hundred. Ralph de Rodley attended the assizes in 1221 as one of the verderers (*viridarii*) to present complaints from the Forest,³ and there was one of the same name connected with it in the reign of Edward I.⁴

10. Walter, son of Walter, by serjeanty.

Doubtless the then head of the Aure family, who having, apparently, been a minor in 1221, had succeeded since, both to the Ferm of Aure and to the twenty shillings' worth of land in that manor which was held by the serjeanty of waiting in the King's chamber.⁵

11. Richard de Blechesdon, by serjeanty.

This family derived its surname from a vill in Westbury Hundred.⁶ Baderon de Blechesdon held it in 4th John,⁷ and Richard, probably his son, was one of the verderers who represented the Forest in 1221.⁸ From this point, as will be seen, information is added in each case in the Return as to the nature of the service. In the three first, vizt.—

¹ Testa de Nevill, p. 79b.

² Rudder's History.

³ Pleas of the Crown for the County of Glouc., 5th Hen. III.

⁴ Rudder's History.

⁵ See Return 1, where this Walter's grandfather is referred to as Walter Blund of Aure.—Trans. Bristol & Glouc. Arch. Society, Vol. XII., p. 287.

⁶ Gloucestershire Carucage of 1221, Testa de Nevill, p. 79.

⁷ Pedes Finium in Anno.

⁸ Pleas of the Crown for the County of Gloucester, 5th Henry III.

12. Peter de Kingshome, by serjeanty of keeping the King's door.
13. Osbert de Grava, by archery—land in Upton.
14. Heirs of Isaac de Stradewy—by 100 arrows

It is worth noting that the entries repeat in an abbreviated form those on Return No. 1¹ (marked likewise as from "Testa de Nevill"), no allusion being made to the changes of name in the later holders of the serjeanty as indicated by Return 3. These have already been fully described.

15. Hugh de Kylpecke holds Little Tainton by serjeanty—of which the Canons of Stodleye² hold half a virgate from him in alms.

In Domesday, "Tatinton" (identified with the above manor) was held by William, son of Norman, Hugh's progenitor. It was "free land," and worth 20s., but a virgate lay on the Forest (of Dene) and paid 12d. William's land in Dene was held free on condition of keeping that forest, but Little Taynton was held by his descendant by the serjeanty of keeping the Hay of Hereford, that is the woodland around that city."⁴

16. Richard de la Mare—holds a certain portion of land by the serjeanty of keeping the King's door.

"Many others are concerned in the same service through him."

The Gloucestershire portion of the lands, held in virtue of this serjeanty was at Wenrich, in Slaughter Hundred. It appears to have been already alienated and sub-divided, but fuller particulars on the subject will be given hereafter, when I come to discuss Return No. 11.

17. John Archer, two carucates in Stoke by the service of archery.

According to a Return of the time of King John, to be found in the "Testa," at page 42, under Worcestershire, John the Archer held five hides in Stoke of the King, and the King from the Bishop (of Worcester) by the serjeanty of archery. Originally, no doubt,

¹ *Vide* Trans. Bristol & Glouc. Arch. Soc., Vol. XII., p. 288-9.

² *Vide* Ditto, Vol. XII., p. 299 and 302.

³ Hugh was in ward to William de Cantilupe, patron of Stedley Priory, until his coming of age in 1216. He died in 1244, when his estates went to his two daughters.

⁴ Plac. Coron, 32nd Hen. III., Rot. 10 in dorso.

the service had to be performed in person, but it had resolved itself into the obligation of finding a bowman for forty days to follow the King's army within the four seas of England¹ in time of war.

18. John Blund, lands in Walcworth by the serjeanty of carrying writs (*Brevia*).

Otherwise *Walsworth*, a hamlet in King's Barton, which seems to have been farmed by the bearers of writs when Gloucester was a Royal residence. Ralph de Walsworth held 2 virgates there by this service in 53rd Hen. III., and Adam de Arderne 1 virgate there, later.² Probably John Blund was predecessor of one or other.

After this entry comes a note, apparently inserted by the copyist, to the effect that "In other counties through the foregoing Inquisitions nothing is found as to this Inquisition concerning serjanties,"³ meaning, I take it, that he has not found by the Returns of the Aid of 1235 for other counties any notice of assessments on serjeanties;—a statement which, so far as I have searched, is accurate.

The copyist then proceeds without comment to make the twelve entries as to amounts assessed upon the religious houses in Gloucestershire for the same Aid, beginning with "The Prior of Ashley," and ending with "The Abbot of St. Augustine's, Bristol," as already cited in my former paper.⁴ As these do not require to be repeated, I pass to

RETURN No. 9,

"Aid of the Prelates granted to the King against his crossing into Gascony in the 26th year of his reign."

This is an extract of so much as relates to the County of Gloucester, of a Roll bearing this title, but including the whole of England, which is still preserved at the Record Office.⁵

¹ *Vide* Inq. ad quod damnum, taken at Gloucester 25th Edw. III. (2nd Nov. 1350), Calendar No. 47.

² See Fosbroke, Vol. I., p. 238.

³ "In aliis comitatibus per inquisitiones premissas, nichil p inquisitionem istam invenitur de Serjanterijs."

⁴ Trans. Bristol & Glouc. Arch. Society, Vol. XIII., p. 354.

⁵ See a Paper by me in the Genealogist, Vol. V., No. 16, on the mode in which the Testa de Nevill was compiled.

Henry III. having, in February, 1242, been refused a subsidy by his nobles, raised such funds as he could, and sailed for his Continental dominions after Easter, with a view of supporting his step-father, Hugh Count de Marche, in his revolt against the French King.¹

The Aid above referred to was in all probability not granted until after his departure, for the Lords Spiritual had concurred with the Lords Temporal in this refusal, though they gave way subsequently, at the instance it may be inferred of the Archbishop of York,² who was left Guardian of the Kingdom. It would seem, however, as if in lieu of a regular assessment, each prelate had agreed merely to give as much as his House could afford. Only eight indeed contributed in Gloucestershire, viz.—

1. Abbot of Winchcombe	-	-	-	15 marks.
2. Abbot of Gloucester	-	-	-	50 „
3. Abbot of Cirencester	-	-	-	30 „
4. Prior of Lanthony	-	-	-	15 „
5. Abbot of Tewkesbury	-	-	-	20 „
6. Prior of Newent	-	-	-	6 „
7. Prior of Deerhurst	-	-	-	10 „
8. Abbot of St. Augustine's, Bristol	-	-	-	20 „

and it will be found by a comparison of these amounts with those in Return No. 8, that no uniform ratio existed between the contributions of the same religious houses at the two periods. Thus in the first case, the amount payable in 1242 was half as much more than in 1235. In the third, fifth, and eighth cases it was precisely the same. In the second and the seventh it was half; whilst in the sixth it was three-fifths, and in the fourth, three-eighths only. The Priories of Ashley, Horsley and Beckford, which appear in the list of 1235, are omitted. The result is that the total was but 166 marks = £110 8s. 8d. instead of as before 273½ marks = 189 2s. 3d.

¹ Matthew Paris, Vol. IV.

² Walter de Gray, who had held that dignity from the commencement of the reign, and was a man of great influence. The Archbishopric of Canterbury was in the King's hand.

The inequalities, moreover, in the Gloucestershire payments are trifling compared with those discoverable in a supplementary Return printed among "Returns from Divers Counties" almost at the end of the Testa (p. 412) under the heading: "In Account of the Aid for the crossing of the King into Gascony," wherein, to take Lincolnshire, the Prior of Bakemere is entered for *one* mark, and the Prior of St. Swithin comes next for *two hundred*; whilst the Prior of Parva Lude (Louth) gives a single palfrey, against three palfreys given by the Abbot of Fountains, Yorkshire. Altogether the accounts are more like those of a "Benevolence" than an Aid levied in the ordinary manner. Another sign too is that payments in several instances were not made at the Exchequer in the usual form, but are specially noted as having been handed to Peter Chacepore (the King's clerk) in the wardrobe.

RETURN No. 10.

Although the Return which follows No. 9 has been headed (probably by the Exchequer copyist of the 14th century) as if it related to serjeanties,¹ its proper title is evidently that set out lower down.

"Receipts of the Scutage of Gascony from the Bailiwick of Cirencester," the latter phrase meaning the "Seven Hundreds"² farmed by the abbey of that place from the Crown.

After an inglorious campaign, ending in a truce for four years with King Louis, Henry took up his winter quarters at Bordeaux, where the expense of supporting his troops was so heavy, that he had recourse to the usual expedient of taxing his tenants in capite at home. Rapin, the only English historian who adverts to the matter, states at the commencement of his narrative for 1243,³ that the archbishop, under orders from his Royal master, obtained of the parliament a scutage of 20s. on every knight's fee. Bishop Stubbs,⁴ in the absence of evidence as to parliamentary

¹ The primary heading: "Serjantie mutata in Servicicia Militaria." Hen. de Monenue I am partem Wills Wyberd I am partem" must have been copied by mistake from some Return not now extant.

² Vizt., Cirencester, Bradley, Britwoldsbury, Bisley, Rapsgate, Langtree and Whitston.

³ Vol. III., p. 76.

⁴ "Select Charters."

sanction, suggests that the tax was exacted by an exercise of the Royal prerogative alone.¹ This accords with the charge of "extortion" brought against the King by Matthew Paris, from whose Chronicle it may be further gathered that the order was issued at Michaelmas, 1242, and that not 20, but 40, shillings per fee was the amount to be collected.² The latter assertion is corroborated by this Return (No. 10), in which all payments credited are at the higher rate, another instance being thus afforded where the "Testa de Nevill" serves to clear up a doubtful historical point.

Whether the circumstance of these payments being accounted for through the Abbot of Cirencester, instead of by two lay collectors as in 1235, indicates that the influence of the church was as far as possible employed in collecting an obnoxious impost, there is not evidence to decide, this being the sole Return in the Testa for a particular county. This may perhaps be attributable to the fact that such accounts must in the main have been but a

¹ That Henry had resolved to adopt this course even before he left England is clearly shown by his having on 1st May issued writs at Westminster granting permission to the nobles who were to accompany him, to levy a scutage on their own tenants. The Roll on which these writs were engrossed is in the Record Office. It is entitled "Scutagium concessum ad transfretandum domini Regis Henrici filii Johannis in Vasconiam—anno regni ipsius Regis H. xxvi., militibus subscriptis qui cum rege venerunt." Read between the lines it throws light in many ways on the situation. He styles his brother Richard for example not only Earl of Cornwall, but Earl of *Poictou*, the cause of his quarrel with France, whilst the disinclination of the Baronage to espouse that quarrel is shown by the small number who went (77 in all), and by the length of time which elapsed before some of them followed him,—Simon de Montfort not getting his writ until the 25th June, and others as late as the 28th August at Bordeaux, when the campaign was over! It need only be added that the concessions are expressly stated to be "de dono regis," without allusion to council or parliament. The last, however, to Geoffrey le Despenser, for a fee which he held in ward, is said to be granted "at the time when it was provided that a scutage should be given in the Kingdom of England," which almost looks as if the Royal edict had eventually received some sort of sanction.

² After a paragraph in which the above date is mentioned, the Cotton MSS. has *eodem tempore* scutagium per totam Angliam (viginti) solidos de (scuto) Rex Anglie sibi fecit extorqueri,—the words between brackets being blank in the text, but added in the margin; whereas the MSS. in the library of Corpus Christi College states the amount as "*tres marcas*," which is clearly correct.

repetition of the collection made at the same rate in 1235, not, however, without appreciable differences, as shewn by a Return for the County of Kent at page 416 in the Testa, which is headed: "These are in the Aid for marrying the King's sister, but not in the Scutage of Gascony."

It should perhaps be added that the Return for Divers Counties, at p. 412, already alluded to, might be taken to prove that there *were* lay collectors, since it begins by naming Sir Robert Passelew, and Nigel the Clerk, as rendering account for Hampshire, to the extent of £14 1s.; but the former was the King's sub-Treasurer, and the latter, no doubt, an Exchequer official, so that they probably were acting ministerially; whilst as regards the other counties noted in the margin, no collectors are named. In fact the lay contributors mentioned seem to have been for the most part custodes of the lands of minors, subject, of course, to pressure from the Crown.

Proceeding after this digression to an examination of the Return it will be found, conformably with its second title, to contain a list of the names of certain sub-feofees in the Hundreds around Cirencester, with the sums received from each. The entries run as follow:—

1. From Ralph de Leche for a whole fee in Eastlech of the fief¹ of the Earl of Gloucester, 40s.

Ralph de Leche was in 1248 one of the jurors² of Britwoldesbury, in which this fee was situated, and in 1285 a person of the same name, perhaps his son, held it of Herbert de St. Quinton, and Herbert of the Earl of Gloucester.³ In 1346, John de Leeche is said to hold the lands and tenements in Eastleach and Twining, which had been Ralph's, as the fourth part of a fee.⁴

2. From Richard de Baggindon for half a fee, and the twelfth part of one fee in Baggindon, of the fief of Roger de Chandos, 23s. 4d.

¹ I translate feodum "fief" when used in this wider sense, in order to avoid confusion.

² Trans. Bristol & Glouc. Arch. Society, Vol. X., p. 305.—A Gloucestershire Jury List of the 13th century.

³ *Idem.*, Vol. XI., p. 143—Kirby's Quest.

⁴ *Idem.*, Vol. X., p. 283.—Aid for Knighting the Black Prince.

The sub-infeudation of the Baggindons in the manor from which they derived their surname, has been already mentioned in the notice of Roger de Chandos in a previous paper.¹ It lasted upwards of a century longer, for in the Return for Cirencester Hundred in 1346, a Richard de Baggynon held the half and twelfth part of a fee there² which his predecessor of the same name had done in the time of Edward I.

3. From Cecilia de Evereus and Galiena de Turvill for two fees in Estlech of the fief of Walter de Lacy, £4.

It may be surmised that these ladies were sisters, and that as the manor they held conjointly in Britwoldesbury Hundred was known as *Eastleach-Turvile*,—the former had changed her name through marriage. The two fees thus held of Walter de Lacy are apparently those for which Henry le Fleming answered in the Aid of 1235,³ and it might have been assumed that they were at that date in ward to him together with the heiresses, were there not circumstances tending to prove that the latter had long ere that passed their minority. As regards the first, the fact of the manor being styled "*Lecche Cecilia*" in the Carucage of 1221, looks as if she were in possession even then, and this idea is corroborated by finding that about the middle of the century she had a grown up son, Nicholas,⁴ to share her inheritance, which extended into several counties. I imagine that she was the second wife of Stephen d'Evereux,⁵ the name of whose son and heir, William, often stands next to hers in these Returns.

Galiena de Turvile seems to have been of age still earlier, for so far back as 1213 she transferred by fine⁶ the manor of Norton to her sister Dionisia, widow of William de Berkeley of Cobberly, who is known to have been a daughter of Robert de Turvile.⁷

¹ *Idem.*, Vol. XIII., p. 340.

² *Idem.*, Vol. X., p. 281.

³ *Idem.*, Vol. XIII., p. 327.

⁴ *Vide Testa de Nevill*, p. 414. I am not sure of the date of the Return in which he is mentioned. Possibly it may not be earlier than 1260.

⁵ *Trans. Bristol & Glouc. Arch. Society*, Vol. XIII., 339.

⁶ *Pedes Finium*, Glouc., 15th John, No. 66.—Though bound up with the Fines of that county, I believe it to relate to Chipping Norton, Oxfordshire.

⁷ *Vide Cal. Inq. p.m.*, 27th Henry III., No. 26.—On Giles de Berkeley.

Galiena was also a joint-tenant of two fees in Wilts, under John fitz Geoffrey, and held in capite the vill of Hosington, in Hants, as a tenth of a fee in which Jordan la Ware had been sub-eneffed.

4. From Gilbert de Schipton for one fee in Schipton of the fief of William the Monk (Monachus), 40s.

This was not the knight's fee which William le Moine held by serjeanty in the same vill, but another held by military service, wherein the family whose surname was taken from it, as above shewn, had long before been sub-eneffed. Probably indeed they descended from Rumbald, the sub-tenant who held 10 hides plus 1 hide in Scipetune at the time of the Domesday Survey, for it was a Gilbert, son of *Rumbald*, who in 1199 fined 100s. to be recognised by Robert le Moyne as feoffee of the two knights' fees held of him at Scipton.¹

This arrangement was so far modified in 1210 that Gilbert agreed to resign the advowson of the church of Scipton to Ralph le Moyne, who thereupon diminished the service by half a knight's fee, and also gave up a virgate of land and a messuage situated between their respective manor houses.²

When and why the service was further reduced to that of a single knight does not appear, but it was no mere temporary concession, since in 1285 it was found that William le Moyne held in Skipton by the serjeanty of being the King's larderer, and that Gilbert de Skipton held *one* knight's fee in the same vill, from the aforesaid William.³ The history of the serjeanty will be traced when we come to Return No. 11.

5. From William de Mara for two and a half fees, and the third part of a fee in Rindcombe, Cerney, Kalemundesdon, and Truesbiri, of the fief of the Earl of Gloucester, 113s. 4d.

Rendcombe and North Cerney, of which latter Calmesden is a hamlet, are in the Hundred of Rapsgate; belonged to the same owner at Domesday; and descended together afterwards.

¹ Pedes Finium, Glouc., 1st John, No. 22.

² *Idem.*, 12th John, No. 65.

³ Kirby's Quest—Hundred de Langtre.—Trans. Bristol & Glouc. Arch. Society, Vol. XI., p. 152.

Trewesbury, in the parish of Cotes, Cirencester Hundred, may have constituted the third of a fee spoken of ; but if so, the Earl's small manor in Cotes must have been reckoned with it, for it was only half a hide. Both had belonged to Gislebert fitz Turolde at Domesday, and usually passed as one holding.

With regard to William de Mara, the great fief of Mara in the Commune of Antretot, in Normandy, had given a surname to its lords before the Conquest, and the Sire de la Mare is included by Wace among those who fought at Hastings. The name, however, does not appear among the tenants in capite at the time of the Great Survey, although there is reason to infer that William son of Norman, the ancestor of the lords of Kilpeck, was entitled to bear it.¹ What is certain is that before 1123 Walter of Gloucester, father of Milo, afterwards Earl of Hereford, gave to William de Mara, his nephew, two fees in Little Hereford ;² and further that in 1165, Robert de Mara, who can be shown to have been that William's successor, held ten fees of William Earl of Gloucester.³ The latter must have included those here mentioned in Rendcombe, for he gave lands in that vill to Bruern Abbey, co. Oxon ; a donation which was confirmed, and probably enlarged, by another William de Mara, presumably Robert's son, between 1171 and 1183.⁴

The William de Mara of this Return was, of course, of a still later generation. His descendants continued to hold the same manors under the Earls of Gloucester for upwards of a hundred years after its date, for in 1285,⁵ a William de la Mare is found holding Rendcombe of the Earl as three fees, as also Trewesbury as the tenth part of a fee ; whilst in 1346⁶ Thomas de la Mare and his tenants paid the aid for two knights' fees in Rendcombe.

6. From William de Lesseberg for one knight's fee, in Lesseberge, of the fief of William de Kaines, 40s.

¹ *Vide* Roll of Battle Abbey, by the Duchess of Cleveland, Vol. II., p. 192.

² *Vide* Ancient Charters, edited by J. Horace Round, Esq., part 1, No. 11.

³ Liber Niger, Vol. I., p. 160.

⁴ Ancient Charters ut supra, No. 45.

⁵ Kirby's Quest.—Trans. Bristol & Gloucester Arch. Society, Vol. XI.

⁶ Aid for Knighting the Black Prince, ditto, Vol. X.

The William de Kaynes mentioned in Return No. 1¹ as holding two knights' fees of the king (John), died in 6th Henry III.,² leaving his son and heir of the same name a child, in ward at first to the Bishop of Salisbury, but later, apparently, to Simon de Montfort, to whom an order regarding him was addressed in 19th Henry III.³ His minority accounts for the absence of the second William de Kaynes from the list of those who paid the aid of that year, but he had clearly come of age before 1242. As the Kaynes family resided in Somersetshire, their sub-feoffees at Lasborough seem to have become practically independent. An earlier William de Lasborough had bestowed a hide out of it on St. Augustine's, Bristol,⁴ and the one here mentioned, who was appointed Sheriff of Gloucestershire in 1255, obtained in the following year a grant of free warren⁵ over his demesne lands in the manor, the existence of his overlord not being even alluded to. In the Inquisition on his death, however, in 1260, he is stated to have held a fee in Lasseberge worth twenty marks per annum of Sir William de Kaynes by the service of one knight.⁶ His only daughter and sole heiress, Agatha, then twenty years of age, was married to Henry, son and heir of William de Dene, which Henry is recorded in Kirby's Quest as holding the fee of the heirs of Robert de Kaynes.⁷ Another William de Dene succeeded, after whose death in 1310⁸ a third had livery of his inheritance in Dene on 14th October in the last named year. This William died in 1319⁹ leaving two daughters and coheirs, Isabel five years old, and Joan aged only one month, whose wardship and marriage fell to the King,¹⁰ as the lands in Great Dean were held of him in capite. The Manor of Lasborough was found on the same occasion to have been held by William of Hugh le Despencer, senior. By what means its overlordship had been wrested from the De Kaynes

¹ Testa de Nevill.—Trans. Bristol & Glouc. Arch. Society, Vol. XII. p. 267.

² Excerpta e Rot. Fin., Vol. I., p. 82.

³ Excerpt' e Rot. Finium, Vol. I., p. 275.

⁴ Fosbroke, Vol. I., p. 408.

⁵ See Charter of Inspeximus on Patent Roll, 4th Rich. II.

⁶ Inq. p. m. 45th Hen. III. No. 20.

⁷ See Trans. Bristol & Glouc. Arch. Soc., Vol. X., p. 152.

⁸ Writ of "Diem Clausit Extremum" dated 7th Edw. II. Rot. Fin.

⁹ Inq. p. m. 12th Edw. II. No. 31.

¹⁰ Ibid.

family, I have not discovered,¹ but this had, apparently, been done with the connivance of the sub-feoffee, since it is recorded² that Hawise, wife of Robert de Kaynes, had, "as Lady of the Fee,"³ put one Henry de Lasborough into possession, whilst Hugh le Despencer supported the claim of William de Dene, who is styled "his steward." The result proved disastrous to the latter's infant daughters, for shortly after his decease, Hugh demised the manor by deed to Geoffrey de Westone (who had appeared at the Inquest in the capacity of his attorney) to be held of him as custos till the minors should attain the lawful age.⁴ This arrangement lasted till 1326, when, after Hugh, who had been created Earl of Winchester, was beheaded, the custodship was transferred to Robert de Goldhull, by whom Lasborough was shortly afterwards surrendered to the King's escheator, William Trussell, who claimed it as part of the Earl's forfeited estates. Notwithstanding the verdicts of jurors after the Inquisitions on oath in 1327 and 1328, whereby it was distinctly declared that the manor was William de Dene's, and that Hugh le Despencer had entered on it after William's death in no other capacity than that of custos pending the minority of his daughters, the claim of the Crown seems to have prevailed, and neither they, nor the husbands to whom they were subsequently wedded, Ralph ap Eynon and Ralph de Abenhall, ever obtained sasine. How long it was kept by the escheator does not appear precisely, but we find that in 1346 the aid in respect to it was paid by Thomas de Aston,¹ who cannot, however, have continued in possession beyond 1354, in which year a charter of free warren over the lands was granted to

¹ Three years later Robert de Kaynes, junior, was in common with most of the Gloucestershire Barons, attainted for "the Pursuit of the Despenchers," After their downfall he was pardoned, but never recovered Lasborough nor the more important Domain of Somerford-Keynes, in Wiltshire, of which it had been made a dependency.

² See documents quoted by Fosbroke, Vol. I., p. 408.

³ Dugdale (Baronage, Vol. I., page 427) says Hawise was the widow of Robert de Kaynes, and the title here given to her looks as if she held Lasborough in dower.

⁴ These particulars are derived from an Inquisition in 2 Edw. III. No. 80.

⁵ See Trans. Bristol & Glouc. Arch. Society, Vol. X., p. 284. It is not clear who he was. There are manors so called both in Gloucestershire and Somersetshire.

John Basset.¹ The latter died in January, 1363, seized "in demesne as of fee of the King of the Manor of Lasborough, by fealty as of the demesne of Samford-Keynes in the hand of the King existing," leaving as his nearest heirs two daughters: Margaret two years old, and Alice one.² This John was the eldest son of Sir Simon Basset³ of Uley, who survived him by rather more than a year. He had received from his father, on his marriage,⁴ Wynford, Saltford, and other manors in Somersetshire, held of the Honour of Gloucester, but these, on his premature decease, instead of being kept for his infant heirs, were resumed by Sir Simon, and retained by the latter's second wife, Maude,⁵ daughter of Sir John de Bitton, in spite of protracted litigation, till her death in 12th Ric. II., when she made them over to her surviving son, Edmund Basset of Uley. It is unnecessary to give details of the controversy or its issue here,⁶ as it did not affect the Manor of Lasborough, the custody of which, including that of the minor heirs, passed in due course into the King's hand. Alice, the younger of the two, dying at the age of five, her sister succeeded to all her rights.⁷ These passed afterwards to Walter

¹ Both Atkyns and Rudder assert this fact, but, as usual, give no references.

² Inq. p. m. 36th Edw. III. No. 19.

³ So described in Inquisition, p. m., 13 Ric. II., No. 4.

⁴ "In dote." See Inquisition.

⁵ Smyth (Hundred of Berkeley, p. 184) says Sir Simon had no children by his first wife, Elizabeth, but Maude was clearly John Basset's step-mother, for her former husband, Sir Wm. de la More, did not die till 1341. (Herald and Genealogist, Vol. IV. p. 195,) so that no son of hers by Simon Basset could have had a Charter of Free Warren in 1354, nor died a Knight in 1363, with a daughter 2 years old. Moreover, the Chancery Decree in 7th Ric. II., declares that she had no grounds for occupying Wynford, &c., either through "affinity or consanguinity," which could hardly have been asserted if she were the mother of the last owner.

⁶ It seemed desirable to advert to it however, if only for the purpose of pointing out the absurd errors into which Rudder fell, through finding in the Calendar several Inquisitions, at distant dates, as to the lands held by a John Basset, and not taking the trouble to ascertain that they all related to the same person, who died on the Thursday after Epiphany in 36 Ed. III.; instead of referring, as he does, that of 7th Rich. II. to a John, *son of John Basset*, and that of 21st Ric. II. to a John, *son of the second*, who, according to his idea, was the father of Margaret — See *Rudder's Gloucestershire Lasborough*, p. 516.

⁷ See Inq. p. m. 5th Ric. II. No. 8. Alice had died in 41 Ed. III. (1367).

Broun, to whom the hand of Margaret was given soon after the commencement of the reign of King Richard the Second. In 1381, on the plea of her being "Cousin and Heir"¹ to the William de Lasborough who had, a hundred and twenty years previously, obtained the grant of free warren (then exhibited), over his demesne lands in Lasborough and Pagenhull,² she and her husband received letters patent³ confirming similar privileges to themselves. The former manor was in their possession till 1397, but as no Inquisition on the death of either is extant, it is hard to say how much longer they held it. Judging from the non-existence of notice of any subsequent owner for considerably more than a century, it seems probable that they left no issue, and that it had reverted to the crown.

7. From William de Rodmerton for the third part of a fee in Rodmerton of the fief of William de Kaines, 13s. 4d.

When remarking that the two fees held by William de Kaynes were in Lasborough and Rodmerton,⁴ both in Langtree Hundred, I overlooked the fact that his ancestor, Hugh Maminot, held likewise at Domesday five hides in Sopeberi, which being in Grumboldsash Hundred is not included here. The Revd. Mr. Taylor identifies it with Little Sodbury,⁵ of which Fosbroke

¹ Fosbroke, on the strength of this, represents John Basset as having succeeded to Lasborough as a *near relation* of the Dene family, but we know for certain that the last William de Dene left daughters whose issue was still living. The fact is that as the original grant had been made to William de Lasborough and *his heirs*, it became necessary—by a sort of legal fiction—to describe the actual holders as being so! It was doubtless no difficult matter in those days to procure an "Inspeximus" upon producing the original charter and paying the required fee (in this case half a mark was paid into the Hanaper). There seems to have been no Inquisition by jurors, although it was manifestly out of the question that the King in Council could without one, judge of the truth of a complicated descent through two or three families. It would be easy to cite other cases in which allegations to the same effect were accepted unhesitatingly after the lapse of several centuries.

² Otherwise Pagan Hall, in the Parish of Stroud, held by him of the Earl of Hereford. It went to the Dene, but was held subsequently by John of Monmouth (Inq. ad quod damnum, 28th Edw. III. No. 37), and there is no reason to think that it had passed to John Basset's daughter.

³ See Patent Roll of 4th Rich. II., second part, mem. 16.

⁴ Trans. Bristol & Glouc. Arch. Society, Vol. XII., p. 267.

⁵ Analysis of Domesday, Vol. II., p. 188.

despairingly says "there is no mention in record."¹ In 1346, however, it is entered as being held as half a fee by Jordan Bysshop,² the overlord being, as usual in that Return, omitted.

This accounts for one fee and five-sixths of a fee out of the original two fees of King John's time—the sixth still missing, being presumably that which in Kirby's Quest William de Redmerton is stated to hold in *Rodmerton* of the manor of Tetbury.³ How this portion of Rodmarton had become detached from the rest, and included in the great Lordship of the De Braose family, is a mystery, but the same thing had happened in the case of other adjacent manors,⁴ notably that of Cherington, belonging to the Honour of Wallingford, in which this same William de Redmarton likewise held a fifth of a fee from William de Braose. It looks certainly as if these acquisitions had been simultaneously and amicably effected, at some period between the dates of Returns Nos. 1 and 10, at which, in all probability, the Barony of St. Valery, whereof Tetbury was a member, had been in the hand of the King. Apparently William Redmerton was the last male of his line, for in 9th Edward II., the manor had passed into the possession of no less than five lords.⁵

8. From Ralph de Cotes for one knight's fee in Cotes of the fief of Walter de Lacy, 40s.

That the de Lacy fee in the parish of Cotes, Cirencester Hundred, was held by the above-named Ralph in 1235, has been already noted.⁶

9. From Fulk Cokerel for half a knight's fee in Cotes, of the fief of Ralph Russell, 20s.

Reference was likewise made in my Paper on the Aid of 1235,⁷ to the tenure of the Cokerel family both then and in 1285,

¹ Fosbroke, Vol. II., p. 29.

² The Bisshop family had held for some time. In the *Nomina Villarum* of 1316 John Bisshop and Robert Livett are given as the Lords of Sodbury and Hildersley.

³ Trans. Bristol & Glouc. Arch. Society, Vol. XI., p. 152.

⁴ It will be seen that fractions of six manors, amounting in the whole to one fee and eleven-thirtieths had been added, yet in 1346, Tetbury with its members was assessed as only one knight's fee.

⁵ *Vide* *Nomina Villarum* in Parl. Writs.

⁶ Trans. Bristol & Glouc. Arch. Society, Vol. XIII., No. 21, p. 326.

⁷ *Idem.*, p. 320

of the half fee in the same parish which had come to the Russells of Dyrham. The Fulk here mentioned was doubtless son of Elias Cokerel, whose widow was their sub-tenant at the earlier date.

No mention is made of the third and smaller sub-division of Cotes, which, since its forfeiture by Gilbert fitz Tuold, had formed part of the Honour of Gloucester, but, as before suggested, it may be included with Trewsbury. At the date of Kirby's Quest, it was held separately of the then Earl by a Walter de Cotes as one fifth of a fee.

10. From Geoffrey Martel for half a knight's fee in Stowell of the fief of William de Hastings, 20s.

The same overlord and the same feoffee appear seven years before.¹ The descendants of the latter continued to hold in Stowell, in Bradley Hundred, long after the Barony of Eaton Hastings had passed into other hands, Adam Martel holding it in 1346 for a half fee, as an ancestor of the same name had done in 1285.

11. From Richard de Hampton for a knight's fee in Stratton of the fief of Walter de Lacy, 40s.

There is nothing to add to what is said in my previous Paper as to this fee, excepting that in 1346 it had passed to a lady known as Johanna de Cirencester, who was perhaps heiress of the Hamptons.

12. From Adam Kaily and Thomas de Gardinis, for one knight's fee in Side and Gardino, of the fief of John le Brun, 40s.

The Manor of Side, in Rapsgate Hundred, which had belonged at Domesday to Ansfrid de Cormeilles, continued in the possession of his descendant, Walter de Cormeilles, during the reign of John.² Upon the partition of the Barony among Walter's three daughters in 1218, it must have gone to Richard le Brun.³

¹ Trans. Bristol & Glouc. Arch. Society, Vol. XIII., No. 317.

² *Vide* Trans. Bristol and Glouc. Arch. Society, Vol. XII., p. 253. This effectually disposes of Sir Robert Atkyns' assertion that "Side came soon after the Conquest" to the Giffards of Brimpsfield; although it will be seen from what follows that a scion of that House was sub-enseoffed therein before the close of the 12th century, presumably through marriage with a daughter of the House of Cormeilles.

³ Not as Fosbroke suggests, to Hugh Giffard, the husband of the eldest, neither of whose sons inherited an acre in Side.

who had married the second, and from him descended to his son the above-named John. The Kaily family—its sub-tenants—were feoffees of the Giffards in Wiltshire,¹ and had inter-married with them on several occasions. Adam, though apparently only a cadet, had obtained the hand of one of the daughters of Richard Giffard, and succeeded in her right, on the death of Osbert her brother, to this sub-encoffment in Side, as well as to an interest in lands in other counties.²

The association of his name with that of Thomas de Gardinis in this Return, can mean no more than that the combined holdings of the two made up the knight's service for which their overlord was answerable. There was certainly no connection between the manors named, as shown by their appearing in Kirby's Quest under distinct headings, the half fee in Side being then held by

¹ Elyas de Kailleway appears in the Wilts Returns (Testa de Nevill, pp. 142 and 157) as joint holder of four fees under Elyas Giffard (IV), whose sister Berta he had married: two of them are said to be in *Kaillewent*, which looks as if the name were of territorial origin, though the "de" is often omitted. Perhaps it was derived from "Caillou," a flint, as it is occasionally spelt so. The spelling in fact was so various,—even sometimes in the same document, that no conclusion can be come to.

² This information is derived principally from Bracton's recently published Note Book. In No. 1717, A.D. 1226, Oxon., Osbert Giffard calls Elyas Giffard (IV) to warrant a fee which the latter's grandfather Elyas (III) had given to his nephew Richard Giffard (presumably the Justice Itinerant of the reign of Hen. II.) which fee seems to have been made over by Richard's son Osbert, to Adam de Kaylli and his wife Mabilia. In No. 671, A.D. 1231, Kent, Warin de Montchesney claims and obtains the homage of Adam de Kaylli and Mabilia, as well as that of Matilda Giffard, and of Isabella de Fréville, in respect to a fee in that county; the two former ladies pleading that it had been granted to their father Richard Giffard, and had come to them on the decease of their brother Osbert. The third, Isabella de Freville, is shown by a reference in Dugdale's Baronage (Vol. I., p. 501), to have been the widow of this Osbert (and not consequently, I may add, of the Osbert supposed by him, who did not die until 1247 (Cal. Geneal., p. 23). We are thus enabled to comprehend the entry on the Close Roll of 15th Hen. III., quoted by Fosbroke, as to a suit brought by Ralph de Wylington and Olimpias his wife, against the same defendants, with the addition of the Prior of Lanthony, with regard to their tenancy of three hides of land in *Side*. This was the extent of the whole manor at Domesday, and it may be inferred that Adam de Kaylli and his wife (called in the Close Roll *Matilda*, probably in mistake for Mabilia) became seized of it after the

Simon de Caly,¹ under Simon de Crome, and that in Duntisborne and in "Gardino," by Thomas de Gardinis, jointly with Henry de Lega—in both cases of John le Brun, son of the preceding John. It may be inferred from the second reference that "the Garden," from which Thomas derived his surname (often written de Gardino) was situated in Duntisbourne Lire, the only one of the three Duntisbournes in Rapsgate, unless indeed it were in Elkstone, an adjacent parish in that Hundred, in which in 1346 a Thomas de Gardinis paid for a quarter of a fee, John de Acton, the le Brun representative, paying for another. Strange to say, no

death of her sister, and of her father's widow, since we find that in 1255 Matilda Kaylli passed a fine of half a knight's fee in Syde, and of the fourth of a fee in Stoke Giffard and Brimpsfelde, in favour of one Adam de Crumbe, on condition of his paying her 100s. and undertaking the services required of her by John Giffard and John le Brun (Pedes Finium, Glouc., 39th Henry III., No. 420.) There seems no means of deciding whether this Matilda was the widow, or the daughter, of Adam de Kaylli. The tenancy of Side by Simon de Caly in 1285, would be more easily accounted for on the former supposition, but it seems odd if she had a son that she should have sold the superiority of the lands.

¹ The way in which Side shortly after this date became the property of the Giffards of Brimpsfield is not altogether clear. In the General Inquisitions as to their Heirs, taken in 1st Edw. III. (Cal. Inq. p.m., No. 84), it is stated positively that the manor was purchased from *Adam Cayley* by John Giffard, senior, and settled on his third wife, Margaret Nevill. This marriage cannot have taken place later than 1286, as her son, the second John Giffard, was born on Midsummer day in that year (Calend. Geneal., p. 28) but the settlement may have been post nuptial, and made at any time before her husband's death in 1299. The difficulty is that, as has been shown, Adam had then been dead between thirty and forty years, and it can only, I think, be solved by assuming that the jurors of 1326, after the lapse of nearly as long a period, had forgotten that the christian name of the vendor was in reality *Simon*. That juries were by no means infallible is evident, for in one of the two Inquisitions as to Side, in this very escheat, it is affirmed that the manor was held of *John de Crome*, whilst in the other John Giffard is said to have held it "in demesne as of fee" on the day he died. In neither case is any allusion made to the overlordship of John le Brun, which had evidently ceased to be more than nominal. Perhaps the motive of the latter declaration was, that Side, having been made over by Margaret Nevill (who still survived) to her unfortunate son, had been confiscated after his execution in 1322, and granted by the crown successively to Hugh le Despenser, John Maltravers, and Thomas de Berkeley. The last named continued in 1346 to hold it as half a fee, but, strange to say, his predecessor (c. 32nd Edw. I.) is called *Robert de Kailly*, showing how loose and perfunctory was the record of christian names in such documents.

mention of a hamlet or subordinate manor called Gardinum is to be found in any of the county histories, or original records.

13. From Lucia de Cormailles for a knight's fee in Winestun of the fief of John le Brun 40s.

Winson, in Bradley Hundred, the fee here referred to, is shown in my Paper¹ on the Aid of 1235 to have then been held by Walter de Baskerville of the Honour of Cormailles. How it had passed in the interim to John le Brun, who is there recorded as holding only two fees in Elkstone, of the same Honour, in right of his father's marriage with one of the last Baron's co-heiresses, does not appear; nor is there any clue to the relationship of the sub-feoffee, which cannot have been close or her position would have been different. There were at the time of the partition several male collaterals, from one of whom she probably sprung. Apparently she was the last of the name connected with the manor, for in Kirby's Quest this Wynston is said to be divided between John le Brun, Walter de Berton, Absolom Clericus, and Simon de Solers. In 32 Edw. I. John le Brun levied a fine,² of his interest in favour of John de Acton, as he had done with most of his lands, so that in the Nomina Villarum of 1316, Thomas de Berton, the Abbot of St. Peter's Gloucester, (representing Absolom the clerk), Simon de Solers, and John de Acton, are its lords. In 1346 John de Acton, John de Solers, and Walter de Cirencester paid for half a fee in Wynston, which John *Broune*,³ Walter de Berton, and William Absolom, formerly held there.

4. From Robert de Meysi for half a knight's fee in Hampton of the fief of the Earl of Gloucester, 20s.

¹ A family bearing the same surname is said to have derived it from Gordano, in Somersetshire (Collinson). There was a Thomas de Gardinis in that county temp. Hen. III. A Thomas de Gardinis was Sheriff of Gloucestershire from 21st to 27th Edw. I.—Trans. Bristol & Glouc. Arch. Society, Vol. XIII., p. 331.

² Pedes Finium, Glouc., 32nd Edw. I., No. 240.

³ The way in which John "le Brun" is now Anglicised into plain John Brown is worth noticing.

Hampton, in Gersdon (afterwards Cirencester) Hundred, had belonged to the Honour of Gloucester ever since its forfeiture by its Domesday lord, Earl Roger (Montgomeri), and had probably been occupied during the entire period by the family from whom it acquired its second appellation,¹ for Godfrey de Maisey was a tenant of Robert Earl of Gloucester in other manors so far back as 31st Henry I.² In 1165 a Robert de Meysi held nine fees of Earl William, Robert's son, of which Hampton doubtless was one, and about a hundred years later another Robert, probably the one of this Return, appears as holding eight fees of the Honour. In 1285 Hampton Meysey was still held by a Robert de Meysi, but before 1316³ it passed in marriage to the St. Maur's, who held in 1346.⁴

15. From Christiana de Mutton for half a knight's fee in Torinton of the fief of William de Hastings, 20s.

About this lady no information seems procurable. In 1235 the wife of Osbert Giffard held one fee in Torinton (*i.e.* Farmington, in Bradley Hundred) of William de Hastings, and it is not improbable that she may have left it divisible between two married daughters, of whom Christiana was the elder, since it appears from Kirby's Quest that Peter de Staunton then held half a fee in Thormanton of Nicholas de *Mutton*,⁵ while William de Ramsden held another half fee in the same, both of Benedict, son of Benedict, who had succeeded to the Barony of Hastings of Eaton.

16. From Richard Tirel for one knight's fee in Schipton of the fief of Roger de Chandos, 40s.

Feoffee and overlord remain as in 1235. The fee came to be distinguished by the addition of the name of the former, there

¹ To distinguish it from Hampton, in Bernetre Hundred, now Shirehampton.

² Mag. Rot. Pipe, 31st Hen. I.

³ Nomina Villarum.

⁴ Aid for Knighting the Black Prince, ante Vol. X., p. 280.

⁵ As there was a great family in the north of this name, it struck me this might be the true spelling, until I found that a Nicholas de *Mutton* at this very time was entitled to the alternate presentation to the Church of Kynmerton.—*Vide* Calend. Geneal., p. 307, 9th Edw. I. (Mutton, I believe, is a corruption of Mytton, a well known name.)

being no fewer than three "Sheep-towns" in Bradley Hundred alone.

17. From Richard le Bret for one third of a knight's fee in Weston of the fief of Hugh de Kylpec, 13s: 4d.

Hugh de Kilpeck did not die till 1244, two years after the date of this Return. Weston Birt, as it came to be called from a corruption of the tenant's name, in Langtree Hundred, belonged at Domesday to Earl Hugh (of Chester), and how it had passed to the descendant of William, son of Norman, I have failed to discover. In 1285 it was held by the heir of John le Bret as *half* a fee and one-tenth of a fee, of the Lord of Kilpeck; but in 1346 the service again appears as one-third only.

18. From Geoffrey de Langele for half a knight's fee in Suthington of the fief of Walter de Lacy, 20s.

Though a Domesday manor of the de Lacys, this Siddington, a part of St. Peter's parish, in Cirencester Hundred, was omitted in the list of Walter's fees in 1235. It must have been held of him by the present feoffee for many years, since in the Carucage of 1221 it is distinguished as "Sodington-Geoffrey," and it continued in the latter's posterity in 1285, when John de Langley is returned as holding it as an entire knight's fee of one of the de Lacy heirs, Geoffrey de Geneville. It long continued to be known as Siddington-Langley.

Here Return No. 10 terminates abruptly with the notification, "Sum total £33 3 8." This suffices to prove, at any rate, that it is complete so far as it goes, and not a mere fragment, as might have been supposed, seeing that it comprises scarcely one-fourth of the number of fees lying within the Seven Hundreds, the whole of those in Bisley and in Whitstan being left unnoticed. Presumably, as in the case of the Aid of 1235, the document preserved at the Exchequer, and later on copied into the Testa de Nevill, was the precursor only of the fuller account of his collections subsequently rendered by the Abbot.

TESTA DE NEVILL
 RETURNS FOR THE COUNTY OF GLOUCESTER.

No. 11.

*De Serjantiis arentatis per Robertum Passelewe, temp. Henⁱ fil.
 Regis Johannis.*

As the Inquisition referred to in the above heading was made by Judge Passelew in the year 1250,¹ this Return appears to be later than any other for Gloucestershire preserved in the "Testa."

Robert was brother to Simon Passelew, one of the Barons of the Exchequer,² and had himself filled the office of Under Treasurer. Since his mission had for its object to extract a rental from persons who had alienated lands held by serjeanty, or neglected to perform the services in consideration of which they were granted, it was naturally unpopular, and Matthew Paris describes him as "one of the King's 'Evil Counsellors.'"

The contents of the Return scarcely bear out its title, however, for they evidently comprise memoranda as to Serjanties noted on various occasions, instead of judicial decisions given during a single Iter. The first fourteen entries are a repetition of those as to Serjeants in the Forest of Dean, which occur at the beginning of Return No. 8.³

Then follow notes as to four Serjeanties, each in turn declared forfeit by reason of the alienation of the lands, but stated in subsequent paragraphs to be confirmed under commuted annual payments to the crown amounting to about one-third of the rent obtained by the respective Serjeants, who likewise renew their covenant for the due performance of the Customary Service. This portion of the Return contains in substance, no doubt, the record of Robert Passelew's work,—but, strange to say, his judgments are in every instance succeeded, not always immediately nor in the same order, by other recitals to a similar effect, although

¹ *Vide* Madox History of the Exchequer, Vol. I., p. 46.

² Foss' Judges of England. ³ *Ante* pp. 14-19.

slightly varied in details, and in somewhat different phraseology, presumably the work of another judge on some subsequent occasion.

Return 11, in short was, notwithstanding its heading, evidently not transcribed from a single Roll, but forms one of those composite documents of which the Exchequer copyists of the 14th century were so fond, and which, in the absence of dates, and of all distinction between the several extracts embodied therein, prove so puzzling. To obviate repetition, my comments on each of the four Serjeanties in question, will be preceded by a summary of the whole of the notices relating to it placed consecutively.

I begin with the entry which I have numbered

15. "The Manor of Sipton, in the County of Gloucester, which is the head of the Serjeanty of William le Moyne, in Madinton, in the County of Wilts, is in part alienated, whereby, indeed, the Serjeanty by which he ought to be buyer for the Kitchen of our Lord the King is aliened."

"From the same William for two virgates of land of the same Serjeanty alienated which William and Richard, sons of Richard de Wokinges hold from him, four shillings and sixpence per annum: And he will do the aforesaid customary services."

In addition to this, at page 78, column B, near the end of the Return, we have:

"The Serjeanty of William le Moyne in Sciptun, by which he ought to be Buyer for the King is alienated in part. William and Richard, sons of Richard of Wokingham, hold of it two virgates of land which are worth one mark per annum. And the said William (le Moyne) made on this account an agreement for the said tenants, with their consent, vizt., 4s. 6d. per annum. So that each of these tenants may answer to the same William for a third part of the value of his holding. And the same William¹ may do the service of the aforesaid Serjeanty."

¹ As the William le Moine in question died in 1252, and the concluding entry is in the present tense, it cannot be of later date. In the earlier entry the word is in the future *faciet*, which is clearly more correct; but in the later *faciat*. The same observation applies to each of the four (or five) cases.

Allusion has already been made in my remarks¹ on Return No 10, to this Serjeanty of William *Monachus*, as he is there called, in Shipton.

The manor belonged at Domesday to Maci de Mauretania, of whom, although he held important fiefs in at least half a dozen counties, nothing is known. This is of the less consequence, as they all escheated to the crown by the end of the 11th century, presumably in default of heirs, since his sub-tenants seem generally to have been left in continuous occupation, which would scarcely have happened had he been in rebellion. His estates in Somersetshire were divided between the Honour of Gloucester and the Barony of Castle Cary, but certain of his manors in Gloucestershire, Wiltshire, Dorset, Essex, and, possibly, Berks and Hants, were granted by King Henry I.² to Ralph "the Monk" to be held by the serjeanty of keeping the King's larder. Who this Ralph was, and whether the first of his line distinguished by an appellation so unusual for a layman, has not been ascertained.³

¹ Ante p. 25, No. 4,

² That he held by gift of that King rests on the testimony of a Return of the reign of Edward I. in the "Testa de Nevill," which states that the ancestor of this Ralph held the Manor of Oweres, in Dorsetshire, from the time of Henry I. by Serjeanty of the Kitchen, p. 164.

The date is so far confirmed by our finding on the Essex Pipe Roll, 31st Hen. I., that William Monachus was excused payment of Danegeld, in Essex.

³ The name is to be found on the so-called Battle Abbey Roll, and the William le Moine there mentioned has been claimed by the family of Monk, of Potheridge, co. Devon (from whom the celebrated Duke of Albemarle sprung), as their ancestor who, it is alleged, held that manor in 1066.^a We learn, however, from Domesday that Mertone, of which it formed part, was held in capite partly by the Bishop of Coutances and partly by Baldwin the Sheriff, nothing whatever being said of sub-tenants. It must be admitted, nevertheless, that a "Willelmus Monachus" does appear among the lay witnesses to a charter of Robert Duke of Normandy's to the Church of Bayeux in 1089,^b and it is not improbable that he was Ralph's father, but this in no way proves his connection with Potheridge; and the Duchess of Cleveland prudently confines herself to stating that the le Moines were seated at that place temp. Edward I., and that not improbably the first of them was a younger son of the family of Shipton Moyne, Gloucestershire.^c The county historians of Essex set up another claim in favour of a certain Gilbert, an under-tenant of William de Warrenne's at the time of the Survey, whose descendants held a manor afterwards called Moyne, near Bumpstead Steeple, but they give no authority for the assertion.

^a Vide Pedigree in Playfair's British Family Antiquity, Vol. V., Appendix.

^b Yeatman's House of Arundel.

^c Battle Abbey Roll, Vol. II.

He can only be conjectured to have been some younger son of a good House, who, after entering a monastery, upon unexpectedly becoming the Head of his family procured a papal dispensation from his vows.¹

The descent from Ralph of William Monachus or le Moine, of Returns Nos. 10 and 11, can be traced without much difficulty, although it cannot always with certainty be determined who was head of the house at any particular period. William appears to have been succeeded by John le Moine before 40th Henry III., the threat of declaring his serjeanty forfeited by reason of the alienation of two virgates of land, presumably in Shipton-Moine, having been carried no further than the extraction of a payment of 4s. 6d. per annum for the deficiency, in addition to a renewed pledge for the performance of the customary service of the serjeanty. The latter, which probably at first included attendance on the King at the three great festivals at least, had, so early as the accession of Richard I. been reduced to acting as "Larderer"² at the coronation of a new Sovereign, a privilege claimed by the holders of the manors to the present day. Those manors passed on the death of Sir John Moyne to Sir William Stourton, who had married Elizabeth, his daughter and heiress, in 22nd Richard II., and some of them are still in possession of their posterity. Shipton Moyne, however, was alienated long ago to the Estcourts,³ who, it may be inferred from the entry⁴ in the "Aid for Knighting the Black Prince" in 1346, had, before the end of Edward I. reign become joint tenants of the fee

¹ Such an occurrence was by no means unprecedented, as shown by Mr. A. Lower, in his "Patronymica Britannica," under the head of Ecclesiastical Surnames. Among other examples he cites one of a married tenant of St. Paul's, in the reign of John, who is described as William the Goldsmith, surnamed "Monachus."

² "Achateur de Roy et Lardinier de Roy au temps de coronement de Roy d' Engleterre," as defined tempore Henry V.

³ They are said to have derived their surname from living at the East Court—no doubt the manor house or "curia" of Gilbert de Shipton referred to in a fine formerly quoted (p. 18).

⁴ "De Emma que fuit uxor Johannis Beauboys, et Simone de Esteourt pro una feodo militis in Shipton-Moigne quod Johannes Beauboys et Walterus de Esteourt *quondam* tenuerunt ibidem."—*Vide* Trans. Bristol and Glouc. Arch. Society, Vol. X., p. 283.

formerly held by Gilbert de Shipton,¹ and, after holding *that* of the Stourtons for a time, eventually acquired from them the entire manor, which has been transmitted, through female heirs, to the present owner, the Rev. Edmund Hily Bucknall-Estcourt.

The history of the two virgates alienated to the sons of Richard of Wokingham I am unable to trace, though Fosbroke considers them to be the lands of which Mary Giffard, William de Sley, and John de Dene were returned as lords in 9th Edw. II., when John le Moine held the principal manor.

16. "Part of the Serjeanty of Gunnora de la Mare in Wenrich pertaining to the Manor of Elsicot, in the County of Oxford, for which she ought to be keeper of the door of the King's Hall, is wholly alienated."

"From the same Gunnora for five virgates of land of the Serjeanty alienated in the County of Gloucester, which Peter Prentue and Robert de la Mare² hold of her, fifteen shillings a year, and she will do the service of half a fee for the said land, and for the lands of the Serjeanty which she holds in the counties of Oxford, Wilts, and Gloucester."

At page 78, column B, this is repeated with further particulars, vizt., that Peter Prentue holds half a virgate of the land worth 5s. per annum.

Robert de la Mare three virgate and a half worth 30s. per ann.

John Lesquier one virgate worth 10s. per ann.

"Amount of the alienation, 45s. And the said Gunnora agreed with her said tenants to pay 15s., the said tenants each answering to her for the other thirds, and the said Gunnora will do the service as noted in the County of Wilts."

There is no reason to suppose that these De la Mares were scions of the great Gloucestershire family referred to in Return No. 10.³ We only know of them that they filled offices of menial

¹ Ante Vol. X., p. 283.

² Presumably son of *Richard de la Mare* mentioned in connection with this Serjeanty in Return No. 8, ante p. 18.

³ There were at least twenty families of the name scattered all over England in the 13th century, and it seems more reasonable to infer that in many cases they had received it from their Norman compatriots on account

origin about the King's court, vizt., keeping the door of the King's chamber, supplying brushwood and litter for the Royal household, and preserving order among the laundresses¹ following the court, in reward for which services they held by Serjeanty lands in Winterburn la Mare, Wilts; Windrush, in Gloucestershire; and Alvescot and Elton, Oxon. Though it is not easy in the two former cases to be sure as to the Domesday owners of the lands, I feel satisfied on close examination that they were held at the time of the Survey, possibly on similar conditions, by Saxons, who, having been themselves or their relations in the service of the Confessor still continued in that of the Conqueror.² At what period these Saxon dependants were succeeded by Normans is not clear, but, probably, during the reign of Henry I.³ These Serjeanties, however, cannot be traced to the De la Mare family until that of Henry III., early in which, as we learn from "Testa de Nevill," Henry de la Mare "held a hundred solidates of land in Winterburn for being Marshal of Litter for the King" (p. 143) and likewise 5s. in *Laverstoke*, (p. 148) in Wiltshire; and twelve librates of land at Alvescot, in Oxfordshire, by the Serjeanty of keeping the door of the King's Hall (p. 106). He died in 33rd Henry III., just before the date of Robert Passelew's Inquisition,

of residence near *English Meres*, than that it was derived uniformly from a single Mere in Normandy. The next Hundred in Wiltshire to that in which Winterourn la Mare is situated, is called "Mere," and there are others so named in Domesday.

¹ Designated in those days of plain speaking by the uncomplimentary epithet of "Meretricis Regis."

² In Oxfordshire, under the heading, "Richard and other Servants of the King," *Elfegescote* (two hides) appears as held by Saric, in place of Ailwin. In Wiltshire, under "Odo and other Thanes of the King," we learn again, "Saric holds *Winterburn*, one hide and a half, which Ailwin held"—while as proof of his nationality, it is stated with respect to another manor held by him, and later on by the De la Mares (*Laverstock*), that it had been held by his brother Gert. In Gloucestershire, two *Wenrics* appear among the lands of the "King's Thanes," but as one was of considerable extent and its overlordship was claimed by Winchcombe Abbey, whereas the other in Gersdone Hundred, held of Chetel, was a hide and a virgate, or exactly the five virgates alienated by Gummora, there can be little doubt it was the latter.

³ In the earliest extant Pipe Roll a Henry de la Mare is credited with payment in the Oxfordshire Return of no less than £28 6s. 8d. for having his father's office of huntsman, but Dugdale claims him as ancestor of the de la Mares, of Garsington, in that county, summoned as Barons, t. Edw. I. & II.

leaving Henry, his son and heir, a minor;¹ the performance of the services being undertaken by Gunnora, the widow, during the nonage of the boy. The latter was entrusted to the custody of John Mansel, by whom he was so badly brought up, that he became on attaining manhood a "robber of churches," and was slain in 51st Henry III. when flying from justice. His lands were in consequence forfeited.—Winterburn—"Gunnor," as it is still sometimes called, being given by the King to his son Prince Edward,² who bestowed it in alms on St. Mary's, Bristol; while Alvescote eventually fell to Robert Walraund, including, probably, the overlordship of Windrush. The latter had indeed, according to the Return, been "wholly alienated" or sublet, the chief tenant, however, being a member of the De la Mare family.

17. "The Serjeanty of Henry de Monemewe, in Laghampton, by which he ought to be the King's cook, is changed into another service because the said Henry did not do that aforesaid."

"From the same Henry for the same Serjeanty, which contains half a virgate of land, 12d. per annum. And he will do the service of the first ³ part of one fee."

"Moreover William Wyberd holds in the same vill half a virgate of land of the same Serjeanty, for which he ought to do the aforesaid service. And because he has not done it, it is therefore changed into another."

"From the same William for the same land 12d. per annum. And he will do the service of the fiftieth part of one fee."

At page 78, column B, these statements are repeated with slight variations and additions—

Henry being said to hold an entire virgate worth 5s. a year, William to hold of the same Serjeanty half a virgate worth 2s., whilst the latter's service is said, like Henry's, to be for the *first* part of one knight.

¹ Extent cited from the Hundred Rolls of 39th Henry III. (1255) by Sir Richard Hoare, *Hist. of Wiltshire*.

² Hoare's *Wiltshire*.

³ I do not understand what is meant by "prima pars feodi," nor how that tallies with the fiftieth of one, which I take to be equal to the tenth of a hide.

This Serjeanty in Leckhampton, with its holders, has twice already been alluded to in these Gloucestershire Returns, and there is little to add to what has been said on the subject.¹ Henry de Monmouth was presumably son to the Roger who in 1228 had in some way acquired a share of Peter of the Hall's Serjeanty, but William Wyberd did not hold at that date, and may possibly have married another of the heiresses afterwards. A person of the name is mentioned in the Fine Roll of 1253 as connected with Kent, but as it is there spelt *Wybe, t*, a well known Teutonic personal appellation, this constitutes no sufficient proof of identity. William's interest in the Serjeanty seems soon to have ceased, for Walter Monmouth alone is mentioned in 29th Edward I., and his son John in 9th Edw. II.

18. "The Serjeanty of Richard de Pirie in Cirencester, by which he ought to convey the King's treasure, at the expense of the sheriff within the county of Gloucester, and at the cost of the King outside the county, is alienated in particles."

"From the same Richard for seventy-two solidates of land alienated from the said Serjeanty,² which the undermentioned hold of him, one mark per annum. And he will do the service of the twentieth part of one fee."

Agnes daughter of Roger holds thereof a messuage worth 3s. per year.

Gunnilda holds a messuage which is worth 2s. 4d. a year.

Maurice of Cirencester holds a messuage worth 3s. a year.

Richard the Tailor holds a messuage worth 2s. a year.

Richard the Merchant holds a messuage and 8 acres worth 5s. a year.

Henry Avance holds a messuage worth 3s. 6d. a year.

Walter de Pirie holds a messuage worth 2s., with 3½ acres of land.

Henry de Lattar holds 6½ acres of land and 1 acre of meadow worth 6s.

Alice Dunel holds two half acres of land worth 6d. a year.

¹ Trans. Bristol & Glouc. Arch. Society, Vol. XII., p. 290.
Vol. XIII., p. 296.

² I have here slightly varied the text so as to avoid having to repeat the names as well as the preliminary recital.

Ralph Brid holds a messuage worth 2s. a year.

Humphrey de la Barre holds a messuage worth 3s. a year.

Richard Thorel holds a messuage worth 3s. year.

Jordan the Merchant holds a messuage worth 3s. a year.

Edwin the Merchant holds a messuage worth 3s. a year.

Geoffrey the Clerk holds a messuage worth 3s. a year.

Lyme Spiring holds a messuage worth eighteenpence a year.

Brian the Merchant holds a messuage worth eighteenpence a year.

Joseph holds a messuage with two acres in one field, and two in another, worth 4s. a year.

Robert de Cotes holds a messuage worth 3s. a year.

Geoffrey le Berkier (the Shepherd) holds a booth dedicated to the service of the Blessed Mary worth 2s. a year.

William de Dunteshorn holds a booth dedicated to the same service worth 2s. a year.

William de Ponto holds 6 acres of land worth 2s. a year.

Richard Herkebaud holds a croft worth 3s. a year.

The Almoners of Cirencester hold 6 acres worth 3s. a year.

As to Richard de Pirie, or the history of his Serjeanty, I can discover very little.¹ He was, presumably, the same Richard who is given in the Testa as holding a quarter of a fee in Wiltshire of the Earl Marshal,² but whether related to the William de Pirie who held a fee in *Pirie*, in Staffordshire³ is uncertain. As the word, however, means simply "a Pear Orchard,"⁴ it is perhaps most likely that they were of distinct families.

Similar duties to those discharged by him are noted in the Testa as performed by Serjeants in other counties, and as such functions were of great antiquity, it is not improbable that the twentieth part of a fee which he held represented one of the two virgates mentioned in the Domesday account of Cirencester, as appropriated to an officer who obeyed the behests of the sheriff. The land in question must have been close to the town, as it had

¹ Fosbroke includes the name of "De Pirye" among the benefactors of Cirencester Abbey, referring to Dugdale, who does not mention it.

² Testa de Nevill, p. 137.

³ Testa de Nevill, p. 46.

⁴ The name is often written "Atte Purie."

been divided into five-and-twenty allotments, which paid Richard a rental of no less than 61s. a year, a good deal of it being let at 6d. an acre, then a high rate. The value indeed of the property is shown by an entry on the Fine Roll of 1258, which shows that the Abbot of Cirencester agreed to pay to the King thirty marks for a charter authorising the receipt of one mark a year from the Serjeanty which had been Richard de Pirye's. This looks as if Richard was then dead, or had alienated the land. As there is no allusion to this purchase in the text, we have another proof that its compilation was anterior to the date above quoted. The two other tenures by Serjeanty, in Little Tainton and Stoke Archer, mentioned in No. 8,¹ were, apparently, not dealt with by Robert Passelew, as they are left unnoticed.

I have now completed my review of the Gloucestershire portion of the so-called Testa de Nevill, and have shown that the eleven fiscal Returns comprised in it date from the first half of the 13th century. It is to be regretted that more were not preserved, and that some of those that have been relate to but a portion of the county. Moreover, it is unfortunate that when they were being transcribed into the Exchequer Register during the 14th century a stricter supervision was not exercised over the copyists, so as to have prevented their piecing together extracts from different original Rolls, under sometimes very misleading headings.

Still, despite deficiencies and drawbacks, these Returns furnish much interesting information, and are well worth the attention of the local historians of the future. I shall not, I trust, be suspected of over-estimating the utility of what I have done to identify and arrange them according to date, if I, in concluding, express a hope that the example will be followed with regard to other counties, so that materials may eventually be forthcoming for the new edition of the "Testa," contemplated by my lamented friend, the late Walford D. Selby, at whose suggestion my share of the task was undertaken.

¹ Ante p. 18.